

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

---

<b>Drafting Number:</b> LLS 11-0884	<b>Date:</b> April 20, 2011
<b>Prime Sponsor(s):</b> Sen. Steadman	<b>Bill Status:</b> Senate Judiciary
Rep. Kagan	<b>Fiscal Analyst:</b> Clare Pramuk (303-866-2677)

---

**TITLE:** CONCERNING THE REPEAL OF CERTAIN CRIMES THAT INCLUDE MARITAL STATUS AS AN ELEMENT OF THE CRIME.

**Summary of Legislation**

This bill repeals the crimes of adultery and promoting sexual immorality. It also removes the prohibition on the Peace Officers Standards and Training (P.O.S.T.) board against certifying a person who has been convicted of promoting sexual immorality. The bill takes effect August 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed.

**Assessment**

This bill is assessed as having no fiscal impact. Although adultery is illegal in statute, it does not have a criminal penalty. The crime of promoting sexual immorality is a class 2 misdemeanor. These crimes have been charged less than 20 times in the past three years so will have little to no impact on the courts or probation. As regards the P.O.S.T. board, conviction of a misdemeanor charge of promoting sexual immorality has rarely if ever been used as a rationale to deny certification of a peace officer.

**Departments Contacted**

Corrections	Judicial	Law	Public Safety
-------------	----------	-----	---------------