



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 25-1028: MODIFY ADDRESS CONFIDENTIALITY PROGRAM

#### Prime Sponsors:

Rep. Phillips; Zokaie

#### Fiscal Analyst:

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**Version:** Initial Fiscal Note

**Date:** January 21, 2025

**Fiscal note status:** The fiscal note reflects the introduced bill.

### Summary Information

**Overview.** The bill modifies aspects of the address confidentiality program in the Department of Personnel and Administration.

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- State Revenue
- TABOR Refunds
- Local Government

**Appropriations.** No appropriation is required.

**Table 1**  
**State Fiscal Impacts**

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue (Cash Funds)	\$35,732	\$40,443
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$35,732	\$40,443
Change in State FTE	0.0 FTE	0.0 FTE

## **Summary of Legislation**

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Under current law, the Address Confidentiality Program in the Department of Personnel and Administration (DPA) protects the confidentiality of the actual address of eligible individuals, including victims of domestic violence, sexual offenses, human trafficking, or stalking, and relocated protected health-care workers and prevents the identification of a program participant's address in public records. This bill updates and clarifies definitions; specifies additional documentation to be provided by program applicants; clarifies that a program participant may request the use of a substitute address in the place of a school name or employer name; and, adds notifications to be provided to state and local governments by program participants.

A program participant who purchases real property while in the Address Confidentiality Program may request that a state or local government agency shield the participant's real property records. Shielding means to remove the record from public inspection to a separate secure area where persons without a legitimate need are denied access. The bill lays out the application and documentation requirements to shield a real property record, and the process by which the DPA may approve a request for disclosure of a shielded record.

Under current law, persons convicted of certain crimes must pay a surcharge of \$28 to the clerk of the court for the judicial district where the conviction occurs. Five percent of the surcharge is placed in the Judicial Stabilization Cash Fund, and the remaining 95 percent is placed in the Address Confidentiality Program Surcharge Fund in the DPA. This bill increases the surcharge to \$33, and adds sexual assault, and any violation of a municipal prohibition on stalking, human trafficking, sexual assault, or acts of domestic violence to the crimes subject to the surcharge.

## **State Revenue**

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By increasing an existing surcharge from \$28 to \$33, and including additional crimes that can be assessed the surcharge, state revenue from fees will increase by \$35,732 in FY 2025-26, and by \$40,433 in FY 2026-27. Five percent of this revenue is retained by the Judicial Department, and the remaining is placed in the program cash fund in DPA. All revenue collected from this surcharge is subject to TABOR.

It is estimated that approximately 10,500 convictions each year may be subject to the additional \$5 surcharge, and that approximately 2,200 new convictions each year will be subject to the full \$33 surcharge. The revenue estimate above assumes some indigence factor will decrease the total number of convicted people subject to the surcharge, and that collection rates in each fiscal year are about 38 percent of the total calendar year surcharges.

## **State Expenditures**

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### **Department of Personnel and Administration**

The bill minimally increases workload in the DPA. New workload includes creating the new documents and verification process to allow for shielding of real estate records, updating other

program documents, notifying participants of notification changes, and updating internal processes and procedures.

Ongoing workload includes maintaining the real property notices submitted by participants and facilitating requests for disclosures. The department will also create a process for disclosing an address for a welfare check, and notifying the receiving agency of responsibilities for sharing confidential information with another relevant jurisdiction. The department currently has systems in place for maintaining records and facilitating disclosures, making the workload for this update absorbable within existing resources.

## **TABOR Refunds**

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The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by the amounts shown in the State Revenue section above. This estimate assumes the December 2024 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2026-27. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save.

## **Local Government**

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County clerks are the principal local governmental agency where real estate documents and records of real property purchases are filed. This bill increases workload and costs for county clerks to remove shielded records from public inspection to a separate secure area, and to process requests to inspect shielded records with approval from the DPA. The cost for this work will vary by county depending on the number of requests and current procedures and resources.

## **Effective Date**

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The bill takes effect July 1, 2025.

## **State and Local Government Contacts**

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County Clerks	Revenue
Judicial	Secretary of State
Personnel	Treasury

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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](#).