

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

April 20, 2021

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB21-1214 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 5, after line 6, insert:
- 2 "SECTION 5. In Colorado Revised Statutes, 24-72-703, amend
- 3 (1) as follows:
- 4 **24-72-703. Sealing of arrest and criminal records - general**
- 5 **provisions - order applicability - discovery and advisements.**
- 6 (1) **Applicability.** The provisions of this section shall apply to the
- 7 sealing of arrest and criminal records pursuant to sections 24-72-704 to
- 8 ~~24-72-709~~ 24-72-710."
- 9 Renumber succeeding sections accordingly.
- 10 Page 7, line 19, after "LIMITATIONS" insert "PURSUANT TO SECTION
- 11 16-5-401".
- 12 Page 8, strike lines 2 through 14.
- 13 Renumber succeeding sections accordingly.
- 14 Page 8, line 20, strike "DISTRICT".
- 15 Page 8, line 21, strike "DISTRICT" and substitute "JURISDICTION".
- 16 Page 9, line 3, after "RECORD" insert "THAT INCLUDES A COPY OF EACH
- 17 PETITION FILED IN THE OTHER JURISDICTIONS".

- 1 Page 9, line 24, after "OFFENSE," insert "OR ELIGIBLE LEVEL 4 DRUG  
2 FELONY," and strike "FOUR" and substitute "FIVE".
- 3 Page 10, lines 3 and 4, strike "A CLASS 1 MISDEMEANOR, A CLASS 4, CLASS  
4 5, OR CLASS 6 FELONY, OR A LEVEL 3 OR LEVEL 4 DRUG FELONY," and  
5 substitute "AN ELIGIBLE FELONY OR ELIGIBLE DRUG FELONY,".
- 6 Page 10, line 5, strike "SIX" and substitute "TEN".
- 7 Page 10, strike lines 10 through 16.
- 8 Page 10, strike line 27 and substitute "OFFENSES IS AN ELIGIBLE CLASS 1  
9 MISDEMEANOR, AN ELIGIBLE CLASS 4, ELIGIBLE CLASS 5, OR ELIGIBLE  
10 CLASS 6".
- 11 Page 11, line 1, strike "A LEVEL 3 OR LEVEL 4" and substitute "AN  
12 ELIGIBLE".
- 13 Page 11, strike lines 4 through 13.
- 14 Page 11, line 14, after "FEE" insert "TO THE COURT".
- 15 Page 13, line 27, strike "DRUG".
- 16 Page 14, strike lines 1 and 2.
- 17 Page 14, line 10, after the period add "HOWEVER, NO MORE THAN ONE  
18 MISDEMEANOR THAT IS A CRIME AS DEFINED IN SECTION 24-4.1-302 (1) IS  
19 ELIGIBLE FOR SEALING PURSUANT TO THE PROVISIONS OF THIS SECTION.".
- 20 Page 14, line 14, after "**full**" insert "**and unconditional**".
- 21 Page 15, strike line 22 and substitute "(1)(d)(VIII), (1)(d)(IX), and (1)(z);  
22 and **add** (1)(d)(X) as follows:".
- 23 Page 15, after line 25 insert:
- 24           (d) The right to be heard at any court proceeding:  
25           (VIII) Involving a petition for expungement as described in  
26 section 19-1-306; **or**  
27           (IX) Involving a hearing as described in section 24-31-902 (2)(c);



1 OR  
2 (X) INVOLVING A HEARING HELD PURSUANT TO SECTION  
3 24-72-706, 24-72-709, OR 24-72-710."  
4 Page 17, line 12, strike "STATE COURT ADMINISTRATOR OR".  
5 Page 17, lines 17 and 18, strike "EVERY THIRTY-FIVE DAYS" and substitute  
6 "ON THE FIRST MONDAY OF EVERY MONTH".  
7 Page 17, lines 20 and 21, strike "STATE COURT ADMINISTRATOR OR".  
8 Page 18, strike lines 24 to 27.  
9 Page 19, strike lines 1 through 11 and substitute:  
10 (b) THE DISTRICT ATTORNEY SHALL SEND THE FINAL LIST  
11 COMPILED PURSUANT".  
12 Reletter succeeding paragraph accordingly.  
13 Page 19, line 21, strike "(3)(d)" and substitute "(3)(c)".  
14 Strike "A PETTY OFFENSE OR PETTY DRUG OFFENSE," and substitute "AN  
15 ELIGIBLE PETTY OFFENSE OR ELIGIBLE PETTY DRUG OFFENSE," on: **Page 9**,  
16 line 16 and **Page 10**, line 18.  
17 Strike "A CLASS 2 OR CLASS 3 MISDEMEANOR OR MISDEMEANOR DRUG"  
18 and substitute "AN ELIGIBLE MISDEMEANOR OR ELIGIBLE MISDEMEANOR  
19 DRUG" on: **Page 9**, line 23 and **Page 10**, line 22.  
20 Strike "EPISODES" and substitute "CASES" on: **Page 10**, lines 20 and 25;  
21 and **Page 11**, line 3.  
22 Strike "FULL PARDON" and substitute "FULL AND UNCONDITIONAL  
23 PARDON" on: **Page 14**, lines 15, 17 and 18, and 26; and **Page 15**, line 12.

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