



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

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Fiscal note status: The revised fiscal note reflects the reengrossed 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 Revenue
- 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 school service contract provider 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 contract provider 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 whose facial imaging was obtained; or,
- there is a reasonable belief that facial recognition technology may assist in locating a missing student based on data that could indicate the student’s presence near a school.

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, except for K-5 students where only the parent or guardian’s consent is required. 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. School districts must develop a policy for facial recognition technology, which must detail authorized individuals who may access facial recognition data.

If a person believes that facial recognition technology was misused by the school, they may apply for a temporary restraining order or injunction that prohibits the school district from continuing to use facial recognition technology,

State Revenue and Expenditures

Department of Education

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.

Judicial Department

If facial recognition technology in a school district is alleged to have been misused, the bill may increase civil court filings and therefore increase district court revenues and expenditures. Court revenues from filing fees are subject to TABOR. The fiscal note assumes that the number of additional civil filings will be minimal and no change in appropriations is required.

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](#).