



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 24-0279
Prime Sponsors:

Date: October 10, 2023
Bill Status: Bill Draft
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Bill Topic: **MEASURES TO SUPPORT PERINATAL PERSONS**

Summary of Fiscal Impact:

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires the Department of Corrections to provide doula services to pregnant or postpartum inmates and requires a task force to study best practices for pregnant or postpartum individuals in the criminal justice system. The bill will increase state workload starting in FY 2024-25.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the bill draft requested by the Legislative Oversight Committee Concerning the Treatment of Persons with Behavioral Health Disorders in the Criminal and Juvenile Justice Systems.

Summary of Legislation

The bill requires the Department of Corrections (DOC) to make reasonable accommodations for pregnant or postpartum inmates in DOC facilities to access doula services at no expense to the inmate. Doulas provide support to pregnant persons before, during, and after the delivery of a child. The DOC must establish partnerships with nonprofit and community based organizations that offer these services and must collect and report data on the number of doula requests it receives.

The bill also requires the Task Force Concerning the Treatment of Persons with Behavioral Health Disorders in the Criminal and Juvenile Justice System to study and recommend best practices to address pregnant or postpartum people with behavioral health disorders in the criminal justice system. The task force must deliver policy and legislative recommendations to the legislative oversight committee during the 2024 legislative interim.

Background

The DOC currently provides doula services to pregnant inmates at Denver Women’s Correctional Facility through two outside organizations—a contract with Correctional Health Partners and through volunteers from the Elephant Circle. In addition, the department created the Mother Bonding Program through rule to provide postpartum education and opportunity for bonding after delivery.

State Revenue

The bill allows the DOC to seek and accept gifts, grants, and donations to accommodate doula services for pregnant offenders. Starting in FY 2024-25, state revenue may increase to the extent the DOC receives gifts, grants, and donations; however, no sources have been identified as of writing. Gifts, grants, and donations are not subject the state’s TABOR limit.

State Expenditures

The bill increases state workload in the Department of Corrections and the Legislative Department, as discussed below.

Department of Corrections. The DOC currently provides doula services and maintains relationships with nonprofits to provide these services. The fiscal note assumes that these programs currently meet the requirements of the bill. The DOC also currently collects the required data; therefore, no change in appropriation is required.

Legislative Department. The fiscal note assumes that the task force, which is housed in the Legislative Department, will study and make recommendations through their current process. Any additional work to study the required issues by the bill is assumed to be minimal.

Effective Date

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

State and Local Government Contacts

Behavioral Health Administration	Corrections	Counties
District Attorneys	Human Services	Judicial
Legislative Council Staff	Public Safety	Sheriffs