

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

INTRODUCED

LLS NO. 20-0198.01 Jerry Barry x4341

SENATE BILL 20-075

SENATE SPONSORSHIP

Crowder,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF CERTAIN ADVANCED PRACTICE**
102 **NURSES TO CONDUCT COMPETENCY EVALUATIONS.**

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 expands the list of persons authorized to conduct evaluations to determine if a defendant charged with a crime is competent to stand trial.

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

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.

1 **SECTION 1.** In Colorado Revised Statutes, 16-8.5-101, **amend**
2 (3) as follows:

3 **16-8.5-101. Definitions.** As used in this article 8.5, unless the
4 context otherwise requires:

5 (3) "Competency evaluator" means:

6 (a) A licensed physician who is a psychiatrist ~~or~~ TRAINED IN
7 FORENSIC COMPETENCY ASSESSMENT;

8 (b) A licensed psychologist ~~each of whom~~ WHO is trained in
9 forensic competency assessments; ~~or~~

10 (c) A psychiatrist who is in forensic training and practicing under
11 the supervision of a psychiatrist with expertise in forensic psychiatry; ~~or~~

12 (d) A psychologist who is in forensic training and is practicing
13 under the supervision of a licensed psychologist with expertise in forensic
14 psychology; OR

15 (e) AN ADVANCED PRACTICE NURSE ON THE REGISTRY
16 ESTABLISHED PURSUANT TO SECTION 12-255-111 WHO SPECIALIZES IN
17 PSYCHIATRIC MENTAL HEALTH AND WHO MEETS OTHER CRITERIA
18 ESTABLISHED BY THE STATE BOARD OF NURSING CREATED PURSUANT TO
19 SECTION 12-255-105.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

- 1 November 2020 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.