

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

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 07-0254.01 Stephen Miller

**SENATE BILL 07-136**

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**SENATE SPONSORSHIP**

**Morse,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**  
Judiciary

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE JURISDICTION OF COURTS TO ENTER ORDERS FOR**  
102 **THE PROTECTION OF PERSONS.**

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**Bill Summary**

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

Clarifies the jurisdiction of courts to issue additional orders in civil protection order cases for the protection of persons concerning rent and mortgage payments, telephone and utility services, child care costs, temporary possession of personal property, and insurance. Requires a court issuing an order to specify how the order is to be administered, including how payments and property transfers are to be made. Specifies that any additional order issued in a civil protection case is superseded by

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 Unamended  
March 8, 2007

SENATE  
Amended 2nd Reading  
March 6, 2007

a subsequent district court order in a domestic matter that involves the parties in the civil protection order case.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Domestic violence is not limited to physical threats of violence  
5 and harm but includes financial control, document control, property  
6 control, and other types of control that make a victim more likely to return  
7 to an abuser due to fear of retaliation or inability to meet basic needs;

8 (b) Victims of domestic violence in many cases are unable to  
9 access resources to seek lasting safety options;

10 (c) These victims need the assistance of additional court orders to  
11 meet their emergency needs for food, shelter, medical care, and child care  
12 at the time they go to court for a civil protection order;

13 (d) These additional court orders are needed not only in cases that  
14 end in dissolution of marriage but also in cases in which reconciliation is  
15 appropriate, as well as in other cases; and

16 (e) Thirty-three states recognize existing legal obligations for  
17 support, payment, or ownership of personal or real property in order to  
18 protect victims in civil protection order cases.

19 **SECTION 2.** 13-14-102 (15), Colorado Revised Statutes, is  
20 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

21 **13-14-102. Civil protection orders - legislative declaration.**  
22 (15) A municipal court of record that is authorized by its municipal  
23 governing body to issue protection or restraining orders and any county  
24 court, in connection with issuing a civil protection order, shall have  
25 original concurrent jurisdiction with the district court to issue such

1 additional orders as the municipal or county court deems necessary for the  
2 protection of persons. Such additional orders may include, but are not  
3 limited to:

4 (g) (I) A TEMPORARY INJUNCTION THAT MAY BE ISSUED BY THE  
5 COURT THAT, UPON PERSONAL SERVICE OR UPON WAIVER AND  
6 ACCEPTANCE OF SERVICE BY THE DEFENDANT, IS TO BE IN EFFECT AGAINST  
7 THE DEFENDANT FOR A PERIOD DETERMINED TO BE APPROPRIATE BY THE  
8 COURT, AND RESTRAINS THE DEFENDANT FROM CEASING TO MAKE  
9 PAYMENTS FOR MORTGAGE OR RENT, INSURANCE, UTILITIES, SERVICES, OR  
10 CHILD CARE WHEN THE DEFENDANT HAS A PRIOR EXISTING DUTY OR LEGAL  
11 OBLIGATION TO MAKE THE PAYMENTS, OR FROM TRANSFERRING,  
12 ENCUMBERING, CONCEALING, OR IN ANY WAY DISPOSING OF PERSONAL  
13 EFFECTS OR REAL PROPERTY, EXCEPT IN THE USUAL COURSE OF BUSINESS  
14 OR FOR THE NECESSITIES OF LIFE. THE RESTRAINED PARTY SHALL BE  
15 REQUIRED TO ACCOUNT TO THE COURT FOR ALL EXTRAORDINARY  
16 EXPENDITURES MADE AFTER THE INJUNCTION IS IN EFFECT. ANY  
17 INJUNCTION ISSUED SHALL NOT EXCEED ONE HUNDRED TWENTY DAYS  
18 AFTER THE ISSUANCE OF THE PERMANENT CIVIL PROTECTION ORDER.

19 (II) THE PROVISIONS OF THE INJUNCTION SHALL BE PRINTED ON THE  
20 SUMMONS, AND THE PETITION AND THE INJUNCTION SHALL BECOME AN  
21 ORDER OF THE COURT UPON FULFILLMENT OF THE REQUIREMENTS OF  
22 SUBPARAGRAPH (I) OF THIS PARAGRAPH (g). HOWEVER, NOTHING IN THIS  
23 PARAGRAPH (g) SHALL PRECLUDE EITHER PARTY FROM APPLYING TO THE  
24 DISTRICT COURT FOR FURTHER TEMPORARY ORDERS, AN EXPANDED  
25 TEMPORARY INJUNCTION, OR MODIFICATION OR REVOCATION. ANY  
26 SUBSEQUENT ORDER ISSUED BY THE DISTRICT COURT AS PART OF A  
27 DOMESTIC MATTER INVOLVING THE PARTIES SHALL SUPERSEDE AN

1 INJUNCTION MADE PURSUANT TO THIS PARAGRAPH (g).

2 **SECTION 3. Effective date.** This act shall take effect July 1,  
3 2007.

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