

SENATE COMMITTEE OF REFERENCE AMENDMENT  
Committee on Judiciary.

SB25-189 be amended as follows:

1 Amend printed bill, page 2, line 3, strike "(5)(b), and (6)" and substitute  
2 "and (5)(b); and **repeal** (6)".

3 Page 4, strike lines 8 through 23 and substitute:

4 ~~"(6) If the prosecuting attorney does not have any information  
5 indicating that the defendant has been previously convicted of a felony  
6 prior to the time a verdict of guilty is rendered on a felony charge and if  
7 thereafter the prosecuting attorney learns of the felony conviction prior  
8 to the time that sentence is pronounced by the court, he or she may file a  
9 new information in which it shall be alleged in separate counts that the  
10 defendant has been convicted of the particular offense upon which  
11 judgment has not been entered and that prior thereto at a specified date  
12 and place the defendant has been convicted of a felony warranting  
13 application of increased penalties authorized in this section and sections  
14 18-1.3-801 and 18-1.3-802. The defendant shall be arraigned upon the  
15 new information, and, if the defendant denies the previous conviction, the  
16 trial judge, or a replacement judge as provided in subsection (1) of this  
17 section, shall try the issue prior to imposition of sentence."~~.

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