

HOUSE COMMITTEE OF REFERENCE REPORT

March 14, 2019

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Chair of Committee

\_\_\_\_\_  
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB19-1225 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 14, before "MUNICIPAL" insert  
2 "COMPARABLE".

3 Page 2, line 15, after "RELEASE." add "IF THE COMPARABLE MUNICIPAL  
4 OFFENSE IS A PROPERTY CRIME AND THE FACTUAL BASIS REFLECTS A  
5 VALUE OF LESS THAN FIFTY DOLLARS AND THE OFFENSE WOULD BE A  
6 PETTY OFFENSE UNDER STATE LAW, THIS SUBSECTION (2)(a) APPLIES."

7 Page 2, strike lines 16 through 20 and substitute:  
8 "(b) FOR A DEFENDANT CHARGED WITH A MUNICIPAL OFFENSE FOR  
9 WHICH THERE IS NO COMPARABLE STATE MISDEMEANOR OFFENSE, THE  
10 COURT SHALL NOT IMPOSE A MONETARY CONDITION OF RELEASE."

11 Page 3, strike lines 1 through 7.

12 Page 3, after line 23, insert:

13 "(e) THE PROVISIONS OF THIS SUBSECTION (2) DO NOT APPLY TO:  
14 (I) A TRAFFIC OFFENSE INVOLVING DEATH OR BODILY INJURY OR  
15 A MUNICIPAL OFFENSE WITH SUBSTANTIALLY SIMILAR ELEMENTS;  
16 (II) ELUDING OR ATTEMPTING TO ELUDE A POLICE OFFICER AS  
17 DESCRIBED IN SECTION 42-4-1413 OR A MUNICIPAL OFFENSE WITH  
18 SUBSTANTIALLY SIMILAR ELEMENTS;  
19 (III) OPERATING A VEHICLE AFTER CIRCUMVENTING AN INTERLOCK  
20 DEVICE AS DESCRIBED IN SECTION 42-2-132.5 (10) OR A MUNICIPAL

1 OFFENSE WITH SUBSTANTIALLY SIMILAR ELEMENTS; AND  
2 (IV) A MUNICIPAL OFFENSE THAT HAS SUBSTANTIALLY SIMILAR  
3 ELEMENTS TO A STATE MISDEMEANOR OFFENSE."

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