



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 25-143: EXTEND PROHIBITION ON SCHOOL FACIAL RECOGNITION

Prime Sponsors:

Sen. Daugherty; Lundeen
Rep. Armagost; Carter

Fiscal Analyst:

John Armstrong, 303-866-6289
john.armstrong@coleg.gov

Published for: Senate Education

Drafting number: LLS 25-0274

Version: Initial Fiscal Note

Date: February 19, 2025

Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill expands the exceptions allowing schools to use facial recognition technology.

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

- Minimal State Workload
- School Districts

Appropriations. No appropriation is required.

**Table 1
State Fiscal Impacts**

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
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

Under current law, school districts and charter schools may not contract with any vendor for facial recognition services, unless the contract was in place before August 10, 2022, or is related to a “generally available consumer product” such as a smartphone. This law is scheduled to repeal on July 1, 2025.

The bill removes the repeal, creates a new exception for contracts that are in effect when this bill becomes law, and expands the allowable exceptions for school districts and charter schools to contract with a vendor for facial recognition software if:

- the service allows for analysis of facial features that relates to approved curriculum;
- a school official or peace officer uses facial recognition to identify a known threat to school safety; or,
- there is a reasonable belief that facial recognition technology may assist in locating a missing student.

Schools may not process facial maps or other biometric identifiers of any person without obtaining opt-in consent from the individual and their parent or legal guardian. These consent forms must contain a description of how the facial identification data will be used. Schools must post near entrances if they are using facial recognition services for one of the allowable exceptions.

State Expenditures

The Department of Education will update their website and provide guidance to school districts on acceptable uses of facial recognition technology. This additional workload will be minimal.

School District

School districts and charter schools that wish to use facial recognition technology for an acceptable use will have an increase in workload to adopt policies and post them publicly as the bill requires. This increase in workload will vary between school districts.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Education

Law

Judicial

School Districts

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](#).