

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 19, 2021

Committee on Judiciary.

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

HB21-1314 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend page 4, line 20, strike "(3);" and substitute "(1)(m), (3), and
2 (6)(a);".

3 Page 4, line 21, strike "(1)(m), (1)(o), and (6)" and substitute "(1)(o)".

4 Page 4, line 25, strike "(H)" and substitute "(I)".

5 Page 5, strike lines 4 through 6 and substitute:

6 "(II) Been convicted of violating section 18-13-122 (3) or
7 44-3-901 (1)(c) or (1)(d) or any counterpart municipal charter or
8 ordinance offense to such sections AND HAVING FAILED TO COMPLETE AN
9 ALCOHOL EVALUATION OR ASSESSMENT, AN ALCOHOL EDUCATION
10 PROGRAM, OR AN ALCOHOL TREATMENT PROGRAM ORDERED BY THE
11 COURT IN CONNECTION WITH THE PRESENT CONVICTION, and has a
12 previous conviction for such offenses;"

13 Page 5, line strike lines 17 through 27 and substitute "in section 42-2-119
14 (2). Where a minor driver's license is revoked ~~under paragraph (m) of~~
15 ~~subsection (1)~~ PURSUANT TO SUBSECTION (1)(m) of this section, such
16 revocation ~~shall not~~ MAY run concurrently with any previous or
17 subsequent suspension, revocation, cancellation, or denial that is provided
18 for by law.

19 (6) (a) Any person who has a license revoked pursuant to
20 ~~paragraph (m) of subsection (1)~~ SUBSECTION (1)(m) of this section shall
21 be IS subject to the following revocation periods:

22 (I) ~~After a first conviction and failure to complete an ordered~~

1 ~~evaluation, assessment, or program, three months;~~
2 (II) After a second conviction AND FAILURE TO COMPLETE AN
3 ORDERED EVALUATION, ASSESSMENT, OR PROGRAM, six months;
4 (III) After any third or subsequent conviction AND FAILURE TO
5 COMPLETE AN ORDERED EVALUATION, ASSESSMENT, OR PROGRAM, one
6 year."

7 Page 6, strike lines 1 through 3.

8 Page 6, line 4, after "42-2-107," insert "**amend** (2)(b)(I) introductory
9 portion and (2)(b)(I)(A); and".

10 Page 6, after line 8, insert "**annual report - repeal.** (2) (b) (I) In addition
11 to the requirements of ~~paragraph (a) of this subsection (2)~~ SUBSECTION
12 (2)(a) OF THIS SECTION, an application ~~shall~~ MUST state that:

13 (A) The applicant understands that, as a resident of the state of
14 Colorado, any motor vehicle owned by the applicant must be registered
15 in Colorado pursuant to the laws of the state and the applicant may be
16 subject to criminal penalties, civil penalties, ~~cancellation or denial of the~~
17 ~~applicant's driver's license,~~ and liability for any unpaid registration fees
18 and specific ownership taxes if the applicant fails to comply with such
19 registration requirements; and".

20 Page 6, line 9, strike "**annual report - repeal.**".

21 Page 7, line 6, after "**repeal**" insert "(1.5)(c)(II) and".

22 Page 8, after line 1 insert:

23 "(1.5) (c) Every applicant for renewal of a driver's license by
24 electronic means shall submit the following to the department:

25 (II) ~~Payment of any penalty assessment, fine, cost, or forfeiture as~~
26 ~~prescribed by subsection (3) of this section.~~".

27 Page 16, after line 19 insert:

28 "**SECTION 14.** In Colorado Revised Statutes, 42-2-132, **add** (5)
29 as follows:

30 **42-2-132. Period of suspension or revocation.** (5) (a) IN
31 ADDITION TO ANY OTHER FEE IMPOSED PURSUANT TO THIS SECTION, A
32 PERSON WHOSE LICENSE OR PRIVILEGE TO DRIVE A MOTOR VEHICLE ON THE



1 PUBLIC HIGHWAYS HAS BEEN REVOKED BECAUSE OF A DUI, DUI PER SE,
2 DWAI, OR UDD CONVICTION SHALL PAY A FEE OF TWENTY-FIVE DOLLARS
3 TO THE DEPARTMENT PRIOR TO THE ISSUANCE TO THE PERSON OF A NEW
4 LICENSE OR THE RESTORATION OF THE LICENSE OR PRIVILEGE. THE
5 DEPARTMENT MAY WAIVE THE FEE UPON A SATISFACTORY SHOWING THAT
6 THE PERSON SUBJECT TO THE FEE IS INDIGENT.

7 (b) THE DEPARTMENT SHALL TRANSMIT THE FEE COLLECTED
8 PURSUANT TO THIS SUBSECTION (5) TO THE STATE TREASURER, WHO SHALL
9 CREDIT THE SAME TO THE FIRST TIME DRUNK DRIVING OFFENDER ACCOUNT
10 IN THE HIGHWAY USERS TAX FUND."

11 Renumber succeeding sections accordingly.

12 Page 18, after line 11 insert:

13 "SECTION 18. In Colorado Revised Statutes, 39-28.8-501, add
14 (4.7) as follows:

15 **39-28.8-501. Marijuana tax cash fund - creation - distribution**
16 **- legislative declaration - repeal.** (4.7) (a) ON JULY 31, 2021, AND ON
17 JULY 1 OF EACH YEAR THEREAFTER, THE STATE TREASURER SHALL MAKE
18 THE FOLLOWING TRANSFERS FROM THE FUND:

19 (I) SEVEN HUNDRED FIFTY-THREE THOUSAND DOLLARS TO THE
20 LICENSING SERVICES CASH FUND CREATED IN SECTION 42-2-114.5 FOR USE
21 BY THE HEARINGS DIVISION;

22 (II) SIX HUNDRED FORTY-EIGHT THOUSAND DOLLARS TO THE
23 LICENSING SERVICES CASH FUND CREATED IN SECTION 42-2-114.5 FOR USE
24 BY THE DIVISION OF MOTOR VEHICLES; AND

25 (III) THREE HUNDRED FIFTY THOUSAND DOLLARS TO THE JUDICIAL
26 DEPARTMENT FOR TRIAL COURT PROGRAMS ADMINISTERED BY THE
27 DEPARTMENT.

28 (b) (I) ON JULY 31, 2021, THE STATE TREASURER SHALL TRANSFER
29 TWO HUNDRED FIFTY THOUSAND TWO HUNDRED DOLLARS FROM THE FUND
30 TO THE COLORADO DRIVES VEHICLE SERVICES ACCOUNT IN THE
31 HIGHWAY USERS TAX FUND CREATED IN SECTION 42-1-211 FOR
32 PROGRAMMING THE COLORADO DRIVES SYSTEM.

33 (II) THIS SUBSECTION (4.7)(b) IS REPEALED, EFFECTIVE JUNE 30,
34 2022."

35 Renumber succeeding sections accordingly.

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