



Colorado Legislative Council Staff
**LOCAL
 FISCAL IMPACT**

Drafting Number: LLS 06-0558
Prime Sponsor(s): Sen. Wiens
 Rep. Harvey

Date: February 2, 2006
Bill Status: Senate Judiciary
Fiscal Analyst: Chris Ward (303-866-5834)

TITLE: CONCERNING LOCAL GOVERNMENT COOPERATION WITH FEDERAL OFFICIALS REGARDING THE IMMIGRATION STATUS OF PERSONS IN THIS STATE.

Fiscal Impact Summary	FY 2006/07	FY 2007/08
State Revenues		
State Expenditures		
FTE Position Change	0.0 FTE	0.0 FTE
Effective Date: Upon signature of the Governor		
Appropriation Summary for FY 2006/07: None required		
Local Government Impact: Increased law enforcement costs for local governments		

Summary of Legislation

The bill requires local law enforcement agents and local government employees that have probable cause to believe that a person is not legally in the United States to report the person to federal immigration officials. It also:

- prohibits local governments from adopting ordinances or policies that limit or prohibit law enforcement agents from communicating or cooperating with federal immigration officials regarding the immigration status of a person in Colorado;
- requires local governments to notify local officials of the duty to comply with the reporting requirements;
- requires local governments to provide report statistics to the General Assembly; and
- prohibits a local government that violates the law from receiving any grants administered by the Department of Local Affairs.

Local Government Impact

Immigration law is currently enforced primarily at the federal level by the U.S. Immigration and Customs Enforcement (ICE) office in the Department of Homeland Security. This bill requires that local law enforcement agents notify ICE when an agent has probable cause to believe that a person is not in the United States legally. Local law enforcement agents already have the option of

contacting ICE if a person is suspected of being in the country illegally, but making this practice mandatory will increase costs for local governments. The act of reporting a person is not expected to require significant effort, but it is assumed that local law enforcement agencies would be required to hold suspects that are reported to ICE until a response is received from ICE regarding the person's immigration status. In addition, local law enforcement agency staff may require training in how to determine a person's immigration status, as required by federal law. The total costs have not been estimated, but the number of persons required to be reported to ICE would depend in large part on what constitutes probable cause.

The other provisions of the bill — prohibiting so-called "sanctuary" policies, requiring notice be given to local law enforcement agencies, requiring that data be reported to the state, and prohibiting the granting of moneys to local governments that violate the reporting requirements — will have no significant fiscal impact on local governments.

State Appropriations

No new state appropriations are required to implement the bill.

Departments Contacted

Judicial Law Local Affairs Public Safety