



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1064: YOUTHFUL OFFENDER SYSTEM UPDATES

Prime Sponsors:

Rep. Jackson; Rydin

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Fiscal note status: The fiscal note reflects the introduced bill, which was requested by the Legislative Oversight Committee Concerning the Treatment of Persons with Behavioral Health Disorders in the Criminal and Juvenile Justice Systems.

Summary Information

Overview. The bill codifies existing practices of the Youthful Offender System within the Department of Corrections to reflect the program's focus on behavioral health outcomes.

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

- State Expenditures

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 Youthful Offender System (YOS) within the Department of Corrections (CDOC) is a sentencing option for juveniles and young adults that provides a continuum of services focusing on rehabilitation, education, and social interaction. The bill aligns statute with existing YOS practices as follows:

- modifies program intent to emphasize trauma-informed care, evidence-informed treatment, and required to take all reasonable measures to accommodate individuals with behavioral or mental health conditions and intellectual and developmental disabilities;
- requires the YOS to include therapy, family therapy, and substance use disorder treatment based on individual needs;
- requires each YOS participant to be evaluated for their mental and behavioral health needs, receive plans that address criminogenic risk or needs, therapeutic needs, and other education, vocational and life skills needs, and to be reevaluated monthly and monitored on their plan progress;
- authorizes the hiring of unlicensed behavioral health professionals or paraprofessionals under the supervision of licensed providers, as needed;
- creates new factors to be addressed when making a determination of whether the juvenile or young adult is acceptable for sentencing to the YOS, including risk factors, protective factors, and treatment needs;
- requires the CDOC to include data on completion rates and recommendations for integrating trauma-informed standard of care to existing annual reporting requirements; and
- modifies statutory references to “youthful offender” to instead refer to “juvenile or young adult.”

Additionally, under current law, a court can impose the original CDOC sentence when reviewing the sentence for a YOS participant found incapable of completing their YOS sentence due to a behavioral or mental health condition or an intellectual and developmental disability. The bill removes this sentencing option and requires the court to reconsider and reduce the participant’s sentence to the CDOC. The bill also requires courts to first make a determination that the failure to comply with YOS was not the result of a mental or behavioral health condition or an intellectual and developmental disability, or because the of the CDOC’s failure to provide reasonable accommodations for their conditions.

State Expenditures

The bill minimally increases workload in the CDOC and the Judicial Department, as outlined below.

Department of Corrections

The bill increases workload in the CDOC to capture new reporting requirements. Otherwise, the changes in the bill codify best practices and current initiatives within the YOS. Because the changes are codifying and permissive, it is assumed that the CDOC can continue this work within existing resources and that no change in appropriations is required.

In addition, the bill may reduce expenditures in the CDOC to the extent juveniles who had their YOS sentenced revoked are sentenced to reduced terms. Because it is unknown how a court would resentence an individual, the exact savings cannot be estimated. For informational purposes, between 2023 and 2025, there were an average of 12 juveniles per year who had their YOS sentence revoked. Offenders cost the CDOC an average of \$187 per day.

Judicial Department

The bill increases workload for courts to make additional findings when resentencing a YOS participant who was unable to complete their YOS sentence. This workload is expected to be minimal due to the limited number of these cases each year.

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

Corrections

District Attorneys

Judicial