

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

May 22, 2021

Committee on Finance.

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

HB21-1315 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend the Judiciary Committee Report, dated May 19, 2021, page 2,  
2 after line 1, insert:

3 "Page 5 of the printed bill, line 14, after "imposed." insert "WHEN ANY  
4 JUVENILE IS ADJUDICATED A JUVENILE DELINQUENT FOR THE COMMISSION  
5 OF AN ACT THAT WOULD HAVE BEEN A CRIMINAL OFFENSE IF COMMITTED  
6 BY AN ADULT, THE COURT MAY GIVE JUDGMENT IN FAVOR OF THE STATE  
7 OF COLORADO FOR ANY FINE IMPOSED. THE COURT SHALL NOT IMPOSE  
8 COSTS OF PROSECUTION OR COST OF CARE AGAINST A JUVENILE UNDER THE  
9 JURISDICTION OF THE JUVENILE COURT, AS DEFINED IN SECTION 19-1-103,  
10 OR AGAINST THE PERSON'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN,  
11 EXCEPT AS REQUIRED PURSUANT TO TITLE IV-E OF THE FEDERAL "SOCIAL  
12 SECURITY ACT".".

13 Page 14, lines 6 through 10, strike "~~If the court orders a suitability  
14 assessment, the assessor shall provide the services for a fee of no more  
15 than forty dollars based on a sliding scale; however, the fee may be  
16 reduced by the court based on a sliding scale consistent with guidelines  
17 used to determine eligibility for appointment of counsel.~~" and substitute  
18 "If the court orders a suitability assessment, the assessor shall provide the  
19 services for a fee of no more than forty dollars based on a sliding scale  
20 however, the fee may be reduced by the court based on a sliding scale  
21 consistent with guidelines used to determine eligibility for appointment  
22 of counsel. THE COURT SHALL NOT INCLUDE PAYMENT OF THIS FEE AS

1 PART OF PART OF ANY COURT ORDER."

2 Page 14, lines 19 through 22 strike "~~If the juvenile participates in a~~  
3 ~~restorative justice practices victim-offender conference, the facilitator~~  
4 ~~shall provide these services for a fee of no more than one hundred~~  
5 ~~twenty-five dollars based on a sliding scale; however, the fee may be~~  
6 ~~waived by the court."~~ and substitute "If the juvenile participates in a  
7 restorative justice practices victim-offender conference, the facilitator  
8 shall provide these services for a fee of no more than one hundred  
9 twenty-five dollars based on a sliding scale ~~however, the fee may be~~  
10 ~~waived by the court.~~ CONSISTENT WITH GUIDELINES USED TO DETERMINE  
11 ELIGIBILITY FOR APPOINTMENT OF COUNSEL. THE COURT SHALL NOT  
12 INCLUDE PAYMENT OF THIS FEE AS PART OF PART OF ANY COURT ORDER."

13 Page 15, lines 11 through 13, strike "~~for a fee of no more than one~~  
14 ~~hundred twenty-five dollars based on a sliding scale; however, the fee~~  
15 ~~may be waived by the court~~ WITHOUT A FEE." and substitute "for a fee of  
16 no more than one hundred twenty-five dollars based on a sliding scale  
17 ~~however, the fee may be waived by the court~~ CONSISTENT WITH  
18 GUIDELINES USED TO DETERMINE ELIGIBILITY FOR APPOINTMENT OF  
19 COUNSEL. THE COURT SHALL NOT INCLUDE PAYMENT OF THIS FEE AS PART  
20 OF PART OF ANY COURT ORDER."

21 Page 2 of the report, after line 4, insert:

22 "Page 19, line 17, strike "18-1.3-407," and substitute "18-1.3-407  
23 (2)(a)(III)(A),".

24 Page 19, line 18, strike "PARENT OR GUARDIAN" and substitute "PARENT,  
25 GUARDIAN, OR LEGAL CUSTODIAN".

26 Page 19, line 19, strike "OR AN ADULT WHO, AT THE TIME".

27 Page 19, strike line 20."

28 Page 3 of the report, after line 8, insert:

29 "Page 23, lines 24 through 27, strike "~~If the court orders a suitability~~  
30 ~~assessment, the assessor shall provide the services for a fee of no more~~  
31 ~~than forty dollars based on a sliding scale; however, the fee may be~~  
32 ~~reduced by the court based on a sliding scale consistent with guidelines"~~



1 and substitute "If the court orders a suitability assessment, the assessor  
2 shall provide the services for a fee of no more than forty dollars based on  
3 a sliding scale ~~however, the fee may be reduced by the court based on a~~  
4 ~~sliding scale~~ consistent with guidelines used to determine eligibility for  
5 appointment of counsel. THE COURT SHALL NOT INCLUDE PAYMENT OF  
6 THIS FEE AS PART OF PART OF ANY COURT ORDER."

