



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 25-281: INCREASE PENALTIES CARELESS DRIVING

Prime Sponsors:

Sen. Carson; Snyder
Rep. Espenosa; Armagost

Fiscal Analyst:

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Fiscal note status: This revised fiscal note reflects the reengrossed bill.

Summary Information

Overview. The bill adjusts penalties for persons convicted of careless driving to make each individual seriously injured or killed in a careless driving event a separate violation.

Types of impacts. The bill is projected to affect the following areas starting in FY 2026-27:

- State Revenue
- 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 (Cash Funds)	\$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

The bill clarifies that careless driving resulting in serious bodily injury or death to another individual is a class 1 misdemeanor traffic offense. If an individual's careless driving results in the serious bodily injury or death of more than one individual, each individual injured or killed a separate violation under the bill.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior Conviction Data

This bill creates a new factual basis for the existing class 1 misdemeanor traffic offense of careless driving by including serious bodily injury as well as making each individual suffering a serious bodily injury or killed a separate offense. From FY 2021-22 to FY 2023-24, 3,007 persons have been convicted and sentenced for this offense. Of the persons convicted, 1,951 were male, 1,045 were female, and 11 did not have a gender identified. Demographically, 2,476 were White, 244 were Black/African American, 131 were Hispanic, 67 were Asian, 16 were American Indian, 34 were classified as "Other," and 39 did not have a race identified.

Assumptions

Based on the above data, there were approximately 1,000 sentences per year for the current class 1 misdemeanor offense of careless driving. It is unknown how many of these cases included circumstances that would be eligible for the sentencing provisions under the bill. The fiscal note assumes that the bill is mostly clarifying the elements of the current offense and that there will be minimal or no additional criminal case filings or convictions under the bill. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue and Expenditures

Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue and expenditures. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, and agencies that provide representation to indigent persons, and to the Department of Corrections, are assumed to be minimal and no change in appropriations is required.

Local Government

Similar to the state, it is expected that any workload or cost increases for district attorneys to prosecute additional offenses, or for county jails to imprison individuals for multiple offenses under the bill will be minimal. District attorney offices and county jails are funded by counties.

Effective Date

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

State and Local Government Contacts

Judicial	Revenue
Revenue	Transportation
Judicial	Public Safety
Law	