



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1024: RAISING AGE OF VOLUNTARY RELINQUISHMENT OF CHILD

Prime Sponsors:

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

Summary Information

Overview. The bill raises the age of a child who may be voluntarily relinquished from 72 hours old to 30 days old.

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

- Minimal State Workload

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

Current law allows parents to voluntarily relinquish their child to a firefighter, hospital, or community clinic emergency center if the child is less than 72 hours old. This bill extends the time period that a child may be relinquished at an authorized facility to 30 days of age. As a result, parents of infants up to 30 days old can safely surrender a child without facing child abuse charges.

Background

The Judicial Department reports that between 2022 and 2024 there were an average of 7 infant relinquishments per year.

Comparable Crime Analysis

Legislative Council Staff is required to include certain analysis in the fiscal note for any bill that creates a new crime, or that either reclassifies or creates a new factual basis for an existing crime. This section identifies comparable crimes and discusses assumptions on future conviction rates resulting from the bill.

Prior Conviction Data and Assumptions

This bill creates a new factual basis for the existing offense of child abuse by increasing the age at which you can surrender a child and not be charged. The fiscal note assumes this exception would occur in cases where no injury or death results. From FY 2022-23 to FY 2024-25, 2,093 individuals have been convicted and sentenced for this offense. Of the persons convicted, 1,164 were male, 925 were female, and 4 did not have a gender identified. Demographically, 1,581 were White, 236 were Black/African American, 178 were Hispanic, 19 were Asian, 29 were American Indian, 46 were classified as "Other," and 4 did not have a race identified.

Based on the infrequency of relinquishments outlined in the background section and the expectation that this would not increase dramatically with the time period extension to 30 days, the bill is not expected to substantially impact the number of criminal child abuse cases. Because the bill is not expected to have a tangible impact on criminal justice related revenue or expenditures at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit the [Fiscal Notes website](#) for more information about criminal justice costs in fiscal notes.

State Expenditures

This bill will have a minimal fiscal impact on state agencies. The expanded timeframe to relinquish an infant may increase the number of relinquishments, which could lead to an increase in expedited placement filings and associated trial court workload. There may also be a corresponding workload increase to the independent judicial offices involved in the child welfare system. Increase relinquishments may also affect the tracking and reporting responsibilities in the Department of Human Services. Given the low number of child relinquishment cases each year, any impacts are expected to be minimal.

Local Government

To the extent that this bill increases the number of infant relinquishments, workload and costs would increase for county departments to track and report on the number of such relinquishments, file a motion to terminate the parental rights of the surrendering parent, to care for the infant, and to place the child in foster care.

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

Child Welfare	Corrections
Counties	District Attorneys
Education	Human Services
Judicial	Public Health and Environment

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).