

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 31, 2025
Date

Committee on Judiciary.

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

HB25-1147 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 3, line 14, strike "and".
- 2 Page 3, line 17, strike "standards." and substitute "standards; and".
- 3 Page 3, after line 17 insert:
 - 4 "(j) With respect to domestic violence offenses, implementing
 - 5 these changes as of April 1, 2026, permits municipalities to revise their
 - 6 ordinances to ensure the adequate protection of domestic violence victims
 - 7 and to promote consistent sentencing practices across all such cases."
- 8 Page 9, lines 9 and 10, strike "fined, ~~an amount not to exceed two~~
- 9 ~~thousand six hundred fifty dollars,"~~ and substitute "fined an amount not
- 10 to exceed two thousand six hundred fifty dollars,".
- 11 Page 9, line 11, strike "(1)(d)" and substitute "(1)(e)".
- 12 Page 9, strike lines 13 through 27.
- 13 Page 10, strike lines 1 through 12 and substitute:
 - 14 "(b) (I) The limitation on municipal court fines set forth in
 - 15 ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION
 - 16 shall be adjusted for inflation on January 1, 2014, and on January 1 of
 - 17 each year thereafter.
 - 18 (II) As used in this ~~paragraph (b)~~ SUBSECTION (1)(b), "inflation"
 - 19 means the annual percentage change in the United States department of
 - 20 labor, bureau of labor statistics, consumer price index for
 - 21 Denver-Boulder, all items, all urban consumers, or its successor index.
 - 22 (c) A MUNICIPAL COURT OF RECORD SHALL NOT IMPOSE A

1 SENTENCE OF INCARCERATION FOR A DEFENDANT CONVICTED OF
2 VIOLATING A MUNICIPAL ORDINANCE FOR A PERIOD THAT EXCEEDS THE
3 MAXIMUM PENALTY ALLOWED FOR ANY COMPARABLE MISDEMEANOR,
4 PETTY OFFENSE, CIVIL INFRACTION, TRAFFIC OFFENSE, OR TRAFFIC
5 INFRACTION PURSUANT TO STATE LAW. FOR CONVICTIONS BASED ON A
6 VIOLATION OF A MUNICIPAL ORDINANCE FOR WHICH THERE IS NO
7 COMPARABLE MISDEMEANOR, PETTY OFFENSE, CIVIL INFRACTION, TRAFFIC
8 OFFENSE, OR TRAFFIC INFRACTION PURSUANT TO STATE LAW, THE
9 MUNICIPAL COURT SHALL NOT IMPOSE A SENTENCE OF INCARCERATION
10 THAT EXCEEDS THE MAXIMUM SENTENCE FOR A PETTY OFFENSE PURSUANT
11 TO STATE LAW. A MUNICIPALITY SHALL NOT REQUIRE IMPOSITION OF A
12 MANDATORY MINIMUM JAIL SENTENCE UNLESS THE PERSON IS CONVICTED
13 OF A MUNICIPAL OFFENSE FOR WHICH THERE IS A COMPARABLE STATE
14 OFFENSE OR INFRACTION THAT REQUIRES IMPOSITION OF THE SAME
15 MANDATORY MINIMUM JAIL SENTENCE. A MUNICIPALITY SHALL NOT
16 IMPOSE INCREASED PENALTIES BASED ON A PRIOR CONVICTION UNLESS THE
17 PERSON IS CONVICTED OF A MUNICIPAL OFFENSE FOR WHICH THERE IS A
18 COMPARABLE STATE OFFENSE OR INFRACTION THAT ALLOWS IMPOSITION
19 OF THE SAME INCREASED PENALTIES BASED ON A PRIOR CONVICTION."

20 Reletter succeeding paragraphs accordingly.

21 Page 10, line 17, strike "INFRACTION," and substitute "INFRACTION AND
22 FOR WHICH THE MUNICIPAL CODE ALLOWS FOR A POSSIBLE SENTENCE OF
23 INCARCERATION,".

24 Page 10, after line 23 insert:

25 "(f) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
26 PROVISIONS OF SUBSECTIONS (1)(b) TO (1)(d) OF THIS SECTION,
27 SUBSECTION (1.5) OF THIS SECTION, AND SUBSECTION (2) OF THIS SECTION
28 DO NOT APPLY TO A VIOLATION OF A MUNICIPAL ORDINANCE WITH AN
29 UNDERLYING FACTUAL BASIS THAT INCLUDES AN ACT OF DOMESTIC
30 VIOLENCE, AS DEFINED IN SECTION 18-6-800.3, COMMITTED BEFORE APRIL
31 1, 2026."

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