

HB26-1250 be amended as follows:

1 Amend printed bill, page 10, strike lines 1 through 20 and substitute:

2 "(d) THE PRIVATE CONTRACTOR SHALL, PURSUANT TO THE SERVICE  
3 AGREEMENT ENTERED INTO PURSUANT TO SUBSECTION (3)(c) OF THIS  
4 SECTION, PAY THE FORFEITURE DEFENSE COUNSEL AN AMOUNT NOT TO  
5 EXCEED THREE THOUSAND FIVE HUNDRED DOLLARS FOR REPRESENTING  
6 THE FORFEITURE DEFENDANT IN A FORFEITURE PROCEEDING UNLESS THE  
7 COURT FINDS GOOD CAUSE FOR A HIGHER PAYMENT. IF THE COURT FINDS  
8 GOOD CAUSE FOR A HIGHER PAYMENT, THE PRIVATE CONTRACTOR SHALL  
9 PAY THE FORFEITURE DEFENSE COUNSEL THE AMOUNT ORDERED.

10 (e) NOTHING IN THIS SECTION PREVENTS FORFEITURE DEFENSE  
11 COUNSEL FROM WITHDRAWING REPRESENTATION OF AN INDIGENT  
12 FORFEITURE DEFENDANT IN ACCORDANCE WITH THE COLORADO RULES OF  
13 PROFESSIONAL CONDUCT. IF A FORFEITURE DEFENSE COUNSEL WITHDRAWS  
14 REPRESENTATION OF AN INDIGENT FORFEITURE DEFENDANT, THE COURT  
15 MAY REQUIRE THE PRIVATE CONTRACTOR TO APPOINT ANOTHER  
16 FORFEITURE DEFENSE COUNSEL FOR THE DEFENDANT IF THE COURT FINDS  
17 THE INTEREST OF JUSTICE REQUIRES ANOTHER APPOINTMENT.

18 (f) (I) IF A FORFEITURE DEFENDANT IS REPRESENTED BY  
19 FORFEITURE DEFENSE COUNSEL AND PREVAILS IN THE FORFEITURE  
20 PROCEEDING, THE COURT SHALL ORDER THE PLAINTIFF TO REIMBURSE THE  
21 FORFEITURE COUNSEL DEFENSE FUND IN THE AMOUNT OF THE PAYMENT  
22 MADE TO THE FORFEITURE DEFENSE COUNSEL PURSUANT TO SUBSECTION  
23 (2)(d) OF THIS SECTION. THE ADMINISTRATOR SHALL TRANSMIT ALL  
24 MONEY RECEIVED PURSUANT TO THIS SUBSECTION (2)(f)(I) AS  
25 REIMBURSEMENT TO THE FUND TO THE STATE TREASURER, WHO SHALL  
26 CREDIT THE MONEY TO THE FUND.

27 (II) IF A FORFEITURE DEFENDANT IS REPRESENTED BY PRIVATE  
28 COUNSEL AND PREVAILS IN THE FORFEITURE PROCEEDING, THE COURT  
29 SHALL ORDER THE PLAINTIFF TO REIMBURSE PRIVATE COUNSEL FOR  
30 REASONABLE ATTORNEY FEES INCURRED DEFENDING THE FORFEITURE  
31 PROCEEDING."

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33 Page 11, line 6, strike "FORFEITURE DEFENSE COUNSEL" and substitute  
34 "THE PRIVATE CONTRACTOR".

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