

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0817.01 Jerry Barry x4341

HOUSE BILL 16-1268

HOUSE SPONSORSHIP

Foote,

SENATE SPONSORSHIP

Cooke,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING DISTRICT ATTORNEYS REPRESENTATION IN CERTAIN
102 HEARINGS ARISING FROM INTERSTATE SUPERVISION COMPACTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Under the rules of 2 interstate compacts on the supervision of out-of-state offenders, the offender is entitled to a probable cause hearing before the offender is returned to the state in which the offender was sentenced. The bill clarifies that a district attorney shall appear and represent the state at such hearings.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 20-1-102, **amend** (1)
3 introductory portion, (1) (d), and (1) (e); and **add** (1) (f) as follows:

4 **20-1-102. Appear on behalf of state and counties.** (1) Every
5 district attorney shall appear in behalf of the state and the several counties
6 of his OR HER district:

7 (d) In any such indictment, action, or proceeding which may be
8 brought to the district court of any county in his OR HER district by change
9 of venue from any other district; ~~and~~

10 (e) When he OR SHE may deem it advisable to do so, in the
11 preliminary examination of persons charged with any offense before any
12 judge within his OR HER district; AND

13 (f) IN ANY PROBABLE CAUSE HEARING BROUGHT PURSUANT TO THE
14 RULES ADOPTED UNDER THE "INTERSTATE COMPACT FOR ADULT
15 OFFENDER SUPERVISION", PART 28 OF ARTICLE 60 OF TITLE 24, C.R.S., OR
16 THE INTERSTATE COMPACT FOR JUVENILES, PART 7 OF ARTICLE 60 OF TITLE
17 24, C.R.S.

18 **SECTION 2. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.