

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

PREAMENDED

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

LLS NO. 19-0729.01 Jerry Barry x4341

SENATE BILL 19-043

SENATE SPONSORSHIP

Lee and Gardner, Cooke, Court, Fields, Garcia, Hill, Hisey, Holbert, Lundeen, Marble, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Woodward

HOUSE SPONSORSHIP

Herod and Carver, Weissman, Arndt

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE IN THE NUMBER OF DISTRICT COURT**
102 **JUDGES IN CERTAIN JUDICIAL DISTRICTS, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

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 increases by one the number of district court judges in the first, eighth, tenth, thirteenth, seventeenth, eighteenth, and twenty-first judicial districts; by 2 in the fourth and nineteenth judicial districts; and by 4 in the second judicial district.

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.

SENATE
3rd Reading Unamended
February 7, 2019

SENATE
Amended 2nd Reading
February 6, 2019

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-5-102, **add** (2)(g)
3 as follows:

4 **13-5-102. First district.** (2) (g) SUBJECT TO AVAILABLE
5 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
6 THE FIRST JUDICIAL DISTRICT IS FOURTEEN.

7 **SECTION 2.** In Colorado Revised Statutes, 13-5-103, **add** (2)(d)
8 as follows:

9 **13-5-103. Second district.** (2) (d) SUBJECT TO AVAILABLE
10 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
11 THE SECOND JUDICIAL DISTRICT IS TWENTY-SEVEN.

12 **SECTION 3.** In Colorado Revised Statutes, 13-5-105, **add** (2)(g)
13 as follows:

14 **13-5-105. Fourth district.** (2) (g) SUBJECT TO AVAILABLE
15 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
16 THE FOURTH JUDICIAL DISTRICT IS TWENTY-FOUR.

17 **SECTION 4.** In Colorado Revised Statutes, 13-5-109, **add** (2)(e)
18 as follows:

19 **13-5-109. Eighth district.** (2) (e) SUBJECT TO AVAILABLE
20 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
21 THE EIGHTH JUDICIAL DISTRICT IS NINE.

22 **SECTION 5.** In Colorado Revised Statutes, 13-5-111, **add** (2)(c)
23 as follows:

24 **13-5-111. Tenth district.** (2) (c) SUBJECT TO AVAILABLE
25 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
26 THE TENTH JUDICIAL DISTRICT IS EIGHT.

1 **SECTION 6.** In Colorado Revised Statutes, 13-5-114, **amend** (2)
2 as follows:

3 **13-5-114. Thirteenth district.** (2) (a) The number of judges for
4 the thirteenth judicial district shall be four.

5 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1,
6 2019, THE NUMBER OF JUDGES FOR THE THIRTEENTH JUDICIAL DISTRICT IS
7 FIVE.

8 **SECTION 7.** In Colorado Revised Statutes, 13-5-118, **add** (2)(g)
9 as follows:

10 **13-5-118. Seventeenth district.** (2) (g) SUBJECT TO AVAILABLE
11 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
12 THE SEVENTEENTH JUDICIAL DISTRICT IS SIXTEEN.

13 **SECTION 8.** In Colorado Revised Statutes, 13-5-119, **add**
14 (2)(d)(VI) as follows:

15 **13-5-119. Eighteenth district.** (2) (d) (VI) SUBJECT TO
16 AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF
17 JUDGES FOR THE EIGHTEENTH JUDICIAL DISTRICT IS TWENTY-FOUR.

18 **SECTION 9.** In Colorado Revised Statutes, 13-5-120, **add** (2)(g)
19 as follows:

20 **13-5-120. Nineteenth district.** (2) (g) SUBJECT TO AVAILABLE
21 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
22 THE NINETEENTH JUDICIAL DISTRICT IS ELEVEN.

23 **SECTION 10.** In Colorado Revised Statutes, 13-5-122, **add**
24 (2)(c) as follows:

25 **13-5-122. Twenty-first district.** (2) (c) SUBJECT TO AVAILABLE
26 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
27 THE TWENTY-FIRST JUDICIAL DISTRICT IS SIX.

1 **SECTION 11.** In Colorado Revised Statutes, 13-3-101, **add** (11)
2 and (12) as follows:

3 **13-3-101. State court administrator - report - repeal.**

4 (11) (a) THERE IS CREATED IN THE OFFICE OF THE STATE COURT
5 ADMINISTRATOR A POSITION RESPONSIBLE FOR EDUCATION AND OUTREACH
6 REGARDING JUDICIAL OFFICE VACANCIES. THE POSITION SHALL CREATE
7 AND DELIVER EDUCATIONAL PROGRAMMING FOR ATTORNEYS AND LAW
8 STUDENTS REGARDING JUDICIAL VACANCIES AND THE APPLICATION
9 PROCESS.

