

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 21, 2016  
Date

Committee on Finance.

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

HB16-1378 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike lines 2 through 15 and substitute:

2 "SECTION 1. In Colorado Revised Statutes, 18-1.3-701, **amend**  
3 (2) (j); and **add** (2) (j.5) as follows:

4 **18-1.3-701. Judgment for costs and fines.** (2) The costs  
5 assessed pursuant to subsection (1) of this section or section 16-18-101,  
6 C.R.S., may include:

7 (j) On proper motion of the prosecuting attorney and at the  
8 discretion of the court, any other reasonable and necessary costs incurred  
9 by the prosecuting attorney or ~~law enforcement agency~~ COLORADO STATE  
10 PATROL that are directly the result of the prosecution of the defendant,  
11 including the costs resulting from the collection and analysis of any  
12 chemical test upon the defendant pursuant to section 42-4-1301.1, C.R.S.,  
13 which costs shall be reimbursed by the defendant directly to the ~~law~~  
14 ~~enforcement agency that performed such chemical tests~~ COLORADO STATE  
15 PATROL.

16 (j.5) ON PROPER MOTION OF THE PROSECUTING ATTORNEY AND AT  
17 THE DISCRETION OF THE COURT, ANY OTHER REASONABLE AND NECESSARY  
18 COSTS INCURRED BY THE PROSECUTING ATTORNEY OR LAW ENFORCEMENT  
19 AGENCY OTHER THAN THE COLORADO STATE PATROL THAT ARE DIRECTLY  
20 THE RESULT OF THE PROSECUTION OF THE DEFENDANT, INCLUDING THE  
21 COSTS RESULTING FROM THE COLLECTION AND ANALYSIS OF ANY  
22 CHEMICAL TEST UPON THE DEFENDANT PURSUANT TO SECTION

1 42-4-1301.1, C.R.S., WHICH COSTS, IF THEY ARE INCLUDED BY THE  
2 COURT, THE COURT SHALL ASSESS AGAINST THE DEFENDANT, COLLECT  
3 FROM THE DEFENDANT, AND TRANSFER TO THE LAW ENFORCEMENT  
4 AGENCY THAT PERFORMED THE CHEMICAL TESTS."

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