



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 24-0852	Date:	February 21, 2024
Prime Sponsors:	Sen. Exum Rep. Garcia; Mabrey	Bill Status:	Senate Judiciary
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Bill Topic:	TERM ABANDONMENT FOR FEDERAL CLASSIFICATION JUVENILE
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Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill aligns state law with federal law on making findings to establish special immigrant juvenile status and modifies the term abandonment in determining that classification to include the death of one or both parents. The bill increases state workload beginning in FY 2024-25.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill aligns state law with federal law on what findings the court must enter to establish eligibility for a juvenile to receive special immigrant juvenile status. The bill also defines "abandonment" when determining special immigrant juvenile status to include the death of one or both parents.

Background

Special immigrant juveniles. The special immigrant juvenile classification is a status under federal law that is available to juveniles under the age of 21 who are present in the United States without legal immigration status and are in need of humanitarian protection. Youths with special immigrant juvenile status may immediately apply for permanent legal residency, if certain conditions are met. To be eligible, the child must be unmarried, under the age of 21, physically present in the United States, and have a juvenile court order. The court order must find that the child is dependent on the court, or is placed in the care of a guardian; that the child cannot be reunited with his or her parent's due to abuse, neglect, or abandonment; and that it is not in the best interest of the child to return to their country of nationality or last habitual residence. Once a court order is obtained, the child may then apply to the United States Citizenship and Immigration Services (USCIS) for the classification and for permanent legal residency

State Expenditures

Workload for trial courts and costs for the Office of the Child’s Representative will minimally increase if changes in the definition of “abandonment” allow more youths to pursue special immigrant juvenile classification in the state. However, any increase in workload and costs are expected to be minimal and can be accomplished within existing appropriations, as such determinations may have already been made under the existing statutory language.

Effective Date

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

State and Local Government Contacts

Child Welfare
Judicial

Counties
Law

Human Services

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](#).