10 (b) (I) THE POSITION SHALL REPORT ON OR BEFORE OCTOBER 1,
11 2020 AND ON OR BEFORE OCTOBER 1 EACH YEAR THEREAFTER THROUGH
12 2030, TO THE CHIEF JUSTICE OF THE SUPREME COURT AND THE JUDICIARY
13 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY
14 SUCCESSOR COMMITTEE, CONCERNING THE BACKGROUND, PROFESSIONAL
15 HISTORY, AND QUALIFICATIONS OF JUDICIAL OFFICERS IN THE STATE.
16 NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I),
17 THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SECTION
18 CONTINUES UNTIL THE REPEAL OF THIS SUBSECTION (11)(b) PURSUANT TO
19 SUBSECTION (11)(b)(II) OF THIS SECTION.

20 (II) THIS SUBSECTION (11)(b) IS REPEALED, EFFECTIVE JANUARY
21 1, 2031.

22 (12) (a) ON OR BEFORE NOVEMBER 1, 2019, AND ON OR BEFORE
23 EACH NOVEMBER 1 THEREAFTER, THE STATE COURT ADMINISTRATOR
24 SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE OF THE
25 GENERAL ASSEMBLY AND THE JUDICIARY COMMITTEES OF THE HOUSE OF
26 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON
27 CASE MANAGEMENT STATISTICS FOR THE PRIOR STATE FISCAL YEAR THAT

1 INCLUDES:

2 (I) THE TOTAL NUMBER AND TYPES OF:

3 (A) NEW DISTRICT COURT CASES ASSIGNED;

4 (B) DISTRICT COURT CASES RESOLVED; AND

5 (C) DISTRICT COURT CASES REMAINING ON THE DOCKET; AND

6 (II) FOR EACH JUDICIAL DISTRICT AND EACH DISTRICT COURT

7 JUDGE THE TOTAL NUMBER AND TYPES OF:

8 (A) NEW DISTRICT COURT CASES ASSIGNED;

9 (B) DISTRICT COURT CASES RESOLVED; AND

10 (C) DISTRICT COURT CASES REMAINING ON THE DOCKET.

11 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE

12 REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN SUBSECTION (12)(a)

13 OF THIS SECTION CONTINUES INDEFINITELY.

14 **SECTION 12. Appropriation.** For the 2019-20 state fiscal year,

15 \$9,693,205 is appropriated to the judicial department. This appropriation

16 is from the general fund and is based on an assumption that the

17 department will require an additional 78.0 FTE. To implement this act,

18 the department may use this appropriation as follows:

19	<u>Courts administration, central appropriations</u>	
20	<u>Health, life, and dental</u>	<u>\$437,570</u>
21	<u>Short-term disability</u>	<u>\$3,872</u>
22	<u>S.B. 04-257 amortization equalization disbursement</u>	<u>\$187,666</u>
23	<u>S.B. 06-235 supplemental amortization</u>	
24	<u>equalization disbursement</u>	<u>\$187,666</u>
25	<u>Courts administration, centrally-administered programs</u>	
26	<u>Courthouse furnishings and infrastructure</u>	
27	<u>maintenance</u>	<u>\$1,671,645</u>

1	<u>Trial courts</u>	
2	<u>Trial court programs</u>	<u>\$5,156,028 (55.2 FTE)</u>
3	<u>Office of the state public defender</u>	
4	<u>Personal services</u>	<u>\$1,356,910 (22.8 FTE)</u>
5	<u>Health, life, and dental</u>	<u>\$224,512</u>
6	<u>Short-term disability</u>	<u>\$2,304</u>
7	<u>S.B. 04-257 amortization equalization disbursement</u>	<u>\$60,658</u>
8	<u>S.B. 06-235 supplemental amortization equalization</u>	
9	<u>disbursement</u>	<u>\$60,658</u>
10	<u>Operating expenses</u>	<u>\$21,850</u>
11	<u>Capital outlay</u>	<u>\$117,950</u>
12	<u>Leased space and utilities</u>	<u>\$201,066</u>
13	<u>Attorney registration</u>	<u>\$2,850.</u>

14 **SECTION 13. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.