

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

February 15, 2023  
Date

Committee on Judiciary.

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

HB23-1151 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, after line 1 insert:

2           **"SECTION 1. Legislative declaration.** (1) The general  
3 assembly finds and declares that:

4           (a) It is the public policy of the state of Colorado to ensure  
5 consistent statewide access to basic due process in criminal proceedings,  
6 including bond setting;

7           (b) The general assembly passed House Bill 21-1280 to require  
8 that Coloradans receive an individualized bond hearing in front of a judge  
9 within forty-eight hours of arrest, and to end wide variations in prompt  
10 bond hearings across the state;

11           (c) Some judicial districts consistently follow the requirements of  
12 House Bill 21-1280, while others apply the provisions of House Bill  
13 21-1280 in only limited cases;

14           (d) This jurisdictional split causes continued inconsistencies in  
15 access to basic due process across the state and thwarts the legislative  
16 intent of House Bill 21-1280; and

17           (e) Inconsistency by Colorado courts in provision of basic due  
18 process is unfair and erodes public confidence in the court system.

19           (2)(a) Therefore, the general assembly enacts House Bill 23-1151  
20 to clarify and confirm the mandates of House Bill 21-1280; and

21           (b) Further urges the Colorado supreme court to adopt policies to  
22 ensure statewide uniformity in implementation of the requirements of  
23 House Bill 23-1151 and House Bill 21-1280."

24 Renumber succeeding sections accordingly.