

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 8, 2023
Date

Committee on Judiciary.

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

HB23-1199 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, lines 8 and 9, strike "EVIDENCE OBTAINED
2 FROM THEIR FORENSIC MEDICAL EVIDENCE EXAMINATIONS." and substitute
3 "THEIR SEXUAL ASSAULT EVIDENCE COLLECTION KIT".

- 4 Page 2, line 10, strike "DECEMBER 31, 2024." and substitute "JUNE 30,
5 2025".

- 6 Page 2, line 17, strike "EVIDENCE" and substitute "THEIR SEXUAL ASSAULT
7 EVIDENCE COLLECTION KIT".

- 8 Page 3, line 2, after "POSSESSION" insert "OF THE VICTIM'S SEXUAL
9 ASSAULT EVIDENCE COLLECTION KIT".

- 10 Page 3, line 3, strike "ANALYSIS;" and substitute "ANALYSIS OF THE
11 VICTIM'S SEXUAL ASSAULT EVIDENCE COLLECTION KIT;".

- 12 Page 3, strike line 4 and substitute:
13 "(E) EARLIEST ANTICIPATED DATE OF DESTRUCTION OF THE
14 EVIDENCE OBTAINED FROM THE VICTIM'S FORENSIC MEDICAL EVIDENCE
15 EXAMINATION."

- 16 Page 3, line 10, strike "EVIDENCE" and substitute "THE VICTIM'S SEXUAL
17 ASSAULT EVIDENCE COLLECTION KIT".

- 18 Page 3, strike line 12 and substitute:
19 "(C) EARLIEST ANTICIPATED DATE OF DESTRUCTION OF THE
20 EVIDENCE OBTAINED FROM THE VICTIM'S FORENSIC MEDICAL EVIDENCE
21 EXAMINATION."

- 1 Page 3, line 15, strike "NAVIGATING THE CRIMINAL JUSTICE SYSTEM;" and
2 substitute "FINANCIAL ASSISTANCE AND COMPENSATION PROGRAMS FOR
3 VICTIMS OF SEXUAL ASSAULT;".
- 4 Page 3, line 16, strike "INFORMATION;" and substitute "INFORMATION
5 CONCERNING VICTIMS OF AN ALLEGED SEXUAL ASSAULT;".
- 6 Page 5, strike line 16 and substitute "(1) and (2)(a); and **add** (2)(a.5), (4),
7 and (5) as follows:".
- 8 Page 5, strike lines 23 and 24 and substitute "assault that are not
9 otherwise covered pursuant to section 18-3-407.5 or any other victim
10 compensation program.".
- 11 Page 6, strike lines 1 through 4 and substitute "develop a policy for
12 administering the program. The policy must include a requirement to
13 establish a cap for the amount payable per victim based on actual and
14 reasonable costs and available funds, but the minimum cap must not be
15 less than one thousand dollars. The program must cover".
- 16 Page 6, line 11, strike "examination for a medical-reporting victim." and
17 substitute "examination. ~~for a medical-reporting victim.~~".
- 18 Page 6, after line 13 insert:
19 "(a.5) A LAW ENFORCEMENT AGENCY MUST REQUEST
20 REIMBURSEMENT TO HAVE COSTS COVERED THROUGH THE PROGRAM. THE
21 DIVISION OF CRIMINAL JUSTICE SHALL DEVELOP A POLICY, INCLUDING A
22 REQUIREMENT TO ESTABLISH A CAP, FOR THE AMOUNT PAYABLE TO A LAW
23 ENFORCEMENT AGENCY BASED ON ACTUAL AND REASONABLE COSTS AND
24 AVAILABLE FUNDS. THE PROGRAM MUST COVER COSTS ASSOCIATED WITH
25 REPORTING REQUIREMENTS PURSUANT TO SECTION 24-33.5-113.5.".
- 26 Page 6, strike lines 14 through 21.
- 27 Page 7, line 5, strike "DENIED," and substitute "DENIED AND REASONS FOR
28 DENIAL,".
- 29 Page 7, line 11, after "REIMBURSED" insert "AND DENIED".
- 30 Page 7, strike lines 25 through 27.
- 31 Page 8, strike lines 1 through 19.

- 1 Renumber succeeding section accordingly.
- 2 Strike "FORENSIC MEDICAL EVIDENCE EXAMINATIONS" and substitute
- 3 "SEXUAL ASSAULT EVIDENCE COLLECTION KITS" on: **Page 4**, lines 23, and
- 4 26 and 27; and **Page 5**, lines 1 and 2.

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