


Colorado Legislative Council Staff
STATE and LOCAL
REVISED FISCAL IMPACT
(replaces fiscal impact dated April 30, 2003)

Drafting Number: LLS 03-0385
Prime Sponsor(s): Rep. Jahn
 Sen. Chlouber

Date: May 1, 2003
Bill Status: Senate Appropriations
Fiscal Analyst: Janis Baron (303-866-3523)

TITLE: CONCERNING CHILD CARE, AND, IN CONNECTION THEREWITH, MAKING MODIFICATIONS TO CERTAIN STATUTES AFFECTING CHILD PLACEMENT AGENCIES.

Fiscal Impact Summary	FY 2003/2004	FY 2004/2005
State Revenues		
Cash Funds — Fees	\$21,000	
Cash Funds Exempt — Pass Through to FBI	3,300	
State Expenditures		
Cash Funds — Fees	\$21,000	
Cash Funds Exempt — Pass Through to FBI	3,300	
FTE Position Change	0.0 FTE	0.0 FTE
Other State Impact: TABOR Impact		
Effective Date: Upon Signature of the Governor		
Appropriation Summary for FY 2003/2004:		
Department of Public Safety	\$24,300 Total	
	21,000 Cash Funds	
	3,300 Cash Funds Exempt	
Local Government Impact: See Local Government Impact section of fiscal note.		

Summary of Legislation

The reengrossed bill, **as amended by the Senate HEWI Committee, May 1, 2003**, includes the following provisions related to foster care:

- requires the State Board of Human Services, no later than January 1, 2004, to promulgate rules that apply to foster care, regardless of whether the care is provided by a foster care home certified by a county department of social services or by a child placement agency (CPA);
- stipulates what the rules, at a minimum, must include/address: notification procedures on substantiated claims of abuse or neglect in a foster care home, notification of a child's guardian ad litem upon a

child's placement in a foster care home, and contingent upon implementation of the Colorado Trails System, procedures for notifying all county departments and CPA when the DHS has identified a substantiated claim of abuse or neglect in a foster care home;

- requires the State Board, no later than January 1, 2004, to promulgate rules requiring all current and prospective employees of a county department having direct contact with any child in the process of being placed or placed in foster care to have a fingerprint-based criminal history record check;
- stipulates that the Department of Human Services (DHS) shall not authorize or contract with any county department, the county department of health, or any other publicly or privately operated organization with a declared interest in children and experience working with children or on behalf of children for investigations and inspections of any facilities that provide 24-hour care;
- within available appropriations, requires the DHS to monitor, on at least a quarterly basis, the county department certification of foster care homes;
- strikes Section 4 of the reengrossed bill; and
- adds language to the Amber Alert Program, Section 24-33.5-415.7, C.R.S., which expands the definition of "abducted child" to include a child about whom credible information is received from a law enforcement agency located in another state that the abducted child is traveling to or in the state of Colorado.

State Revenues

Department of Public Safety. Under the bill, 1,500 county staff currently not subject to a fingerprint-based criminal history record check will now be subject to one. The Colorado Bureau of Investigation (CBI) charges \$14.00 for its fingerprint check. Total revenue in FY 2003-04 is estimated at \$21,000. Additionally, of the 1,500 county staff fingerprinted, 150 (10%) will be subject to the statutorily required FBI check because these persons will not have resided in Colorado for 2 years. The cost of an FBI fingerprint check is \$22.00. Thus, \$3,300 cash funds exempt revenue will be collected by the state and passed onto the FBI. As county staff turns over in subsequent fiscal years, minimal revenues will be collected for fingerprint checks. The bill requires county staff to pay the cost for the fingerprint-based criminal history record check.

State Expenditures

Department of Public Safety. As noted in the State Revenues section above, the department will require spending authority for \$24,300 cash funds for FY 2003-04 to process fingerprint checks. Of the total amount, \$21,000 is for the CBI and \$3,300 is pass through to the FBI.

Under current law, the definition of "abducted child" includes only those children whose domicile is Colorado at the time they were reported missing. The expanded definition of "abducted child" is in response to the recently signed federal legislation. The PROTECT Act of 2003 expands the Amber Alert Program from a statewide to a national program. There is no fiscal impact to the Department of Public Safety.

Department of Human Services. As amended by the House, the bill is assessed at having no fiscal impact in the DHS. The department can meet all of the bill's current requirements within existing appropriations.

State Appropriations

The Department of Public Safety should receive an appropriation for \$24,300 for FY 2003-04. Of the total amount, \$21,000 is cash funds and \$3,300 is cash funds exempt.

Departments Contacted

Human Services Public Safety