

HB1131_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB18-1131 be amended as follows:

- 1 Amend printed bill, page 2, line 2, strike "24-33.5-521" and substitute
2 "13-3-117".
- 3 Page 2, line 4, strike "24-33.5-521." and substitute "13-3-117".
- 4 Page 2, line 5, strike "DIVISION, IN".
- 5 Page 2, line 6, strike "CONSULTATION WITH THE" and strike
6 "ADMINISTRATOR," and substitute "ADMINISTRATOR".
- 7 Page 2, line 9, after "LET" insert "MUNICIPAL COURTS," and strike
8 "COURTS AND" and substitute "COURTS, AND".
- 9 Page 2, strike lines 15 and 16 and substitute:
10 "(a) ELIMINATE THE TIME AND EXPENSE OF TRANSPORTING
11 DEFENDANTS AND PRISONERS HELD IN JAILS, PRISONS, AND MENTAL
12 HEALTH FACILITIES TO AND FROM PROCEEDINGS AT WHICH THEIR PHYSICAL
13 PRESENCE IS NOT REQUIRED;
14 (b) FACILITATE JUDICIAL PROCEEDINGS IN DISTRICTS AND
15 MUNICIPALITIES WHERE COURT DOCKETS ARE OVERLY FULL; AND
16 (c) ALLOW EXPERT WITNESSES TO TESTIFY."
- 17 Strike page 3.
- 18 Page 4, strike lines 1 through 3.
- 19 Renumber succeeding subsections accordingly.
- 20 Page 4, line 15, strike "DIVISION" and substitute "STATE COURT
21 ADMINISTRATOR".
- 22 Page 4, line 16, after "SECTION." add "THE MUNICIPALITIES OF EACH
23 MUNICIPAL COURT, IF THEY CHOOSE TO PARTICIPATE IN THE TELEJUSTICE
24 PROGRAM AT THEIR DISCRETION, ARE RESPONSIBLE FOR THE COSTS OF
25 INSTALLING AND MAINTAINING SOFTWARE AND EQUIPMENT COMPATIBLE
26 WITH THE TELEPHONIC OR INTERNET-BASED SOFTWARE USED BY THE
27 COUNTY COURTS AND DISTRICT COURTS."
- 28 Page 4, line 17, strike "COUNTY COURTS" and substitute "MUNICIPAL
29 COURTS, COUNTY COURTS,".

- 1 Page 4, line 20, after "REQUIRED." add "HOWEVER, THE COURT RETAINS
2 COMPLETE DISCRETION OVER THE USE OF TECHNOLOGY DESCRIBED IN THIS
3 SECTION."
- 4 Page 4, after line 20 insert:
- 5 "(4) NOTHING IN THIS SECTION REQUIRES THE DIVISION OF YOUTH
6 SERVICES WITHIN THE DEPARTMENT OF HUMAN SERVICES TO UTILIZE THE
7 TELEJUSTICE PROGRAM."
- 8 Page 4, lines 23 and 24, strike "COUNTY JAILS" and substitute "JAILS,
9 PRISONS, AND MENTAL HEALTH FACILITIES".
- 10 Page 4, line 26, strike "REQUIRED AND" and substitute "REQUIRED,".
- 11 Page 4, strike line 27 and substitute "DISTRICTS AND MUNICIPALITIES
12 WHERE COURT DOCKETS ARE OVERLY FULL, AND TO ALLOW EXPERT
13 WITNESSES TO TESTIFY, EACH MUNICIPAL COURT, EACH COUNTY".
- 14 Page 5, strike lines 1 through 3 and substitute "COURT, AND EACH
15 DISTRICT COURT IN THE STATE IS ENCOURAGED TO UTILIZE THE
16 TELEJUSTICE PROGRAM ESTABLISHED WITHIN THE OFFICE OF THE STATE
17 COURT ADMINISTRATOR PURSUANT TO SECTION 13-3-117."
- 18 Page 5, line 6, strike "division of criminal justice" and substitute "state
19 court administrator".
- 20 Page 5, line 7, strike "24-33.5-521," and substitute "13-3-117,".
- 21 Page 5, strike lines 8 and 9 and substitute "NOVEMBER 1, 2018, THE
22 COMMISSION SHALL REPORT TO THE OFFICE OF THE STATE COURT
23 ADMINISTRATOR. THE REPORT".
- 24 Page 5, line 15, strike "24-33.5-521." and substitute "13-3-117,".
- 25 Page 6, strike line 1 and substitute "13-3-117,".

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