SENATE SPONSORSHIP

Scott and Gardner,

HOUSE SPONSORSHIP

Lundeen,

Senate Committees	House Committees
Judiciary	

A BILL FOR AN ACT

101   CONCERNING EXCLUDING FROM THE SPEEDY TRIAL CALCULATION THE

102   PERIOD OF DELAY CAUSED BY A CONTINUANCE ORDERED BY THE

103   COURT.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

In the speedy trial statute, there is a list of time periods that are excluded from the speedy trial calculation. The bill adds the period of delay caused by a continuance granted by the court to the list, if the court finds that the continuance is necessary to protect the defendant's constitutional rights.

SENATE
3rd Reading Unamended
May 4, 2018

SENATE
Amended 2nd Reading
May 2, 2018

1   *Be it enacted by the General Assembly of the State of Colorado:*

2   **SECTION 1.** In Colorado Revised Statutes, 18-1-405, **add** (6)(j)

3   as follows:

4   **18-1-405. Speedy trial.** (6) In computing the time within which

5   a defendant shall be brought to trial as provided in subsection (1) of this

6   section, the following periods of time shall be excluded:

7   (j) THE PERIOD OF DELAY CAUSED BY A CONTINUANCE ORDERED

8   BY THE COURT, IF THE COURT, IN ITS DISCRETION, FINDS THAT THE

9   CONTINUANCE   IS   NECESSARY   TO   PROTECT   THE   DEFENDANT'S

10   CONSTITUTIONAL RIGHTS.

11   **SECTION 2. Safety clause.** The general assembly hereby finds,

12   determines, and declares that this act is necessary for the immediate

13   preservation of the public peace, health, and safety.