

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

INTRODUCED

LLS NO. 23-0642.01 Jed Franklin x5484

SENATE BILL 23-251

SENATE SPONSORSHIP

Roberts and Rich,

HOUSE SPONSORSHIP

Daugherty and Pugliese,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE ATTORNEY GENERAL**
102 **REPRESENT THE DEPARTMENT OF REVENUE IN ALL DRIVER'S**
103 **LICENSE AND STATE IDENTIFICATION CARD APPEALS.**

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>.)

Under existing law, upon request of the attorney general, a district attorney represents the department of revenue (department) in driver's license and identification card appeals. On and after 3 specified dates that are designated for 3 groups of judicial districts, the bill requires the attorney general to represent the department in such appeals. The attorney

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

general may appear for an appeals hearing by telephone, video teleconference, or any other court-authorized means of electronic participation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-135, **amend** (2)
3 as follows:

4 **42-2-135. Right to appeal.** (2) ~~The district attorney of the~~
5 ~~judicial district in which review is applied for pursuant to this section,~~
6 ~~upon request of the attorney general~~ FOR ACTIONS FILED ON OR AFTER
7 JANUARY 1, 2024, IN THE THIRD, FIFTH, SIXTH, SEVENTH, NINTH, TENTH,
8 ELEVENTH, TWELFTH, THIRTEENTH, FOURTEENTH, FIFTEENTH, SIXTEENTH,
9 TWENTY-FIRST, AND TWENTY-SECOND JUDICIAL DISTRICTS, ON OR AFTER
10 JULY 1, 2024, IN THE FIRST, SECOND, FOURTH, EIGHTH, SEVENTEENTH,
11 EIGHTEENTH, NINETEENTH, AND TWENTIETH JUDICIAL DISTRICTS, AND ON
12 OR AFTER JANUARY 1, 2025, IN THE TWENTY-THIRD JUDICIAL DISTRICT,
13 THE ATTORNEY GENERAL shall represent the department IN ALL ACTIONS
14 FOR JUDICIAL REVIEW FILED PURSUANT TO THIS SECTION. THE ATTORNEY
15 GENERAL IS PERMITTED TO APPEAR FOR A HEARING PURSUANT TO THIS
16 SECTION BY TELEPHONE, USE OF VIDEO TELECONFERENCING TECHNOLOGY,
17 OR ANY OTHER COURT AUTHORIZED MEANS OF ELECTRONIC
18 PARTICIPATION.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly; except
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V
23 of the state constitution against this act or an item, section, or part of this
24 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2024 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.