



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1039: ADDING MUN JAILS TO CNTY JAIL OVERSIGHT REQMNTS

Prime Sponsors:

Rep. Carter; Ricks
Sen. Jodeh; Weissman

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Fiscal note status: This fiscal note reflects the introduced bill.

Summary Information

Overview. The bill requires municipal jails to adhere to the same standards of county jails.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- Local Government

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
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

The bill requires municipal jails to meet the same standards of county jails, including:

- complying with standards adopted by the Legislative Oversight Committee Concerning Colorado Jail Standards effective July 1, 2027;
- complying with the statutory requirements for county jails in Article 26 of Title 17, including collecting and reporting certain data to the state;
- prohibiting holding a person in jail for more than 72 hours;
- requiring the release of a pregnant person in labor, unless keeping them in custody is necessary for their health or welfare, and if it is necessary, prohibiting the use of restraints on pregnant persons;
- keeping a written record if a pregnant person is not released, informing the pregnant person the right to be released if in labor, and providing adequate training to staff on how to treat pregnant persons; and
- requiring the governing body of a city to examine the municipal jail at least once a year and permitting the keeper of the municipal jail to request the Attorney General to conduct a special assessment of the jail.

Background

The Legislative Oversight Committee for Colorado Jail Standards is charged with adopting and revising standards for Colorado jails. In 2023, the committee adopted [Standards for Colorado Jails](#), which county jails must comply with by July 1, 2026.¹

State Expenditures

The bill minimally impacts work in the Department of Law, the Department of Public Safety, and the Legislative Department as described below.

Department of Law

The Department of Law will conduct assessments of municipal jails upon request. The Attorney General will assess requests for assessments and prioritize issues and needs to determine when to conduct assessments; therefore, no change in appropriation is required.

¹ Section 2-3-1901.5, C.R.S.

Department of Public Safety

The Division of Criminal Justice in the Department of Public Safety will collect additional data from municipal jails. This additional data collection can be accomplished within existing resources.

Legislative Department

To the extent the Legislative Oversight Committee for Colorado Jail Standards receives reports on municipal jails that need to be reviewed by members, committee workload will increase. The fiscal note assumes these reviews will occur during regularly scheduled meetings and no change in appropriations is required.

Local Government

Starting in FY 2026-27, capital and operational costs to municipalities operating a jail will increase to ensure that jails meet required standards. Costs may include, but not be limited to:

- contracting for jail assessments,
- hiring additional staff,
- facility upgrades,
- training on jail standards, including new protocols related to pregnant persons in custody,
- data collection,
- policy updates,
- intergovernmental agreements for longer-term detention requirements, and
- increased liability.

Because each municipal jail is administered by its own municipality, the exact costs to each municipality will depend on characteristics of each jail and current practices. If a specific cost estimate for a municipal jail—such as the Aurora Detention Center—becomes available, the fiscal note will be updated.

Additionally, work may increase for city councils to tour jails and to report required data to the state.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Human Services

Municipalities

Law

Public Safety

Legislative Council Staff