

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 10, 2024
Date

Committee on Finance.

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

HB24-1286 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend the Judiciary Committee Report dated, March 5, 2024, page 2,
2 strike line 26 and substitute "EQUAL JUSTICE AUTHORITY".
- 3 Page 2 of the report, line 33, after "COLLECTED" insert "ON CIVIL ACTIONS
4 AS SET FORTH IN SECTIONS 13-4-112 (3)(a), 13-32-101 (9)(a), AND
5 13-32-102 (7)(a)".
- 6 Page 2, strike lines 35 and 36.
- 7 Renumber succeeding subsection accordingly.
- 8 Page 3, line 6, strike "GOVERNMENT," and substitute "GOVERNMENT".
- 9 Page 3, strike lines 9 and 10 and substitute "DISTRIBUTING THE EQUAL
10 JUSTICE FEE PURSUANT TO SECTION 13-5.7-206 FOR THE PURPOSE OF
11 PROVIDING EQUAL ACCESS TO LEGAL AID SERVICES AND TO INCREASE
12 EFFICIENCY OF THE COURT SYSTEM FOR ALL COURT USERS."
- 13 Page 4, line 34, strike "**fund**".
- 14 Page 4, line 35, strike "**fund -**".
- 15 Page 5, line 7, strike "THE EXECUTIVE DIRECTOR OF".
- 16 Page 5, line 19 and 20, strike "THE EXECUTIVE DIRECTOR OF".
- 17 Page 5, after line 41, insert:

1 "(12) THE BOARD, BY RESOLUTION, SHALL ESTABLISH RULES TO
2 ENSURE MONEY RECEIVED FROM A GRANT IS USED FOR PURPOSES
3 SPECIFIED IN SECTION 13-5.7-206 AND TO ESTABLISH A FUNDING FORMULA
4 TO USE TO DETERMINE THE GRANT DISTRIBUTION AMOUNT FOR EACH
5 QUALIFIED CIVIL LEGAL AID PROVIDER."

6 Renumber succeeding subsections accordingly.

7 Page 6, after line 15, insert:

8 "(15) THE ATTORNEY GENERAL SHALL REPRESENT THE AUTHORITY
9 IN A CAUSE OF ACTION."

10 Page 6, strike lines 16 through 43.

11 Page 7, strike line 1 and substitute:

12 **"13-5.7-205. Imposition and collection of the equal justice fee.**

13 (1) BEGINNING JANUARY 1, 2025, THE AUTHORITY SHALL IMPOSE, AND
14 THE COURT SHALL COLLECT ON BEHALF OF THE AUTHORITY, AN EQUAL
15 JUSTICE FEE IN THE AMOUNT SPECIFIED IN SECTIONS 13-4-112 (3)(a),
16 13-32-101 (9)(a), AND 13-32-102 (7)(a) ON THE COURT FILINGS SPECIFIED
17 IN SECTIONS 13-4-112 (1)(a) AND (1)(b); 13-32-101 (1), EXCEPT FILINGS
18 IN SMALL CLAIMS COURT; AND 13-32-102 (1)(a), (1)(b), AND (1)(f). FOR
19 THE PURPOSE OF MINIMIZING COMPLIANCE COSTS FOR COURT USERS AND
20 ADMINISTRATIVE COSTS FOR THE AUTHORITY, THE COURT SHALL COLLECT
21 THE EQUAL JUSTICE FEE ON BEHALF OF THE AUTHORITY IN THE SAME
22 MANNER IN WHICH IT COLLECTS COURT FILING FEES IMPOSED BY SECTIONS
23 13-4-112, 13-32-101, AND 13-32-102; EXCEPT THAT THE COURT SHALL
24 NOT TRANSMIT THE COLLECTED EQUAL JUSTICE FEES TO THE STATE
25 TREASURER FOR DEPOSIT TO ANY STATE FUND BUT SHALL INSTEAD REMIT
26 THE FEES COLLECTED TO THE AUTHORITY IN ACCORDANCE WITH THE
27 PROCESS DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

