

CHAPTER 43

COURTS

HOUSE BILL 24-1013

BY REPRESENTATIVE(S) Hartsook and Lukens, Amabile, Armagost, Bird, Bradley, Brown, Daugherty, Duran, Evans, Frizell, Froelich, Garcia, Hamrick, Herod, Jodeh, Joseph, Lindsay, Lynch, Marshall, Martinez, Sirota, Snyder, Story, Taggart, Titone, Valdez, Weinberg, Weissman, Willford, Woodrow, Young, McCluskie;
also SENATOR(S) Pelton R. and Bridges, Baisley, Gardner, Hansen, Lundeen, Mullica, Priola, Smallwood, Van Winkle, Will, Winter F.

AN ACT**CONCERNING VICTIM PROGRAMS IN THE NEW TWENTY-THIRD JUDICIAL DISTRICT.**

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

SECTION 1. In Colorado Revised Statutes, 24-4.1-103, **add** (4) as follows:

24-4.1-103. Crime victim compensation board - created. (4) (a) EFFECTIVE NOVEMBER 1, 2024, A CRIME VICTIM COMPENSATION BOARD FOR THE TWENTY-THIRD JUDICIAL DISTRICT IS CREATED. THE DISTRICT ATTORNEY FOR THE EIGHTEENTH JUDICIAL DISTRICT SHALL APPOINT THE INITIAL BOARD OF THREE MEMBERS, EACH OF WHOM MUST BE RESIDENTS OF DOUGLAS, ELBERT, OR LINCOLN COUNTIES. THE DISTRICT ATTORNEY FOR THE EIGHTEENTH JUDICIAL DISTRICT SHALL DESIGNATE ONE OF THE MEMBERS AS THE INITIAL CHAIR. AFTER JANUARY 7, 2025, THE DISTRICT ATTORNEY FOR THE TWENTY-THIRD JUDICIAL DISTRICT SHALL APPOINT BOARD MEMBERS FOR THAT JUDICIAL DISTRICT, INCLUDING ANY VACANCIES. TO THE EXTENT POSSIBLE, MEMBERS MUST FAIRLY REFLECT THE POPULATION OF THE TWENTY-THIRD JUDICIAL DISTRICT.

(b) FOR THE INITIAL BOARD, THE TERM OF OFFICE OF EACH MEMBER OF THE TWENTY-THIRD JUDICIAL DISTRICT BOARD IS FOURTEEN MONTHS. THEREAFTER, THE TERM IS THREE YEARS; EXCEPT THAT, OF THOSE MEMBERS FIRST APPOINTED BY THE TWENTY-THIRD JUDICIAL DISTRICT ATTORNEY, THE DISTRICT ATTORNEY SHALL APPOINT ONE FOR A THREE-YEAR TERM, ONE FOR A TWO-YEAR TERM, AND ONE FOR A ONE-YEAR TERM. ALL OTHER TERMS AND VACANCIES MUST BE CONSISTENT WITH SUBSECTION (2) OF THIS SECTION.

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.

(c) THE CRIME VICTIM COMPENSATION BOARD FOR THE TWENTY-THIRD JUDICIAL DISTRICT SHALL BEGIN AWARDING COMPENSATION TO VICTIMS OF CRIMES ON OR AFTER JANUARY 7, 2025.

SECTION 2. In Colorado Revised Statutes, **amend** 24-4.1-104 as follows:

24-4.1-104. District attorney to assist board - repeal. (1) The district attorney and ~~his~~ THE DISTRICT ATTORNEY'S legal and administrative staff shall assist the board in the performance of its duties pursuant to this part 1.

(2)(a) THE DISTRICT ATTORNEY FOR THE EIGHTEENTH JUDICIAL DISTRICT AND THE DISTRICT ATTORNEY'S LEGAL AND ADMINISTRATIVE STAFF SHALL ASSIST THE CRIME VICTIM COMPENSATION BOARD FOR THE TWENTY-THIRD JUDICIAL DISTRICT IN THE ESTABLISHMENT OF PROCEDURES FOR PERFORMANCE OF ITS DUTIES PURSUANT TO THIS PART 1 UNTIL THE DISTRICT ATTORNEY FOR THE TWENTY-THIRD JUDICIAL DISTRICT ASSUMES OFFICE.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 3. In Colorado Revised Statutes, 24-4.1-117, **add** (1.3) as follows:

24-4.1-117. Fund created - control of fund. (1.3) THE CRIME VICTIM COMPENSATION FUND FOR THE TWENTY-THIRD JUDICIAL DISTRICT IS ESTABLISHED IN THE OFFICE OF THE COURT ADMINISTRATOR FOR DOUGLAS, ELBERT, AND LINCOLN COUNTIES. THE FUND CONSISTS OF ANY MONEY DUE THE TWENTY-THIRD JUDICIAL DISTRICT PURSUANT TO SUBSECTION (2) OF THIS SECTION ON AND AFTER JANUARY 7, 2025. THE JUDICIAL DEPARTMENT SHALL COORDINATE WITH THE CRIME VICTIM COMPENSATION BOARD FOR THE EIGHTEENTH JUDICIAL DISTRICT TO CREDIT MONEY PAID AS COSTS OR SURCHARGES LEVIED ON CRIMINAL ACTIONS IN DOUGLAS, ELBERT, AND LINCOLN COUNTIES ON AND AFTER APRIL 1, 2024, TO THE FUND FOR USE BY THE TWENTY-THIRD JUDICIAL DISTRICT, FROM THE MONEY COLLECTED PURSUANT TO SUBSECTION (2) OF THIS SECTION ON OR AFTER APRIL 1, 2024, IN DOUGLAS, ELBERT AND LINCOLN COUNTIES.

