

# An Act

HOUSE BILL 16-1077

BY REPRESENTATIVE(S) Moreno, Arndt, Becker K., Kraft-Tharp, Ryden, Young, Lebsock, Lontine, Thurlow;  
also SENATOR(S) Martinez Humenik, Heath, Hill, Holbert, Kerr, Newell, Steadman.

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

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

**SECTION 1.** In Colorado Revised Statutes, **recreate and reenact, with amendments**, part 9 of article 3 of title 2 as follows:

## PART 9 STATUTORY REVISION COMMITTEE

### **2-3-901. Statutory revision committee - creation - repeal.**

(1) THERE IS HEREBY CREATED IN THE LEGISLATIVE DEPARTMENT THE STATUTORY REVISION COMMITTEE, REFERRED TO IN THIS PART 9 AS THE "COMMITTEE". THE COMMITTEE CONSISTS OF TEN MEMBERS, APPOINTED AS FOLLOWS:

(a) THE SPEAKER AND MINORITY LEADER OF THE HOUSE OF

REPRESENTATIVES SHALL EACH APPOINT TWO MEMBERS FROM THE HOUSE OF REPRESENTATIVES;

(b) THE PRESIDENT AND MINORITY LEADER OF THE SENATE SHALL EACH APPOINT TWO MEMBERS FROM THE SENATE; AND

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

(2) EXCEPT AS PROVIDED IN SUBSECTION (9) OF THIS SECTION, THE LEGISLATIVE MEMBERS OF THE COMMITTEE MUST BE APPOINTED NO LATER THAN TEN DAYS AFTER THE CONVENING OF THE FIRST REGULAR SESSION OF EACH GENERAL ASSEMBLY AND THE NONLEGISLATIVE MEMBERS APPOINTED UNDER PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION MUST BE APPOINTED AT THE FIRST MEETING OF THE COMMITTEE ON LEGAL SERVICES FOLLOWING THE ORGANIZATION OF THAT COMMITTEE PURSUANT TO SECTION 2-3-502 (4) IN THE FIRST REGULAR SESSION OF EACH GENERAL ASSEMBLY. MEMBERSHIP ON THE COMMITTEE OF EACH SUCH APPOINTIVE MEMBER TERMINATES UPON THE APPOINTMENT OF HIS OR HER SUCCESSOR OR UPON TERMINATION OF HIS OR HER OFFICE IN THE GENERAL ASSEMBLY, WHICHEVER OCCURS FIRST. IN THE CASE OF THE MEMBERS APPOINTED UNDER PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, APPOINTMENTS ARE FOR TWO-YEAR TERMS, WHICH TERMS COMMENCE THE DATE ON WHICH THE COMMITTEE ON LEGAL SERVICES MAKES THE APPOINTMENTS.

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

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

(5) THE COMMITTEE SHALL SELECT FROM AMONG ITS MEMBERS A CHAIRPERSON AND A VICE-CHAIRPERSON. THE CHAIRPERSON AND VICE-CHAIRPERSON SHALL NOT BE AFFILIATED WITH THE SAME POLITICAL PARTY. EXCEPT AS PROVIDED IN SUBSECTION (9) OF THIS SECTION, THE CHAIR SERVES AS CHAIR FOR THE FIRST REGULAR SESSION OF THE GENERAL ASSEMBLY THROUGH THE LEGISLATIVE INTERIM IMMEDIATELY FOLLOWING,

AND AS VICE-CHAIR WHEN THE SECOND REGULAR SESSION COMMENCES; THE VICE-CHAIR SERVES AS CHAIR FROM THE COMMENCEMENT OF THE SECOND REGULAR SESSION THROUGH THE LEGISLATIVE INTERIM IMMEDIATELY FOLLOWING.

(6) THE COMMITTEE MAY MEET AS OFTEN AS NECESSARY, BUT IT SHALL MEET AT LEAST TWICE IN EACH CALENDAR YEAR. THE COMMITTEE MAY MEET DURING THE LEGISLATIVE SESSIONS AND DURING THE INTERIM BETWEEN SESSIONS.

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

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

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

(b) THE COMMITTEE ON LEGAL SERVICES SHALL MAKE ITS INITIAL APPOINTMENTS TO THE COMMITTEE PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION AS SOON AS PRACTICABLE AT ONE OF ITS REGULARLY SCHEDULED MEETINGS DURING THE 2016 LEGISLATIVE INTERIM. THE LATER APPOINTMENT OF SUCH MEMBERS SHALL NOT PREVENT THE COMMITTEE FROM ORGANIZING AND COMMENCING ITS WORK.

(c) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JANUARY 1, 2018.

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

(a) MAKE AN ONGOING EXAMINATION OF THE STATUTES OF THE STATE AND CURRENT JUDICIAL DECISIONS FOR THE PURPOSE OF DISCOVERING DEFECTS AND ANACHRONISMS IN THE LAW AND RECOMMENDING NEEDED REFORMS; EXCEPT THAT THE COMMITTEE SHALL NOT CONSIDER ANY MATTER THAT IS CURRENTLY PENDING OR APPEALABLE BEFORE ANY COURT;

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

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

(d) RECOMMEND, UPON AN AFFIRMATIVE VOTE BY AT LEAST FIVE LEGISLATIVE MEMBERS OF THE COMMITTEE, AND IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION, LEGISLATION ANNUALLY TO EFFECT SUCH CHANGES IN THE LAW AS IT DEEMS NECESSARY IN ORDER TO MODIFY OR ELIMINATE ANTIQUATED, REDUNDANT, OR CONTRADICTORY RULES OF LAW AND TO BRING THE LAW OF THIS STATE INTO HARMONY WITH MODERN CONDITIONS; AND

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

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

(3) THE COMMITTEE SHALL PROPOSE LEGISLATION ONLY TO STREAMLINE, REDUCE, OR REPEAL PROVISIONS OF THE COLORADO REVISED STATUTES. THE COMMITTEE SHALL ENDEAVOR TO RECOMMEND LEGISLATION THAT CUMULATIVELY HAS, IN EACH LEGISLATIVE SESSION, NO

NET INCREASE IN THE NUMBER OF LAWS OR PAGES OF LAWS IN THE COLORADO REVISED STATUTES.

**SECTION 2. Appropriation.** (1) For the 2016-17 state fiscal year, \$21,628 is appropriated to the legislative department. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

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

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

**SECTION 3. 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.



Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

Bill L. Cadman  
PRESIDENT OF  
THE SENATE



Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED 9:17 am 6/10/16



John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO