



Colorado Legislative Council Staff Fiscal Note

NO FISCAL IMPACT

This fiscal note is provided pursuant to Joint Rule 22(b)(2). It is based on amendment HB07-1234_L.002, which strikes everything below the enacting clause.

Drafting Number: LLS 07-0254

Date: February 22, 2007

Prime Sponsor(s): Sen. Morse

Bill Status: Senate Judiciary

Fiscal Analyst: Gary J. Estenson (303-866-4976)

TITLE: CONCERNING THE JURISDICTION OF COURTS TO ENTER ORDERS FOR THE PROTECTION OF PERSONS.

Summary of Assessment

The bill allows a municipal court with authority to issue protective or restraining orders and any county court to issue orders that prohibit a party from removing a child from the state without court permission. The court may also order a temporary injunction keeping the defendant from stopping mortgage, rent, insurance, utility, services, or child support payments if the defendant is under a prior duty or legal obligation to make these payments. Finally, these orders may prohibit a defendant from dispensing, concealing, transferring, or disposing of any property, unless it is done so out of necessity or in the usual course of business.

Any order issued cannot exceed 120 days from the date of the permanent civil protection order and may be superseded by an order issued in district court. The bill is effective on July 1, 2007.

By expanding the list of activities that the court may prohibit, the bill may result in additional contempt of court proceedings for alleged violations. However, the number of additional court proceedings is expected to be minimal and can be absorbed within Judicial Branch resources. As such, the bill is assessed as having no fiscal impact.

Departments Contacted

Judicial Branch