



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1234: ACCESS TO RECORDS OF CHILD ABUSE OR NEGLECT

Prime Sponsors:

Rep. Rydin; Soper
Sen. Wallace; Frizell

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Published for: Senate Judiciary**Drafting number:** LLS 26-0772**Version:** First Revised Note**Date:** March 26, 2026**Fiscal note status:** This fiscal note represents the reengrossed bill.

Summary Information

Overview. The bill changes who may access and disclose child abuse and neglect records.**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

This bill clarifies that identifying information in reports or records of child abuse or neglect are confidential and must not be released to persons not permitted by statute to access them. The bill clarifies who may access the records by adding the assigned designee of a person named in the report acting in the person's behalf and providing they have a valid release of information.

The bill permits a person who was named in a report or record as an alleged abused or neglect child, or their attorney or guardian ad litem with their consent, to disclose and use the record, including for litigation or to obtain treatment or services. County department of human services are required to establish and submit to the Colorado Department of Human Services (CDHS) a formal process for current and former clients to access their own case records. Criminal defendants may only access their child abuse or neglect reports or records after an in-camera review by the court, which must find the records are necessary to resolve an issue, and allows the court to issue appropriate protective orders.

In addition, the bill makes several changes to criminal offenses involving unauthorized release of records. First, the bill repeals existing criminal offenses for improperly releasing child abuse or neglect records, a class 2 misdemeanor, including when such a release occurs in various education-related settings. Second, while unauthorized release of certain records in education-related settings is generally prohibited under current law, the associated misdemeanor offense and penalty, as codified in Section 24-72-206, C.R.S., was repealed by [Senate Bill 17-040](#). This bill restores the criminal penalty for these offenses and specifies they have committed a petty offense.

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

The bill changes the repeal of certain offenses related to unauthorized release of records related to child abuse and neglect, a class 2 misdemeanor, and restores penalties for improperly releasing certain records in various education settings and reclassifies it to a petty offense. From FY 2022-23 to FY 2024-25, zero offenders have been sentenced and convicted for any of the offenses affected by the bill. Therefore, the fiscal note assumes that there will continue to be minimal or no additional criminal case filings or convictions for this offense under the bill. 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

The bill increases workload to the CHDS and Judicial Department, as described below.

Colorado Department of Human Services

The bill minimally increases workload to the CDHS to receive counties' process for submitting records and to provide any guidance to counties. This workload can be accomplished within existing resources.

Judicial Department

Workload will minimally increase for trial courts by requiring in-camera reviews by the courts when a criminal defendant seeks access. The number of affected cases is expected to be limited, and courts already conduct similar in-camera reviews. Any increase in workload is expected to be minimal and absorbable within existing resources.

Local Government

Counties may need to develop or update their policies for clients to access their case records. The workload associated with this will vary depending on whether a county already has an established policy in place. Counties with established policies will have a minimal workload impacts to update their policies and submit them to the CDHS; counties that need to develop formal policies will have greater workload to develop and submit their policies.

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	Human Services
Counties	Information Technology
Education	Judicial