

**HOUSE JOURNAL**  
**SEVENTIETH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**Second Regular Session**

Thirty-sixth Legislative Day

Wednesday, February 17, 2016

1 Prayer by the Reverend Jacqueline Decker Vanderpol, Central  
2 Presbyterian Church, Denver.

3  
4 The Speaker called the House to order at 9:00 a.m.

5  
6 Pledge of Allegiance led by Steven Mozeika, Alliance Colorado  
7 Communities United for People with Developmental Disabilities, Ault.

8  
9 The roll was called with the following result:

10

11 Present--62.

12

13 Excused--Representative(s) Pettersen, Priola, Salazar--3.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Garnett, the reading of the journal of  
19 February 16, 2016, was declared dispensed with and approved as  
20 corrected by the Chief Clerk.

21

22

**LAY OVER OF CALENDAR ITEM(S)**

23

24 On motion of Representative Duran, the following item(s) on the  
25 Calendar were laid over until February 18, retaining place on Calendar:

26

27 Consideration of Third Reading--**SB16-015, HB16-1083, 1067, 1120,**  
28 **SB16-009, HB16-1148, 1122, 1169, 1151, 1063.**

29

30

**MESSAGE FROM THE SENATE**

31

32

33 Madam Speaker:

34

35 The Senate has adopted and transmits herewith: SJR16-007.

36

37

38

**INTRODUCTION AND CONSIDERATION OF RESOLUTION**

39

40  
41 On motion of Representative Duran, the rules were suspended and the  
42 following resolution was given immediate consideration.

43

1 **SJR16-007** by Senator(s) Crowder; also Representative(s) Esgar and  
2 Navarro--Concerning awareness day for individuals with  
3 intellectual and developmental disabilities.  
4

5 (Printed and placed in members' files).  
6

7 On motion of Representative Esgar, the resolution was read at length and  
8 **adopted by viva voce** vote.  
9

10 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker J.,  
11 Becker K., Brown, Buck, Buckner, Carver, Conti, Coram, Court, Danielson,  
12 DelGrosso, Dore, Duran, Everett, Fields, Foote, Garnett, Ginal, Hamner,  
13 Humphrey, Joshi, Kagan, Klingenschmitt, Kraft-Tharp, Landgraf, Lawrence,  
14 Lebsock, Lee, Leonard, Lontine, Lundeen, McCann, Melton, Mitsch Bush,  
15 Moreno, Neville P., Nordberg, Pabon, Primavera, Rankin, Ransom, Rosenthal,  
16 Roupe, Ryden, Saine, Sias, Singer, Thurlow, Tyler, Van Winkle, Vigil, Willett,  
17 Williams, Wilson, Windholz, Winter, Wist, Young, Speaker.  
18

19 \_\_\_\_\_  
20 House in recess. House reconvened.  
21 \_\_\_\_\_  
22

## 23 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

### 24 **BUSINESS AFFAIRS & LABOR**

25  
26 After consideration on the merits, the Committee recommends the  
27 following:  
28

29  
30 **HB16-1145** be amended as follows, and as so amended, be referred to  
31 the Committee of the Whole with favorable  
32 recommendation:  
33

34 Amend printed bill, page 3, strike lines 7 through 11 and substitute:  
35

36 "(d) SOLELY FOR THE PURPOSE OF COMPUTING THE DOCUMENTARY  
37 FEE, THE PROPERTY CONVEYED BY A DEED OR OTHER INSTRUMENT WILL BE  
38 REGARDED AS RESIDENTIAL UNLESS THE DEED OR OTHER INSTRUMENT  
39 INCLUDES A CONSPICUOUS STATEMENT OR NOTATION THAT THE PROPERTY  
40 IS NOT TO BE REGARDED AS RESIDENTIAL. THIS PROVISION DOES NOT  
41 AUTHORIZE THE ALTERATION OF A DEED OR OTHER INSTRUMENT AFTER IT  
42 HAS BEEN EXECUTED."  
43

44  
45  
46 **HB16-1157** be referred to the Committee of the Whole with favorable  
47 recommendation.  
48

49  
50 **HB16-1176** be referred to the Committee of the Whole with favorable  
51 recommendation.  
52  
53

1 **JUDICIARY**

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

4  
5 **HB16-1066** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 3, line 2, strike "OR DEFERRED JUDGMENT AND  
10 SENTENCE".

11  
12 Page 3, line 8, after "OFFENSE" insert "CHARGED".

13  
14 Page 3, line 16, strike "THAT" and substitute "IN WHICH THE FACTUAL  
15 BASIS WAS FOUND BY THE COURT TO INCLUDE AN ACT OF DOMESTIC  
16 VIOLENCE, BUT".

17  
18 Page 3, line 17, after "OR" insert "THAT".

19  
20 Page 3, line 21, after the period add "THE PROSECUTION HAS THE BURDEN  
21 OF PROOF BEYOND A REASONABLE DOUBT.".

22  
23 Page 4, strike lines 2 through 4.

24  
25 Reletter succeeding sub-subparagraph accordingly.

26  
27 Page 4, strike lines 9 through 12.

28  
29  
30  
31 **HB16-1094** be referred to the Committee of the Whole with favorable  
32 recommendation.

33  
34  
35 **HB16-1104** be amended as follows, and as so amended, be referred to  
36 the Committee of the Whole with favorable  
37 recommendation:

38  
39 Amend printed bill, page 2, strike lines 2 through 14 and substitute:

40  
41 **"SECTION 1.** In Colorado Revised Statutes, 16-5-206, **amend**  
42 (2) introductory portion and (2) (e); and **add** (1.5) as follows:

43 **16-5-206. Summons in lieu of warrant.** (1.5) (a) EXCEPT IN  
44 CLASS 1, CLASS 2, CLASS 3, AND CLASS 4 FELONIES; IN CRIMES DESCRIBED  
45 IN SECTION 24-4.1-302 (1), C.R.S.; AND IN UNCLASSIFIED FELONIES  
46 PUNISHABLE BY A MAXIMUM PENALTY OF MORE THAN TEN YEARS, A LAW  
47 ENFORCEMENT OFFICER MAY ISSUE A SUMMONS COMMANDING THE  
48 APPEARANCE OF THE DEFENDANT IN LIEU OF A WARRANT FOR HIS OR HER  
49 ARREST BASED ON PROBABLE CAUSE IF:

50 (I) THE LOCAL DISTRICT ATTORNEY CONSENTS TO SUCH  
51 PROCEDURE AND HAS DEVELOPED AND APPROVED CRITERIA FOR THE  
52 ISSUANCE OF SUCH A SUMMONS PURSUANT TO THIS SUBSECTION (1.5);

53 (II) THERE IS A REASONABLE LIKELIHOOD THAT THE DEFENDANT  
54 WILL APPEAR;

55 (III) THE DEFENDANT HAS HAD NO FELONY ARRESTS DURING THE  
56 PRECEDING FIVE YEARS;

1 (IV) THERE IS NO ALLEGATION THAT THE DEFENDANT USED A  
2 DEADLY WEAPON AS DEFINED IN SECTION 18-1-901 (3) (e), C.R.S., IN THE  
3 COMMISSION OF THE CRIME; AND

4 (V) THERE ARE NO OUTSTANDING WARRANTS FOR THE  
5 DEFENDANT'S ARREST.

6 (b) NO LATER THAN TEN DAYS AFTER A LAW ENFORCEMENT  
7 OFFICER ISSUES A SUMMONS PURSUANT TO THIS SUBSECTION (1.5), HE OR  
8 SHE SHALL DELIVER A COPY TO THE COURT AND TO THE OFFICE OF THE  
9 DISTRICT ATTORNEY WHERE JURISDICTION LIES.

10 (c) WHEN THE PROCEDURE DESCRIBED IN THIS SUBSECTION (1.5)  
11 IS USED, AN INFORMATION OR COMPLAINT MAY BE FILED IN OPEN COURT  
12 ON THE DATE SPECIFIED IN THE SUMMONS.

13 (2) If a summons is issued in lieu of a warrant under ~~subsection~~  
14 ~~(1)~~ of this section:

15 (e) It shall be signed by the judge or clerk of the court with the  
16 title of his office OR BY THE LAW ENFORCEMENT OFFICER WHO ISSUED THE  
17 SUMMONS."

18  
19 Strike page 3.

20  
21 Page 4, strike lines 1 through 5.

22  
23  
24

25 **HB16-1152** be referred to the Committee of the Whole with favorable  
26 recommendation.

27  
28

29 **HB16-1158** be amended as follows, and as so amended, be referred to  
30 the Committee of the Whole with favorable  
31 recommendation:

32  
33 Amend printed bill, page 3, line 6, strike "FUND." and substitute "FUND,  
34 IF ANY."

35  
36  
37

38 **HB16-1159** be amended as follows, and as so amended, be referred to  
39 the Committee of the Whole with favorable  
40 recommendation:

41  
42 Amend printed bill, page 3, line 6, strike "FUND." and substitute "FUND,  
43 IF ANY."

44  
45  
46  
47

48 **PUBLIC HEALTH CARE & HUMAN SERVICES**  
49 After consideration on the merits, the Committee recommends the  
50 following:

51  
52 **HB16-1092** be postponed indefinitely.

53  
54

1 **HB16-1142** be amended as follows, and as so amended, be referred to  
2 the Committee on Finance with favorable  
3 recommendation:  
4

5 Amend printed bill, page 4, line 5, strike "A" and substitute "AN  
6 UNCOMPENSATED".  
7  
8  
9

10 **SB16-022** be referred to the Committee of the Whole with favorable  
11 recommendation.  
12  
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14  
15 **MESSAGE(S) FROM THE SENATE**  
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17 Madam Speaker:  
18

19 The Senate has passed on Third Reading and transmitted to the Revisor  
20 of Statutes:

21 SB16-051 amended in General Orders as printed in Senate Journal,  
22 February 16, 2016.  
23  
24

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25 The Senate has passed on Third Reading and returns herewith:  
26 HB16-1044.  
27  
28

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29  
30 **MESSAGE(S) FROM THE REVISOR**  
31

32 We herewith transmit:  
33 without comment, as amended, **SB16-051**.  
34  
35

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36  
37 **INTRODUCTION OF BILLS**  
38 **First Reading**  
39

40 The following bills were read by title and referred to the committees  
41 indicated:  
42

43 **HB16-1267** by Representative(s) Lee and Fields, Duran; also  
44 Senator(s) Woods and Carroll, Cadman--Concerning the  
45 "Colorado Veterans' Service-to-Career Pilot Program",  
46 and, in connection therewith, creating a grant program  
47 through the department of labor and employment to aid  
48 work force centers in supporting veterans and their  
49 spouses seeking new employment and careers.  
50 Committee on Business Affairs and Labor  
51

52 **HB16-1268** by Representative(s) Foote; also Senator(s) Cooke--  
53 Concerning district attorneys representation in certain  
54 hearings arising from interstate supervision compacts.  
55 Committee on Judiciary  
56

- 1 **HB16-1269** by Representative(s) Melton--Concerning the ability of the  
2 department of revenue to allow additional application  
3 methods for identification cards.  
4 Committee on Finance  
5
- 6 **HB16-1270** by Representative(s) Lee--Concerning the limitation of  
7 laws governing security interests to an owner's interest in  
8 a business entity.  
9 Committee on Business Affairs and Labor  
10
- 11 **HB16-1271** by Representative(s) Singer and Nordberg; also Senator(s)  
12 Jahn and Lundberg--Concerning the ability of a limited  
13 winery that has a winery direct shipper's permit to deliver  
14 vinous liquors of its own manufacture directly to a  
15 personal consumer without the use of a common carrier.  
16 Committee on Business Affairs and Labor  
17
- 18 **HB16-1272** by Representative(s) Kraft-Tharp--Concerning procedures  
19 to be followed in connection with the disconnection by  
20 ordinance of land from a municipality.  
21 Committee on Local Government  
22
- 23 **HB16-1273** by Representative(s) Arndt--Concerning limited authority  
24 for the department of transportation to charge fees for  
25 parking at department parking facilities.  
26 Committee on Transportation & Energy  
27
- 28 **HB16-1274** by Representative(s) Singer, Becker K., Esgar, Fields,  
29 Garnett, Lontine, Melton, Mitsch Bush, Primavera, Ryden,  
30 Salazar, Tyler, Vigil; also Senator(s) Ulibarri, Aguilar,  
31 Guzman, Heath, Hodge, Jones, Merrifield, Steadman--  
32 Concerning the issuance of identification documents to  
33 individuals who cannot demonstrate lawful presence in the  
34 United States, and, in connection therewith, making an  
35 appropriation.  
36 Committee on State, Veterans, & Military Affairs  
37
- 38 **HB16-1275** by Representative(s) Foote and Pettersen; also Senator(s)  
39 Jones and Donovan--Concerning the taxation of a  
40 corporation's state income that is sheltered in a foreign  
41 jurisdiction for purposes of tax avoidance.  
42 Committee on Finance  
43
- 44 **SB16-063** by Senator(s) Roberts; also Representative(s) Vigil--  
45 Concerning the authority of a local government to enter  
46 into an intergovernmental agreement with an out-of-state  
47 local government to provide critical public services.  
48 Committee on Local Government  
49
- 50 **SB16-107** by Senator(s) Cooke; also Representative(s) Pabon--  
51 Concerning the regulation of voter registration drive  
52 circulators, and, in connection therewith, requiring  
53 circulators to complete mandatory training.  
54 Committee on State, Veterans, & Military Affairs  
55  
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1 On motion of Representative Duran, the following bill(s) will be  
2 calendared for General Orders on February 18, 2016: **HB16-1145, 1157,**  
3 **1176, 1066, 1094, 1104, 1152, 1158, 1159, SB16-022.**

4  
5 On motion of Representative Duran, the following bill(s) calendared for  
6 General Orders, February 18, will be calendared for February 24, 2016:  
7 **HB16-1118.**

8  
9  
10 On motion of Representative Duran, the House adjourned until 9:00 a.m.,  
11 February 18, 2016.

12  
13  
14 Approved:  
15 DICKY LEE HULLINGHORST,  
16 Speaker

17 Attest:  
18 MARILYN EDDINS,  
19 Chief Clerk  
20  
21  
22

