



**Legislative Council Staff**

*Nonpartisan Services for Colorado's Legislature*

**Revised Fiscal Note**

(replaces fiscal note dated February 15, 2024)

<b>Drafting Number:</b>	LLS 24-0491	<b>Date:</b>	March 7, 2024
<b>Prime Sponsors:</b>	Sen. Coleman; Exum	<b>Bill Status:</b>	Senate Appropriations
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**Bill Topic:**           **SAFER YOUTH SPORTS**

<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> School District

The bill requires certain youth sports coaches to complete abuse prevention training and abide by a code of conduct policy, and establishes a process for handling violations of the policy. It increases state revenue and expenditures on an ongoing basis.

**Appropriation Summary:** For FY 2024-25, the bill requires an appropriation of \$113,033 to the Department of Law.

**Fiscal Note Status:** This revised fiscal note reflects the introduced bill, as amended by the Senate Education Committee.

**Table 1**  
**State Fiscal Impacts Under SB 24-113**

		<b>Budget Year FY 2024-25</b>	<b>Out Year FY 2025-26</b>
<b>Revenue</b>		-	-
<b>Expenditures</b>	General Fund	\$113,033	\$58,732
	Centrally Appropriated	\$16,630	\$7,020
	<b>Total Expenditures</b>	<b>\$129,663</b>	<b>\$65,752</b>
	<b>Total FTE</b>	<b>0.7 FTE</b>	<b>0.3 FTE</b>
<b>Transfers</b>		-	-
<b>Other Budget Impacts</b>	General Fund Reserve	\$16,955	\$8,810

## **Summary of Legislation**

The bill establishes requirements for nonprofit and for-profit youth sports organizations.

**Youth sports code of conduct.** The bill requires that youth sports organizations:

- require coaches to complete an abuse prevention training;
- maintain records of completed trainings;
- develop a prohibited conduct policy for coaches, parents, spectators, and athletes and a system for reporting and investigating conduct policy violations.

Youth sports organizations must create an online portal for conduct policy violations by coaches. Upon receipt of a reported violation, the organization must investigate and, if a violation was found to occur, ban the coach and report the violation to the Attorney General. The Attorney General must review the handling of the violation and, if it is determined that the coach received due process, post the violation online in a searchable list.

The bill specifies that youth sports organizations that fail to comply engage in an unfair trade practice.

**Background checks.** Youth sports organizations must require all employees and volunteers that work with youth or accompany youth on an overnight trip to complete a criminal history record check by a private entity. Organizations must not hire an employee or volunteer if the record check shows certain felony convictions.

## **State Revenue**

The bill may increase state revenue from civil penalties and filing fees.

**Civil penalties.** Under the Colorado Consumer Protection Act, a person committing an unfair trade practice may be subject to a civil penalty of up to \$20,000 for each violation. Additional penalties may be imposed for subsequent violations of a court order or injunction. This revenue is classified as a damage award and not subject to TABOR. Given the uncertainty about the number of cases that may be pursued by the Attorney General and district attorneys, as well as the wide range in potential penalty amounts, the fiscal note cannot estimate the potential impact of these civil penalties.

**Filing fees.** The bill may increase revenue to the Judicial Department from an increase in civil case filings. Revenue from filing fees is subject to TABOR.

## **State Expenditures**

The bill increases state expenditures in the Department of Law (DOL) by about \$130,000 in FY 2024-25 and by about \$66,000 in FY 2025-26, paid from the General Fund. Costs are listed in Table 2 and discussed below.

**Table 2**  
**Expenditures Under SB 24-113**

	FY 2024-25	FY 2025-26
<b>Department of Law</b>		
Personal Services	\$80,467	\$33,348
Operating Expenses	\$896	\$384
Capital Outlay Costs	\$6,670	-
Software Licensing	\$25,000	\$25,000
Centrally Appropriated Costs <sup>1</sup>	\$16,630	\$7,020
<b>Total Cost</b>	<b>\$129,663</b>	<b>\$65,752</b>
<b>Total FTE</b>	<b>0.7 FTE</b>	<b>0.3 FTE</b>

<sup>1</sup> Centrally appropriated costs are not included in the bill's appropriation.

**Department of Law.** The DOL will incur staff and software licensing costs to implement the bill.

- **Staff.** In FY 2024-25, the department requires 0.7 FTE, including 0.5 FTE to develop the online reporting tool for violations and 0.2 FTE to review violations for due process. In FY 2025-26 and ongoing, 0.2 FTE is required to review violations and 0.1 FTE is required to maintain the online system. Staffing requirements assume 20 violations will be received per year and it will take 20 hours to review each violation.
- **Software licensing.** The DOL requires \$25,000 per year for software licensing for the online reporting system.
- **Deceptive trade practices.** Workload in the DOL will minimally increase to the extent that deceptive trade practice complaints are filed. The department will review complaints under the bill and prioritize investigations as necessary within the overall number of deceptive trade practice complaints and available resources.

**Judicial Department.** The trial courts in the Judicial Department may have an increase in cases filed under the Colorado Consumer Protection Act from the addition of a new deceptive trade practice. It is assumed that youth sports organizations will abide by the law and that any violation will result in minimal number of new cases. The fiscal note assumes that this can be accomplished within existing resources and that no change in appropriations is required.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

## **Local Government**

Similar to the state, to the extent district attorneys receive deceptive trade practice complaints related to the new deceptive trade practice under the bill, workload will increase to investigate complaints and seek relief when appropriate. It is assumed most cases will be handled at the state level by the Attorney General.

## **Other Budget Impacts**

**General Fund reserve.** Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, decreasing the amount of General Fund available for other purposes.

## **Effective Date**

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## **State Appropriations**

For FY 2024-25, the bill requires a General Fund appropriation of \$113,033 to the Department of Law, and 0.7 FTE.

## **State and Local Government Contacts**

Counties	Education	Law
Municipalities	Public Safety	

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).