



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 26-1040: STERILIZATION RIGHTS OF PERSON WITH DISABILITIES

Prime Sponsors:

Rep. Froelich

Fiscal Analyst:

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Published for: House Health & Human Services

Drafting number: LLS 26-0563

Version: Initial Fiscal Note

Date: January 27, 2026

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

Summary Information

Overview. The bill requires individuals with developmental disabilities to receive counseling and certain information prior to sterilization.

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

- Minimal State Workload
- Minimal State Revenue

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 individuals with intellectual and developmental disabilities (IDD) to receive counseling on the long-term impacts of sterilization and the less intrusive measures available to prevent pregnancy prior to giving consent. This counseling must occur regardless of a person's competency. If an individual with an IDD does not provide consent, the bill prohibits sterilization against their will, regardless of competency or court order, unless there is an imminent threat to life or health.

State Revenue

Beginning in FY 2026-27, the bill may minimally decrease state revenue from reduced filing fees to the Judicial Department as a result of the higher legal threshold for court-ordered sterilization, which is expected to reduce the number of petitions filed. Given the relatively small number of cases involving court-ordered sterilization, this impact is assumed to be minimal. Revenue from filing fees is subject to TABOR.

State Expenditures

Beginning in FY 2026-27, the bill may impact state expenditures in the Department of Health Care Policy and Financing (HCPF) and minimally decreases workload in the Judicial Department.

Health Care Policy and Financing

The bill may decrease the number of Medicaid-enrolled members with IDD who receive sterilization treatment and increase the number who receive counseling services prior to sterilization. If this occurs, state expenditures in HCPF may minimally shift from physical health to behavioral health reimbursements for the covered population. Since sterilization procedures are currently uncommon under Medicaid waiver programs for persons with IDD, any net impact on expenditures is assumed to be minimal and no change in appropriations is required.

Judicial Department

Similar to the State Revenue section above, the trial courts in the Judicial Department may experience a decrease in workload from fewer petitions for court-ordered sterilization filed under the bill. Due to the small number of such cases, the fiscal note assumes that no change in appropriations is required.

Effective Date

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

State and Local Government Contacts

Health Care Policy and Financing

Regulatory Agencies

Judicial