



## Fiscal Impact Statement

### Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

## INITIATIVE 95: LAW ENFORCEMENT REPORTING REQUIREMENTS TO FEDERAL AUTHORITIES

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### Summary Information

**Overview.** The measure amends the state constitution to require law enforcement officers to notify federal agencies when undocumented immigrants or persons with indeterminate immigration status are charged with a crime of violence or have been convicted of a prior felony.

**Types of impacts.** The measure is projected to affect the following areas:

- State Expenditures
- Local Government
- Statutory Public Entity

**Disclaimer.** This initial fiscal impact statement has been prepared for an initiative approved for petition circulation by the Secretary of State. If the initiative is placed on the ballot, Legislative Council Staff may revise this estimate for the ballot information booklet (Blue Book) if new information becomes available. Any appropriations required to implement this measure will be addressed through the annual or supplemental budget process if this measure is approved by voters.

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

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures (Cash Funds)	\$0	\$60,000
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

## Summary of Measure

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This measure amends the state constitution to require certified peace officers employed by a law enforcement agency, correctional officers, and district attorney offices to notify the federal Department of Homeland Security within 72 hours of charging someone with a crime if the person is not lawfully in the United States, or their lawful status cannot be confirmed after a reasonable attempt to determine it. The requirement applies if the person is either charged with a crime of violence under state law or has a prior felony conviction.

Law enforcement has a duty to make a reasonable effort to determine whether a person charged is lawfully present in the United States.

## State Expenditures

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In FY 2026-27, expenditures in the Department of Revenue are estimated to increase by \$50,000, paid from various cash funds, to access federal databases and make programming changes to integrate data and processes. Similarly, expenditures will also increase in the Department of Natural Resources by about \$10,000 to make computer system updates.

Additionally, workload in the departments of Corrections, Higher Education, Human Services, Law, and Public Safety, as well as the Judicial Department will increase to coordinate with the federal government in affected cases. No change in appropriations is required

## Local Government and Statutory Public Entity Impacts

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The initiative increases workload to local law enforcement agencies, district attorney offices, and the Regional Transportation District to the extent that officers, attorneys, or investigators arrest undocumented immigrants, make an effort to verify their status, and report them to the federal government.

## Technical Note

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The initiative requires law enforcement officers to notify federal agencies after charging certain undocumented individuals with a crime. However, law enforcement officers only arrest suspected offenders, who are then charged by prosecuting attorneys. The fiscal note assumes that law enforcement officers must notify federal agencies after a prosecutor charges the individual with a crime.

## Effective Date

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If approved by voters at the 2026 general election, this measure takes effect upon proclamation of the Governor, no later than 30 days after the official canvass of the vote is completed.

## State and Local Government Contacts

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Corrections	Municipalities
Counties	Natural Resources
District Attorneys	Police Chiefs
Higher Education	Public Safety
Human Services	Regional Transportation District
Judicial	Revenue
Law	Sheriffs

## Revisions from Fiscal Summary

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The fiscal impact statement has been revised from the fiscal summary to include costs for the Department of Revenue.