



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Fiscal Note Memorandum

**TO:** Members of the House Judiciary Committee

**FROM:** Brendan Fung, Fiscal Analyst, [brendan.fung@coleg.gov](mailto:brendan.fung@coleg.gov), 303-866-4781

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## Fiscal Assessment of L.001 to HB 25-1312

This memorandum is an assessment of the fiscal impact of the attached proposed amendment L.001 to HB 25-1312. This fiscal assessment is for the impact of the bill with inclusion of this amendment only. Any other added amendment could influence the fiscal impact.

### Summary of Proposed Amendment

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Amendment L.001 strikes Section 7 from the introduced bill. This section requires public entities to include an option for chosen name, as well as legal name, on all public forms. If an individual provides a chosen name, this section also requires the entity to use that name on all subsequent forms; however, this requirement does not preclude a public entity from using an individual's legal name when required by law, or when necessary to verify identity.

### Fiscal Impact of Amendment L.001

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The amendment eliminates programming and staffing costs to update forms and systems, as well as revenue from increased fees to cover administrative expenditures in certain cash funds. Specifically, the amendment:

- eliminates state expenditures from programming costs across all identified agencies;
- eliminates state revenue to Department of Regulatory Agencies and the Department of State from increased fees;
- eliminates local and statutory public entity impacts from programming updates; and
- eliminates all General Fund, cash fund, and federal fund appropriations and reappropriations required for FY 2025-26.



## Bill's Revised Fiscal Impact with Amendment L.001

With the adoption of L.001, the bill minimally increases workload in the Departments of Personnel and Administration, Regulatory Agencies, Education, the Judicial Department, and for school districts, as described below. No appropriation is required.

**Table 1**  
**State Fiscal Impacts with Amendment L.001**

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

### Discrimination

#### State Litigation and Risk Impacts

The bill may increase litigation and risk management costs from public accommodations discrimination lawsuits filed against the state. If such cases occur, state agencies and institutions of higher education will have increased costs for legal services, provided by the Department of Law. Depending on the outcome of any cases, settlement or liability payments may be required from the Risk Management Fund in the DPA. State agencies make payments for legal services and risk management through common policy billings based on costs incurred in prior years.

The fiscal note assumes that aggrieved parties will seek recourse through state agencies' dispute resolution processes or administrative relief through the Colorado Civil Rights Division (CCRD) in DORA before filing suit against the state. Any new costs, if incurred, will be accounted for through the annual budget process.

#### Complaints

The CCRD in DORA and trial courts in the Judicial Department may experience an increase in workload if additional discrimination complaints are filed or civil cases filed. This workload is expected to be minimal and no change in appropriations is required.



### **Trial Courts**

Workload in the Judicial Department may minimally increase from more complex domestic relations case decisions that must consider deadnaming and misgendering as a form of coercive control. Workload may minimally decrease from fewer out-of-state foreign judgements related to gender-affirming care. This workload is expected to be minimal and no change in appropriations is required.

### **Education Standards**

Workload in the Department of Education (CDE) will minimally increase to modify rules and coordinate with school districts regarding chosen name and dress code policies. This workload can be accomplished within existing appropriations.

### **School Districts**

Workload for school districts will minimally increase beginning in FY 2025-26 to modify current chosen name and dress code policies, enforce new policies, and coordinate with the CDE. This workload is expected to be minimal.