28 (2) THE AUTHORITY SHALL MAINTAIN AN ACCOUNT IN A FINANCIAL
29 INSTITUTION TO WHICH ALL MONEY COLLECTED FOR THE EQUAL JUSTICE
30 FEE IS DEPOSITED. THE AUTHORITY SHALL WORK WITH THE JUDICIAL
31 DEPARTMENT TO DEVELOP A PROCESS THAT ENSURES THAT EACH COURT
32 IS ABLE TO PROMPTLY AND EFFICIENTLY DEPOSIT ALL EQUAL JUSTICE FEES
33 COLLECTED DIRECTLY TO THE ACCOUNT OR OTHERWISE PROMPTLY AND
34 EFFICIENTLY REMIT SUCH FEES TO THE AUTHORITY.

35 (3) EQUAL JUSTICE FEES COLLECTED AND REMITTED TO THE
36 AUTHORITY PURSUANT TO THIS SECTION ARE NOT STATE REVENUE."

1 Page 7, line 2, strike "funds." and substitute "equal justice fees -
2 purpose."

3 Page 7, line 4, strike "REVENUE" and substitute "MONEY" and strike
4 "EQUAL JUSTICE FUND," and substitute "AUTHORITY'S ACCOUNT AS
5 REQUIRED BY SECTION 13-5.7-205 (2),".

6 Page 7, line 10, strike "GRANT," and substitute "GRANT".

7 Page 7, after line 31 insert:

8 "(4) MONEY RECEIVED FROM A GRANT MUST BE USED FOR THE
9 FOLLOWING PURPOSES:

10 (a) TO PROVIDE ACCESS TO LEGAL REPRESENTATION TO INDIGENT
11 PERSONS BY PROVIDING ANNUAL GRANTS TO THE COLORADO RECIPIENT OF
12 A FEDERAL LEGAL SERVICES CORPORATION FIELD GRANT AND OTHER
13 QUALIFIED CIVIL LEGAL AID PROVIDERS PURSUANT TO THIS SECTION;

14 (b) TO INCREASE THE EFFICIENCY OF COLORADO COURTS FOR ALL
15 COURT USERS BY REDUCING SLOWDOWNS CAUSED BY
16 SELF-REPRESENTATION; AND

17 (c) TO PAY THE DIRECT AND INDIRECT COSTS OF ADMINISTERING
18 THE REQUIREMENTS OF THIS PART 2, INCLUDING PAYMENT FOR COSTS
19 ASSOCIATED WITH STAFFING THE AUTHORITY AND REIMBURSEMENT OF THE
20 ACTUAL AND NECESSARY EXPENSES OF BOARD MEMBERS AS REQUIRED BY
21 SECTION 13-5.7-204."

22 Page 7, line 36, strike "FUND." and substitute "EQUAL JUSTICE FEES."

23 Page 7, line 38, strike "THE FUND" and substitute "EQUAL JUSTICE FEES
24 AND DEPOSITED IN THE AUTHORITY'S ACCOUNT AS REQUIRED BY SECTION
25 13-5.7-205 (2)".

26 Page 7, line 42, strike "FUND" and substitute "COLLECTED EQUAL JUSTICE
27 FEES".

28 Page 7, line 43, strike "FUNDS LEFT" and substitute "MONEY RECEIVED
29 FROM THE COLLECTED EQUAL JUSTICE FEES THAT REMAINED".

30 Page 8, line 5, strike "AS A RESULT OF THE FUND." and substitute "FROM
31 THE COLORADO RECIPIENT OF A FEDERAL LEGAL SERVICES CORPORATION
32 FIELD GRANT AND OTHER QUALIFIED CIVIL LEGAL AID PROVIDERS THAT
33 RECEIVED MONEY FROM THE COLLECTED EQUAL JUSTICE FEES."

