

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB25-1147 be amended as follows:

1 Amend printed bill, page 7, strike lines 2 through 12 and substitute:
2 "(4) IF A MUNICIPAL COURT RECEIVES NOTICE THAT A DEFENDANT
3 WHO HAS A CRIMINAL OR TRAFFIC MATTER PENDING BEFORE THE COURT IS
4 IN CUSTODY IN COLORADO FOR ANY REASON, THE MUNICIPAL COURT
5 SHALL MAKE DILIGENT EFFORTS TO TIMELY RESOLVE THE MUNICIPAL
6 MATTER, INCLUDING TAKING REASONABLE STEPS TO PROMPTLY BRING THE
7 DEFENDANT BEFORE THE COURT. THE COURT SHALL ASSIGN INDIGENT
8 DEFENSE COUNSEL IN THE SAME MANNER AS REQUIRED BY SECTION
9 13-10-114.5. A MUNICIPAL COURT SHALL NOT DENY A DEFENDANT THE
10 ABILITY TO APPEAR BEFORE THE MUNICIPAL COURT BECAUSE THE
11 DEFENDANT IS IN CUSTODY FOR ANOTHER, NON-MUNICIPAL MATTER. FOR
12 A HEARING OTHER THAN A TRIAL OR FOR THE PURPOSE OF RESOLUTION BY
13 PLEA, THE COURT MAY PERMIT COUNSEL TO APPEAR ON BEHALF OF THE
14 DEFENDANT PURSUANT TO THE COLORADO MUNICIPAL COURT RULES AND
15 PERMIT APPEARANCE THROUGH AUDIOVISUAL OR TELEPHONIC MEANS, IF
16 AVAILABLE. THIS SUBSECTION (4) DOES NOT PRECLUDE A DEFENDANT
17 FROM EXPRESSLY AGREEING TO DELAY A MATTER ONCE THE DEFENDANT
18 APPEARS BEFORE THE MUNICIPAL COURT."

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