



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

Drafting Number: LLS 11-0173
Prime Sponsor(s): Sen. Newell
 Rep. Kefalas

Date: February 11, 2011
Bill Status: Senate Health and Human Services
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING RIGHTS OF CERTAIN CHILDREN IN FOSTER CARE, AND, IN CONNECTION THEREWITH, ESTABLISHING RIGHTS FOR CHILDREN IN FOSTER CARE EXCEPT FOR THOSE IN THE CUSTODY OF THE DIVISION OF YOUTH CORRECTIONS OR A STATE MENTAL HOSPITAL.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures	See State Expenditures section.	
FTE Position Change		
Effective Date: August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed.		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: Potential costs for counties. See Local Government Impact section.		

Summary of Legislation

The bill makes several changes in regards to the rights and protection of youth in foster care. Specifically, the bill does the following:

- sets forth a legislative declaration on the rights of youth in foster care, with the exception of those in the custody of the Division of Youth Corrections or a state mental hospital;
- requires the court to ensure that each youth in foster care between the ages of 16 and 18 years old obtains a free credit report;
- requires the Department of Human Services (DHS), in consultation with county departments of social services, to establish a list of government and nonprofit organizations that may assist youth in foster care who may be victims of identity theft;
- authorizes an organization assisting a youth in foster care in regard to identity theft to take action to clear the youth's credit record and requires that the organization report the results of its assistance to the county department;

- sets forth a legislative declaration on the importance of extracurricular activities for youth in foster care and requires the DHS to make rules to ensure that youth have access to extracurricular activities and other activities that build independent living and life skills; and
- grants immunity from civil and criminal liability to the DHS and county departments if they waive fingerprint-based background checks for youth to participate in extracurricular activities in compliance with department rules.

State Expenditures

The bill may increase workload in the DHS and the courts by a small amount. In particular, the DHS must develop a list of organizations that can assist youth in foster care dealing with identity theft and create rules concerning participation in extracurricular activities and waiver of background checks for youth in foster care. The courts must ensure that youth in foster care receive a free credit report as part of dependency and neglect cases. Any impact on workload to the DHS and the courts is expected to be minimal and can be absorbed within existing resources. No new appropriations are required at this time.

Local Government Impact

Counties may incur costs to assist youth in foster care that are suspected victims of identity theft. If a county is included on the list of entities that may assist youths in dealing with identity theft, this assistance would result in increased workload for county caseworkers. If a nonprofit organization is selected to assist a youth, then counties would incur costs for services provided to clear the youth's credit history. The number of youth in foster care affected by identity theft is expected to be small. Therefore, any costs to counties are expected to be minimal.

Departments Contacted

Human Services Judicial Law Public Safety