



Legislative Council Staff

Research Note

Version: Final

Date: 4/11/2017

Bill Number

Senate Bill 17-024

Sponsors

Senator Fields
Representative Young

Short Title

***Clarify Intellectual &
Developmental Disability
Hearsay Exception***

Research Analyst

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Status

This research note reflects the final version of the bill, which was signed by the Governor on March 30, 2017, and becomes effective on July 1, 2017.

Background

Colorado law authorizes the Colorado Supreme Court to promulgate state rules of evidence, but reserves for the General Assembly the authority to modify or eliminate rules of evidence. Under the Colorado Rules of Evidence, hearsay is defined as a statement other than one made while testifying at a trial or hearing offered to prove the truth of the matter asserted. Hearsay is not admissible as evidence, except as provided by the rules of evidence, procedural court rules, or Colorado statute. Existing law provides exceptions to the hearsay rule for statements made by a person with an intellectual or developmental disability relating to certain crimes.

Senate Action

Senate Judiciary Committee (January 25, 2017). At the hearing, the committee heard testimony in favor of the bill from representatives of the Denver District Attorney's Office, The Arc of Aurora, the Twentieth Judicial District Attorney's Office, the Colorado District Attorneys' Council, and a private citizen. The committee referred the bill, unamended, to the Committee of the Whole, with a recommendation that it be placed on the consent calendar.

Senate second reading (January 30, 2017). The Senate passed the bill on second reading with no amendments.

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Senate third reading (February 1, 2017). The Senate passed the bill on third reading with no amendments.

House Action

House Judiciary Committee (March 9, 2017). At the hearing, the committee heard testimony in favor of the bill from representatives of the Colorado District Attorneys' Council, and The Arc of Colorado. The committee referred the bill, unamended, to the House Committee of the Whole.

House second reading (March 14, 2017). The House passed the bill on second reading with no amendments.

House third reading (March 15, 2017). The House passed the bill on third reading with no amendments.