



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 23-0303 Date: August 7, 2023
Prime Sponsors: Rep. Gonzales-Gutierrez; Epps; Sen. Exum; Van Winkle Bill Status: Signed into Law Fiscal Analyst: Shukria Maktabi | 303-866-4720 shukria.maktabi@coleg.gov

Bill Topic: RELATIVE & KIN PLACEMENT OF A CHILD

- Summary of Fiscal Impact:
- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- Statutory Public Entity

The bill enacts several measures related to the placement of children or youth with relatives or kin. The bill increases state expenditures in FY2023-24 only and impacts state and local workload on an ongoing basis beginning in FY 2023-24.

Appropriation Summary: For FY 2023-24, the bill requires and includes an appropriation of \$21,352 to the Department of Human Services.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Table 1
State Fiscal Impacts Under HB 23-1024

Table with 3 columns: Category, Budget Year FY 2023-24, and Out Year FY 2024-25. Rows include Revenue, Expenditures (General Fund, Federal Funds, Total Expenditures), Transfers, and Other Budget Impacts (General Fund Reserve).

## Summary of Legislation

The bill enacts several measures related to the placement of children and youth temporarily placed out-of-the-home with relative or kin. These measures include:

- requiring courts to inquire about and update relative or kin affidavits;
- requiring county department of human services to assist relatives in obtaining resources to care for a child or youth and providing options to participate in their care and planning;
- specifying what must be included in notices from county department of human services to relatives or kin when a child or youth is removed from their home;
- requiring courts to prioritize placements with relative or kin and presume that placement with them is in the child or youth's best interest, unless the placement jeopardizes their health, safety or welfare;
- allowing parties that object to a relative or kin placement decision to request a hearing;
- requiring courts provide reasoning when placement with relative or kin is denied;
- requiring caseworkers to inform courts of efforts to place the child or youth with a relative;
- allowing the courts to provide a prospective relative and kin with information on the foster child's physical and mental health needs; and
- allowing kin who have had the child or youth in their care for three months or foster parents who have had the child or youth in their care for twelve consecutive months to intervene as a matter of right following adjudication.

## State Expenditures

The bill increases state expenditures in the Department of Human Services (DHS) by \$21,352 in FY 2023-24, paid from the General Fund and federal funds, as described below. The bill also impacts workload in the Judicial Department, Office of Child's Representative (OCR), and the Office of Respondent Parents' Counsel (ORPC).

**Department of Human Services.** The DHS will have a one-time cost of \$21,352 to modify TRAILS, its child welfare data system, to provide caseworkers with the functionality to notify and record the contacting of relatives and identified kin. This cost includes business analysis, development, quality assurance, and training. TRAILS upgrade costs receive a 35 percent federal match, with the remaining costs coming from the General Fund.

**Judicial Department.** Workload in trials courts may increase from additional or longer hearings in dependency and neglect cases; however, as these increases in hearing time will likely only apply to a subset of cases, this workload can be managed within existing resources by the trial courts.

**Independent Judicial Offices Involved in Child Welfare.** Starting in FY 2023-24, workload may decrease for the OCR and ORPC to the extent that the number of foster parent intervener cases are reduced leading to shorter cases. The fiscal note assumes that any change in workload or costs to these agencies will be addressed through the annual budget process.

## Local Government

This bill may increase workload and costs for county department of human services. The expanded efforts to locate and involve kin and relatives in the process can add to county caseworker workload. Additionally, the county department of human services is required to provide necessary resources to relatives and kin, within reasonable limits, to facilitate placements. These costs and workload impacts will vary by county.

## Effective Date

The bill was signed into law by the Governor on June 5, 2023, and it took effect on August 7, 2023.

## State Appropriations

For FY 2023-24, the bill requires and includes a total appropriation of \$21,352 to the Department of Human Services, including:

- \$13,879 from the General Fund; and
- \$7,473 from federal funds.

## State and Local Government Contacts

Child Welfare  
Human Services

Counties  
Information Technology

District Attorneys