

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0206.01 Alana Rosen x2606

SENATE BILL 25-009

SENATE SPONSORSHIP

Roberts and Danielson, Simpson

HOUSE SPONSORSHIP

Weinberg and Joseph, Duran

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING RECOGNITION OF CERTAIN TRIBAL COURT ORDERS.**

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/>.)

American Indian Affairs Interim Study Committee. Current law does not expressly allow for the state to recognize an arrest warrant issued by a Tribal court of a federally recognized Tribe with a reservation within the exterior boundaries of the state (Tribal court). The bill clarifies that a state court shall give full faith and credit to an arrest warrant issued by a Tribal court. Upon issuance of a Tribal court arrest warrant, a peace officer in the state may apprehend the person identified in the Tribal warrant. Unless otherwise agreed upon by the law enforcement agency in

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.

1 (4) "TRIBE" MEANS THE SOUTHERN UTE INDIAN TRIBE OR THE UTE
2 MOUNTAIN UTE TRIBE.

3 **16-3-702. Recognition of Tribal court orders - arrest warrants**
4 **- full faith and credit.** A STATE COURT SHALL GIVE FULL FAITH AND
5 CREDIT TO AN ARREST WARRANT ISSUED BY A TRIBAL COURT OF A
6 FEDERALLY RECOGNIZED TRIBE WITH A RESERVATION WITHIN THE
7 EXTERIOR BOUNDARIES OF THE STATE.

8 **16-3-703. Recognition of Tribal court orders - arrest warrants**
9 **- process.** UPON ISSUANCE OF A TRIBAL COURT ARREST WARRANT, A
10 PEACE OFFICER IN THE STATE MAY APPREHEND THE PERSON IDENTIFIED IN
11 THE TRIBAL WARRANT. THE ARRESTING PEACE OFFICER OR THE LAW
12 ENFORCEMENT AGENCY IN THE ARRESTING JURISDICTION SHALL MAKE
13 ARRANGEMENTS WITH THE TRIBAL JURISDICTION FOR TRANSPORTATION OF
14 THE PERSON TO THE LAW ENFORCEMENT AUTHORITY OF THE TRIBAL
15 JURISDICTION. UNLESS OTHERWISE AGREED UPON BY THE LAW
16 ENFORCEMENT AGENCY IN THE ARRESTING JURISDICTION AND THE LAW
17 ENFORCEMENT AUTHORITY OF THE TRIBAL JURISDICTION, THE TRIBE
18 SHALL ARRANGE TRANSPORT OF THE PERSON TO THE TRIBE'S DETENTION
19 FACILITY.

20 **SECTION 2.** In Colorado Revised Statutes, **add** 27-65-132 as
21 follows:

22 **27-65-132. Recognition of Tribal court commitment orders -**
23 **process - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25 (a) "BEHAVIORAL HEALTH COMMITMENT ORDER" OR
26 "COMMITMENT ORDER" INCLUDES:

27 (I) EMERGENCY MENTAL HEALTH HOLDS AS DESCRIBED IN SECTION

1 27-65-106 OR AS DESCRIBED IN TRIBAL CODES;

2 (II) CERTIFICATION FOR SHORT-TERM TREATMENT AS DESCRIBED
3 IN SECTION 27-65-109 OR AS DESCRIBED IN TRIBAL CODES;

4 (III) LONG-TERM CARE AND TREATMENT OF PERSONS WITH
5 MENTAL HEALTH DISORDERS AS DESCRIBED IN SECTION 27-65-110 OR AS
6 DESCRIBED IN TRIBAL CODES;

7 (IV) AN EMERGENCY COMMITMENT AS DESCRIBED IN SECTION
8 27-81-111 OR AS DESCRIBED IN TRIBAL CODES;

9 (V) AN INVOLUNTARY COMMITMENT OF A PERSON WITH A
10 SUBSTANCE USE DISORDER AS DESCRIBED IN SECTION 27-81-112 OR AS
11 DESCRIBED IN TRIBAL CODES; OR

12 (VI) A COMMITMENT ORDER PERMITTED BY FEDERAL, STATE, OR
13 TRIBAL LAW.

14 (b) "RESERVATION" MEANS THE SOUTHERN UTE INDIAN
15 RESERVATION AND ALL THE LAND WITHIN THE EXTERIOR BOUNDARIES, AS
16 DEFINED IN THE ACT OF MAY 21, 1984, PUB.L. 98-290, 98 STAT. 201
17 (FOUND AT "OTHER PROVISIONS" NOTE TO 25 U.S.C. SEC. 668) OR THE UTE
18 MOUNTAIN UTE RESERVATION.

19 (c) "STATE" MEANS THE STATE OF COLORADO.

20 (d) "TRIBAL COURT" MEANS ANY COURT OR OTHER FEDERALLY OR
21 TRIBALLY ESTABLISHED TRIBUNAL OF A FEDERALLY RECOGNIZED TRIBE IN
22 COLORADO, DULY ESTABLISHED PURSUANT TO FEDERAL LAW OR TRIBAL
23 LAW, INCLUDING THE COURTS OF INDIAN OFFENSES, UTE MOUNTAIN UTE
24 AGENCY, ORGANIZED PURSUANT TO 25 CFR PART 11.

25 (e) "TRIBE" MEANS THE SOUTHERN UTE INDIAN TRIBE OR THE UTE
26 MOUNTAIN UTE TRIBE.

27 (2) THE STATE, COUNTY, OR MUNICIPAL LAW ENFORCEMENT

1 AGENCIES; STATE COURTS; HOSPITALS; BEHAVIORAL HEALTH FACILITIES;
2 HEALTH-CARE PROVIDERS; AND OTHERS WITHIN THE STATE PROVIDING
3 SERVICES TO THE PERSON SUBJECT TO A BEHAVIORAL HEALTH
4 COMMITMENT ORDER SHALL RECOGNIZE A COMMITMENT ORDER ENTERED
5 BY THE TRIBAL COURT OF A FEDERALLY RECOGNIZED TRIBE WITH A
6 RESERVATION WITHIN THE EXTERIOR BOUNDARIES OF THE STATE AND
7 THAT CONCERNS A PERSON UNDER THE TRIBAL COURT'S JURISDICTION TO
8 THE SAME EXTENT AS A COMMITMENT ORDER ENTERED BY A STATE COURT.

9 (3) A HEALTH-CARE PROVIDER MAY COMMUNICATE WITH THE
10 OFFICERS OF A TRIBAL COURT REGARDING A PATIENT UNDER THE
11 HEALTH-CARE PROVIDER'S CARE PURSUANT TO A TRIBAL COURT
12 COMMITMENT ORDER DESCRIBED IN SUBSECTION (2) OF THIS SECTION, TO
13 THE SAME EXTENT THAT THE HEALTH-CARE PROVIDER CAN COMMUNICATE
14 WITH OFFICERS OF A COURT PURSUANT TO A STATE COURT COMMITMENT
15 ORDER. COMMUNICATIONS MAY INCLUDE THE NATURE OF THE TREATMENT
16 NEEDED AND PROVIDED, A PATIENT'S MEDICAL AND MENTAL HEALTH
17 STATUS, THE EXTENT TO WHICH THE PATIENT POSES A DANGER TO THE
18 PATIENT'S SELF OR THE COMMUNITY, AND, IF NECESSARY, THE NEED FOR
19 ADDITIONAL TREATMENT.

20 **SECTION 3. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take
26 effect unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.