

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0955.01 Jerry Barry x4341

HOUSE BILL 18-1257

HOUSE SPONSORSHIP

Rosenthal,

SENATE SPONSORSHIP

Cooke,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A CORRECTION TO HOUSE BILL 16-1316 BY REINSERTING
102 THE WORD "NOT".

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>.)

House Bill 16-1316 amended the venue statute for transferring child welfare proceedings between counties and inadvertently struck the word "not" in one sentence. Due to this error, courts are not allowed to transfer child welfare proceedings between counties after adjudication even though the intent of House Bill 16-1316 was to allow post-adjudication transfers. The bill reinserts the word "not" to allow such

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

transfers.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-3-201, **amend** (2)
3 introductory portion and (2)(b) as follows:

4 **19-3-201. Venue.** (2) When proceedings are commenced ~~under~~
5 PURSUANT TO this ~~article~~ ARTICLE 3 in a county other than that of the
6 child's residence, the court in which proceedings were initiated may, on
7 its own motion or on the motion of any interested party, transfer the case
8 to the court in the county where the child's legal parent or guardian
9 resides or is located unless any of the following circumstances exist:

10 (b) Adjudication has NOT taken place and the case has not been
11 continued pursuant to section 19-3-505 (5);

12 **SECTION 2. Act subject to petition - effective date -**
13 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
14 the expiration of the ninety-day period after final adjournment of the
15 general assembly (August 8, 2018, if adjournment sine die is on May 9,
16 2018); except that, if a referendum petition is filed pursuant to section 1
17 (3) of article V of the state constitution against this act or an item, section,
18 or part of this act within such period, then the act, item, section, or part
19 will not take effect unless approved by the people at the general election
20 to be held in November 2018 and, in such case, will take effect on the
21 date of the official declaration of the vote thereon by the governor.

22 (2) This act applies to actions pending on or after the applicable
23 effective date of this act.