

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 30, 2014
Date

Committee on Judiciary.

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

SB14-218 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, line 6, strike "18-18-406, C.R.S." and
2 substitute "18-18-406 (3) (c) OR (5) (a) (I), C.R.S.".

3 Page 2, strike lines 13 through 17 and substitute:

4 "(b) THE DEFENDANT SHALL PAY THE FILING FEE AND PROVIDE
5 NOTICE OF THE PETITION TO THE DISTRICT ATTORNEY. THE DISTRICT
6 ATTORNEY SHALL DETERMINE WHETHER TO OBJECT TO THE PETITION
7 AFTER CONSIDERING THE FACTORS IN SECTION 24-72-308.5 (2) (c). IF THE
8 DISTRICT ATTORNEY DOES NOT OBJECT, THE COURT SHALL ORDER THAT
9 THE RECORD BE SEALED. IF THE DISTRICT ATTORNEY OBJECTS TO THE
10 PETITION, THE COURT SHALL SET THE MATTER FOR HEARING. THE COURT
11 SHALL DECIDE THE PETITION AFTER CONSIDERING THE FACTORS IN SECTION
12 24-72-308.5 (2) (c)."

13 Page 6, line 6, after "GRANT" insert "OR DENY".

14 Page 7, line 6, strike "18-18-406, C.R.S." and substitute "18-18-406
15 (3) (c) OR (5) (a) (I), C.R.S.".

16 Page 7, strike lines 13 through 17 and substitute:

17 "(2) THE DEFENDANT SHALL PAY THE FILING FEE AND PROVIDE
18 NOTICE OF THE PETITION TO THE DISTRICT ATTORNEY. THE DISTRICT

1 ATTORNEY SHALL DETERMINE WHETHER TO OBJECT TO THE PETITION
2 AFTER CONSIDERING THE FACTORS IN SECTION 24-72-308.5 (2) (c). IF THE
3 DISTRICT ATTORNEY DOES NOT OBJECT, THE COURT SHALL ORDER THAT
4 THE RECORD BE SEALED. IF THE DISTRICT ATTORNEY OBJECTS TO THE
5 PETITION, THE COURT SHALL SET THE MATTER FOR HEARING. THE COURT
6 SHALL DECIDE THE PETITION AFTER CONSIDERING THE FACTORS IN SECTION
7 24-72-308.5 (2) (c)."

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