

HOUSE COMMITTEE OF REFERENCE REPORT

April 6, 2021

Chair of Committee

Date

Committee on Public & Behavioral Health & Human Services.

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

HB21-1228 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, line 21, strike "violence" and substitute
2 "violence, coercive control,".

3 Page 4, after line 22 insert:

4 "SECTION 2. In Colorado Revised Statutes, 13-22-311, **amend**
5 (1) as follows:

6 **13-22-311. Court referral to mediation - duties of mediator.**

7 (1) Any court of record may, in its discretion, refer any case for
8 mediation services or dispute resolution programs, subject to the
9 availability of mediation services or dispute resolution programs; except
10 that the court shall not refer the case to mediation services or dispute
11 resolution programs where one of the parties claims that ~~it~~ THE PARTY has
12 been the victim of physical or psychological abuse by the other party, AT
13 ANY TIME AND REGARDLESS OF PRIOR PARTICIPATION, and states that ~~it~~
14 THE PARTY is thereby unwilling to enter into mediation services or dispute
15 resolution programs. In addition, the court may exempt from referral any
16 case in which a party files with the court, within five days of a referral
17 order, a motion objecting to mediation and demonstrating compelling
18 reasons why mediation should not be ordered. Compelling reasons may
19 include, but are not limited to, that the costs of mediation would be higher
20 than the requested relief and previous attempts to resolve the issues were
21 not successful. Parties referred to mediation services or dispute resolution
22 programs may select said services or programs from mediators or
23 mediation organizations or from the office of dispute resolution. This

- 1 section shall not apply in any civil action where injunctive or similar
2 equitable relief is the only remedy sought."
- 3 Renumber succeeding sections accordingly.
- 4 Page 5, line 16 strike "THE COURT SHALL NOT".
- 5 Page 5, strike line 17 and substitute "The legal representative of the child
6 shall not be called as a witness".
- 7 Page 6, line 12, strike "WELFARE" and substitute "SAFETY".
- 8 Page 6, line 23, after "her" insert "recommendations".
- 9 Page 6, line 24, strike "recommendations," and substitute "REPORTS,".
- 10 Page 6, line 27, after the period add "RECOMMENDATIONS SHOULD BE
11 CONSIDERED IN FULL CONTEXT OF THE REPORT.".
- 12 Page 7, line 18, strike "FAMILIES AND CHILD ABUSE." and substitute
13 "FAMILIES, CHILD ABUSE, AND CHILD SEXUAL ABUSE.".
- 14 Page 7, line 21, strike "INITIAL" and substitute "AS OF JANUARY 1, 2022,
15 INITIAL".
- 16 Page 7, line 23, strike "VIOLENCE" and substitute "VIOLENCE, INCLUDING
17 COERCIVE CONTROL,".
- 18 Page 7, line 25, after "ABUSE" insert "AND CHILD SEXUAL ABUSE".
- 19 Page 8, line 1, after "VIOLENCE," insert "INCLUDING COERCIVE CONTROL,"
20 and after "ABUSE," insert "AND CHILD SEXUAL ABUSE,".
- 21 Page 8, strike lines 3 through 6.
- 22 Page 8, line 23, strike "child's" and substitute "child's" and after
23 "interests" insert "OF THE CHILD, WITH THE CHILD'S SAFETY ALWAYS
24 PARAMOUNT,".
- 25 Page 9, line 4, before "and" insert "CHILD ABUSE, AND CHILD SEXUAL
26 ABUSE,".



- 1 Page 9, line 24, strike "and (9)" and substitute "(6)(c), (9), and (10)".
- 2 Page 10, line 10, strike "WELFARE" and substitute "SAFETY".
- 3 Page 12, line 20, strike "AND CHILD ABUSE." and substitute "CHILD ABUSE,
4 AND CHILD SEXUAL ABUSE."
- 5 Page 12, line 23, strike "INITIAL" and substitute "AS OF JANUARY 1, 2022,
6 INITIAL".
- 7 Page 12, line 25, strike "VIOLENCE" and substitute "VIOLENCE, INCLUDING
8 COERCIVE CONTROL,".
- 9 Page 12, line 27, after "ABUSE" insert "AND CHILD SEXUAL ABUSE".
- 10 Page 13, line 3, before "AND" insert "AND CHILD SEXUAL ABUSE".
- 11 Page 13, line 12, strike "recommendations" and substitute
12 "~~recommendations~~ REPORTS".
- 13 Page 13, line 18, strike "recommendations" and substitute
14 "~~recommendations~~ REPORTS".
- 15 Page 13, line 22, strike "recommendations:" and substitute
16 "~~recommendations~~ REPORTS:
17 (c) RECOMMENDATIONS SHOULD BE CONSIDERED IN FULL CONTEXT
18 OF THE REPORT."
- 19 Page 13, line 23, strike the first "A" and substitute "ON AND AFTER
20 JANUARY 1, 2022, A".
- 21 Page 13, after line 26 insert:
22 "(10) THE REQUIREMENTS OF THIS SECTION APPLY ONLY TO
23 ACTIVITIES RELATED TO WORK PERFORMED THAT IS RELATED TO
24 PROCEEDINGS CONCERNING THE ALLOCATION OF PARENTAL
25 RESPONSIBILITIES. ALL OTHER LICENSURE REQUIREMENTS FOR MENTAL
26 HEALTH PROFESSIONALS, AS ESTABLISHED BY THE DEPARTMENT OF
27 REGULATORY AGENCIES AND SET FORTH IN ARTICLE 245 OF TITLE 12, STILL
28 APPLY."
- 29 Page 13, strike line 27.



- 1 Page 14, strike line 1.
- 2 Renumber succeeding section accordingly.

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