

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 8, 2023
Date

Committee on Judiciary.

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

HB23-1178 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 5, line 13, after "THAT" insert "IS SUBJECT TO
- 2 SECTION 13-90-107 (1)(k)(I) AND".

- 3 Page 5, line 25, strike "ADMIT" and substitute "CONSIDER THE ADMISSION
- 4 OF" and strike "ONLY".

- 5 Page 6, line 8, strike "ABUSE; OR" and substitute "ABUSE;".

- 6 Page 6, line 10, strike "ABUSE." and substitute "ABUSE; OR".

- 7 Page 6, after line 10 insert:

8 "(D) OTHER DOCUMENTATION, INCLUDING LETTERS FROM A
- 9 VICTIM ADVOCATE OR VICTIM SERVICE PROVIDER, IF THE VICTIM HAS
- 10 CONSENTED PURSUANT TO SECTION 13-90-107 (1)(k)(I); MEDICAL
- 11 RECORDS; OR A LETTER TO A LANDLORD TO BREAK A LEASE."

- 12 Page 7, line 4, strike "PARTY" and substitute "PARTY, WHO SHALL ACCEPT
- 13 RESPONSIBILITY FOR THE ACCUSED PARTY'S ACTIONS THAT NEGATIVELY
- 14 AFFECTED THE ACCUSED PARTY'S RELATIONSHIP WITH THE CHILD, AND AN
- 15 APPROVED MENTAL HEALTH PROFESSIONAL SHALL VERIFY THE ACCUSED
- 16 PARTY'S BEHAVIOR".

- 17 Page 7, line 5, strike "ORDERING" and substitute "THE COURT ORDERS".

- 18 Page 7, line 18, after "AMENDED," insert "AND MAKE RECOMMENDATIONS
- 19 THAT COMPLY WITH THE FEDERAL REQUIREMENTS".

1 Page 8, strike lines 5 through 11 and substitute:

2 "(5) (a) CHILD AND FAMILY INVESTIGATORS, AS DESCRIBED IN
3 SECTION 14-10-116.5, AND PARENTAL RESPONSIBILITIES EVALUATORS, AS
4 DESCRIBED IN SECTION 14-10-127, WHO ARE INVOLVED IN PARENTAL
5 RESPONSIBILITY PROCEEDINGS, SHALL COMPLETE:".

6 Page 9, after line 1 insert:

7 "(c) (I) THE OFFICE OF THE CHILD'S REPRESENTATIVE SHALL
8 REPORT TO THE STATE COURT ADMINISTRATOR THE EXISTING TRAINING ON
9 DOMESTIC VIOLENCE AND CHILD ABUSE AND THE HOURS OF TRAINING
10 COMPLETED FOR GUARDIANS AD LITEM, COUNSEL FOR YOUTH, AND CHILD'S
11 LEGAL REPRESENTATIVES WHO CONTRACT WITH THE OFFICE OF THE
12 CHILD'S REPRESENTATIVE AND ARE INVOLVED IN PARENTAL
13 RESPONSIBILITY PROCEEDINGS PURSUANT TO THIS TITLE 14.

14 (II) SPECIAL MASTERS AND MEDIATORS WHO ARE INVOLVED IN
15 PARENTAL RESPONSIBILITY PROCEEDINGS PURSUANT TO THIS TITLE 14
16 SHALL REPORT TO THE STATE COURT ADMINISTRATOR THE EXISTING
17 TRAINING ON DOMESTIC VIOLENCE AND CHILD ABUSE AND THE HOURS OF
18 TRAINING COMPLETED.".

19 Page 9, line 7, strike "PROVIDER OR A SURVIVOR WITH LIVED EXPERIENCE
20 OF" and substitute "PROVIDER.".

21 Page 9, strike line 8.

22 Page 9, line 11, after "EXPERTS" insert "OR RESEARCH CONDUCTED IN THE
23 FIELD BY RECOGNIZED DOMESTIC VIOLENCE VICTIM ADVOCATES" .

24 Page 9, line 15, strike "RESEARCH." and substitute "RESEARCH OR
25 RESEARCH CONDUCTED IN THE FIELD BY RECOGNIZED DOMESTIC VIOLENCE
26 VICTIM ADVOCATES.".

27 Page 9, line 24, after "(7)" insert "(a)".

28 Page 10, after line 1 insert:

29 "(b) (I) SUBSECTIONS (1), (2)(a), (2)(b), (2)(c), (2)(e), (3), (5), AND
30 (6) OF THIS SECTION TAKE EFFECT AT 12:01 A.M. THIRTY DAYS AFTER THE
31 DATE IDENTIFIED IN THE WRITTEN NOTICE PROVIDED TO THE REVISOR OF
32 STATUTES BY THE STATE COURT ADMINISTRATOR THAT THE JUDICIAL
33 BRANCH HAS BEEN AWARDED A GRANT INCREASE PURSUANT TO THE

1 FEDERAL "KEEPING CHILDREN SAFE FROM FAMILY VIOLENCE ACT", 34
2 U.S.C. SEC. 10446, AS AMENDED, OR ON THE DATE OF THE NOTICE TO THE
3 REVISOR OF STATUTES IF THE NOTICE DOES NOT SPECIFY A DIFFERENT
4 DATE.

5 (II) THE STATE COURT ADMINISTRATOR SHALL NOTIFY THE
6 REVISOR OF STATUTES IN WRITING WHEN THE CONDITION SPECIFIED IN
7 (7)(b)(I) OF THIS SECTION HAS OCCURRED BY EMAILING THE NOTICE TO
8 REVISOROFSTATUTES.GA@COLEG.GOV."

9 Page 11, strike lines 22 through 26 and substitute:

10 "SECTION 4. Effective date. (1) Except as otherwise provided
11 in subsection (2) and (3) of this section, this act takes effect upon passage.

12 (2) Section 14-10-127.5 (2)(d) and (4), Colorado Revised Statutes,
13 as enacted in section 1 of this act, take effect only if House Bill 23-1108
14 becomes law, in which case section 24-10-127.5 (2)(d) and (4) take effect
15 on the effective date of this act or House Bill 23-1108, whichever is later.

16 (3) Section 14-10-127.5 (1), (2)(a), (2)(b), (2)(c), (2)(e), (3), (5),
17 and (6), Colorado Revised Statutes, and section 2 and 3 of this act take
18 effect only if the federal department of justice's office of the attorney
19 general awards a grant increase pursuant to the federal "Keeping Children
20 Safe From Family Violence Act", 34 U.S.C. sec. 10446, as amended, and
21 take effect thirty days after the date identified in the written notice from
22 the state court administrator to the revisor of statutes, as required in
23 section 1 of this act, that the judicial branch has been awarded a grant
24 increase or, if the notice does not specify that date, on the date of the
25 notice to the revisor of statutes, or on the effective date of this act,
26 whichever is later."

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