

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Weissman

1 Amend printed bill, page 2, line 23, strike "24-4.1-119 (1)(f)," and
2 substitute "24-4.1-119 (1)(g)."

3 Page 3, lines 4 and 5, strike "INFRACTION OR WHEN RESTITUTION MAY BE
4 AT ISSUE," and substitute "INFRACTION,".

5 Page 5, line 7, after the period add "THE COPY SENT TO THE CLERK OF THE
6 COUNTY COURT MUST BE SENT IMMEDIATELY AFTER SERVICE UPON THE
7 PERSON.".

8 Page 5, line 23, strike "TRIAL," and substitute "FINAL HEARING,".

9 Page 6, strike line 18 and substitute "THE DOCKET FEES IN THE AMOUNTS
10 SET FORTH IN SECTIONS 13-1-204 (1)(b) AND 16-2.3-105 (5)(a)(I)".

11 Page 7, after line 9 insert:

12 **"16-2.3-103. Summons and complaint for civil infractions.**

13 (1) A SUMMONS AND COMPLAINT MAY BE ISSUED BY ANY PEACE OFFICER
14 FOR AN OFFENSE CONSTITUTING A CIVIL INFRACTION COMMITTED IN THE
15 PEACE OFFICER'S PRESENCE OR, IF NOT COMMITTED IN THE PEACE OFFICER'S
16 PRESENCE, THAT THE PEACE OFFICER HAS PROBABLE CAUSE TO BELIEVE
17 WAS COMMITTED AND PROBABLE CAUSE TO BELIEVE WAS COMMITTED BY
18 THE PERSON CHARGED. EXCEPT FOR PENALTY ASSESSMENT NOTICES,
19 WHICH MUST BE HANDLED PURSUANT TO THE PROCEDURES SET FORTH IN
20 SECTION 16-2-201 OR 16-2.3-102, A COPY OF A SUMMONS AND COMPLAINT
21 ISSUED MUST BE FILED IMMEDIATELY WITH THE COUNTY COURT BEFORE
22 WHICH APPEARANCE IS REQUIRED, AND A SECOND COPY MUST BE GIVEN TO
23 THE DISTRICT ATTORNEY OR DEPUTY DISTRICT ATTORNEY FOR THE
24 COUNTY.

25 (2) A SUMMONS ISSUED BY THE COUNTY COURT FOR A CIVIL
26 INFRACTION MAY BE SERVED BY GIVING A COPY TO THE PERSON OR BY
27 LEAVING A COPY AT THE PERSON'S USUAL PLACE OF ABODE WITH A PERSON
28 OVER THE AGE OF EIGHTEEN YEARS RESIDING THEREIN, OR BY MAILING A
29 COPY TO THE PERSON'S LAST KNOWN ADDRESS BY CERTIFIED MAIL, RETURN
30 RECEIPT REQUESTED, NOT LESS THAN FOURTEEN DAYS PRIOR TO THE TIME
31 THE PERSON IS REQUIRED TO APPEAR. SERVICE BY MAIL IS COMPLETE UPON
32 THE RETURN OF THE RECEIPT SIGNED BY THE PERSON. PERSONAL SERVICE
33 MUST BE MADE BY ANY DISINTERESTED PARTY OVER EIGHTEEN YEARS OF
34 AGE.".

35 Renumber succeeding C.R.S. sections accordingly.

36 Page 9, line 24, strike "24-4.1-119 (1)(f)," and substitute "24-4.1-119
37 (1)(g)."

** ** ** *