

CHAPTER 42

CONSUMER & COMMERCIAL TRANSACTIONS

HOUSE BILL 18-1028

BY REPRESENTATIVE(S) Kraft-Tharp and Wist, Bridges, Gray, Herod, Kennedy, Lee, Lontine, Pettersen, Reyher, Roberts, Rosenthal, Salazar, Exum;
also SENATOR(S) Court and Tate, Aguilar, Fenberg, Fields, Gardner, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Todd, Williams A.

AN ACT

CONCERNING CLARIFICATION OF THE STANDARD REQUIRED FOR APPLICATIONS FOR A COURT ORDER TO REQUIRE COMPLIANCE WITH INVESTIGATIONS OF DECEPTIVE TRADE PRACTICES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 6-1-109, **amend** (1) introductory portion as follows:

6-1-109. Remedies. (1) If any person fails to cooperate with any investigation pursuant to section 6-1-107 or fails to obey any subpoena pursuant to section 6-1-108, the attorney general or a district attorney may apply to the appropriate district court for an appropriate order to effect the purposes of this ~~article~~ **ARTICLE 1**. The application shall state that there are reasonable grounds to believe that the order applied for is necessary to ~~terminate or prevent~~ **INVESTIGATE** a deceptive trade practice as defined in this ~~article~~ **ARTICLE 1**. If the court is satisfied that reasonable grounds exist, the court in its order may:

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 15, 2018

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.