



# Fiscal Note

## Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

### SB 25-047: ENFORCEMENT OF FEDERAL IMMIGRATION LAW

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**Prime Sponsors:**

Sen. Baisley  
Rep. Brooks; Richardson

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**Version:** Initial Fiscal Note

**Date:** January 21, 2025

**Fiscal note status:** This fiscal note reflects the introduced bill.

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### Summary Information

**Overview.** The bill prohibits local governments from enacting policies that limit cooperation with federal immigration enforcement and repeals several provisions limiting state compliance.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- State Revenue
- Local Government

**Appropriations.** No appropriation is required.

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**Table 1  
State Fiscal Impacts**

<b>Type of Impact</b>	<b>Budget Year FY 2025-26</b>	<b>Out Year FY 2026-27</b>
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

## Summary of Legislation

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The bill prohibits local governments from enacting any policy that limits cooperation with federal immigration enforcement in the state and allows local law enforcement with probable cause to report individuals who are presumed unlawfully present in the U.S. to Immigration and Customs Enforcement (ICE). Additionally, Colorado's Attorney General and state and local agencies may pursue federal entitlements for the reimbursement of money spent to enforce federal immigration laws.

The bill also repeals restrictions on state and local cooperation with federal immigration authorities including removing the prohibitions on:

- state and local law enforcement officials from arresting or detaining an individual based on a federal Immigration and Customs Enforcement (ICE) detainer request;
- employees of the Colorado Judicial Department's Division of Probation Services from sharing probationers' personal information with federal immigration authorities;
- state and local governments from entering into or renewing contracts with the federal government or private entities regarding immigration detention facilities; and
- the civil arrest of a person who is present at a courthouse or while going to, attending, or coming from a court proceeding.

## State Revenue

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The bill impacts revenue in two ways. First, starting in FY 2025-26, the bill may decrease revenue to the Judicial Department from court fees and fines if fewer civil cases are filed with courts because individuals want to avoid courthouse arrests. In addition, revenue may increase to the extent the state receives additional federal funds for reimbursement. Overall, it is assumed that impacts to revenue will be minimal. Revenue from filing fees is subject to TABOR. Revenue from federal reimbursement is not subject to TABOR.

## State Expenditures

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The bill minimally impacts workload in the Judicial Department, the Office of the Public Defender, and other state agencies beginning in FY 2025-26, as described below.

### Judicial Department

The trial courts in the Judicial Department may experience a decrease in workload if the bill decreases court attendance and increases dismissal rates for cases. Workload for probation services may also decrease from fewer adults on probation in the state system. This workload may be offset to the extent the bill increases warrants issued and additional hearings to address failures to appear. The fiscal note assumes that any workload impact will be minimal and change in appropriations are required.

## **Office of the Public Defender**

Workload in the Office of the Public Defender may increase if there is additional travel required to meet clients at immigration detention facilities. This workload is expected to be minimal and no change in appropriations is required.

## **Other State Agencies**

Workload in other state agencies, including the Department of Law and the Department of Corrections, may increase to update rules, comply with federal immigration enforcement agencies, and seek federal entitlements for reimbursement. Overall, this workload is expected to be minimal and no change in appropriations is required.

## **Local Government**

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Starting in FY 2025-26, the bill impacts local governments in a number of ways. First, workload for local government agencies may increase to develop protocols for coordinating with federal immigration authorities related and report individuals who are presumed unlawfully present in the U.S. to ICE. In addition, if a jail chooses to recognize a detainer, costs to the jail will increase to hold the individual longer. Finally, to the extent a local jurisdiction receives reimbursement from the federal government, revenue will increase. Impacts will vary depending on local practices and level of participation in federal immigration activities.

## **Effective Date**

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The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## **State and Local Government Contacts**

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Corrections	Local Affairs
Counties	Public Defender
District Attorneys	Public Safety
Judicial	Sheriffs
Law	

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).