



## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Revised Fiscal Note

(replaces fiscal note dated February 12, 2024)

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<b>Drafting Number:</b>	LLS 24-0355	<b>Date:</b>	March 7, 2024
<b>Prime Sponsors:</b>	Rep. Joseph; Ortiz Sen. Gonzales; Michaelson Jenet	<b>Bill Status:</b>	Senate Health & Human Services
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**Bill Topic:**                   **RIGHTS FOR YOUTH DIVISION OF YOUTH SERVICES FACILITIES**

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<b>Summary of Fiscal Impact:</b>	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill establishes a bill of rights for juveniles in a Division of Youth Services facility. The bill will increase state workload, and may increase state expenditures, starting in FY 2024-25.

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**Appropriation Summary:**           No appropriation is required.

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**Fiscal Note Status:**               This revised fiscal note reflects the reengrossed bill.

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## Summary of Legislation

The bill establishes a bill of rights for juveniles in a Division of Youth Services (DYS) facility, and requires the DHS to update its handbook to include these rights. This includes:

- having access to certain information, legal resources, medical care, education, and persons;
- being protected from certain punishment and discrimination; and
- having protections to participate in legal processes.

## State Expenditures

Workload to the DHS within the Department of Human Services will increase to update the handbook given to juveniles within its care. This work can be accomplished within current appropriations. In addition, starting in FY 2024-25, legal costs in DHS may increase if there are additional lawsuits alleging violations of the rights established by the bill. Legal costs include general counsel costs provided by the Department of Law and potential settlements paid from the Risk Management Fund within the Department of Personnel and Administration. The fiscal note assumes that the DHS is in compliance with the bill and that any increase in legal costs due to this legislation will be addressed through the annual budget process.

### **Effective Date**

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

### **Departmental Difference**

The Department of Personnel and Administration estimates the bill will cost \$1,560,978 per year starting in FY 2024-25, with costs paid from the General Fund in FY 2024-25 and from reappropriated funds from the Department of Human Services in FY 2025-26 and future years. This estimate is based on assumptions that the bill will result in 31 claims and of those claims, 3 will have merit and result in settlements. The fiscal note assumes the Department of Human Services is in compliance with the bill and if the bill does result in additional litigation, it will be funded through common policies and the annual budget process.

### **State and Local Government Contacts**

Human Services  
Personnel

Judicial

Law

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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](#).