SECTION 4. In Colorado Revised Statutes, 24-4.1-117.3, **add** (3)(a.5) as follows:

24-4.1-117.3. Crime victim services advisory board - creation - duties - repeal. (3) The advisory board's powers and duties include, but are not limited to, the following:

(a.5) (I) TO PROVIDE CURRENT STANDARDS FOR THE CRIME VICTIM COMPENSATION FUND FOR THE TWENTY-THIRD JUDICIAL DISTRICT, ESTABLISHED IN SECTION 24-4.1-117 (1.3), TO PREPARE THE CRIME VICTIM COMPENSATION BOARD FOR THE TWENTY-THIRD JUDICIAL DISTRICT TO AWARD COMPENSATION PURSUANT TO THIS PART 1.

(II) THIS SUBSECTION (3)(a.5) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 5. In Colorado Revised Statutes, **amend** 24-4.1-118 as follows:

24-4.1-118. Court administrator custodian of fund - disbursements - repeal.

(1) The court administrator of each judicial district ~~shall be~~ is the custodian of the fund, and THE COURT ADMINISTRATOR SHALL PAY all disbursements from the fund ~~shall be paid by him~~ upon written authorization of the board or the court.

(2) (a) UNTIL A JUDICIAL DISTRICT COURT ADMINISTRATOR FOR THE TWENTY-THIRD JUDICIAL DISTRICT IS APPOINTED, THE COURT ADMINISTRATOR FOR DOUGLAS, ELBERT, AND LINCOLN COUNTIES SHALL ASSUME THE DUTIES DESCRIBED IN SUBSECTION (1) OF THIS SECTION AND SECTION 24-4.1-117.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 6. In Colorado Revised Statutes, 24-4.2-101, **add** (1.5) as follows:

24-4.2-101. Victims and witnesses assistance and law enforcement board - creation. (1.5) EFFECTIVE NOVEMBER 1, 2024, A VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT BOARD FOR THE TWENTY-THIRD JUDICIAL DISTRICT IS CREATED. THE TWENTY-THIRD JUDICIAL DISTRICT ADMINISTRATIVE JUDGE SHALL APPOINT THE INITIAL BOARD FOR THE TWENTY-THIRD JUDICIAL DISTRICT PURSUANT TO SUBSECTIONS (1) TO (3) OF THIS SECTION. EFFECTIVE JANUARY 7, 2025, THE CHIEF JUDGE OF THE TWENTY-THIRD JUDICIAL DISTRICT HAS ALL APPOINTMENT AUTHORITIES AND DUTIES PURSUANT TO THIS SECTION.

SECTION 7. In Colorado Revised Statutes, 24-4.2-103, **add** (1.3) as follows:

24-4.2-103. Victims and witnesses assistance and law enforcement fund - control of fund. (1.3) THE VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT FUND FOR THE TWENTY-THIRD JUDICIAL DISTRICT IS ESTABLISHED IN THE OFFICE OF THE COURT ADMINISTRATOR FOR DOUGLAS, ELBERT, AND LINCOLN COUNTIES. THE JUDICIAL DEPARTMENT SHALL COORDINATE WITH THE BOARD OF THE EIGHTEENTH JUDICIAL DISTRICT TO CREDIT MONEY RELATED TO DOUGLAS, ELBERT, AND LINCOLN COUNTIES ON AND AFTER APRIL 1, 2024, TO THE FUND FOR USE BY THE TWENTY-THIRD JUDICIAL DISTRICT FROM SURCHARGES COLLECTED ON OR AFTER APRIL 1, 2024, IN DOUGLAS, ELBERT, AND LINCOLN COUNTIES. MONEY FOR USE BY THE TWENTY-THIRD JUDICIAL DISTRICT VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT BOARD MUST BE FORWARDED TO THE COURT ADMINISTRATOR AND DEPOSITED INTO THE FUND. THE FUND CONSISTS OF ALL MONEY COLLECTED AS A SURCHARGE ON AND AFTER APRIL 1, 2024, AS PROVIDED IN SECTION 24-4.2-104; MONEY PAID PURSUANT TO SECTION 17-27-104 (4)(b)(IV); MONEY TRANSFERRED FROM THE MARIJUANA TAX FUND PURSUANT TO SECTION 39-28.8-501 (4.9)(c); AND ANY OTHER MONEY THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE COURT ADMINISTRATOR FOR THE TWENTY-THIRD JUDICIAL DISTRICT SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION.

