

*Colorado Legislative Council Staff Fiscal Note*

**FINAL  
FISCAL NOTE**

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<b>Drafting Number:</b> LLS 15-0395	<b>Date:</b> August 10, 2015
<b>Prime Sponsor(s):</b> Sen. Holbert Rep. Fields	<b>Bill Status:</b> Signed into Law
	<b>Fiscal Analyst:</b> Bill Zepernick (303-866-4777)

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**BILL TOPIC:** NO DETENTION FOR FAILURE TO ATTEND SCHOOL

<b>Fiscal Impact Summary*</b>	<b>FY 2015-2016</b>	<b>FY 2016-2017</b>
<b>State Revenue</b>		
<b>State Expenditures</b>	Minimal workload increase.	
<b>FTE Position Change</b>		
<b>Appropriation Required:</b> None.		

\* This summary shows changes from current law under the bill for each fiscal year.

**Summary of Legislation**

The bill requires the chief judge in each judicial district to convene a meeting of community stakeholders to create a policy for addressing truancy cases in ways other than the use of detention as a sanction. The bill specifies stakeholders that may be included in the process, including parents, school districts, county departments of human services, guardians ad litem, court-appointed special advocates, juvenile court judges, the Colorado Department of Education, and law enforcement agencies, among others.

The policy for addressing truancy, which must be in place by March 15, 2016, should consider best practices used in other judicial districts and other states, evidence-based practices for addressing and reducing truancy, the use of reasonable incentives and sanctions, and limiting detention only as a last resort after exhausting other alternatives. The Office of the State Court Administrator is required to report to the Judiciary Committees of the General Assembly by April 15, 2016, regarding the policies adopted by each judicial district.

**Background**

Under current law, if a student is habitually truant, a school district may file a truancy petition in juvenile court to compel the student and his or her parents to comply with school attendance requirements. "Habitually truant" is defined as having four unexcused absences in one month or ten unexcused absences in any school year. House Bill 11-1053 required that truancy petitions only be filed as a last resort and that school districts employ other strategies and best practices to attempt to resolve truancy issues prior to filing a petition with the courts. Currently, there are approximately 2,550 truancy petitions filed with the courts each year.

### **State Expenditures**

The bill will increase workload in the Judicial Department for courts in each judicial district to convene a stakeholder process and create a policy regarding truancy and the use of detention. The Office of the State Court Administrator will be required to compile and submit these policies to the General Assembly. Overall, the workload associated with these duties is assumed to be minimal and no changes in appropriations to the Judicial Department are required.

### **Local Government Impact**

The bill increases workload for school districts, local law enforcement agencies, and county departments of human services to the extent they choose to participate in the community stakeholder process created by the bill. This work can be accomplished by local government agencies within existing resources.

Pursuant to Section 22-32-143, C.R.S., school districts and Boards of Cooperative Educational Services (BOCES) may submit estimates of fiscal impacts within seven days of a bill's introduction. As of the date of this fiscal note, no summaries of fiscal impacts were submitted by districts or BOCES for this bill. If summaries of fiscal impacts are submitted by districts or BOCES in the future, they will be noted in subsequent revisions to the fiscal note and posted at this address: <http://www.colorado.gov/lcs>

### **Effective Date**

The bill was signed into law by the Governor on June 5, 2015, and it became effective on August 5, 2015.

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

Judicial  
Sheriffs

Personnel and Administration  
Human Services

Education  
Law