

First Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 03-1078.01 Beth Braby

SENATE BILL 03-298

---

SENATE SPONSORSHIP

Reeves, Owen, and Teck

HOUSE SPONSORSHIP

Witwer, Plant, and Young

---

Senate Committees

House Committees

Education

---

A BILL FOR AN ACT

101 CONCERNING A MODIFICATION TO COURT JURISDICTION IN  
102 PROCEEDINGS BROUGHT TO COMPEL COMPLIANCE WITH  
103 COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS, AND  
104 MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

---

Bill Summary

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**FY 2003-04 Budget Reduction Bill.** Specifies that proceedings brought to compel compliance with compulsory school attendance requirements shall be commenced in the judicial district in which the parent resides or is present. Eliminates a court's ability to issue an order against a child to compel the child to attend school or to follow a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

treatment plan in proceedings brought for the sole purpose of obtaining compliance with compulsory school attendance requirements.  
Makes an appropriation.

---

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

2 **SECTION 1.** 22-33-108 (1.5) (a), (6), (7), and (8), Colorado  
3 Revised Statutes, are amended to read:

4 **22-33-108. Judicial proceedings.** (1.5) (a) All proceedings  
5 brought under this article shall be commenced in the judicial district in  
6 which the child resides or is present; EXCEPT THAT PROCEEDINGS  
7 BROUGHT TO COMPEL COMPLIANCE WITH COMPULSORY ATTENDANCE  
8 REQUIREMENTS SHALL BE COMMENCED IN THE JUDICIAL DISTRICT IN WHICH  
9 THE PARENT RESIDES OR IS PRESENT.

10 (6) In the discretion of the court before which a proceeding to  
11 compel attendance is brought, an order may be issued against ~~the child or~~  
12 ~~the child's parent or both compelling the child to attend school as~~  
13 ~~provided by this article or~~ compelling the parent to take reasonable steps  
14 to assure the child's attendance. The order may require the ~~child or parent~~  
15 ~~or both~~ to follow an appropriate treatment plan that addresses problems  
16 affecting the child's school attendance and that ensures the child has an  
17 opportunity to obtain a quality education.

18 (7) (a) ~~If the child does not comply with the valid court order~~  
19 ~~issued against the child or against both the parent and the child, the court~~  
20 ~~may order that an investigation be conducted as provided in section~~  
21 ~~19-2-510 (2), C.R.S., and the court may order the child to show cause~~  
22 ~~why he or she should not be held in contempt of court. The court may~~  
23 ~~include as a sanction after a finding of contempt an appropriate treatment~~  
24 ~~plan that may include, but not be limited to, community service to be~~

1 performed by the child, supervised activities, and other activities having  
2 goals that shall ensure that the child has an opportunity to obtain a quality  
3 education.

4 (b) ~~The court may impose on the child as a sanction for contempt~~  
5 ~~of court a sentence to incarceration to any juvenile detention facility~~  
6 ~~operated by or under contract with the department of human services~~  
7 ~~pursuant to section 19-2-402, C.R.S., and any rules promulgated by the~~  
8 ~~Colorado supreme court.~~

9 (8) If the parent refuses or neglects to obey the order issued  
10 against the parent, ~~or against both the parent and the child,~~ the court may  
11 order the parent to show cause why he or she should not be held in  
12 contempt of court, and, if the parent fails to show cause, the court may  
13 impose a fine of up to but not more than twenty-five dollars per day or  
14 confine the parent in the county jail until the order is complied with.

15 **SECTION 2. Appropriation - adjustments in long bill.** (1) For  
16 the implementation of this act, appropriations made in the annual general  
17 appropriation act to the judicial department for the fiscal year beginning  
18 July 1, 2003, shall be adjusted as follows:

19 (a) The general fund appropriation for trial courts, personal  
20 services, is decreased by two hundred three thousand dollars (\$203,000),  
21 and the number of FTE is decreased by 5.4 FTE; and

22 (b) The general fund appropriation for the office of the child's  
23 representative, court-appointed counsel, is decreased by one hundred  
24 seventy-two thousand nine hundred eighty-two dollars (\$172,982).

25 **SECTION 3. Effective date - applicability.** This act shall take  
26 effect July 1, 2003, and shall apply to court proceedings brought to  
27 compel compliance with compulsory attendance requirements on or after

1 said date.

2           **SECTION 4. Safety clause.** The general assembly hereby finds,  
3 determines, and declares that this act is necessary for the immediate  
4 preservation of the public peace, health, and safety.