7 Page 24, line 1, strike "~~used to determine eligibility for appointment of~~  
8 ~~counsel.~~".

9 Page 24, lines 10 through 14 strike "~~If the juvenile participates in a~~  
10 ~~restorative justice practices victim-offender conference, the facilitator~~  
11 ~~shall provide these services for a fee of no more than one hundred~~  
12 ~~twenty-five dollars based on a sliding scale; however, the fee may be~~  
13 ~~waived by the court."~~ and substitute "If the juvenile participates in a  
14 restorative justice practices victim-offender conference, the facilitator  
15 shall provide these services for a fee of no more than one hundred  
16 twenty-five dollars based on a sliding scale ~~however, the fee may be~~  
17 ~~waived by the court.~~ CONSISTENT WITH GUIDELINES USED TO DETERMINE  
18 ELIGIBILITY FOR APPOINTMENT OF COUNSEL. THE COURT SHALL NOT  
19 INCLUDE PAYMENT OF THIS FEE AS PART OF PART OF ANY COURT ORDER."

20 Page 25, lines 3 through 5, strike "~~for a fee of no more than one hundred~~  
21 ~~twenty-five dollars based on a sliding scale; however, the fee may be~~  
22 ~~waived by the court~~ WITHOUT A FEE." and substitute "for a fee of no more  
23 than one hundred twenty-five dollars based on a sliding scale ~~however,~~  
24 ~~the fee may be waived by the court~~ CONSISTENT WITH GUIDELINES USED  
25 TO DETERMINE ELIGIBILITY FOR APPOINTMENT OF COUNSEL. THE COURT  
26 SHALL NOT INCLUDE PAYMENT OF THIS FEE AS PART OF PART OF ANY  
27 COURT ORDER."."

28 Page 4 of the report, line 4, after "1;" insert "MONEY TRANSFERRED FROM  
29 THE MARIJUANA TAX CASH FUND PURSUANT TO SECTION 39-28.8-501  
30 (4.8)(b);".

31 Page 4 of the report, line 13, strike "(4)(b)(IV) ~~C.R.S.~~" and substitute  
32 "(4)(b)(IV), ~~C.R.S.~~ MONEY TRANSFERRED FROM THE MARIJUANA TAX  
33 CASH FUND PURSUANT TO SECTION 39-28.8-501 (4.8)(c),".

34 Page 4 of the report, strike line 18 and substitute "- **legislative**  
35 **declaration - repeal.** (4.8) (a) ON AUGUST 1, 2021, AND ON AUGUST".



1 Page 4 of the report, line 21, strike "(a)" and substitute "(I)".

2 Page 4 or the report, line 23, strike "(b)" and substitute "(II)".

3 Page 4 of the report, line 24, strike "24-4.1-117;" and substitute  
4 "24-4.1-117, DISTRIBUTED IN ACCORDANCE WITH SUBSECTION (4.8)(b) OF  
5 THIS SECTION;"

6 Page 4 of the report, line 25, strike "(c)" and substitute "(III)".

7 Page 4 of the report, line 27, strike "24-4.2-103." and substitute  
8 "24-4.2-103, DISTRIBUTED IN ACCORDANCE WITH SUBSECTION (4.8)(c) OF  
9 THIS SECTION.

10 (b) THE STATE COURT ADMINISTRATOR SHALL DISTRIBUTE THE  
11 MONEY TRANSFERRED PURSUANT TO SECTION (4.8)(a)(II) OF THIS SECTION  
12 TO THE CRIME VICTIM COMPENSATION FUND IN EACH JUDICIAL DISTRICT IN  
13 PROPORTION TO EACH DISTRICT'S PERCENTAGE OF TOTAL STATEWIDE  
14 SURCHARGES COLLECTED PURSUANT TO SECTION 24-4.1-117 (2) FOR THE  
15 THREE-YEAR FISCAL YEAR PERIOD BEGINNING JULY 1, 2016. THE STATE  
16 COURT ADMINISTRATOR SHALL NOT RETAIN ANY MONEY TRANSFERRED  
17 PURSUANT TO SUBSECTION (4.8)(a)(II) OF THIS SECTION FOR ITS  
18 ADMINISTRATIVE COSTS ASSOCIATED WITH MAKING THE DISTRIBUTION.

19 (c) THE STATE COURT ADMINISTRATOR SHALL DISTRIBUTE THE  
20 MONEY TRANSFERRED PURSUANT TO SUBSECTION (4.8)(a)(III) OF THIS  
21 SECTION TO THE VICTIMS AND WITNESSES ASSISTANCE AND LAW  
22 ENFORCEMENT FUND IN EACH JUDICIAL DISTRICT IN PROPORTION TO EACH  
23 DISTRICT'S PERCENTAGE OF TOTAL STATEWIDE SURCHARGES COLLECTED  
24 PURSUANT TO SECTION 24-4.2-103 (1) FOR THE THREE-YEAR FISCAL YEAR  
25 PERIOD BEGINNING JULY 1, 2016. THE STATE COURT ADMINISTRATOR  
26 SHALL NOT RETAIN ANY MONEY TRANSFERRED PURSUANT TO SUBSECTION  
27 (4.8)(a)(III) OF THIS SECTION FOR ITS ADMINISTRATIVE COSTS ASSOCIATED  
28 WITH MAKING THE DISTRIBUTION." .".

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