



Legislative Council Staff

Research Note

Version: Final

Date: 6/16/2017

Bill Number

Senate Bill 17-126

Sponsors

**Senators Guzman & Gardner
Representatives Hamner &
Willett**

Short Title

***Domestic Violence Fatality
Review Board***

Research Analyst

Conrad Imel (x2756)

Status

This research note reflects the final version of the bill, which becomes effective August 9, 2017, assuming no referendum petition is filed.

Background

Under Colorado law, "domestic violence" means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic violence also includes any other crime or municipal ordinance violation against a person or property, including an animal when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. Section 18-6-801, C.R.S., provides special sentencing requirements for domestic violence offenders, including mandatory completion of a treatment program and a treatment evaluation, and increased sentencing for repeat offenders.

According to the National Domestic Violence Fatality Review Initiative, state or local fatality review boards operate in 41 states and the District of Columbia. The Denver Metro Domestic Violence Fatality Review Committee reviews such cases that occur in Denver.

Senate Action

Senate Judiciary Committee (February 13, 2017). At the hearing, the committee heard testimony in favor of the bill from representatives of the Colorado Attorney General's Office, the 18th Judicial District Attorney, the Colorado District Attorneys' Council, the Domestic Violence

This research note was prepared by Legislative Council Staff, the nonpartisan research staff for the Colorado General Assembly. The research note is provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly. Legislative Council Staff are not attorneys, and the research note is not a legal opinion. If you have legal questions about the bill, including questions about the meaning of the bill language or amendments, please contact the drafter.

Coordinating Council, the Colorado Organization for Victim Assistance, County Sheriffs of Colorado, the Colorado Criminal Defense Bar, the State Public Defender's Office, and the Colorado Coalition Against Domestic Violence, as well as private citizens. A representative of the Colorado Press Association and the Colorado Broadcasters Association also provided testimony to the committee. At the request of the bill sponsors, the bill was laid over for action at a future meeting.

Senate Judiciary Committee (February 16, 2017). The committee adopted amendment L.004 and referred the bill, as amended, to the Senate Appropriations Committee. Amendment L.004 increases the Domestic Violence Fatality Review Board's (board) membership by one member, who is a representative of the private criminal defense bar; replaces the representative of the Department of Public Health and Environment on the board with the executive director of that department, or his or her designee; and repeals the board in 2022.

Senate Appropriations Committee (April 6, 2017). The committee adopted amendment J.001 and referred the bill to the Senate Committee of the Whole. The amendment added an appropriations clause to the bill.

Senate second reading (April 7, 2017). The Senate adopted the Senate Judiciary and Senate Appropriations committee reports and passed the bill on second reading.

Senate third reading (April 10, 2017). The Senate passed the bill on third reading with no amendments.

Senate consideration of House amendments (May 4, 2017). The Senate concurred with House amendments and re-passed the bill.

House Action

House PHC&HS Committee (April 25, 2017). At the hearing, the committee heard testimony in support of the bill from representatives of the Colorado Attorney General's Office, the Colorado District Attorneys' Council, the Rose Andum Center, Family Tree, the Colorado Coalition Against Domestic Violence, the Denver Metro Domestic Violence Fatality Review Committee, and the Colorado Organization for Victim Assistance.

The committee adopted amendment L.007, which changes the membership of the board created in the bill by substituting a criminal defense attorney in place of a representative of the private criminal defense bar, and referred the bill to the House Appropriations Committee.

House Appropriations Committee (May 2, 2017). The committee referred the bill to the House Committee of the Whole.

House second reading (May 2, 2017). The House adopted the House Public Health Care & Human Services Committee report and passed the bill on second reading.

House third reading (May 3, 2017). The House passed the bill on third reading with no amendments.