



Colorado Legislative Council Staff Fiscal Note

NO FISCAL IMPACT

Drafting Number: LLS 09-0780**Date:** February 13, 2009**Prime Sponsor(s):** Rep. Casso
Sen. Morse**Bill Status:** House Judiciary**Fiscal Analyst:** Jessika Shipley (303-866-3528)

TITLE: CONCERNING THE ISSUANCE OF A SUMMONS INSTEAD OF AN ARREST WARRANT IN CERTAIN CIRCUMSTANCES.**Summary of Legislation**

This bill allows a judge to issue a summons in lieu of an arrest warrant for a suspect in certain crimes without the consent of the prosecutor. The judge may not issue a summons if a law enforcement officer presents a written statement that the suspect presents a significant flight risk or if the safety of a victim or the public may be at risk. This bill is effective August 4, 2009, assuming the General Assembly adjourns May 6, 2009, unless a referendum petition is filed.

Assessment

Courts already have the authority to issue a summons instead of an arrest warrant with the consent of the prosecutor in the case. This fiscal note assumes that law enforcement will complete each summons and simply bring it to court for judicial review and issuance by the court clerk. If a decision is made to require the clerk's office to prepare and issue the summons, this will have an impact on the workload of the court clerks. Any increased workload will depend on the number of such summonses required, but is assumed to be minimal. At this time, the bill is not expected to affect state or local revenue and is assessed as having no fiscal impact.

Departments Contacted

Judicial