

## CHAPTER 96

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**CRIMINAL LAW AND PROCEDURE**

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**HOUSE BILL 01-1323**

BY REPRESENTATIVE(S) Hefley, Mitchell, Coleman, Lawrence, and Romanoff;  
also SENATOR(S) Linkhart.

**AN ACT**

CONCERNING THE ASSESSMENT OF COSTS IN CRIMINAL CASES.

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

**SECTION 1.** 16-11-501 (2) (d) and (2) (e), Colorado Revised Statutes, are amended, and the said 16-11-501 (2) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

**16-11-501. Judgment for costs and fines.** (2) The costs assessed pursuant to subsection (1) of this section or section 16-18-101 may include:

(d) Any fees of the court reporter for all or any part of a transcript necessarily obtained for use in the case, including the fees provided for in section 16-18-101 (2) AND INCLUDING THE FEES FOR A TRANSCRIPT OF ANY PRELIMINARY HEARING;

(d.5) THE ACTUAL COSTS PAID TO ANY EXPERT WITNESS;

(e) (I) The witness fees and mileage paid pursuant to article 33 of title 13, C.R.S., and section 16-9-203;

(II) FOR ANY PERSON REQUIRED TO TRAVEL MORE THAN FIFTY MILES FROM THE PERSON'S PLACE OF RESIDENCE TO THE PLACE WHERE SPECIFIED IN THE SUBPOENA, IN ADDITION TO THE WITNESS FEE AND MILEAGE SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (e):

(A) ACTUAL LODGING EXPENSES INCURRED; AND

(B) ACTUAL RENTAL CAR, TAXI, OR OTHER TRANSPORTATION COSTS INCURRED;

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(e.5) IF A PERSON UNDER EIGHTEEN YEARS OF AGE IS REQUIRED TO APPEAR, THE AMOUNT THAT A PARENT OR GUARDIAN OF THE PERSON WAS PAID FOR TRANSPORTATION AND LODGING EXPENSES INCURRED WHILE ACCOMPANYING THE PERSON.

**SECTION 2. Effective date - applicability.** This act shall take effect July 1, 2001, and shall apply to costs incurred on or after said date.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 28, 2001