

**Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0206.01 Michael Dohr x4347

**HOUSE BILL 22-1067**

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**HOUSE SPONSORSHIP**

**Woodrow and Gonzales-Gutierrez,**

**SENATE SPONSORSHIP**

**Lee,**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING CLARIFYING CHANGES TO MEASURES THAT ENSURE**  
102              **DEFENDANTS HAVE A PROMPT BOND HEARING, AND, IN**  
103              **CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**

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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>.)*

Under current law, when a defendant is detained in jail on a municipal hold, the defendant must receive a hearing before the municipal court within 2 calendar days, excluding Sundays and federal holidays. The bill requires the hearing to be held within 48 hours after the defendant arrives at the jail.

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.

The bill makes clarifying changes to the district attorney assistance for bond hearings grant program and repeals the district attorney assistance for bond hearings cash fund.

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

2           **SECTION 1.** In Colorado Revised Statutes, 13-10-111.5, **amend**  
3 (2) as follows:

4           **13-10-111.5. Notice to municipal courts of municipal holds.**

5 (2) Once a municipal court receives notice that the defendant is being  
6 held solely on the basis of a municipal hold, the municipal court shall  
7 hold a hearing within ~~two calendar days, excluding Sundays and federal~~  
8 ~~holidays, except that, if the defendant has failed to appear in that case at~~  
9 ~~least twice and the defendant is incarcerated in a county different from the~~  
10 ~~county where the demanding municipal court is located, the demanding~~  
11 ~~municipal court shall hold a hearing within four calendar days, excluding~~  
12 ~~Sundays and federal holidays~~ FORTY-EIGHT HOURS AFTER THE RECEIPT OF  
13 SUCH A NOTICE. THE COUNTY SHERIFF SHALL MAKE THE IN-CUSTODY  
14 DEFENDANT AVAILABLE TO APPEAR IN A TIMELY MANNER BEFORE A  
15 MUNICIPAL JUDGE FOR A HEARING REQUIRED BY THIS SUBSECTION (2) AT  
16 THE DATE AND TIME MUTUALLY AGREED TO BY THE COUNTY SHERIFF AND  
17 MUNICIPAL COURT. IT IS NOT A VIOLATION OF THIS SECTION IF A BOND  
18 HEARING IS NOT HELD WITHIN FORTY-EIGHT HOURS WHEN THE DELAY IS  
19 CAUSED BY CIRCUMSTANCES IN WHICH THE DEFENDANT REFUSES TO  
20 ATTEND COURT, IS UNABLE TO ATTEND COURT DUE TO A DEBILITATING  
21 PHYSICAL AILMENT, OR IS UNABLE TO PROCEED DUE TO DRUG OR ALCOHOL  
22 USE OR MENTAL ILLNESS, OR WHEN THE DELAY IS CAUSED BY AN  
23 EMERGENCY THAT REQUIRES THE COURT TO CLOSE. USE OF AUDIOVISUAL  
24 CONFERENCING TECHNOLOGY IS PERMISSIBLE TO EXPEDITE THE HEARING.

1 WHEN HIGH-SPEED INTERNET ACCESS IS UNAVAILABLE, MAKING  
2 AUDIOVISUAL CONFERENCING IMPOSSIBLE, THE COURT MAY CONDUCT THE  
3 HEARING TELEPHONICALLY.

4 SECTION 2. In Colorado Revised Statutes, 16-4-117, **amend** (4)  
5 and (8); and **repeal** (9) as follows:

6 16-4-117. **District attorney assistance for bond hearings grant**  
7 **program - created - rules.** (4) The Colorado district attorneys' council  
8 shall administer the grant program and ~~subject to available appropriations,~~  
9 shall award grants, subject to available appropriations. ~~grants shall be~~  
10 ~~paid out of the district attorney assistance for bond hearings cash fund~~  
11 ~~created in subsection (9) of this section.~~

12 (8) Subject to available appropriations, on or before ~~October 1~~  
13 APRIL 1 each year of the grant program, the Colorado district attorneys'  
14 council shall award grants.

15 (9) (a) ~~The district attorney assistance for bond hearings cash~~  
16 ~~fund, referred to in this subsection (9) as the "fund", is hereby created in~~  
17 ~~the state treasury. The fund consists of money that the general assembly~~  
18 ~~may appropriate or transfer to the fund. The department of law shall~~  
19 ~~administer the fund.~~

20 (b) ~~The state treasurer shall credit all interest and income derived~~  
21 ~~from the deposit and investment of money in the fund to the fund.~~

22 (c) ~~Any unexpended and unencumbered money remaining in the~~  
23 ~~fund at the end of a fiscal year must remain in the fund and may be spent~~  
24 ~~in future fiscal years.~~

25 SECTION 3. **Appropriation - adjustments to 2022 long bill.** To  
26 implement this act, the reappropriated funds appropriation made in the  
27 annual general appropriation act for the 2022-23 state fiscal year to the

1 department of law for deputy district attorney training is decreased by  
2 \$150,000.

3 **SECTION 4. Effective date.** Section 1 of this act takes effect  
4 January 1, 2023, and the remainder of this act takes effect upon passage.

5 **SECTION 5. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, or safety.