



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Fiscal Note
Memorandum

March 22, 2024

TO: Members of the House Finance Committee

FROM: John Armstrong, Fiscal Analyst
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SUBJECT: Fiscal Assessment of Proposed Amendment **House Bill 24-1286_L.004**

This memorandum is an assessment of the fiscal impact of the attached proposed amendment L.004 to HB 24-1286. This fiscal assessment is for the impact of the bill with inclusion of this amendment only. Any other added amendment could influence the fiscal impact.

Summary of Proposed Amendment

Amendment L.004 removes all references to the Equal Justice Fund and replaces those references with an Equal Justice Fee, which is collected by the Judicial Department on civil and appeals cases beginning January 1, 2025, on behalf of the Equal Justice Authority, a special purpose authority. Persons whose income is below 250 percent of the federal poverty line are exempt from paying the \$20 Equal Justice Fee. The fee will be used by the authority to provide access to legal representation for indigent defendants and to cover its costs.

Fiscal Impact of Amendment

Amendment L.004 removes the state revenue, state expenditure, and TABOR impact identified in the fiscal note dated March 1, 2024, by clarifying that the fee is collected on behalf of a special purpose authority instead of the state.

Bill's Revised Fiscal Impact with Amendment

With Amendment L.004, the bill creates a fee impact, a minimal state workload impact, and increases revenue and expenditures in a special purpose authority.

Docket fee impact. Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. In this case, the fee is collected by the Judicial Department on behalf of the Equal Justice Authority. Fee amounts are outlined in the bill, resulting in an increase of \$20 for various docket fees, as shown in Table 1 below.



Table 1
Docket Fee Impact

Year	Type of Case	Number of Cases	Fee	Revenue
FY 2024-25	County Civil	27,288	\$20	\$545,760
	District Civil	17,848	\$20	\$356,960
	Court of Appeals	251	\$20	\$5,020
	Probate	8,474	\$20	\$169,480
FY 2024-25 Equal Justice Fee Revenue				\$1,077,220
FY 2025-26	County Civil	54,577	\$20	\$1,091,540
	District Civil	35,695	\$20	\$713,900
	Court of Appeals	502	\$20	\$10,040
	Probate	16,947	\$20	\$338,940
FY 2025-26 Equal Justice Fee Revenue				\$2,154,420

Judicial Department. The Judicial Department will update their information technology systems to create a new financial code for the new Equal Justice Fee. This additional workload is assumed to be minimal and can be accomplished within existing appropriations.

Equal Justice Authority. The newly created EJA will provide funding for legal aid to indigent offenders using the revenue generated from the new docket fee, estimated at \$1.1 million in FY 2024-25 and up to \$2.2 million in FY 2025-26 and ongoing. This revenue will also cover the EJA's administrative costs, which will be spent to convene commission members, and to distribute and report on funding.