

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 13-0247

Date: January 29, 2013

Prime Sponsor(s): Sen. Heath
Rep. Singer

Bill Status: Senate Judiciary

Fiscal Analyst: Jonathan Senft (303-866-3523)

TITLE: CONCERNING REPORTING OF SUSPECTED CHILD ABUSE AND NEGLECT BY YOUTH SPORTS ORGANIZATIONS.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
Cash Funds		
Fines Collected Cash Fund	<\$5,000	<\$5,000
State Expenditures	See State Expenditures section.	
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2013-2014: None required.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

This bill mandates that anyone in the position of director, coach, assistant coach or athletic personnel for a private sports organization report child abuse or neglect. Mandatory reporters are required to report child abuse or neglect if they have a reasonable cause to know or suspect that a child has been or is being subjected to abuse or neglect. Under current law, a mandatory reporter who willfully fails to report abuse or neglect is guilty of a class 3 misdemeanor.

State Revenue

The bill may increase state revenue from fines, although less than \$5,000 in new state revenue is expected per year. According to Section 18-1.3-501, C.R.S., the penalty for a class 3 misdemeanor is up to 6 months imprisonment in a county jail, a fine of \$50 to \$750, or both. Fine revenue that is not otherwise appropriated is deposited into the Fines Collection Cash Fund. Because the courts have the discretion of incarceration, imposing a fine, or both, the impact to state revenue cannot be determined.

State Expenditures

The bill could increase expenditures within the Judicial, Human Services and Public Safety Departments, but any impact is expected to be minimal. Adding a new type of mandatory reporter could result in additional reports of abuse and neglect to county departments of human services and law enforcement. As a general rule, increasing the number of mandatory reporters likely reduces the chance that child abuse goes unreported, and can promote more timely reporting of abuse or neglect. However, many instances of abuse would likely have been reported by someone involved in the child's life, so the increase in child abuse reports resulting from this bill cannot be determined. Any increase in abuse reports is expected to be minimal and can be handled within existing resources.

Local Government Impact

The bill could have a fiscal impact on counties, but any impact is expected to be minimal. First, adding a new type of mandatory reporter could result in additional reports of abuse and neglect to county departments of human services and local law enforcement. As a general rule, increasing the number of mandatory reporters likely reduces the chance that child abuse goes unreported, and can promote more timely reporting of abuse or neglect. However, many instances of abuse would likely have been reported by someone involved in the child's life, so the increase in child abuse reports resulting from this bill cannot be determined. Any increase in abuse reports is expected to be minimal and can be handled within existing resources.

Second, expanding the number of mandatory reporters increases the potential pool of mandatory reporters that could be charged with a class 3 misdemeanor for willfully failing to report abuse and neglect. The penalty for a class 3 misdemeanor includes up to 6 months imprisonment in a county jail, a fine of \$50 to \$750, or both. Because the courts have the discretion of incarceration or imposing a fine, the impact at the local level cannot be determined. The cost to house an offender in county jails varies from \$45 to \$50 per day in smaller rural jails to \$62 to \$65 per day for larger Denver-metro area jails. For the current fiscal year, the state reimburses county jails a daily rate of \$50.44 to house state inmates. It is assumed that the increase in the number of mandatory reports who could be charged with a misdemeanor as a result of the bill will be minimal and not create the need for additional county jail space.

Departments Contacted

Counties
Judicial
Public Safety

Education
Law

Human Services
Local Affairs