

**OFFICE OF LEGISLATIVE LEGAL SERVICES
COLORADO GENERAL ASSEMBLY**

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PUBLICATIONS COORDINATOR
Kathy Zambrano



**STATE CAPITOL BUILDING, ROOM 091
200 EAST COLFAX AVENUE
DENVER, COLORADO 80203-1782
TELEPHONE: 303-866-2045 FACSIMILE: 303-866-4157
E-MAIL: OLLS.GA@STATE.CO.US**

SENIOR ATTORNEYS
Jeremiah B. Barry Duane H. Gall
Christine B. Chase Jason Gelender
Edward A. DeCecco Robert S. Lackner
Michael J. Dohr Thomas Morris
Kristen J. Forrestal Nicole H. Myers
Gregg W. Fraser

SENIOR STAFF ATTORNEYS
Brita Darling Jane M. Ritter
Kate Meyer Richard Sweetman
Jery Payne Esther van Mourik

SENIOR ATTORNEY FOR ANNOTATIONS
Michele D. Brown

STAFF ATTORNEY
Jennifer A. Berman

SUMMARY OF MEETING

COMMITTEE ON LEGAL SERVICES

April 10, 2014

The Committee on Legal Services met on Thursday, April 10, 2014, at 8:40 a.m. in SCR 354. The following members were present:

Senate Steadman, Vice-chair
Senator Brophy
Senator Guzman
Senator Roberts
Representative Foote
Representative Scott (present at 9:04 a.m.)

Senator Steadman called the meeting to order. He said we are one short of a quorum but, for expedience's sake, we're going to have some discussion on House Bill 14-1123. Hopefully a member will join us and we'll have a quorum and be able to take action. We're meeting today as the Senate committee of reference for the rule review bill. Senator Brophy is the bill sponsor.

8:40 a.m. – Senator Brophy addressed agenda item 1 – Action on HB 14-1123 by Representative Labuda and Senator Brophy – Rule Review Bill.

Senator Brophy said this is the rule review bill. When we get to it we will have an amendment to the bill. We need to add the amendment because of the passage of House Bill 14-1171 relating to the CBI rule on evidence collection for sexual assaults. CBI put the evidence collection rules in the wrong spot and Michael Dohr

can talk about the amendment. We have that amendment to add to the bill when we can. Otherwise, there are no other changes.

8:42 a.m. – Michael Dohr, Senior Attorney, Office of Legislative Legal Services, addressed the Committee. He said House Bill 14-1171 has passed both chambers and been signed by the governor. It related to CBI’s rules on evidence collection related to sexual assault. The statute originally said that the rule needed to contain the actual consent form itself and the rule that CBI had promulgated just contained the contents of the consent form as opposed to the consent form itself. House Bill 14-1171 changed the statute to allow the rule to contain the contents of the form rather than the form itself. With the passage and adoption of House Bill 14-1171, CBI’s rule is now in compliance with the statute.

Senator Steadman asked if there is anything else Mr. Dohr would like the Committee to know about the bill while we’re waiting. Mr. Dohr said other than that, it’s the same bill the Committee heard in March. The other thing I will let the Committee know is that there is one other bill that has passed both chambers - House Bill 14-1206 - which was related to some secretary of state rules. That bill is awaiting the governor’s signature. If that bill is signed by the governor prior to the Senate taking the rule review bill up on second reading, we can do a second reading amendment to address that rule. That’s the rule regarding registered agents.

Senator Steadman said that would affect page 4 in the bill and the rule concerning the charitable solicitations act. Mr. Dohr said that’s correct.

Senator Steadman said the Committee will sit in a brief recess while we wait for a sixth member to constitute a quorum so we can take action on the bill.

8:44 a.m.

The Committee recessed.

9:04 a.m.

The Committee returned from recess. Senator Steadman added Representative Scott to the roll call.

9:04 a.m.

Hearing no further discussion or testimony, Senator Brophy moved amendment L.002. No objections were raised to that motion and it passed unanimously.

9:04 a.m.

Senator Brophy moved House Bill 14-1123 to the Senate committee of the whole. The motion passed on a 6-0 vote, with Senator Brophy, Representative Foote, Senator Guzman, Senator Roberts, Representative Scott, and Senator Steadman voting yes.

9:05 a.m.

The Committee adjourned.