

*Colorado Legislative Council Staff Fiscal Note*  
**STATE and LOCAL**  
**CONDITIONAL FISCAL IMPACT**

**Drafting Number:** LLS 07-0502

**Date:** January 23, 2007

**Prime Sponsor(s):** Sen. Renfroe

**Bill Status:** Senate Education

**Fiscal Analyst:** David Porter (303-866-4375)

**TITLE:** CONCERNING AUTHORIZATION OF A SCHOOL DISTRICT EMPLOYEE TO REPRESENT THE SCHOOL DISTRICT IN TRUANCY PROCEEDINGS.

Fiscal Impact Summary	FY 2007-2008	FY 2008-2009
<b>State Revenue</b>	\$ 0	\$ 0
<b>State Expenditures</b>	\$ 0	\$ 0
<b>FTE Position Change</b>	0.0 FTE	0.0 FTE
<b>Effective Date:</b> Upon signature of the Governor.		
<b>Appropriation Summary for FY 2007-2008:</b> None required.		
<b>Local Government Impact:</b> Potential savings in truancy proceeding costs.		

**Summary of Legislation**

Currently, school districts are required to have attorney representation in truancy proceedings. This bill allows representation by school district employees. The bill also directs district boards to adopt a resolution authorizing one or more employees as these district representatives.

The bill also declares that representation in truancy hearings does not constitute the practice of law. Further, it requests that the Colorado Supreme Court adopt rules to permit and regulate the representation of school districts by authorized persons.

**State Expenditures**

Any new truancy proceedings result in additional costs to the courts. Given that this bill provides districts with a new alternative for representation in truancy proceedings, it is possible that cases that would not have been filed, will now be filed. The number of new cases is at the discretion of the districts and, therefore, this bill is designated as a conditional fiscal impact.

**Local Government Impact**

The current requirement of attorney representation may act as a barrier to school districts that do not have funds available to hire legal representation for every possible truancy hearing. This bill provides new alternatives that may change districts' approaches to truancy cases.

Cases filed under current law result in attorneys' fees to the district. These cases could now be pursued with district personnel, thereby reducing the cost. However, cases that haven't been filed due to cost might now be heard. In this scenario, districts may use resources to pursue truancy cases that otherwise would have been directed towards other functions.

Due to the discretionary nature of this bill, costs or savings will be conditional and based on individual school district decisions to use its employees in truancy cases and in pursuing more or fewer cases.

**Departments Contacted**

Education

Judiciary