

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1133.01 Michael Dohr x4347

SENATE BILL 18-258

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SENATE SPONSORSHIP

Scott and Gardner,

HOUSE SPONSORSHIP

(None),

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Senate Committees  
Judiciary

House Committees

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A BILL FOR AN ACT

101 CONCERNING EXCLUDING FROM THE SPEEDY TRIAL CALCULATION THE  
102 PERIOD OF DELAY CAUSED BY A CONTINUANCE ORDERED BY THE  
103 COURT.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

In the speedy trial statute, there is a list of time periods that are excluded from the speedy trial calculation. The bill adds the period of delay caused by a continuance granted by the court to the list, if the court finds that the continuance is necessary to protect the defendant's constitutional rights.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 18-1-405, **add** (6)(j)  
3 as follows:

4           **18-1-405. Speedy trial.** (6) In computing the time within which  
5 a defendant shall be brought to trial as provided in subsection (1) of this  
6 section, the following periods of time shall be excluded:

7           (j) THE PERIOD OF DELAY CAUSED BY A CONTINUANCE GRANTED  
8 TO THE PROSECUTION OR THE DEFENDANT OR ORDERED BY THE COURT,  
9 SUA SPONTE, IF THE COURT, IN ITS DISCRETION, FINDS THAT THE  
10 CONTINUANCE IS NECESSARY TO PROTECT THE DEFENDANT'S  
11 CONSTITUTIONAL RIGHTS.

12           **SECTION 2. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety.