

HOUSE COMMITTEE OF REFERENCE AMENDMENT  
Committee on Judiciary.

HB20-1228 be amended as follows:

1 Amend printed bill, page 2, strike lines 12 and 13 and substitute:

2        "(2) (a) THE DIVISION, IN CONJUNCTION WITH A STATEWIDE  
3 COALITION THAT ADVOCATES FOR VICTIMS OF SEXUAL ASSAULT, SHALL  
4 CONVENE A STATEWIDE MULTIDISCIPLINARY COMMITTEE TO STUDY HOW  
5 TO IMPLEMENT A STATEWIDE TRACKING SYSTEM TO ALLOW A VICTIM OF  
6 SEXUAL ASSAULT TO TRACK THE STATUS OF THE VICTIM'S FORENSIC  
7 MEDICAL EVIDENCE. THE COMMITTEE MUST INCLUDE:

8            (I) LAW ENFORCEMENT, INCLUDING THE COLORADO BUREAU OF  
9 INVESTIGATION;

10            (II) SYSTEM AND COMMUNITY-BASED ADVOCATES;

11            (III) MEDICAL PROFESSIONALS;

12            (IV) DISTRICT ATTORNEYS; AND

13            (V) OTHER KEY STAKEHOLDERS.

14        (b) TO ENSURE ANY TRACKING SYSTEM IMPLEMENTED IN THE  
15 STATE OF COLORADO IS THE MOST HELPFUL IT CAN BE FOR VICTIMS OF  
16 SEXUAL ASSAULT AND PRACTITIONERS, THE COMMITTEE CREATED  
17 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION SHALL, AS SOON AS  
18 PRACTICABLE, BUT NO LATER THAN DECEMBER 1, 2021:

19            (I) RESEARCH FORENSIC MEDICAL EVIDENCE COLLECTION COSTS  
20 FOR LAW ENFORCEMENT AGENCIES IN RELATION TO THEIR OVERALL  
21 EVIDENCE BUDGETS AND THE EFFECTS OF THIS ON THEIR ABILITY TO PAY  
22 FOR MEDICAL FORENSIC EXAMS AS REQUIRED BY SECTION 18-3-407.5 (1);

23            (II) DETERMINE THE AVERAGE COSTS OF MEDICAL FORENSIC  
24 EXAMS STATEWIDE AND WHETHER THE CURRENT SEXUAL ASSAULT VICTIM  
25 EMERGENCY PAYMENT PROGRAM PAYMENT LIMITS PURSUANT TO SECTION  
26 18-3-407.7 (2)(c) ARE SUFFICIENT TO MEET THE NEED;

27            (III) DETERMINE WHETHER VICTIMS ARE RECEIVING MEDICAL BILLS  
28 THEY ARE PROHIBITED FROM RECEIVING PURSUANT TO 42 U.S.C. SEC.  
29 3796gg-4 (b)(3);

30            (IV) ASSESS WHETHER LAW ENFORCEMENT AGENCIES ARE  
31 SENDING FORENSIC MEDICAL EVIDENCE FOR TESTING WITHIN TWENTY-ONE  
32 DAYS AS REQUIRED BY THE RULE PROMULGATED PURSUANT TO SECTION  
33 24-33.5-113;

34            (V) RESEARCH WHETHER VICTIMS ARE BEING ENCOURAGED TO  
35 DECLINE A MEDICAL FORENSIC EVIDENCE EXAM, INCLUDING INTIMATE  
36 PARTNER VIOLENCE CASES OF ASSAULT BY STRANGULATION AS DESCRIBED  
37 IN SECTION 18-3-202 (1)(g), BECAUSE LAW ENFORCEMENT CANNOT  
38 AFFORD TO PAY THE COST OF EVIDENCE COLLECTION PURSUANT TO  
39 SECTION 18-3-407.5 (1);".

40 Page 2, line 14, strike "(a)" and substitute "(VI)".

- 1 Page 2, line 16, strike "(b)" and substitute "(VII)".
- 2 Page 3, line 5 strike "(c)" and substitute "(VIII)".
- 3 Page 3, line 8, strike "(d)" and substitute "(IX)".
- 4 Page 3, line 10, strike "(e)" and substitute "(X)".
- 5 Page 3, line 12, strike "(f)" and substitute "(XI)".
- 6 Page 3, line 15, strike "(g)" and substitute "(VII)".
- 7 Page 3, line 11, strike "(2);" and substitute "(2) AND REDUCING
- 8 ADMINISTRATIVE REQUIREMENTS;".
- 9 Page 4, line 5, strike "OF" and substitute "IF THE VICTIM MAKES A LAW
- 10 ENFORCEMENT REPORT PURSUANT TO SECTION 12-240-139 (1)(b)(I)(A),
- 11 OF".
- 12 Page 4, line 6, strike "AND".
- 13 Page 4, after line 6 insert:

"(B) IF THE VICTIM MAKES A MEDICAL REPORT PURSUANT TO SECTION 12-240-139 (1)(b)(I)(B) OR AN ANONYMOUS REPORT PURSUANT TO SECTION 12-240-139(1)(b)(I)(A), OF THE CONTACT INFORMATION FOR THE NEAREST COMMUNITY-BASED VICTIM ADVOCATE PURSUANT TO 13-90-107 (1)(k)(I); AND".
- 19 Reletter succeeding sub-subparagraph accordingly.
- 20 Page 4, strike line 16 and substitute:

"(b.8) FOR A VICTIM WHO HAS HAD FORENSIC MEDICAL EVIDENCE COLLECTED PURSUANT TO SECTION 12-240-139 (1)(b) THAT HAS NOT".
- 23 Page 4, after line 17 insert:

"(I) THE RIGHT TO BE NOTIFIED THAT THE FORENSIC MEDICAL EVIDENCE HAS BEEN SUBMITTED TO AN ACCREDITED CRIME LAB FOR TESTING AS REQUIRED BY TO THE RULES PROMULGATED PURSUANT TO SECTION 24-33.5-113;

(II) THE RIGHT TO BE NOTIFIED WHEN THE LAW ENFORCEMENT AGENCY HAS RECEIVED THE RESULTS OF THE MEDICAL FORENSIC EVIDENCE DNA ANALYSIS FROM THE ACCREDITED CRIME LABORATORY;".

1 Page 4, line 18, strike "(I)" and substitute "(III)".

2 Page 4, line 21, strike "(II)" and substitute "(IV)".

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