

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE CONCURRENT RESOLUTION 24-1002

BY REPRESENTATIVE(S) Duran and Lynch, Armagost, Bird, Boesenecker, Bottoms, Bradley, Catlin, DeGraaf, Jodeh, Kipp, Lindstedt, Marshall, McCormick, Snyder, Soper, Titone, Valdez, Weinberg, McCluskie;

also SENATOR(S) Fields and Gardner, Baisley, Bridges, Buckner, Coleman, Cutter, Danielson, Exum, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Liston, Lundeen, Marchman, Michaelson Jenet, Mullica, Pelton B., Pelton R., Priola, Rich, Roberts, Rodriguez, Simpson, Smallwood, Sullivan, Van Winkle, Will, Zenzinger, Fenberg.

SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION CONCERNING CREATING AN EXCEPTION TO THE RIGHT TO BAIL FOR CASES OF MURDER IN THE FIRST DEGREE WHEN PROOF IS EVIDENT OR PRESUMPTION IS GREAT.

Be It Resolved by the House of Representatives of the Seventy-fourth General Assembly of the State of Colorado, the Senate concurring herein:

SECTION 1. At the election held on November 5, 2024, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

constitution:

In the constitution of the state of Colorado, section 19 of article II, **amend** (2); and **add** (1)(d) as follows:

Section 19. Right to bail - exceptions. (1) All persons shall be bailable by sufficient sureties pending disposition of charges except:

(d) FOR THE OFFENSE OF MURDER IN THE FIRST DEGREE, AS DEFINED BY LAW, COMMITTED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1)(d), WHEN PROOF IS EVIDENT OR PRESUMPTION IS GREAT.

(2) Except in the case of a capital offense OR MURDER IN THE FIRST DEGREE, if a person is denied bail under this section, the trial of the person shall be commenced not more than ninety days after the date on which bail is denied. If the trial is not commenced within ninety days and the delay is not attributable to the defense, the court shall immediately schedule a bail hearing and shall set the amount of the bail for the person.

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be an amendment to the Colorado constitution concerning creating an exception to the right to bail for cases of murder in the first degree when proof is evident or presumption is great?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting

on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE