



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 25-1049: COMMUNICATION RIGHTS FOR PERSONS IN CUSTODY

Prime Sponsors:

Rep. Garcia
Sen. Amabile; Gonzales J.

Fiscal Analyst:

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Bill Outcome: Signed into Law

Drafting number: LLS 25-0303

Version: Final Fiscal Note

Date: June 26, 2025

Fiscal note status: The final fiscal note reflects the enacted bill. The bill was recommended by the Legislative Oversight Committee Concerning Colorado Jail Standards.

Summary Information

Overview. The bill requires facilities with custody of persons committed, imprisoned, or arrested to allow certain incoming communications with attorneys.

Types of impacts. The bill is projected to affect the following areas on a one-time basis:

- State Expenditures
- 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	\$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

Under current law, a person who is committed, arrested, or imprisoned has the right to communicate with their attorney. The bill specifies that a person also has the right to receive certain communications from their attorney, including an attorney appointed by a court. This includes in-person meetings in places of custody, telephone calls, or, if available, interactive audiovisual conferencing calls. Any communication must be private, and calls must be unrecorded and without cost to the person in custody.

Finally, the bill also requires peace officers and facilities to allow a person in custody to receive a telephone or audiovisual call from their attorney if the person in custody expressly consents to the call.

State Expenditures

The bill increases expenditures in the Department of Corrections (DOC) to ensure that persons in the custody of the DOC have the capability to receive incoming communications from attorneys. The DOC requested additional funds through the annual budget process to expand its capacity to allow inmates to meet with their attorneys. On March 6, 2025, the Joint Budget Committee voted to include \$219,323 General Fund for this purpose in the FY 2025-26 Long Bill. Additional appropriations are not required in this bill since this funding was included in the final version of the FY 2025-26 Long Bill.

Local Government

The bill may increase costs to local governments that hold people in custody to ensure facilities comply with the provisions of the bill. Costs may include additional communication infrastructure or availability, and increased staff workload to ensure security, privacy, and access requirements are met. The exact impact will vary by jurisdiction depending on the current equipment and staffing in covered facilities.

Effective Date

The bill was signed into law by the Governor on May 31, 2025, and takes effect on August 6, 2025, assuming no referendum petition is filed.

State and Local Government Contacts

Corrections

Judicial

Counties

Police Chiefs

District Attorneys

Public Defender

Human Services

Sheriffs

Information Technology