SECTION 8. In Colorado Revised Statutes, 24-4.2-105, **add** (6.5) as follows:

24-4.2-105. Allocation of money from fund - application for grants - disbursements - repeal. (6.5) (a) THE VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT BOARD FOR THE EIGHTEENTH JUDICIAL DISTRICT, IN CONSULTATION WITH THE DISTRICT ATTORNEY FOR THE EIGHTEENTH JUDICIAL DISTRICT AND THE INTERIM CHIEF JUDGE FOR DOUGLAS, ELBERT, AND LINCOLN

COUNTIES, HAS THE AUTHORITY TO CONTRACT FOR SERVICES CONSISTENT WITH THIS SECTION ON BEHALF OF THE BOARD FOR THE TWENTY-THIRD JUDICIAL DISTRICT FOR SERVICES AND GRANT APPLICATIONS TO BE PROVIDED FROM JULY 1, 2024, THROUGH JUNE 30, 2025. THE EIGHTEENTH JUDICIAL DISTRICT VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT BOARD SHALL REPORT TO THE DEPARTMENT OF PUBLIC SAFETY CONCERNING GRANTS APPLIED FOR AND SERVICES CONTRACTED FOR ON BEHALF OF THE TWENTY-THIRD JUDICIAL DISTRICT PURSUANT TO SECTION 24-4.2-108 (1).

(b) THIS SUBSECTION (6.5) IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 9. In Colorado Revised Statutes, 39-28.8-501, **amend** (4.9)(b) and (4.9)(c) as follows:

39-28.8-501. Marijuana tax cash fund - creation - distribution - legislative declaration - repeal. (4.9) (b) (I) The state court administrator shall distribute the money transferred pursuant to subsection (4.9)(a)(II) of this section to the crime victim compensation fund in each judicial district in proportion to each district's percentage of total statewide surcharges collected pursuant to section 24-4.1-117 (2) for the three-year fiscal year period beginning July 1, 2016. The state court administrator shall not retain any money transferred pursuant to subsection (4.9)(a)(II) of this section for its administrative costs associated with making the distribution.

(II) NOTWITHSTANDING SUBSECTION (4.9)(b)(I) OF THIS SECTION, ON AND AFTER JULY 1, 2024, THE STATE COURT ADMINISTRATOR SHALL DISTRIBUTE THE MONEY TRANSFERRED PURSUANT TO SUBSECTION (4.9)(a)(II) OF THIS SECTION:

(A) TO THE EIGHTEENTH JUDICIAL DISTRICT CRIME VICTIM COMPENSATION FUND IN PROPORTION TO THE TOTAL SURCHARGES COLLECTED IN ARAPAHOE COUNTY FOR THE THREE-YEAR FISCAL YEAR PERIOD BEGINNING JULY 1, 2016; AND

(B) TO THE TWENTY-THIRD JUDICIAL DISTRICT CRIME VICTIM COMPENSATION FUND IN PROPORTION TO THE TOTAL SURCHARGES COLLECTED IN DOUGLAS, ELBERT, AND LINCOLN COUNTIES FOR THE THREE-YEAR FISCAL YEAR PERIOD BEGINNING JULY 1, 2016.

(c) (I) The state court administrator shall distribute the money transferred pursuant to subsection (4.9)(a)(III) of this section to the victims and witnesses assistance and law enforcement fund in each judicial district in proportion to each district's percentage of total statewide surcharges collected pursuant to section 24-4.2-103 (1) for the three-year fiscal year period beginning July 1, 2016. The state court administrator shall not retain any money transferred pursuant to subsection (4.9)(a)(III) of this section for its administrative costs associated with making the distribution.

(II) NOTWITHSTANDING SUBSECTION (4.9)(c)(I) OF THIS SECTION, ON AND AFTER JULY 1, 2024, THE STATE COURT ADMINISTRATOR SHALL DISTRIBUTE THE MONEY TRANSFERRED PURSUANT TO SUBSECTION (4.9)(a)(III) OF THIS SECTION:

(A) TO THE EIGHTEENTH JUDICIAL DISTRICT VICTIMS AND WITNESSES ASSISTANCE

AND LAW ENFORCEMENT FUND IN PROPORTION TO THE TOTAL SURCHARGES COLLECTED IN ARAPAHOE COUNTY FOR THE THREE-YEAR FISCAL YEAR PERIOD BEGINNING JULY 1, 2016; AND

(B) TO THE TWENTY-THIRD JUDICIAL DISTRICT VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT FUND IN PROPORTION TO THE TOTAL SURCHARGES COLLECTED IN DOUGLAS, ELBERT, AND LINCOLN COUNTIES FOR THE THREE-YEAR FISCAL YEAR PERIOD BEGINNING JULY 1, 2016.

SECTION 10. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: April 4, 2024