

SB099_L.014

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB22-099 be amended as follows:

1 Amend printed bill, page 8, line 3, strike "(10)(c)" and substitute "(10)(c);
2 and **add** (10)(f)".

3 Page 8, after line 10 insert:

4 "(f) (I) UPON COMPLETION OF DIVERSION IN A CASE MANAGED BY
5 A DISTRICT ATTORNEY DIVERSION PROGRAM PRIOR TO CHARGES BEING
6 FILED, THE DISTRICT ATTORNEY SHALL SEAL THE DISTRICT ATTORNEY'S
7 DIVERSION RECORD WITHOUT A COURT ORDER. THIS SUBSECTION (10)(f)
8 DOES NOT APPLY TO CASES WITH OFFENSES LISTED IN SECTION 24-4.1-302
9 (1).

10 (II) THE DISTRICT ATTORNEY SHALL NOTIFY THE COLORADO
11 BUREAU OF INVESTIGATION AND THE LAW ENFORCEMENT AGENCY THAT
12 HAD CONTACT WITH THE INDIVIDUAL THAT DIVERSION IS COMPLETE AND
13 THE CRIMINAL JUSTICE RECORDS ARE SEALED. ANY LAW ENFORCEMENT
14 AGENCY THAT RECEIVES A NOTICE SHALL ACKNOWLEDGE RECEIPT OF THE
15 NOTICE. THE COLORADO BUREAU OF INVESTIGATION, LAW ENFORCEMENT
16 AGENCY, DIVERSION PROVIDER, AND DISTRICT ATTORNEY SHALL TREAT
17 THE RECORDS AS SEALED WITHIN THIRTY-FIVE DAYS AFTER THE
18 COMPLETION OF DIVERSION, AND ALL PROVISIONS OF SECTION 24-72-703
19 SHALL APPLY TO THOSE RECORDS."

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