



Fiscal Note  
Legislative Council Staff  
Nonpartisan Services for Colorado’s Legislature

SB 25-129: LEGALLY PROTECTED HEALTH CARE ACTIVITY PROTECTIONS

Prime Sponsors:

Sen. Cutter; Winter F.  
Rep. Joseph; McCormick

Fiscal Analyst:

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Bill Outcome: Signed into Law  
Drafting number: LLS 25-0647

Version: Final Fiscal Note  
Date: May 15, 2025

Fiscal note status: The final fiscal note reflects the enacted bill.

Summary Information

Overview. The bill strengthens protections for legally protected health care activity, including gender-affirming and reproductive health care.

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

- Minimal State Revenue
- Minimal State Workload
- Local Government
- School Districts
- Statutory Public Entities

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	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

## **Summary of Legislation**

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The bill strengthens protections for legally protected health care activity, including gender affirming and reproductive health care, as described below.

### **Telehealth**

This bill clarifies that rules for out-of-state telehealth providers do not change or limit a person's rights and protections related to legally protected health care.

### **Prescription Labeling**

Currently, prescription drug labels must include the prescribing practitioner's name. This bill allows, at the practitioner's request, the label for mifepristone, misoprostol, and their generic alternatives to display only the name of the prescribing health care practice instead of the individual practitioner, provided the practitioner includes the name of the health care practice on the prescription form.

### **Subpoena Restrictions**

The bill requires anyone requesting a subpoena to affirm under penalty of perjury that it will not be used to pursue civil, criminal, or professional penalties against someone involved in legally protected health care, gender-affirming care, or reproductive health care. If it is related to such a case, it must be based on tort or contract law, recognized as actionable under Colorado law, and is brought by the individual who received the care or their legal representative. Individuals who omit or submit a false affirmation are subject to a civil penalty up to \$15,000 for each violation. The Attorney General may bring a civil action against such an individual; this action must be filed within six years from the alleged violation.

These restrictions do not prohibit the investigation of criminal activity that may involve a legally protected health care activity, provided that information related to a medical procedure is not shared with a federal agency or actor, or an agency or individual from another state, for the purpose of enforcing another state's abortion law.

### **Protections Against Out-of-State Civil or Criminal Actions**

A person or entity subject to an out-of-state civil or criminal action for engaging or attempting to engage in a legally protected health-care activity has a private right of action against the person or entity within six years of the action or enforcement attempt. The Attorney General may intervene in any out-of-state action brought against the state.

### **Arrest Protection**

Under current law, and except where required by federal law, the Governor is prohibited from extraditing a person engaging in a legally protected health care activity, unless it is alleged that the accused was physically present in the state demanding extradition and fled. The bill prohibits any related arrests without warrant arising under this section.

## **Non-Cooperation**

Currently, public agencies and any person acting on their behalf cannot provide information or expend government resources to assist out-of-state investigations that could penalize someone for legally protected health care. The bill extends these restrictions to all public entities, including all state agencies, local governments, school districts, special districts, and statutory public entities, as well as persons or entities licensed or regulated by the state. It also extends this prohibition to investigations initiated by the federal government, to the extent constitutionally permissible.

## **Data Collection**

The Office of the State Registrar of Vital Statistics may not collect patient information or location as part of its required reporting of abortion. Any abortion-related information must be used solely for statistical reporting, and disposed of when statistical reports are complete. State and local public health agency employees are not required to participate or testify in a judicial, executive, legislative, or other proceeding concerning abortion reporting. State agency employees who intentionally violate these provisions are subject to an injunction and a civil penalty up to \$50,000 fine for each unauthorized disclosure.

## **Background**

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Other protections for accessing reproductive health care were established in [Senate Bill 23-188](#).

## **State Revenue**

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The bill may increase revenue to various cash funds in the Judicial Department from an increase in civil case filing fees; this revenue is subject to TABOR. Additionally, it may increase revenue to the General Fund from civil penalties; this revenue is classified as a damage award and not subject to TABOR. Revenue amounts are indeterminate.

## **State Expenditures**

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The bill increases state workload for multiple state agencies, as discussed below.

## **Department of Law**

The Attorney General's office will enforce the bill and prioritize investigations and legal interventions as necessary within the overall number of complaints and available resources; no change in appropriations is required. The office will support any rulemaking efforts related to the bill within the normal course of business.

## **Department of Regulatory Agencies**

The Department of Regulatory Agencies will provide information and outreach to health care providers within the normal course of business. Any rulemaking efforts related to the bill are also expected to be minimal and accomplished within normal cycles.

## **Judicial Department**

The trial courts in the Judicial Department may experience an increase in workload to the extent additional civil cases are filed under the bill.

## **Department of Public Health**

The CDPHE will modify its abortion reporting procedures, including not collecting patient's personal information, and disposing of reports when statistical processing is complete.

## **Other Departments**

Departments with existing subpoena power—such as CDPHE and the Department of Human Services—will have minimal workload to update processes to include the required affirmation in certain types of cases concerning legally protected health care.

## **Local Government – School Districts – Statutory Public Entities**

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Local agencies, special districts, school districts, and statutory public entities will update policies and procedures to align with the bill's requirements around cooperating with out-of-state investigations, and may initiate trainings. Any workload impact is expected to be minimal.

## **Effective Date**

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The bill was signed into law by the Governor on April 24, 2025, and takes effect on that date.

## **State and Local Government Contacts**

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Corrections	Health Care Policy & Financing	Municipalities
Counties	Human Services	Personnel
Denver County Courts	Judicial	Public Health & Environment
District Attorneys	Law	Regulatory Agencies

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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](#).