

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 11-0815.01 Michael Dohr

HOUSE BILL 11-1267

HOUSE SPONSORSHIP

McCann,

SENATE SPONSORSHIP

Mitchell,

House Committees
Judiciary

Senate Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING AN EXPANSION OF THE CIRCUMSTANCES IN WHICH A**
102 **COURT MAY ORDER FURTHER RESTRICTIONS AS CONDITIONS OF**
103 **A PROTECTION ORDER AGAINST A DEFENDANT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Current law allows a court to issue protection orders in domestic violence cases with the added restrictions against the defendant concerning the presence at particular locations, contact with victims, possession of firearms, possession of alcohol, or any other restriction that

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.

SENATE
3rd Reading Unam ended
May 4, 2011

SENATE
Am ended 2nd Reading
May 3, 2011

HOUSE
3rd Reading Unam ended
March 18, 2011

HOUSE
2nd Reading Unam ended
March 17, 2011

the court deems appropriate to protect the safety of the alleged victim. The bill expands the types of criminal cases for which a court can impose these added restrictions to all of the crimes that are subject to the victims' rights act.

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

2 **SECTION 1.** The introductory portion to 18-1-1001 (3) and
3 18-1-1001 (3) (a), (3) (b), and (3) (e), Colorado Revised Statutes, are
4 amended to read:

5 **18-1-1001. Protection order against defendant.** (3) Nothing in
6 this section shall preclude the defendant from applying to the court at any
7 time for modification or dismissal of the protection order issued pursuant
8 to this section or the district attorney from applying to the court at any
9 time for further orders, additional provisions under the protection order,
10 or modification or dismissal of the same. The trial court shall retain
11 jurisdiction to enforce, modify, or dismiss the protection order until final
12 disposition of the action. Upon motion of the district attorney or on the
13 court's OWN motion to protect FOR THE PROTECTION OF the alleged victim
14 OR WITNESS, the court may, in cases involving domestic violence as
15 defined in section 18-6-800.3 (1) AND CASES INVOLVING CRIMES LISTED
16 IN SECTION 24-4.1-302, C.R.S., EXCEPT THOSE LISTED IN PARAGRAPHS
17 (cc.5) AND (cc.6) OF SUBSECTION (1) OF THAT SECTION, enter any of the
18 following further orders against the defendant:

19 (a) An order to vacate or stay away from the home of the ALLEGED
20 victim OR WITNESS and to stay away from any other location where the
21 victim OR WITNESS is likely to be found;

22 (b) An order to refrain from contact or direct or indirect
23 communication with the ALLEGED victim OR WITNESS;

1 (e) Any other order the court deems appropriate to protect the
2 safety of the alleged victim OR WITNESS.

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