

CHAPTER 361

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 23-251

BY SENATOR(S) Roberts and Rich, Buckner, Coleman, Gonzales, Moreno, Pelton B., Priola, Simpson, Winter F.;
also REPRESENTATIVE(S) Daugherty and Pugliese, Armagost, Duran, Kipp, Snyder.

AN ACT

CONCERNING A REQUIREMENT THAT THE ATTORNEY GENERAL REPRESENT THE DEPARTMENT OF REVENUE IN ALL DRIVER'S LICENSE AND STATE IDENTIFICATION CARD APPEALS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

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

SECTION 2. Appropriation. (1) For the 2023-24 state fiscal year, \$47,583 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the purchase of legal services.

(2) For the 2023-24 state fiscal year, \$47,583 is appropriated to the department of law. This appropriation is from reappropriated funds received from the

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

department of revenue under subsection (1) of this section and is based on an assumption that the department of law will require an additional 0.3 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 5, 2023