

HB1228_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public & Behavioral Health & Human Services.

HB21-1228 be amended as follows:

1 Amend printed bill, page 4, line 21, strike "violence" and substitute
2 "violence, coercive control,".

3 Page 4, after line 22 insert:

4 "SECTION 2. In Colorado Revised Statutes, 13-22-311, **amend**
5 (1) as follows:

6 **13-22-311. Court referral to mediation - duties of mediator.**

7 (1) Any court of record may, in its discretion, refer any case for
8 mediation services or dispute resolution programs, subject to the
9 availability of mediation services or dispute resolution programs; except
10 that the court shall not refer the case to mediation services or dispute
11 resolution programs where one of the parties claims that it has been the
12 victim of physical or psychological abuse AT ANY TIME AND REGARDLESS
13 OF PRIOR PARTICIPATION by the other party and states that it is thereby
14 unwilling to enter into mediation services or dispute resolution programs.
15 In addition, the court may exempt from referral any case in which a party
16 files with the court, within five days of a referral order, a motion
17 objecting to mediation and demonstrating compelling reasons why
18 mediation should not be ordered. Compelling reasons may include, but
19 are not limited to, that the costs of mediation would be higher than the
20 requested relief and previous attempts to resolve the issues were not
21 successful. Parties referred to mediation services or dispute resolution
22 programs may select said services or programs from mediators or
23 mediation organizations or from the office of dispute resolution. This
24 section shall not apply in any civil action where injunctive or similar
25 equitable relief is the only remedy sought."

26 Renumber succeeding sections accordingly.

27 Page 5, line 16 strike "THE COURT SHALL NOT".

28 Page 5, strike line 17 and substitute "The legal representative of the child
29 shall not be called as a witness".

30 Page 6, line 12, strike "WELFARE" and substitute "SAFETY".

31 Page 6, line 23, after "her" insert "recommendations".

32 Page 6, line 24, strike "recommendations," and substitute "REPORTS,".

33 Page 6, line 27, after the period add "RECOMMENDATIONS SHOULD BE

- 1 CONSIDERED IN FULL CONTEXT OF THE REPORT."
- 2 Page 7, line 18, strike "FAMILIES AND CHILD ABUSE." and substitute
3 "FAMILIES, CHILD ABUSE, AND CHILD SEXUAL ABUSE."
- 4 Page 7, line 21, strike "INITIAL" and substitute "AS OF JANUARY 1, 2022,
5 INITIAL".
- 6 Page 7, line 23, strike "VIOLENCE" and substitute "VIOLENCE, INCLUDING
7 COERCIVE CONTROL,".
- 8 Page 7, line 25, after "ABUSE" insert "AND CHILD SEXUAL ABUSE".
- 9 Page 8, line 1, after "VIOLENCE," insert "INCLUDING COERCIVE CONTROL,"
10 and after "ABUSE," insert "AND CHILD SEXUAL ABUSE,".
- 11 Page 8, strike lines 3 through 6.
- 12 Page 8, line 23, strike "child's" and substitute "~~child's~~" and after
13 "interests" insert "OF THE CHILD, WITH THE CHILD'S SAFETY ALWAYS
14 PARAMOUNT,".
- 15 Page 9, line 4, before "and" insert "CHILD ABUSE, AND CHILD SEXUAL
16 ABUSE,".
- 17 Page 9, line 24, strike "and (9)" and substitute "(6)(c), (9), and (10)".
- 18 Page 10, line 10, strike "WELFARE" and substitute "SAFETY".
- 19 Page 12, line 20, strike "AND CHILD ABUSE." and substitute "CHILD ABUSE,
20 AND CHILD SEXUAL ABUSE.".
- 21 Page 12, line 23, strike "INITIAL" and substitute "AS OF JANUARY 1, 2022,
22 INITIAL".
- 23 Page 12, line 25, strike "VIOLENCE" and substitute "VIOLENCE, INCLUDING
24 COERCIVE CONTROL,".
- 25 Page 12, line 27, after "ABUSE" insert "AND CHILD SEXUAL ABUSE".
- 26 Page 13, line 3, before "AND" insert "AND CHILD SEXUAL ABUSE".
- 27 Page 13, line 12, strike "recommendations" and substitute

1 ~~"recommendations~~ REPORTS".

2 Page 13, line 18, strike "recommendations" and substitute
3 ~~"recommendations~~ REPORTS".

4 Page 13, line 22, strike "recommendations:" and substitute
5 ~~"recommendations~~ REPORTS:

6 (c) RECOMMENDATIONS SHOULD BE CONSIDERED IN FULL CONTEXT
7 OF THE REPORT."

8 Page 13, line 23, strike the first "A" and substitute "ON AND AFTER
9 JANUARY 1, 2022, A".

10 Page 13, after line 26 insert:

11 "(10) THE REQUIREMENTS OF THIS SECTION APPLY ONLY TO
12 ACTIVITIES RELATED TO WORK PERFORMED THAT IS RELATED TO
13 PROCEEDINGS CONCERNING THE ALLOCATION OF PARENTAL
14 RESPONSIBILITIES. ALL OTHER LICENSURE REQUIREMENTS FOR MENTAL
15 HEALTH PROFESSIONALS, AS ESTABLISHED BY THE DEPARTMENT OF
16 REGULATORY AGENCIES AND SET FORTH IN ARTICLE 245 OF TITLE 12, STILL
17 APPLY."

18 Page 13, strike line 27.

19 Page 14, strike line 1.

20 Renumber succeeding section accordingly.

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