

Colorado Legislative Council Staff Fiscal Note

**FINAL
FISCAL NOTE**

Drafting Number: LLS 15-1020	Date: July 23, 2015
Prime Sponsor(s): Rep. Saine; Singer	Bill Status: Signed into Law
Sen. Marble; Newell	Fiscal Analyst: Bill Zepernick (303-866-4777)

BILL TOPIC: FAMILY HISTORY ACCESS TO BIRTH AND PERSONAL RECORDS

Fiscal Impact Summary*	FY 2014-2015 (Current year)	FY 2015-2016	FY 2016-2017
State Revenue Cash Funds	Minimal increase. See State Revenue section.		
State Expenditures	Minimal workload increase. See State Expenditures section.		
FTE Position Change			
TABOR Set Aside	Minimal increase.		
Appropriation Required: None.			

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

Summary of Legislation

The bill allows an adult adoptee to obtain direct access to a non-certified copy of an unaltered original birth certificate and the amended birth certificate of an adult sibling or half-sibling who was born, relinquished, or adopted in Colorado. To have access to these documents, the adult adoptee must show proof of at least one common birth parent between him or herself and a sibling or half-sibling. Further, access to these documents is subject to the existing statutory restriction that all siblings adopted in a sibling group must reach the age of 18 before the birth certificates may be released. A descendant or legal representative of an adult adoptee is also eligible to request these documents.

The bill also allows direct access to certain unredacted personal records pertaining to a person who was a minor child in the custody of the State Home for Dependent and Neglected Children, regardless of his or her adoption status, to the former ward. Access to these records is given to the former wards in the state home, their spouses, siblings, descendants, and legal representatives. Covered personal records include those relating to the custody, relinquishment, or adoption of a former ward, including personally identifying information about the parents of the ward. Pre-relinquishment counseling records will remain confidential.

The bill applies to records held by a court, state agency, or the legal representative of a court or state agency. Licensed child placement agencies are not included as a custodian of records under the bill.

Background

The State Home for Dependent and Neglected Children was established in 1896 and operated until July 1971. Over its 75 years of operations, approximately 17,000 children lived at the facility.

State Revenue

The bill will increase cash fund revenue to the Department of Public Health and Environment and the Department of Human Services from fees paid to obtain birth certificate copies and other records accessible. While the exact number of new requests under the bill is unknown, it is assumed that the amount of additional revenue will be minimal.

TABOR Impact

This bill increases state revenue from fees, which will increase the amount required to be refunded under TABOR. TABOR refunds are paid from the General Fund

State Expenditures

The Department of Public Health and Environment and the Department of Human Services will have additional workload to respond to record requests under the bill. At this time, it is assumed that this work can be accomplished within existing resources and no changes to appropriations are required.

Local Government Impact

Similar to the state agency impact above, municipal and county courts may have additional workload to respond to records requests from eligible persons under the bill. As custodians, local courts may charge a fee for providing copies of these records.

Effective Date

The bill was signed into law by the Governor and took effect on June 5, 2015. It applies to requests and applications filed on or after this date.

State and Local Government Contacts

Human Services
Judicial Department

Public Health and Environment
Counties

Law