

*Colorado Legislative Council Staff Fiscal Note***NO FISCAL IMPACT**

Drafting Number: LLS 15-0571
Prime Sponsor(s): Rep. Willett
Sen. Merrifield

Date: January 9, 2015
Bill Status: House Judiciary
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BILL TOPIC: CONFORM STATUTORY COURT DATES TO 7-DAY INTERVALS

Summary of Legislation

This bill modifies provisions in Title 42 of the Colorado Revised Statutes to establish time intervals based on a "rule of seven" for judicial review of certain actions by the Division of Motor Vehicles (DMV) in the Department of Revenue. The bill applies to deadlines to file appeals with the district court related to DMV actions to cancel, suspend, or revoke driver's licenses and state identification cards.

Current statute provides that appeals of relevant administrative actions must be filed within 30 days of the DMV action. The bill extends the deadline for these appeals to the next seven-day interval, 35 days after the DMV action.

Background

In December 2011, the Colorado Supreme Court adopted Rule Change 2011(18) and Rule Change 2011(19). These rule changes modify the computation of time intervals between events in the legal process, with subsequent events to occur on the same day of the week as the initiating act. This "rule of seven" avoids filing deadlines and other crucial dates that were previously calculated to fall on weekends. Most affected court rules correspond with statutes previously modified in a conforming manner by Senate Bill 12-175, House Bill 13-1126, and House Bill 14-1347. This bill contains time intervals that were not included in those bills.

Assessment

The bill has no effect on the workload of the Judicial Department or the DMV. The rule of seven has generally been observed in Colorado courts since 2012, when the 2011 Supreme Court rule changes and SB 12-175 took effect. The bill does not affect caseload or the effort required to handle current cases, and it codifies current practice.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Judicial Department
Personnel and Administration
Labor and Employment

District Attorneys
Clerks and Recorders
Human Services

Law
Counties
Municipalities