



## Fiscal Note

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## HB 25-1013: DOC VISITATION RIGHTS

**Prime Sponsors:**

Rep. English; Bacon

Sen. Coleman; Exum

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**Version:** Third Revised Note

**Date:** May 2, 2025

**Fiscal note status:** The revised fiscal note reflects the rerevised bill.

### Summary Information

**Overview.** The bill establishes social visitation rights and related policies for individuals confined in the Department of Corrections.

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

- Minimal State Workload

**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 (General Fund)	\$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 creates a right to social visitation for persons confined in the Department of Corrections (DOC). Visitation includes contact and non-contact visits, family time visits, telephone calls, and video visitation.

The DOC is generally prohibited from depriving a person of visitation rights while they are in restrictive housing or subject to restricted privileges, and also from preventing a visitor from seeing a confined individual, as long as both the confined person agrees to the visit and all parties adhere to the DOC's visitation policies.

Exception to these visitation rights are as follows:

- The DOC may limit visitation based on the confined person's restricted housing status, except that the department must not limit the person's contact visits for more than 30 consecutive calendar days and must not limit the person's telephone calls to fewer than 1 telephone call every 5 calendar days;
- The DOC may limit a confined person's visitation as a sanction if the person has been convicted of a Class 1 Code of Penal Discipline violation, except that the department must not limit the person's contact visits for more than 30 consecutive days.
- The DOC may reduce, but not eliminate, the number of in-person visits per week if the person's custody classification level increases, in accordance with the department's visitation and telephone policies.
- Video visits are considered non-contact visits and may supplement in-person visits but cannot replace them entirely when in-person visitation is permitted.
- The DOC may deprive visitation as necessary for the operational needs of the facility or for ensuring facility safety. This includes instances such as facility disruptions, disasters, unplanned life safety events, or altercations, but the deprivation of visitation must be limited to the duration necessary for resolving these situations.
- The DOC may temporarily deny or cancel visitation at any time as necessary to comply with requirements imposed by a court order, for victim safety, to prevent communication with a co-defendant, to preserve the integrity of a criminal investigation, to comply with treatment protocols, or for any other reason required by law. In such cases, the department is required to document the reasons for the denial or cancellation of visitation.

If a confined person provides reasonable notice that a requested visitation is for virtual attendance at a funeral or the birth of a child in the person's family, the department must make reasonable efforts to allow the person to participate in the visitation—consistent with facility and general public safety, and available technology. If the facility lacks the necessary technology for virtual participation, the department may allow the person to attend the event via a telephone call instead.

The DOC may establish policies to govern visitation administration, including policies necessary to allow for visitation as a part of routine operations. If established, these policies must clearly outline when visits can be canceled or denied. If established, the policies must include a process for notifying both visitors and confined individuals about the cancellation or denial of a visit, giving the most notice possible and specifying the reasons for the decision.

The bill's provisions do not create a private right of action. However, the DOC must permit any confined person who alleges deprivation of visitation to file a grievance according to department policies.

Beginning January 2026, and each year thereafter, DOC is required to report on the total number of visitation-related grievances filed in the previous year and any changes made to the visitation program as part of its SMART Act hearing.

## Background and Assumptions

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### DOC Visitation Policies and Grievance Procedures

Currently, all confined individuals are permitted non-contact, contact, and video visitation at all custody levels, except for those temporarily sanctioned for violations under Administrative Regulation 150-01, Code of Penal Discipline.

Administrative Regulation 850-04, Grievance Procedure, outlines the grievance process available to inmates. Grievances related to visitation can be filed under this policy.

### Broadband Access at DOC Facilities

The DOC contracts with a third-party to provide confined individuals with tablets that have the capability for telephone calls, messaging, and video visits. However, restrictive housing areas in DOC facilities do not currently have broadband infrastructure; therefore, these tablets will not function in the restrictive housing areas of DOC facilities. The cost to install wireless access points and switches in these units is estimated at \$50,000 per facility, with 16 facilities requiring the upgrade. Limited broadband in some locations and unforeseen issues may increase the overall cost. The fiscal note assumes the bill does not require the DOC to remediate these technical limitations.

## State Expenditures

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The DOC will adjust its visitation policy and procedures to reflect the new right to visitation, and may adjust staffing or workflow to accommodate additional visitation.

The bill may increase the number of grievances filed with the DOC. Currently, confined individuals may not file a grievance about visitation unless it is related to a Code of Penal Discipline violation-related visitation restriction, which is no longer an exception under the bill. Because the population with visitation restrictions is a fraction of the overall prison population, an increase in grievances is assumed to be manageable within existing appropriations.

## Effective Date

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The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## State and Local Government Contacts

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Corrections

Personnel

Law

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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](#).