

## CHAPTER 174

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**COURTS**


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**HOUSE BILL 03-1226**

BY REPRESENTATIVE(S) Frangis, Williams S., Boyd, Coleman, Crane, Jahn, Marshall, Merrifield, Paccione, Spence, Stafford, Tochtrop, Vigil, Weissmann, and Williams T.;  
also SENATOR(S) Sandoval, Hanna, and Tapia.

**AN ACT**

**CONCERNING A JUVENILE'S RIGHT TO COUNSEL AT PROCEEDINGS UNDER THE "SCHOOL ATTENDANCE LAW OF 1963".**

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

**SECTION 1.** 19-1-105 (2), Colorado Revised Statutes, is amended to read:

**19-1-105. Right to counsel and jury trial.** (2) The right to counsel shall be as provided in this title; except that, in all proceedings under the "School Attendance Law of 1963", article 33 of title 22, C.R.S., the court ~~shall~~ MAY appoint counsel or a guardian ad litem for the child, unless the child is already represented by counsel. If the court finds that it is in the best interest and welfare of the child, the court may appoint both counsel and a guardian ad litem. Nothing in this title shall prevent the court from appointing counsel if it deems representation by counsel necessary to protect the interests of the child or other parties. IN ADDITION, IN ALL PROCEEDINGS UNDER THE "SCHOOL ATTENDANCE LAW OF 1963", ARTICLE 33 OF TITLE 22, C.R.S., THE COURT SHALL MAKE AVAILABLE TO THE CHILD'S PARENT OR GUARDIAN AD LITEM INFORMATION CONCERNING THE TRUANCY PROCESS.

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 22, 2003

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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.*