

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 16-0687.01 Kate Meyer x4348

HOUSE BILL 16-1077

HOUSE SPONSORSHIP

Moreno,

SENATE SPONSORSHIP

Martinez Humenik,

House Committees

State, Veterans, & Military Affairs
Legislative Council
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE RECREATION OF THE STATUTORY REVISION**
102 **COMMITTEE, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

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/bills summaries>.)

The statutory revision committee (committee), created in 1977 and repealed in 1985, was a standing body tasked with making an ongoing investigation into statutory defects and anachronisms. The bill recreates the committee.

The recreated committee is comprised of 8 members, with the

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.

HOUSE
Amended 2nd Reading
May 2, 2016

1 (c) TWO NONVOTING NONLEGISLATIVE MEMBERS, APPOINTED BY
2 THE COMMITTEE ON LEGAL SERVICES, WHO ARE ATTORNEYS-AT-LAW
3 ADMITTED TO PRACTICE IN COLORADO. THE MEMBERS APPOINTED UNDER
4 THIS PARAGRAPH (c) SHALL NOT BE AFFILIATED WITH THE SAME POLITICAL
5 PARTY.

6 (2) EXCEPT AS PROVIDED IN SUBSECTION (9) OF THIS SECTION, THE
7 MEMBERS OF THE COMMITTEE MUST BE APPOINTED NO LATER THAN TEN
8 DAYS AFTER THE CONVENING OF THE FIRST REGULAR SESSION OF EACH
9 GENERAL ASSEMBLY. MEMBERSHIP ON THE COMMITTEE OF EACH SUCH
10 APPOINTIVE MEMBER TERMINATES UPON THE APPOINTMENT OF HIS OR HER
11 SUCCESSOR OR UPON TERMINATION OF HIS OR HER OFFICE IN THE GENERAL
12 ASSEMBLY, WHICHEVER OCCURS FIRST.

13 (3) A VACANCY IN THE OFFICE OF A MEMBER MUST BE
14 IMMEDIATELY FILLED BY THE ORIGINAL APPOINTING AUTHORITY.

15 (4) ANY MEMBER OF THE COMMITTEE MAY SERVE FOR SUCCEEDING
16 TERMS ON THE COMMITTEE.

17 (5) THE COMMITTEE SHALL SELECT FROM AMONG ITS MEMBERS A
18 CHAIRPERSON AND A VICE-CHAIRPERSON. THE CHAIRPERSON AND
19 VICE-CHAIRPERSON SHALL NOT BE AFFILIATED WITH THE SAME POLITICAL
20 PARTY. EXCEPT AS PROVIDED IN SUBSECTION (9) OF THIS SECTION, THE
21 CHAIR SERVES AS CHAIR FOR THE FIRST REGULAR SESSION OF THE GENERAL
22 ASSEMBLY THROUGH THE LEGISLATIVE INTERIM IMMEDIATELY
23 FOLLOWING, AND AS VICE-CHAIR WHEN THE SECOND REGULAR SESSION
24 COMMENCES; THE VICE-CHAIR SERVES AS CHAIR FROM THE
25 COMMENCEMENT OF THE SECOND REGULAR SESSION THROUGH THE
26 LEGISLATIVE INTERIM IMMEDIATELY FOLLOWING.

27 (6) THE COMMITTEE MAY MEET AS OFTEN AS NECESSARY, BUT IT

1 SHALL MEET AT LEAST TWICE IN EACH CALENDAR YEAR. THE COMMITTEE
2 MAY MEET DURING THE LEGISLATIVE SESSIONS AND DURING THE INTERIM
3 BETWEEN SESSIONS.

4 (7) LEGISLATIVE MEMBERS OF THE COMMITTEE SHALL BE
5 REIMBURSED FOR NECESSARY EXPENSES INCURRED IN THE PERFORMANCE
6 OF THEIR DUTIES AND PAID THE SAME PER DIEM COMPENSATION AS
7 PROVIDED BY LAW FOR MEMBERS OF INTERIM LEGISLATIVE COMMITTEES
8 FOR EACH DAY OF ATTENDANCE.

9 (8) THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL PROVIDE
10 STAFF ASSISTANCE TO THE COMMITTEE.

