

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0240.01 Chelsea Princell x4335

HOUSE BILL 25-1187

HOUSE SPONSORSHIP

English,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE RELEASE OF CERTAIN DOCUMENTATION SUBMITTED
102 TO THE COURT IN A PROCEEDING RELATED TO A CIVIL
103 PROTECTION ORDER.

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 the restrained party to submit the results of a criminal background check with a petition to modify or terminate a civil protection order. The bill clarifies that only the court may receive the background check submitted by a restrained party and allows the court to release the documentation to the protected party only upon consent of the

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.

restrained party.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-14-108, **amend**
3 (3)(b) as follows:

4 **13-14-108. Modification and termination of civil protection**
5 **orders.** (3) (b) A court shall not consider a motion to modify a protection
6 order filed by a restrained party pursuant to ~~paragraph (a) of this~~
7 ~~subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION unless the court
8 receives the results of a fingerprint-based criminal history record check
9 of the restrained party that is conducted within ninety days prior to the
10 filing of the motion. The fingerprint-based criminal history record check
11 must include a review of the state and federal criminal history records
12 maintained by the Colorado bureau of investigation and federal bureau of
13 investigation. The restrained party ~~shall be~~ IS responsible for supplying
14 fingerprints to the Colorado bureau of investigation and to the federal
15 bureau of investigation and paying the costs of the record checks. ~~The~~
16 ~~restrained party may be required by the court~~ THE COURT MAY REQUIRE
17 THE RESTRAINED PARTY to provide certified copies of any criminal
18 dispositions that are not reflected in the state or federal records and any
19 other dispositions that are unknown. ONLY THE COURT IS AUTHORIZED TO
20 RECEIVE THE DOCUMENTATION SUBMITTED TO THE COURT PURSUANT TO
21 THIS SUBSECTION (3)(b). THE COURT SHALL NOT PROVIDE ANY
22 DOCUMENTATION SUBMITTED TO THE COURT PURSUANT TO THIS
23 SUBSECTION (3)(b) TO THE PROTECTED PARTY, UNLESS THE RESTRAINED
24 PARTY PROVIDES CONSENT.

25 **SECTION 2. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, or safety or for appropriations for
3 the support and maintenance of the departments of the state and state
4 institutions.