

**STATE
FISCAL IMPACT**

Drafting Number: LLS 13-0499
Prime Sponsor(s): Rep. Lebock
 Sen. Ulibarri

Date: January 22, 2013
Bill Status: House Judiciary
Fiscal Analyst: Kerry White (303-866-3469)

TITLE: CONCERNING RIGHTS OF VICTIMS OF IDENTITY THEFT.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
State Expenditures	See State Expenditures section.	
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2013-2014: None required.		
Local Government Impact: None.		

Summary of Legislation

This bill creates an additional method for victims of identity theft to challenge relevant public records. Under current law, such challenges may be addressed through the courts. This bill allows a person to pursue a records challenge directly with the Colorado Bureau of Investigation (CBI), provided fingerprint evidence is submitted with the request. The CBI is required to review and analyze fingerprint data and, if the fingerprint evidence verifies that the person challenging the records is not the same as the person arrested, issue a letter of misidentification and update its records accordingly. A sentencing court is also required to include any costs incurred by a victim to challenge his or her records in the restitution order, and if applicable, provide the CBI with an order stating the victim's factual innocence.

State Expenditures

This bill has a minimal impact on state expenditures. The CBI already performs records challenges for identify theft on an ad hoc basis. Codifying an existing practice may result in more persons becoming aware of this option, but the impact to CBI workload is expected to be minimal. Should more persons choose to challenge records through the CBI, it could create efficiencies for courts. It is possible that workload for courts could increase as a result of the provision requiring that victims costs be included with a restitution order. However, workload impact for the courts is also expected to be minimal.

Departments Contacted

Counties Judicial Municipalities Public Safety