1 Page 8, strike lines 6 through 43.

2 Strike page 9.

3 Page 10, strike lines 1 through 19 and substitute:

4 "SECTION 3. In Colorado Revised Statutes, 13-4-112, **add** (3)
5 as follows:

6 **13-4-112. Fees of the clerk of court of appeals - equal justice**
7 **fee collection.** (3) (a) BEGINNING JANUARY 1, 2025, THE CLERK OF THE
8 COURT OF APPEALS SHALL COLLECT THE EQUAL JUSTICE FEE ON FILINGS
9 SPECIFIED IN SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION ON BEHALF
10 OF THE EQUAL JUSTICE AUTHORITY AND TRANSMIT THE EQUAL JUSTICE FEE
11 IN THE AMOUNT OF THIRTY DOLLARS IN THE MANNER SPECIFIED IN SECTION
12 13-5.7-205 (2).

13 (b) AN INDIVIDUAL WHOSE INCOME IS BELOW TWO HUNDRED FIFTY
14 PERCENT OF THE FEDERAL POVERTY LINE IS EXEMPT FROM PAYING THE
15 EQUAL JUSTICE FEE REQUIRED IN SUBSECTION (3)(a) OF THIS SECTION.

16 **SECTION 4.** In Colorado Revised Statutes, 13-32-101, **add** (9)
17 as follows:

18 **13-32-101. Docket fees in civil actions - judicial stabilization**
19 **cash fund - justice center cash fund - justice center maintenance fund**
20 **- equal justice fee collection - created - report - legislative declaration.**

21 (9) (a) BEGINNING JANUARY 1, 2025, THE COURT SHALL COLLECT THE
22 EQUAL JUSTICE FEE ON FILINGS SPECIFIED IN SUBSECTION (1) OF THIS
23 SECTION IN THE AMOUNT OF THIRTY DOLLARS ON CIVIL ACTIONS FILED IN
24 DISTRICT COURT AND TEN DOLLARS ON CIVIL ACTIONS FILED IN COUNTY
25 COURT, EXCEPT FOR FILINGS IN SMALL CLAIMS COURT, ON BEHALF OF THE
26 EQUAL JUSTICE AUTHORITY AND TRANSMIT THE EQUAL JUSTICE FEE IN THE
27 MANNER SPECIFIED IN SECTION 13-5.7-205 (2).

28 (b) AN INDIVIDUAL WHOSE INCOME IS BELOW TWO HUNDRED FIFTY
29 PERCENT OF THE FEDERAL POVERTY LINE IS EXEMPT FROM PAYING THE
30 EQUAL JUSTICE FEE REQUIRED IN SUBSECTION (9)(a) OF THIS SECTION.

31 **SECTION 5.** In Colorado Revised Statutes, 13-32-102, **add** (7)
32 as follows:

33 **13-32-102. Fees in probate proceedings - equal justice fee**
34 **collection.** (7) (a) BEGINNING JANUARY 1, 2025, THE COURT SHALL
35 COLLECT THE EQUAL JUSTICE FEE IN THE AMOUNT OF THIRTY DOLLARS ON
36 FILINGS SPECIFIED IN SUBSECTIONS (1)(a), (1)(b), AND (1)(f) OF THIS
37 SECTION ON BEHALF OF THE EQUAL JUSTICE AUTHORITY AND TRANSMIT
38 THE EQUAL JUSTICE FEE IN THE MANNER SPECIFIED IN SECTION 13-5.7-205
39 (2).

40 (b) AN INDIVIDUAL WHOSE INCOME IS BELOW TWO HUNDRED FIFTY

1 PERCENT OF THE FEDERAL POVERTY LINE IS EXEMPT FROM PAYING THE
2 EQUAL JUSTICE FEE REQUIRED IN SUBSECTION (7)(a) OF THIS SECTION."

3 Strike "FUND" on: **Page 2**, lines 29, 31, 33; **Page 3**, line 4; **Page 4**, line
4 36; and **Page 10**, line 29.

5 Strike "COMMISSION" and substitute "CONTRACTED ENTITY" on: **Page 6**,
6 lines 8, 11, 12, and 15.

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