

*Colorado Legislative Council Staff***REVISED NO FISCAL IMPACT**

(Replaces fiscal impact dated February 12, 2002)

Drafting Number: LLS 02-0777**Date:** March 11, 2002**Prime Sponsor(s):** Rep. Veiga
Sen. Phillips**Bill Status:** Senate Judiciary**Fiscal Analyst:** Geoff Barsch (303-866-4102)**TITLE:** CONCERNING ACCESS TO RECORDS FOR PURPOSES OF BACKGROUND CHECKS CONDUCTED IN CONNECTION WITH FIREARM TRANSFERS.**Summary of Assessment**

The reengrossed bill directs the court clerk of all judicial districts and the probate court of the City and County of Denver to report to the National Instant Criminal Background Check System (NICS) the name of each person with respect to whom the court has issued: 1) a finding of incapacity; 2) an order of commitment to the custody of the Department of Human Services, Division of Alcohol and Drug Abuse (ADAD); or 3) an order for involuntary certification for short-term treatment of mental illness, for extended certification for treatment of mental illness, or for long-term care and treatment of mental illness. The bill also directs court clerks to cancel records submitted to the NICS upon a written request by person reported if the record is based on a court order issued at least five years prior to the request. The bill will take effect upon signature of the Governor.

This bill is assessed as having no fiscal impact. The Judicial Department will be able to report involuntary commitment, ADAD commitment, and mental incapacity orders and findings for the NICS within existing resources. However, to accommodate reporting within current resources, the department will make necessary programming changes over the course of three months. Depending of the date of passage, compliance with the bill's provisions by July 1, 2002, may be problematic.

Departments Contacted

Judicial

Public Safety