

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 25, 2007
Date

Committee on Judiciary.

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

HB07-1107 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 3, line 11, after "defendant", insert "HAS
2 APPEARED BEFORE THE COURT AND";

3 line 21, strike "OR" and substitute "BY".

4 Page 6, line 3, after "SEALED.", add "A VERIFIED COPY OF THE
5 PETITIONER'S CRIMINAL HISTORY, CURRENT THROUGH AT LEAST THE
6 TWENTIETH DAY PRIOR TO THE DATE OF THE FILING OF THE PETITION,
7 SHALL BE SUBMITTED TO THE COURT BY THE PETITIONER ALONG WITH THE
8 PETITION AT THE TIME OF FILING, BUT IN NO EVENT LATER THAN THE
9 TENTH DAY AFTER THE PETITION IS FILED. THE PETITIONER SHALL BE
10 RESPONSIBLE FOR OBTAINING AND PAYING FOR HIS OR HER CRIMINAL
11 HISTORY."

12 Page 8, after line 18, insert the following:

13 "(IV) ANY MEMBER OF THE PUBLIC MAY PETITION THE COURT TO
14 UNSEAL ANY FILE THAT HAS BEEN PREVIOUSLY SEALED UPON A SHOWING
15 THAT CIRCUMSTANCES HAVE COME INTO EXISTENCE SINCE THE ORIGINAL
16 SEALING AND, AS A RESULT, THE PUBLIC INTEREST IN DISCLOSURE NOW
17 OUTWEIGHS THE SUBJECT'S INTEREST IN PRIVACY.

18 (g) THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL POST
19 ON ITS WEBSITE A LIST OF ALL PETITIONS TO SEAL CONVICTION RECORDS

1 THAT ARE FILED WITH A DISTRICT COURT. A DISTRICT COURT MAY NOT
2 GRANT A PETITION TO SEAL CONVICTION RECORDS UNTIL AT LEAST THIRTY
3 DAYS AFTER THE POSTING. AFTER THE EXPIRATION OF THIRTY DAYS
4 FOLLOWING THE POSTING, THE PETITION TO SEAL CONVICTION RECORDS
5 AND INFORMATION PERTINENT THERETO SHALL BE REMOVED FROM THE
6 WEBSITE OF THE OFFICE OF THE STATE COURT ADMINISTRATOR."

7 Reletter succeeding paragraph accordingly.

8 Page 9, line 21, strike "OR";

9 after line 21, insert the following:

10 "(V) A CONVICTION FOR A VIOLATION OF SECTION 18-6-401,
11 C.R.S.; OR".

12 Renumber succeeding subparagraph accordingly.

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