

Colorado Legislative Council Staff Fiscal Note

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 15-0266
Prime Sponsor(s): Rep. Carver
 Sen. Woods

Date: February 11, 2015
Bill Status: House Judiciary
Fiscal Analyst: Bill Zepernick (303-866-4777)

BILL TOPIC: INFORMATION PROTECTIONS DOMESTIC VIOLENCE VICTIMS

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016	FY 2016-2017
State Revenue			
State Expenditures	Minimal increase. See State Expenditures section.		
FTE Position Change			
Appropriation Required: None.			

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

The bill prohibits state and local government officials from knowingly disclosing the actual address or other personal information (such as telephone number or email address on the internet about a participant in the Address Confidentiality Program (ACP). It also expands the definition of "actual address" for participants in the ACP to include unique identifying information about his or her residential, school, or work address. Further, this unique identifying information is not required to be disclosed by an ACP participant during the discovery phases of any court proceeding, unless certain conditions are met. Lastly, the bill allows and encourages private entities to accept and use a participant's substitute address.

Background

The ACP was established in 2007 to allow victims of domestic violence, sexual offenses, and stalking to use a substitute address that protects against the disclosure of their actual address. Mail is sent to the substitute address and then forwarded to the participant. Initially established under the Secretary of State, the program was transferred to the Department of Personnel and Administration (DPA) in 2011. The program is cash funded from 95 percent of a \$28 surcharge levied against offenders convicted of stalking or offenses for which the underlying basis is domestic violence. Currently, there are more than 2,000 active participants in the ACP.

State Expenditures

The bill may result in a minimal increase in workload in the DPA and the Judicial Department. This workload in DPA comes from updating procedures and policies to reflect the changes in the bill. For the Judicial Department, the trial courts may have to take additional steps to weigh the disclosure of unique identifying information about a ACP participant's residential, school, or work address during proceedings. In addition, the Judicial Department must make some

changes to its e-filing system to ensure that certain personal information about ACP participants, such as telephone numbers and email addresses, is not visible to registered users of the filing system. Overall, the workload impact of the bill will be minimal and no changes to appropriations are required for any state agency.

Local Government Impact

Local governments may have increased workload and costs to implement procedures and take steps to ensure that additional information about ACP participants is not disclosed on the internet. For example, this may require programming changes to prevent certain information in public documents from being posted online or removal or redaction of some records. Generally, local governments are assumed to take steps to protect the information of ACP participants and any potential increase in workload and costs is assumed to be minimal.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Personnel and Administration
Secretary of State
Municipalities

Judicial
Law
District Attorneys

Human Services
Counties