



*Colorado Legislative Council Staff Fiscal Note*  
**NO FISCAL IMPACT**

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**Drafting Number:** LLS 07-0052**Date:** January 10, 2007**Prime Sponsor(s):** Sen. Kester  
Rep. Jahn**Bill Status:** Senate Judiciary**Fiscal Analyst:** Gary J. Estenson (303-866-4976)

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**TITLE:** CONCERNING THE CREATION OF AN ADVISORY BOARD TO MAKE RECOMMENDATIONS CONCERNING COMPETENCY EVALUATIONS IN ADULT CRIMINAL CASES.

### **Summary of Assessment**

This bill creates the Competency Evaluation Advisory Board in the Department of Human Services. The board shall study and recommend to the state Board of Human Services the level of training, education, and experience needed by psychiatrists or psychologists in order to perform competency evaluations in criminal cases. The board shall also recommend to the Board of Human Services the appropriate standards for conducting and reporting competency evaluations.

The Competency Evaluation Board will consist of up to 12 members. The executive director, or a designee, will serve as chair and will appoint the remaining members. A psychiatrist, licensed psychiatrist, licensed clinical social worker, and licensed professional counselor, each trained in forensic assessments, shall also serve on the board. Additional members will include:

- a representative from the Division of Mental Health within the Department of Human Services;
- a representative of district attorneys;
- a representative of criminal defense attorneys; and
- a representative from the state Task Force for the Examination of the Treatment of Offenders with Mental Illness.

By January 30, 2008, the board must submit its first set of findings and recommendations to the Department of Human Services. Additional findings and recommendations will be due on January 30<sup>th</sup> of each subsequent year. The state Board of Human Services shall promulgate rules and adopt procedures based on the board's findings and recommendations. The bill is effective upon signature of the Governor.

Since the board consists of existing state employees who will only meet a few times during the year, this bill is assessed as having no fiscal impact.

### **Departments Contacted**

Human Services

Judicial

District Attorneys