

*Colorado Legislative Council Staff Fiscal Note*

**STATE and LOCAL  
REVISED FISCAL IMPACT**

(replaces fiscal note dated January 14, 2014)

<b>Drafting Number:</b> LLS 14-0396	<b>Date:</b> March 24, 2014
<b>Prime Sponsor(s):</b> Rep. Becker	<b>Bill Status:</b> Senate Second Reading
Sen. Guzman	<b>Fiscal Analyst:</b> Kerry White (303-866-3469)

**SHORT TITLE:** REMOVE BOOKING PHOTOGRAPHS FROM INTERNET

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue	Potential minimal increase.	
State Expenditures		
FTE Position Change		
Appropriation Required: None.		

\* This summary shows changes from current law under the bill for each fiscal year.

**Summary of Legislation**

This bill, **as amended by the Senate Judiciary Committee with strike-below amendment L.005**, clarifies that it is unlawful for a person to obtain a copy of a booking photograph knowing that it will be placed in a publication or posted to a website and that removal of the photograph requires the payment of a fee. Upon requesting a copy of a booking photograph from an official custodian, a person is required to provide a signed statement affirming that the photograph will not be placed in a publication or posted on a website that requires payment of a fee in order to remove or delete the photograph. A person who violates this law or provides a false statement commits an unclassified misdemeanor punishable by a fine of up to \$1,000.

**State Revenue and Expenditures**

Beginning in FY 2014-15, this bill could increase caseload in trial courts under the Judicial Department by a minimal amount. Any such increase would be the result of misdemeanor cases filed as a result of failure to comply with the new requirements. To the extent fines increase, revenue to the Fines Collection Cash Fund will also increase by a minimal amount. The fiscal note assumes any additional revenue and workload will be minimal and not require an increase in appropriations.

**Local Government Impact**

If a requester commits an unclassified misdemeanor in Denver County Court, revenue and workload for the City and County of Denver will also increase by a minimal amount. The fiscal note assumes any such increases will be minimal.

**Effective Date**

The bill takes effect August 6, 2014, if the General Assembly adjourns on May 7, 2014, as scheduled, and no referendum petition is filed, and applies to offenses committed on or after this date.

**State and Local Government Contacts**

Counties  
Law

District Attorneys  
Municipalities

Judicial  
Public Safety