11 (9) (a) IN ORDER FOR THE COMMITTEE TO BEGIN ITS WORK DURING
12 THE 2016 LEGISLATIVE INTERIM, INITIAL APPOINTMENTS TO THE
13 COMMITTEE MUST BE MADE AS EXPEDITIOUSLY AS POSSIBLE FOLLOWING
14 THE EFFECTIVE DATE OF HOUSE BILL 16-1077, ENACTED IN 2016. FOR THE
15 PURPOSES OF WORKING WITH STAFF TO ORGANIZE THE COMMITTEE AND
16 ARRANGE FOR ITS FIRST MEETING, THE FIRST MEMBER APPOINTED BY THE
17 SPEAKER OF THE HOUSE OF REPRESENTATIVES TEMPORARILY SERVES AS
18 CHAIR OF THE COMMITTEE. A CHAIR AND VICE-CHAIR MUST BE SELECTED
19 AT THE FIRST COMMITTEE MEETING DURING THAT INTERIM. THE CHAIR
20 AND VICE-CHAIR HOLD THOSE POSITIONS THROUGH THE COMMENCEMENT
21 OF THE FIRST REGULAR SESSION OF THE SEVENTY-FIRST GENERAL
22 ASSEMBLY.

23 (b) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JANUARY 1,
24 2018.

25 **2-3-902. Duties of committee.** (1) THE COMMITTEE SHALL:

26 (a) MAKE AN ONGOING EXAMINATION OF THE STATUTES OF THE
27 STATE AND CURRENT JUDICIAL DECISIONS FOR THE PURPOSE OF

1 DISCOVERING DEFECTS AND ANACHRONISMS IN THE LAW AND
2 RECOMMENDING NEEDED REFORMS; EXCEPT THAT THE COMMITTEE SHALL
3 NOT CONSIDER ANY MATTER THAT IS CURRENTLY PENDING OR APPEALABLE
4 BEFORE ANY COURT;

5 (b) RECEIVE, SOLICIT, AND CONSIDER PROPOSED CHANGES IN THE
6 LAW RECOMMENDED BY THE AMERICAN LAW INSTITUTE, ANY BAR
7 ASSOCIATION, OR OTHER LEARNED BODIES;

8 (c) RECEIVE, SOLICIT, AND CONSIDER SUGGESTIONS FROM
9 JUSTICES, JUDGES, LEGISLATORS, AND OTHER PUBLIC OFFICIALS, LAWYERS,
10 AND THE PUBLIC GENERALLY AS TO DEFECTS AND ANACHRONISMS IN THE
11 LAW;

12 (d) RECOMMEND, UPON AN AFFIRMATIVE VOTE BY AT LEAST FIVE
13 LEGISLATIVE MEMBERS OF THE COMMITTEE, LEGISLATION ANNUALLY TO
14 EFFECT SUCH CHANGES IN THE LAW AS IT DEEMS NECESSARY IN ORDER TO
15 MODIFY OR ELIMINATE ANTIQUATED, REDUNDANT, OR CONTRADICTORY
16 RULES OF LAW AND TO BRING THE LAW OF THIS STATE INTO HARMONY
17 WITH MODERN CONDITIONS; AND

18 (e) REPORT ITS FINDINGS AND RECOMMENDATIONS ON OR
19 BEFORE NOVEMBER 15 OF EACH YEAR TO THE LEGISLATURE AND, IF IT
20 DEEMS ADVISABLE, ATTACH TO ITS REPORT COPIES OF ANY PROPOSED
21 BILLS INTENDED TO CARRY OUT ANY OF ITS RECOMMENDATIONS.

22 (2) ANY LEGISLATION PROPOSED BY THE COMMITTEE AND
23 SPONSORED BY A COMMITTEE MEMBER UNDER PARAGRAPH (d) OF
24 SUBSECTION (1) OF THIS SECTION IS EXEMPT FROM THE FIVE-BILL
25 LIMITATION SPECIFIED IN RULE 24 OF THE JOINT RULES OF THE SENATE AND
26 THE HOUSE OF REPRESENTATIVES.

27 **SECTION 2. Appropriation.** (1) For the 2016-17 state fiscal

1 year, \$21,628 is appropriated to the legislative department. This
2 appropriation is from the general fund. To implement this act, the
3 department may use this appropriation as follows:

4 (a) \$16,756 for use by the office of legislative legal services,
5 which amount is based on an assumption that the office of legislative
6 legal services will require an additional 0.3 FTE; and

7 (b) \$4,872 for use by the general assembly for legislator travel and
8 per diem.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.