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Fiscal Note

Drafting Number: LLS 22-0352 Date: March 11, 2022
Prime Sponsors: Rep. Titone; Soper Bill Status: House Judiciary
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Bill Topic: SAFE REPORTING ASSAULTS SUFFERED BY SEX WORKERS

- Summary of Fiscal Impact: [x] State Revenue [x] State Expenditure [] State Transfer [] TABOR Refund [x] Local Government [] Statutory Public Entity

The bill grants immunity from prostitution-related charges for a person who witnesses or is a victim of certain crimes. It may decrease state and local revenue and expenditures beginning in FY 2022-23.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

If a person witnesses or is the victim of certain crimes, the bill grants the person immunity from certain prostitution-related charges if the evidence for the charges derives from seeking assistance from a law enforcement officer, the 911 system, or a medical provider.

Data and Assumptions

According to the Judicial Department, from FY 2018-19 to FY 2020-21, 92 individuals have been convicted and sentenced for prostitution, soliciting for prostitution, or for a prostitute making display, which are each petty offenses. Because of the low number of convictions for these crimes, the fiscal note assumes that there will continue to be minimal or no fewer criminal case filings or convictions for these offenses under the bill.

State Revenue and Expenditures

Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue and expenditures. Under the bill, criminal fines and court fees, which are subject to TABOR, may decrease by a minimal amount. Similarly, any decrease in workload and costs for the Judicial

Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons, are assumed to be minimal and no change in appropriations is required. Any decrease may be offset by an increase in cases to the courts, probation, and the Department of Corrections for the crimes which trigger the immunity should the immunity incentivize individuals to report additional crimes. Due to the assumptions above, this analysis assumes that any such increase will also be minimal and no change in appropriations is required.

Local Government

Similar to the state, it is expected that any workload or cost decreases for district attorneys to prosecute fewer offenses, for county jails to imprison fewer individuals, or for municipal courts hear fewer petty offenses under the bill will be minimal. District attorney offices and county jails are funded by counties, while municipal courts are funded by cities.

Effective Date

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

State and Local Government Contacts

Judicial District Attorneys