

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 23-0642.01 Jed Franklin x5484

SENATE BILL 23-251

SENATE SPONSORSHIP

Roberts and Rich, Buckner, Coleman, Gonzales, Moreno, Pelton B., Priola, Simpson, Winter F.

HOUSE SPONSORSHIP

Daugherty and Pugliese,

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE ATTORNEY GENERAL**
102 **REPRESENT THE DEPARTMENT OF REVENUE IN ALL DRIVER'S**
103 **LICENSE AND STATE IDENTIFICATION CARD APPEALS, AND, IN**
104 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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 existing law, upon request of the attorney general, a district attorney represents the department of revenue (department) in driver's license and identification card appeals. On and after 3 specified dates that

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

HOUSE
2nd Reading Unamended
May 6, 2023

SENATE
3rd Reading Unamended
May 1, 2023

SENATE
Amended 2nd Reading
April 28, 2023

are designated for 3 groups of judicial districts, the bill requires the attorney general to represent the department in such appeals. The attorney general may appear for an appeals hearing by telephone, video teleconference, or any other court-authorized means of electronic participation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-135, **amend** (2)
3 as follows:

4 **42-2-135. Right to appeal.** (2) ~~The district attorney of the~~
5 ~~judicial district in which review is applied for pursuant to this section,~~
6 ~~upon request of the attorney general~~ FOR ACTIONS FILED ON OR AFTER
7 JANUARY 1, 2024, IN THE THIRD, FIFTH, SIXTH, SEVENTH, NINTH, TENTH,
8 ELEVENTH, TWELFTH, THIRTEENTH, FOURTEENTH, FIFTEENTH, SIXTEENTH,
9 TWENTY-FIRST, AND TWENTY-SECOND JUDICIAL DISTRICTS, ON OR AFTER
10 JULY 1, 2024, IN THE FOURTH, EIGHTH, NINETEENTH, AND TWENTIETH
11 JUDICIAL DISTRICTS, AND ON OR AFTER JULY 1, 2025, IN THE FIRST,
12 SECOND, SEVENTEENTH, EIGHTEENTH, AND TWENTY-THIRD JUDICIAL
13 DISTRICTS, THE ATTORNEY GENERAL shall represent the department IN ALL
14 ACTIONS FOR JUDICIAL REVIEW FILED PURSUANT TO THIS SECTION. THE
15 ATTORNEY GENERAL IS PERMITTED TO APPEAR FOR A HEARING PURSUANT
16 TO THIS SECTION BY TELEPHONE, USE OF VIDEO TELECONFERENCING
17 TECHNOLOGY, OR ANY OTHER COURT AUTHORIZED MEANS OF ELECTRONIC
18 PARTICIPATION.

19 **SECTION 2. Appropriation.** (1) For the 2023-24 state fiscal
20 year, \$47,583 is appropriated to the department of revenue. This
21 appropriation is from the general fund. To implement this act, the
22 department may use this appropriation for the purchase of legal services.

23 (2) For the 2023-24 state fiscal year, \$47,583 is appropriated to

1 the department of law. This appropriation is from reappropriated funds
2 received from the department of revenue under subsection (1) of this
3 section and is based on an assumption that the department of law will
4 require an additional 0.3 FTE. To implement this act, the department of
5 law may use this appropriation to provide legal services for the
6 department of revenue.

7 **SECTION 3. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2024 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.