

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0526.01 Jacob Baus x2173

HOUSE BILL 21-1078

HOUSE SPONSORSHIP

Sandridge,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MINIMUM MONETARY CONDITIONS FOR A BOND FOR**
102 **VIOLATION OF A PROTECTION ORDER.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the court, when determining the type of bond and conditions of release for a person arrested for violating a protection order, if it sets a bond with a monetary condition, to set the amount not less than:

- \$10,000 for the person's first arrest for violating a protection order; and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- \$25,000 for the person's second or subsequent arrest for violating a protection order.

The bill does not prohibit the court from determining the type of bond or non-monetary conditions of release to a person's bond.

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-4-113, **add** (3) as
3 follows:

4 **16-4-113. Type of bond in certain misdemeanor cases -**
5 **legislative declaration.** (3) (a) THE GENERAL ASSEMBLY FINDS THAT A
6 PROTECTED PERSON FOR WHOSE BENEFIT A PROTECTION ORDER IS ISSUED
7 IS ENTITLED TO THE GREATEST PERSONAL SECURITY AND PEACE OF MIND
8 THAT A PROTECTION ORDER CAN AFFORD. THE VIOLATION OF A
9 PROTECTION ORDER IS A THREAT TO THE PERSONAL SECURITY AND PEACE
10 OF MIND FOR THE PEOPLE OF COLORADO. THEREFORE, THE GENERAL
11 ASSEMBLY DECLARES THAT THE MEASURES OF THIS SUBSECTION (3) ARE
12 REASONABLY NECESSARY TO PROTECT THE SAFETY OF THE PROTECTED
13 PERSON WHILE ENSURING A PERSON'S RIGHT TO BAIL.

14 (b) WHEN DETERMINING THE TYPE OF BOND AND CONDITIONS OF
15 RELEASE PURSUANT TO THIS PART 1, FOR A PERSON ARRESTED FOR
16 VIOLATING A PROTECTION ORDER PURSUANT TO SECTION 18-6-803.5, IF
17 THE COURT SETS A BOND WITH A MONETARY CONDITION, THE AMOUNT
18 MUST BE NOT LESS THAN:

19 (I) TEN THOUSAND DOLLARS FOR THE PERSON'S FIRST ARREST FOR
20 VIOLATING A PROTECTION ORDER; AND

21 (II) TWENTY-FIVE THOUSAND DOLLARS FOR THE PERSON'S SECOND
22 OR SUBSEQUENT ARREST FOR VIOLATING A PROTECTION ORDER.

23 (c) NOTHING IN THIS SUBSECTION (3) PROHIBITS THE COURT FROM

1 DETERMINING THE TYPE OF BOND OR NON-MONETARY CONDITIONS OF
2 RELEASE TO THE PERSON'S BOND.

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