

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

May 1, 2024
Date

Committee on Judiciary.

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

HB24-1034 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

- 1 Amend reengrossed bill, page 22, line 15, strike "(9)" and substitute "(7)".
- 2 Page 23, line 4, strike "(9)," and substitute "(7),".
- 3 Page 33, strike lines 24 through 27.
- 4 Page 34, strike lines 1 through 20.
- 5 Page 34, line 21, strike "(4)" and substitute "(2)".
- 6 Page 34, line 25, strike "(9)" and substitute "(7)".
- 7 Page 35, line 15, strike "(5)" and substitute "(3)".
- 8 Page 35, line 19, strike "(9)" and substitute "(7)".
- 9 Page 36, line 10, strike "(6)" and substitute "(4)".
- 10 Page 36, line 13, strike "(9)" and substitute "(7)".
- 11 Page 36, line 22, strike "(7)" and substitute "(5)".
- 12 Page 36, line 22 and 23, strike "(2), (3), (4), (5), AND (6)" and substitute
13 "(2), (3), AND (4)".
- 14 Page 37, line 21, strike "(8)" and substitute "(6)".

1 Page 38, line 3, strike "(9)" and substitute "(7)".

2 Page 38, line 18, strike "(10)" and substitute "(8)".

3 Page 38, line 27, strike "(11)" and substitute "(9)".

4 Page 39, line 5, strike "(12)" and substitute "(10)".

5 Page 39, line 8, strike "(13)" and substitute "(11)".

6 Page 39, strike lines 11 through 15 and substitute:

7 "(12) [**Formerly 16-8.5-116 (14)**] ~~On and after July 1, 2020,~~ The
8 court ~~may, at any time of~~ SHALL, AT AN APPROPRIATE TIME IN the
9 restoration process, order the department OR THE APPOINTED BRIDGES
10 COURT LIAISON, AS DEFINED IN SECTION 13-95-102, to provide the court
11 with an appropriate INDIVIDUALIZED release plan DEVELOPED IN
12 CONJUNCTION WITH ANY NECESSARY COMMUNITY PROVIDERS OR
13 RESOURCES for the reintegration of the defendant into the community with
14 appropriate services."

15 Page 39, line 16, strike "(15)" and substitute "(13)".

16 Page 39, line 21, strike "(16)" and substitute "(14)".

17 Page 39, line 24, strike "(2), (3), (4), (5), AND (6)" and substitute "(2), (3),
18 AND (4)".

19 Page 40, line 4, strike "(17)" and substitute "(15)".

20 Page 40, line 9, strike "(18)" and substitute "(16)".

21 Page 41, after line 20 insert:

22 "SECTION 17. In Colorado Revised Statutes, 27-65-108.5,
23 **amend** (1)(b) as follows:

24 **27-65-108.5. Court-ordered certification for short-term**
25 **treatment for incompetent defendants in a criminal matter - contents**
26 **of petition - procedure to contest petition - commitment to behavioral**
27 **health administration - definition.** (1) Upon petition of the district
28 attorney, a professional person, a representative of the BHA, or a
29 representative of the office of civil and forensic mental health, a court
30 may certify a person for short-term treatment for not more than three

1 months under the following conditions:

2 (b) The court hearing the criminal matter referred the matter for
3 filing of a petition pursuant to section 16-8.5-111 or ~~16-8.5-116~~
4 **16-8.5-116.5**;"

5 Renumber succeeding sections accordingly.

6 Page 41, after line 24 insert:

7 "SECTION 19. **Effective date.** Section 9 of this act takes effect
8 July 1, 2024."

9 Renumber succeeding section accordingly.

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