

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB22-1067 be amended as follows:

1 Amend printed bill, page 2, strike lines 12 and 13 and substitute "~~Sundays~~
2 ~~and federal holidays~~ FORTY-EIGHT HOURS AFTER THE RECEIPT OF SUCH A
3 NOTICE. THE COUNTY SHERIFF SHALL MAKE THE IN-CUSTODY DEFENDANT
4 AVAILABLE TO APPEAR IN A TIMELY MANNER BEFORE A MUNICIPAL JUDGE
5 FOR A HEARING REQUIRED BY THIS SUBSECTION (2) AT THE DATE AND TIME
6 MUTUALLY AGREED TO BY THE COUNTY SHERIFF AND MUNICIPAL COURT.
7 IT IS NOT A VIOLATION OF THIS SECTION IF A BOND HEARING IS NOT HELD
8 WITHIN FORTY-EIGHT HOURS WHEN THE DELAY IS CAUSED BY
9 CIRCUMSTANCES IN WHICH THE DEFENDANT REFUSES TO ATTEND COURT,
10 IS UNABLE TO ATTEND COURT DUE TO A DEBILITATING PHYSICAL AILMENT,
11 OR IS UNABLE TO PROCEED DUE TO DRUG OR ALCOHOL USE OR MENTAL
12 ILLNESS, OR WHEN THE DELAY IS CAUSED BY AN EMERGENCY THAT
13 REQUIRES THE COURT TO CLOSE. USE OF AUDIOVISUAL CONFERENCING
14 TECHNOLOGY IS PERMISSIBLE TO EXPEDITE THE HEARING. WHEN
15 HIGH-SPEED INTERNET ACCESS IS UNAVAILABLE, MAKING AUDIOVISUAL
16 CONFERENCING IMPOSSIBLE, THE COURT MAY CONDUCT THE HEARING
17 TELEPHONICALLY.".

18 Page 3, strike lines 10 through 20 and substitute:

19 **"SECTION 3. Act subject to petition - effective date.** This act
20 takes effect January 1, 2023; except that, if a referendum petition is filed
21 pursuant to section 1 (3) of article V of the state constitution against this
22 act or an item, section, or part of this act within the ninety-day period
23 after final adjournment of the general assembly, then the act, item,
24 section, or part will not take effect unless approved by the people at the
25 general election to be held in November 2022 and, in such case, will take
26 effect January 1, 2023, or on the date of the official declaration of the
27 vote thereon by the governor, whichever is later.".

** ** ** ** **