

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0382.01 Jerry Barry x4341

**HOUSE BILL 17-1023**

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**HOUSE SPONSORSHIP**

**Kraft-Tharp and Wist,**

**SENATE SPONSORSHIP**

**Court and Holbert,**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING A CLARIFICATION OF PROCEDURES FOR SUBPOENAS FOR**  
102      **DECEPTIVE TRADE PRACTICES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

The bill clarifies that the attorney general or a district attorney may issue a subpoena to a person whom he or she believes has engaged or is engaging in a deceptive trade practice in violation of Colorado statute. It also specifies that the subpoena may be issued pursuant to rule 4 of the Colorado rules of civil procedure.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 6-1-108, **amend** (1)  
3 and (2) as follows:

4 **6-1-108. Subpoenas - hearings - rules.** (1) WHEN THE  
5 ATTORNEY GENERAL OR A DISTRICT ATTORNEY HAS REASONABLE CAUSE  
6 TO BELIEVE THAT A PERSON, WHETHER IN THIS STATE OR ELSEWHERE, HAS  
7 ENGAGED IN OR IS ENGAGING IN A DECEPTIVE TRADE PRACTICE LISTED IN  
8 SECTION 6-1-105 OR PART 7 OF THIS ARTICLE 1, the attorney general or a  
9 district attorney, in addition to other powers conferred upon him or her by  
10 this ~~article~~ ARTICLE 1, may issue subpoenas to require the attendance of  
11 witnesses or the production of documents, administer oaths, conduct  
12 hearings in aid of any investigation or inquiry, and prescribe such forms  
13 and promulgate such rules as may be necessary to administer the  
14 provisions of this ~~article~~ ARTICLE 1.

15 (2) Service of any notice or subpoena may be made in the manner  
16 prescribed by law or AS PROVIDED IN RULE 4 OF the Colorado rules of civil  
17 procedure.

18 **SECTION 2.** In Colorado Revised Statutes, 6-1-107, **amend** (1)  
19 introductory portion as follows:

20 **6-1-107. Powers of attorney general and district attorneys.**

21 (1) When the attorney general or a district attorney has REASONABLE  
22 cause to believe that any person, whether in this state or elsewhere, has  
23 engaged in or is engaging in any deceptive trade practice listed in section  
24 6-1-105 or part 7 of this article, the attorney general or district attorney  
25 may:

26 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.