

HB1347_L.004

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB10-1347 be amended as follows:

1 Amend printed bill, page 3, strike lines 6 through 8 and substitute:

2 "(a) "CONVICTION" MEANS A VERDICT OF GUILTY BY A JUDGE OR
 3 JURY OR A PLEA OF GUILTY OR NOLO CONTENDERE THAT IS ACCEPTED BY
 4 THE COURT FOR AN OFFENSE, OR ADJUDICATION FOR AN OFFENSE THAT
 5 WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT.
 6 "CONVICTION" ALSO INCLUDES HAVING RECEIVED A DEFERRED JUDGMENT
 7 AND SENTENCE OR DEFERRED ADJUDICATION; EXCEPT THAT A PERSON
 8 SHALL NOT BE DEEMED TO HAVE BEEN CONVICTED IF THE PERSON HAS
 9 SUCCESSFULLY COMPLETED A DEFERRED SENTENCE OR DEFERRED
 10 ADJUDICATION."

11 Page 5, line 10, strike "YEAR, DURING WHICH TIME" and substitute "YEAR.
 12 DURING THE MANDATORY TEN-DAY PERIOD OF IMPRISONMENT,".

13 Page 6, strike line 23 and substitute "THIS SUBSECTION (5); EXCEPT THAT
 14 A COURT MAY ALLOW THE PERSON TO PARTICIPATE IN A PROGRAM
 15 PURSUANT TO SECTION 18-1.3-106 (1) (a) (I), (1) (a) (IV), OR (1) (a) (V),
 16 C.R.S., ONLY IF THE PROGRAM IS AVAILABLE THROUGH THE COUNTY IN
 17 WHICH THE PERSON IMPRISONED AND ONLY FOR THE PURPOSE OF:

18 (A) CONTINUING A POSITION OF EMPLOYMENT THAT THE PERSON
 19 HELD AT THE TIME OF SENTENCING FOR SAID VIOLATION;

20 (B) CONTINUING ATTENDANCE AT AN EDUCATIONAL INSTITUTION
 21 AT WHICH THE PERSON WAS ENROLLED AT THE TIME OF SENTENCING FOR



1 SAID VIOLATION; OR

2 (C) PARTICIPATING IN A COURT-ORDERED LEVEL II ALCOHOL AND
3 DRUG DRIVING SAFETY EDUCATION OR TREATMENT PROGRAM, AS
4 DESCRIBED IN SECTION 42-4-1301.3 (3) (c) (IV).".

5 Page 7, line 7, strike "YEAR, DURING WHICH TIME" and substitute "YEAR.
6 DURING THE MANDATORY TEN-DAY PERIOD OF IMPRISONMENT,".

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