

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB23-1034 be amended as follows:

1 Amend printed bill, page 7, line 8, strike "24-4.1-302.5 AND 24-4.1-303."
2 and substitute "24-4.1-301 TO 24-4.1-305."

3 Page 7, after line 8, insert:

4 "SECTION 7. In Colorado Revised Statutes, 24-4.1-302, **amend**
5 (2)(u); and **add** (2)(u.5) as follows:

6 **24-4.1-302. Definitions.** As used in this part 3, and for no other
7 purpose, including the expansion of the rights of any defendant:

8 (2) "Critical stages" means the following stages of the criminal
9 justice process:

10 (u) The decision, whether by court order, stipulation of the parties,
11 or otherwise, to conduct postconviction DNA testing ~~to establish the~~
12 ~~actual innocence of the person convicted of a crime against the victim~~
13 pursuant to section 18-1-413, the results of any such postconviction DNA
14 testing, and court proceedings initiated based on the result of the
15 postconviction DNA testing. An inmate's written or oral request for such
16 testing is not a "critical stage".

17 (u.5) A HEARING HELD PURSUANT TO SECTION 18-1-416 (1.5);

18 **SECTION 8.** In Colorado Revised Statutes, 24-4.1-303, **amend**
19 (11)(b) as follows:

20 **24-4.1-303. Procedures for ensuring rights of victims of**
21 **crimes.** (11) The district attorney shall inform a victim of the following:

22 (b) Any of the critical stages specified in section 24-4.1-302 (2)(a)
23 to (2)(j), ~~and~~ (2)(l), AND (2)(u.5) of a criminal proceeding relating to a
24 person accused of a crime against the victim; except that the district
25 attorney shall not be obligated to inform the victim of any appellate
26 review undertaken by the attorney general's office;".

27 Renumber succeeding section accordingly.

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