



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

**Drafting Number:** LLS 11-0337  
**Prime Sponsor(s):** Rep. Solano  
 Sen. Steadman

**Date:** January 24, 2011  
**Bill Status:** House Education  
**Fiscal Analyst:** Jessika Shipley (303-866-3528)

**TITLE:** CONCERNING COURT PROCEEDINGS INITIATED TO COMPEL A MINOR TO ATTEND SCHOOL.

<b>Fiscal Impact Summary</b>	<b>FY 2011-2012</b>	<b>FY 2012-2013</b>
<b>State Revenue</b>		
<b>State Expenditures</b>		
<b>FTE Position Change</b>		
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.		
<b>Appropriation Summary for FY 2011-2012:</b> None required.		
<b>Local Government Impact:</b> See Local Government Impact section.		

**Summary of Legislation**

This bill modifies current law to allow rather than require school districts to initiate court proceedings against truant minors or against the parents of such minors in order to compel the attendance of the minors in school. Current law also authorizes the court to hold a parent in contempt of court and to impose a maximum daily fine of \$25 or to confine the parent to a county jail until he or she complies with the court's order that the minor attend school. This bill removes the statutory language explicitly permitting the court to hold a parent in contempt. However, the bill states that article III of the Colorado Constitution prohibits the abrogation of judicial power by the legislature. Finally, the bill authorizes the court to order, as a sanction after finding a minor in contempt, participation in services for at-risk students.

**State Expenditures**

The bill is likely to result in a reduction in the number of truancy cases filed in the district courts. The Judicial Branch estimates that one judicial officer can process 2,196 of the type of juvenile cases that include truancy each year. Therefore, in order to have a measurable fiscal impact on the branch, the bill would have to reduce the number of case filings by approximately 550 cases each year. That is not expected to happen.

**Local Government Impact**

School districts will no longer be required to initiate court proceedings against every truant student. As a result, there is likely to be a reduction in the legal costs associated with these truancy proceedings. Because school districts will have the discretion to determine which cases are appropriate for court action and those that are not, the amount of the reduction cannot be quantified.

The bill also allows courts to order minors to participate in services for at-risk students. Such services are provided by the local school districts. To the extent that the services are ordered regularly, costs will increase. Again, because the decision to order participation in these services is discretionary, the increase cannot be quantified.

**Departments Contacted**

Education      Judicial