

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 19, 2022

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB22-1367 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, line 5, strike "22-____:" and substitute "22-
2 1367:".

3 Page 2, line 16, strike "22-____" and substitute "22-1367".

4 Page 3, after line 9 insert:

5 "SECTION 2. In Colorado Revised Statutes, 24-34-306, **amend**
6 (11) as follows:

7 **24-34-306. Charge - complaint - hearing - procedure -**
8 **exhaustion of administrative remedies.** (11) (a) THE JURISDICTION OF
9 THE COMMISSION OVER THE COMPLAINT CEASES if:

10 (I) Written notice that a formal hearing will be held is not served
11 within ~~two hundred seventy~~ FOUR HUNDRED FIFTY days after the filing of
12 the charge; if

13 (II) The complainant has requested and received a notice of right
14 to sue pursuant to subsection (15) of this section; or if

15 (III) The hearing is not commenced within the
16 one-hundred-twenty-day period prescribed by subsection (4) of this
17 section. ~~the jurisdiction of the commission over the complaint shall cease;~~
18 ~~and~~

19 (b) IF THE JURISDICTION OF THE COMMISSION CEASES PURSUANT TO
20 SUBSECTION (11)(a) OF THIS SECTION, the complainant may seek the relief
21 authorized under this part 3 and parts 4 to 7 of this ~~article~~ ARTICLE 34
22 against the respondent by filing a civil action in the district court for the
23 district in which the alleged discriminatory or unfair practice
24 occurred. ~~Such~~ THE COMPLAINANT MUST FILE A CIVIL ACTION ~~must be filed~~
25 within ninety days ~~of~~ AFTER the date upon which the jurisdiction of the
26 commission ceased. ~~and if not so filed, it shall be~~ IF THE COMPLAINANT

1 FAILS TO FILE THE ACTION WITHIN THE TIME SPECIFIED IN THIS SUBSECTION
2 (11)(b), THE ACTION IS barred, and the district court ~~shall have no~~ DOES
3 NOT HAVE jurisdiction to hear ~~such~~ THE action. ~~If any party requests the~~
4 ~~extension of any time period prescribed by this subsection (11), such~~
5 ~~extension may be granted for good cause by the commission, a~~
6 ~~commissioner, or the administrative law judge, as the case may be, but the~~
7 ~~total period of all such extensions to either the respondent or the~~
8 ~~complainant shall not exceed ninety days each, and, in the case of~~
9 ~~multiple parties, the total period of all extensions shall not exceed one~~
10 ~~hundred eighty days."~~

11 Renumber succeeding sections accordingly.

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