

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB22-1131 be amended as follows:

1 Amend printed bill, page 17, after line 24 insert:

2 "SECTION 25. In Colorado Revised Statutes, 24-4.1-102, **amend**
3 (1), (10)(a) introductory portion, (10)(a)(I), (10)(b), and (10)(c); and **add**
4 (3.5) as follows:

5 **24-4.1-102. Definitions.** As used in this part 1, unless the context
6 otherwise requires:

7 (1) "Applicant" means any victim of a compensable crime OR
8 COMPENSABLE ACT who applies to the fund for compensation under this
9 part 1. In the case of such victim's death, the term includes any person
10 who was ~~his~~ THE VICTIM'S dependent at the time of the death of that
11 victim.

12 (3.5) "COMPENSABLE ACT" MEANS AN ACT COMMITTED BY A
13 JUVENILE WHO IS TEN YEARS OF AGE OR OLDER BUT LESS THAN THIRTEEN
14 YEARS OF AGE, AND THAT, IF COMMITTED BY A PERSON WHO IS THIRTEEN
15 YEARS OF AGE OR OLDER, IS PUNISHABLE AS A CRIME IN THIS STATE THAT
16 IS AN INTENTIONAL, KNOWING, RECKLESS, OR NEGLIGENT ACT, INCLUDING:

17 (a) AN ACT IN VIOLATION OF SECTION 42-4-1301 (1) OR (2) THAT
18 RESULTS IN RESIDENTIAL PROPERTY DAMAGE TO OR BODILY INJURY OR
19 DEATH OF ANOTHER PERSON OR RESULTS IN LOSS OF OR DAMAGE TO
20 EYEGLASSES, DENTURES, HEARING AIDS, OR OTHER PROSTHETIC OR
21 MEDICALLY NECESSARY DEVICES;

22 (b) AN ACT IN VIOLATION OF SECTION 42-4-1402 THAT RESULTS IN
23 THE DEATH OR BODILY INJURY OF ANOTHER PERSON OR IN VIOLATION OF
24 SECTION 42-4-1601 IN WHICH THE ACCIDENT RESULTS IN THE DEATH OR
25 BODILY INJURY OF ANOTHER PERSON; OR

26 (c) A FEDERAL OFFENSE THAT IS COMPARABLE TO THOSE SPECIFIED
27 IN THIS SUBSECTION (3.5) THAT ARE COMMITTED IN THIS STATE.

28 (10) (a) "Victim" means any of the following persons who suffer
29 property damage, economic loss, injury, or death as a result of a
30 compensable crime OR COMPENSABLE ACT perpetrated or attempted in
31 whole or in part in this state:

32 (I) Any person against whom a compensable crime OR
33 COMPENSABLE ACT is perpetrated or attempted. Such person shall be
34 referred to as a "primary victim".

35 (b) "Victim" also means a person who suffers injury or death, the
36 proximate cause of which is a compensable crime OR COMPENSABLE ACT
37 perpetrated or attempted in the person's presence against a primary victim.

38 (c) "Victim" also means a person who is a resident of this state
39 and who is a victim of a crime that occurred outside of this state, where

1 the crime would be a compensable crime OR COMPENSABLE ACT had it
2 occurred in this state and where the state or country in which the crime
3 occurred does not have a crime victim compensation program for which
4 the person would be eligible.

5 **SECTION 26.** In Colorado Revised Statutes, 24-4.1-105, **amend**
6 (2)(b) as follows:

7 **24-4.1-105. Application for compensation.** (2) (b) In order to
8 be eligible for compensation for property damage under this part 1, the
9 applicant shall submit a report or case number, if reasonably available,
10 from a law enforcement agency, which shall set forth the nature of the
11 property damage ~~which~~ THAT is the result of a compensable crime OR
12 COMPENSABLE ACT.

13 **SECTION 27.** In Colorado Revised Statutes, **amend** 24-4.1-107
14 as follows:

15 **24-4.1-107. Rules.** (1) In the performance of its functions, the
16 board, pursuant to article 4 of this ~~title~~ TITLE 24, is authorized to make,
17 rescind, and amend ~~regulations~~ RULES prescribing the procedures to be
18 followed in the filing of applications and in proceedings under this part
19 1.

20 (2) THE BOARD SHALL PROMULGATE RULES CONCERNING
21 APPLICATIONS, STANDARDS, BURDENS, AND PROCEDURES NECESSARY FOR
22 APPLICANTS SEEKING COMPENSATION PURSUANT TO THIS PART 1 FOR A
23 COMPENSABLE ACT.

24 **SECTION 28.** In Colorado Revised Statutes, 24-4.1-108, **amend**
25 (1)(a) and (1.5)(a) as follows:

26 **24-4.1-108. Awarding compensation.** (1) A person is entitled to
27 an award of compensation under this part 1 if:

28 (a) The person is a victim or a dependent of a victim or a
29 successor in interest under the "Colorado Probate Code" of a victim of a
30 compensable crime ~~which was~~ perpetrated on or after July 1, 1982, OR A
31 COMPENSABLE ACT PERPETRATED ON OR AFTER JULY 1, 2023, and ~~which~~
32 THE COMPENSABLE CRIME OR COMPENSABLE ACT resulted in a loss;

33 (1.5) A person is entitled to an award of compensation for
34 property damage under this part 1 if:

35 (a) The person is a victim of a compensable crime ~~which was~~
36 perpetrated on or after July 1, 1983, OR A COMPENSABLE ACT
37 PERPETRATED ON OR AFTER JULY 1, 2023, and ~~which~~ THE COMPENSABLE
38 CRIME OR COMPENSABLE ACT resulted in property damage;

39 **SECTION 29.** In Colorado Revised Statutes, 24-4.1-109, **amend**
40 (1.5)(a)(I)(A) as follows:

41 **24-4.1-109. Losses compensable.** (1.5) (a) Losses compensable
42 under this part 1 resulting from property damage include:

43 (I) (A) Repair or replacement of property damaged as a result of

1 a compensable crime OR COMPENSABLE ACT; or
2 **SECTION 30.** In Colorado Revised Statutes, 24-4.1-117, **amend**
3 (2) as follows:
4 **24-4.1-117. Fund created - control of fund.** (2) The fund
5 consists of all money paid as a cost or surcharge levied on criminal
6 actions, as provided in section 24-4.1-119; any federal money available
7 to state or local governments for victim compensation; all money received
8 from any action or suit to recover damages from an assailant for a
9 compensable crime ~~which~~ OR COMPENSABLE ACT THAT was the basis for
10 an award of, and limited to, compensation received under this part 1; any
11 restitution paid by an assailant to a victim for damages for a compensable
12 crime ~~which~~ OR COMPENSABLE ACT THAT was the basis for an award
13 received under this part 1 and for damages for which the victim has
14 received an award of, and limited to, compensation received under this
15 part 1; money transferred from the marijuana tax cash fund pursuant to
16 section 39-28.8-501 (4.9)(b); and any other money that the general
17 assembly may appropriate or transfer to the fund."
18 Renumber succeeding sections accordingly.

** **