



Colorado Legislative Council Staff Fiscal Note

NO FISCAL IMPACT

Drafting Number: LLS 11-0629

Date: February 11, 2011

Prime Sponsor(s): Rep. Lee

Bill Status: House Judiciary

Fiscal Analyst: Jessika Shipley (303-866-3528)

TITLE: CONCERNING A REQUIREMENT THAT PRIVATE CUSTODIANS OF CRIMINAL RECORDS REMOVE RECORDS FROM THEIR DATABASES WHEN A COURT ORDERS THE CRIMINAL RECORDS SEALED.

Summary of Legislation

Current law allows an individual to obtain a court order to have criminal records sealed. Each custodian of such records is required to seal the records upon receipt of the court order. This bill expands the covered custodians to include any private entity that has custody of criminal justice records and is in the business of providing that information to others, such as a company that conducts background checks for employee screening. After receiving an applicable court order from the individual whose records are to be sealed, a private custodian is required to remove any such records from its database. The bill takes effect August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed.

Assessment

The bill addresses private entities and does not require anything of state or local government agencies. It will not affect state or local revenue or expenditures and is assessed as having no fiscal impact.

Departments Contacted

Judicial