

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

2001



HOUSE BILL 01-1260

BY REPRESENTATIVE(S) Bacon, Boyd, Coleman, Daniel, Jahn, Lawrence, Mace, Madden, Romanoff, Scott, Tapia, Vigil, Weddig, and Williams S.;  
also SENATOR(S) Windels.

CONCERNING THE "SCHOOL ATTENDANCE LAW OF 1963".

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

**SECTION 1.** 19-1-303 (2) (c), Colorado Revised Statutes, is amended to read:

**19-1-303. General provisions - delinquency and dependency and neglect cases - exchange of information - civil penalty.**

(2) (c) Notwithstanding any other provision of law to the contrary, a criminal justice agency investigating a criminal matter ~~OR A MATTER UNDER THE "SCHOOL ATTENDANCE LAW OF 1963", PART 1 OF ARTICLE 33 OF TITLE 22, C.R.S., concerning a child, if necessary to effectively serve the child prior to trial,~~ may seek disciplinary and truancy information from the principal of a school, or the principal's designee, at which the child is or will be enrolled as a student and, if the student is enrolled in a public school, from the superintendent of the school district in which the student is enrolled, or such superintendent's designee. Upon written certification

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*Capital letters indicate new material added to existing statute; dashes through the words indicate deletions from existing statutes and such material not part of act.*

by the criminal justice agency that the information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the child's parent, either the principal of the school in which the child is enrolled, or such principal's designee, or, if the student is enrolled in a public school, the superintendent of the school district in which the student is enrolled, or such superintendent's designee, shall provide the child's attendance and disciplinary records to the requesting criminal justice agency. The criminal justice agency receiving such information shall use it only for the performance of its legal duties and responsibilities and shall maintain the confidentiality of the information received.

**SECTION 2.** 19-1-104 (1) (k), Colorado Revised Statutes, is amended to read:

**19-1-104. Jurisdiction.** (1) Except as otherwise provided by law, the juvenile court shall have exclusive original jurisdiction in proceedings:

(k) To make a determination concerning a petition filed pursuant to the "School Attendance Law of 1963", article 33 of title 22, C.R.S., AND TO ENFORCE ANY LAWFUL ORDER OF COURT MADE THEREUNDER;

**SECTION 3.** 22-33-108 (1) and (1.5), Colorado Revised Statutes, are amended to read:

**22-33-108. Judicial proceedings.** (1) Those courts having jurisdiction over juvenile matters in a ~~county~~ JUDICIAL DISTRICT shall have original jurisdiction over all matters arising out of the provisions of this article.

(1.5) (a) All proceedings brought under this article shall be commenced in the ~~county~~ JUDICIAL DISTRICT in which the child resides or is present.

(b) When proceedings commence under this article in a ~~county~~ JUDICIAL DISTRICT other than that of the child's residence or when the child changes his or her ~~county~~ JUDICIAL DISTRICT of residence after a proceeding under this article commences, the court in which proceedings commenced may, on its own motion or on the motion of any interested party, transfer the case to the court in the ~~county~~ JUDICIAL DISTRICT where the child

resides.

(c) When a court transfers venue pursuant to paragraph (b) of this subsection (1.5), the court shall transmit all documents and reports, or certified copies thereof, to the receiving court, which court shall proceed with the case as if the petition had been originally filed in that court.

**SECTION 4. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Doug Dean  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Stan Matsunaka  
PRESIDENT OF  
THE SENATE

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Judith Rodrigue  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Owens  
GOVERNOR OF THE STATE OF COLORADO