

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 28, 2013
Date

Committee on Judiciary.

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

SB13-197 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 4, strike lines 17 through 27.
- 2 Strike pages 5 through 22.
- 3 Page 23, strike lines 1 through 21.
- 4 Renumber succeeding sections accordingly.
- 5 Page 27, strike lines 12 through 24 and substitute "THE DEALER:
6 (I) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND
7 CHECK OF THE RESPONDENT BE PERFORMED; AND
8 (II) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU
9 AFTER THE PERFORMANCE OF THE BACKGROUND CHECK."
- 10 Page 28, strike lines 12 through 22 and substitute "OR AMMUNITION TO
11 THE RESPONDENT UNLESS THE AGENCY:
12 (I) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND
13 CHECK OF THE RESPONDENT BE PERFORMED; AND
14 (II) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU
15 AFTER THE PERFORMANCE OF THE BACKGROUND CHECK."
- 16 Page 30, strike lines 11 through 16 and substitute:

1 "(II) IN ANY SUBSEQUENT PROSECUTION FOR A VIOLATION OF A
2 PROTECTION ORDER DESCRIBED IN THIS PARAGRAPH (i), THE COURT SHALL
3 TAKE JUDICIAL NOTICE OF THE DEFENDANT'S FAILURE TO FILE A RECEIPT
4 OR WRITTEN STATEMENT, WHICH WILL CONSTITUTE PRIMA FACIE EVIDENCE
5 OF A VIOLATION OF THE PROTECTION ORDER PURSUANT TO SECTION
6 18-6-803.5 (1) (c), C.R.S., AND TESTIMONY OF THE CLERK OF THE COURT
7 OR HIS OR HER DEPUTY IS NOT REQUIRED."

8 Page 33, strike lines 16 through 27 and substitute "THE DEALER:
9 (I) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND
10 CHECK OF THE DEFENDANT BE PERFORMED; AND
11 (II) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU
12 AFTER THE PERFORMANCE OF THE BACKGROUND CHECK."

13 Page 34, strike line 1.

14 Page 34, strike lines 16 through 27 and substitute "FIREARM OR
15 AMMUNITION TO THE DEFENDANT UNLESS THE AGENCY:
16 (I) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND
17 CHECK OF THE DEFENDANT BE PERFORMED; AND
18 (II) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU
19 AFTER THE PERFORMANCE OF THE BACKGROUND CHECK."

20 Page 36, line 16, strike "(g)," and substitute "(i),".

21 Page 39, strike lines 25 through 27 and substitute "THE DEALER:
22 (I) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND
23 CHECK OF THE DEFENDANT BE PERFORMED; AND
24 (II) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU
25 AFTER THE PERFORMANCE OF THE BACKGROUND CHECK."

26 Page 40, strike lines 1 through 10.

27 Page 40, strike lines 25 through 27 and substitute "FIREARM OR
28 AMMUNITION TO THE DEFENDANT UNLESS THE AGENCY:
29 (I) CONTACTS THE BUREAU TO REQUEST THAT A BACKGROUND
30 CHECK OF THE DEFENDANT BE PERFORMED; AND
31 (II) OBTAINS APPROVAL OF THE TRANSFER FROM THE BUREAU
32 AFTER THE PERFORMANCE OF THE BACKGROUND CHECK."

33 Page 41, strike lines 1 through 9.

- 1 Page 42, line 27, strike "(g)," and substitute "(i),".
- 2 Page 43, line 3, strike "(g)," and substitute "(i),".
- 3 Page 44, strike lines 2 through 7
- 4 Renumber succeeding section accordingly.

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