

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

(replaces fiscal note dated April 27, 2009)

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<b>Drafting Number:</b> LLS 09-0956	<b>Date:</b> May 1, 2009
<b>Prime Sponsor(s):</b> Rep. Levy Sen. Carroll M.	<b>Bill Status:</b> Senate Judiciary
	<b>Fiscal Analyst:</b> Jessika Shipley (303-866-3528)

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**TITLE:** CONCERNING THE PLACEMENT OF A JUVENILE WHO IS AWAITING TRIAL IN DISTRICT COURT.

**Summary of Legislation**

Juvenile offenders who are charged as adults for criminal offenses (this is known as direct filing of charges) are currently detained in county jail facilities pending trial unless the district attorney and defense counsel agree otherwise. This *reengrossed bill* requires the district attorney and the defense counsel to make a reasonable attempt to consider the appropriate place of confinement within 30 days after charges are direct filed. The bill lists specific factors that must be considered by the district attorney and defense counsel when considering the place of confinement. The bill will take effect upon the signature of the Governor, or upon its becoming law without his signature.

**Assessment**

The bill does not significantly change current law or practice. It provides specific factors to consider when determining the place of confinement for a juvenile offender. It is not expected to substantially increase the number of direct file juveniles who are detained in facilities operated by the Department of Human Services, Division of Youth Corrections. The fiscal note assumes that any increase will be absorbed using existing resources. If the increase is larger than expected, the department will request additional funding through the annual budget process

**Departments Contacted**

District Attorneys                      Human Services                      Judicial