

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0431.01 Shelby Ross x4510

HOUSE BILL 23-1222

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HOUSE SPONSORSHIP

Duran and Weissman,

SENATE SPONSORSHIP

Roberts,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE JURISDICTION OF MUNICIPAL COURTS TO HEAR  
102 DOMESTIC VIOLENCE OFFENSES.

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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>.)*

Beginning January 1, 2024, the bill prohibits the prosecution of an alleged act of domestic violence in municipal courts. The county and district courts retain jurisdiction over such cases.

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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 law.  
Dashes through the words or numbers indicate deletions from existing law.

1           **SECTION 1.** In Colorado Revised Statutes, **amend** 13-10-103 as  
2 follows:

3           **13-10-103. Applicability.** This article 10 applies to and governs  
4 the operation of municipal courts in the cities and towns of this state.  
5 Except for the provisions relating to the method of salary payment for  
6 municipal judges, the incarceration of children pursuant to sections  
7 19-2.5-305 and 19-2.5-1511, the appearance of the parent, guardian, or  
8 lawful custodian of any child under eighteen years of age who is charged  
9 with a municipal offense as required by section 13-10-111, the right to a  
10 trial by jury for petty offenses pursuant to section 16-10-109, relief from  
11 improperly entered guilty pleas pursuant to section 18-1-410.6, THE  
12 PROSECUTION OF AN ALLEGED ACT OF DOMESTIC VIOLENCE, AS DEFINED  
13 IN SECTION 18-6-800.3, rules of procedure promulgated by the supreme  
14 court, and appellate procedure, this article 10 may be superseded by  
15 charter or ordinance enacted by a home rule city.

16           **SECTION 2.** In Colorado Revised Statutes, **amend** 13-10-104 as  
17 follows:

18           **13-10-104. Municipal court created - jurisdiction.** The  
19 municipal governing body of each city or town shall create a municipal  
20 court to hear and try all alleged violations of ordinance provisions of such  
21 city or town; EXCEPT THAT A MUNICIPAL COURT DOES NOT HAVE  
22 JURISDICTION TO HEAR AND TRY AN ALLEGED ACT OF DOMESTIC VIOLENCE,  
23 AS DEFINED IN SECTION 18-6-800.3.

24           **SECTION 3. Act subject to petition - effective date -**  
25 **applicability.** (1) This act takes effect January 1, 2024; except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act

1 within the ninety-day period after final adjournment of the general  
2 assembly, then the act, item, section, or part will not take effect unless  
3 approved by the people at the general election to be held in November  
4 2024 and, in such case, will take effect on the date of the official  
5 declaration of the vote thereon by the governor.

6 (2) This act applies to domestic violence offenses committed on  
7 or after the applicable effective date of this act.