

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0902.01 Anna Petrini x5497

HOUSE BILL 26-1343

HOUSE SPONSORSHIP

Mauro and Clifford, Bacon, Bradley, Hamrick, Nguyen, Rutinel

SENATE SPONSORSHIP

Marchman,

House Committees

Health & Human Services
Appropriations

Senate Committees

Judiciary

A BILL FOR AN ACT

101 **CONCERNING EXPANDING THE USE OF ELECTRONIC PROCESSES IN**
102 **PROCEEDINGS INVOLVING THE "STATE ADMINISTRATIVE**
103 **PROCEDURE ACT".**

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>.)

Current law requires a court to allow the department of human services (department) to submit a competency evaluation for a criminal defendant (evaluation) to the court through electronic means. The bill expands the use of electronic processes in competency proceedings by clarifying that the court must permit the department's evaluation

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

HOUSE
3rd Reading Unamended
April 22, 2026

HOUSE
Amended 2nd Reading
April 21, 2026

submission via e-filing and by directing the department to:

- Accept, by electronic means, a court order to conduct an evaluation; and
- Electronically deliver an evaluation to interested parties through the e-filing system.

Current law generally requires an administrative agency that is conducting an adjudicatory hearing (agency) to serve any person entitled to notice of that hearing either personally or by first-class mail. The bill permits an agency to serve notice of the hearing by electronic means, upon a documented request or with the documented consent of the person to be notified. The bill similarly authorizes electronic service with respect to an agency's final decision or the initial decision by an administrative law judge or hearing officer.

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

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SECTION 1. In Colorado Revised Statutes, 24-4-105, **amend**

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(2)(a), (2)(b), and (16)(a) as follows:

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24-4-105. Hearings and determinations.

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(2) (a) In any ~~such~~ proceeding in which an opportunity for agency

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adjudicatory hearing is required under the state constitution or by this or

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any other statute, the parties are entitled to a hearing and decision in

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conformity with this section. Any person entitled to notice of a hearing

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shall be given timely notice of the time, place, and nature thereof, the

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legal authority and jurisdiction under which it is to be held, and the

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matters of fact and law asserted. Unless otherwise provided by law, ~~such~~

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THE notice shall be served personally; BY ELECTRONIC MEANS, UPON THE

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DOCUMENTED REQUEST OR CONSENT OF THE PERSON TO BE NOTIFIED; or

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by mailing by first-class mail to the last address furnished TO the agency

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by the person to be notified at least thirty days prior to the hearing. In

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fixing the time and place for a hearing, due regard shall be had for the

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convenience and necessity of the parties and their representatives.

1 (b) Any person given ~~such~~ notice PURSUANT TO SUBSECTION (2)(a)
2 OF THIS SECTION shall file a written answer thirty days after the service,
3 ELECTRONIC DELIVERY, or mailing of ~~such~~ THE notice. If ~~such~~ THE person
4 fails to answer, any agency, administrative law judge, or hearing officer,
5 upon motion, may enter a default. For good cause shown, the entry of
6 default may be set aside within ten days after the date of ~~such~~ entry.

7 (16) (a) Each decision and initial decision shall be served on each
8 party by personal service; BY ELECTRONIC MEANS, UPON THE
9 DOCUMENTED REQUEST OR CONSENT OF THE PARTY TO BE SERVED; or by
10 mailing by first-class mail to the last address furnished TO the agency by
11 ~~such~~ THE party and, except as provided in ~~paragraph (b) of this subsection~~
12 ~~(16)~~ SUBSECTION (16)(b) OF THIS SECTION, shall be effective as to ~~such~~
13 THE party on the date mailed, PROVIDED ELECTRONICALLY, or ~~such~~ THE
14 later date as is stated in the decision.

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16 **SECTION 2. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in
24 November 2026 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.