

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 19-0729.01 Jerry Barry x4341

SENATE BILL 19-043

SENATE SPONSORSHIP

Lee and Gardner, Cooke, Court, Fields, Garcia, Hill, Hisey, Holbert, Lundeen, Marble, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Woodward

HOUSE SPONSORSHIP

Herod and Carver, Weissman, Arndt

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE IN THE NUMBER OF DISTRICT COURT**
102 **JUDGES IN CERTAIN JUDICIAL DISTRICTS, AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

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 increases by one the number of district court judges in the first, eighth, tenth, thirteenth, seventeenth, eighteenth, and twenty-first judicial districts; by 2 in the fourth and nineteenth judicial districts; and by 4 in the second judicial district.

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.

HOUSE
Amended 2nd Reading
February 27, 2019

SENATE
3rd Reading Unamended
February 7, 2019

SENATE
Amended 2nd Reading
February 6, 2019

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-5-102, **add** (2)(g)
3 as follows:

4 **13-5-102. First district.** (2) (g) SUBJECT TO AVAILABLE
5 APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES
6 FOR THE FIRST JUDICIAL DISTRICT IS FOURTEEN.

7 **SECTION 2.** In Colorado Revised Statutes, 13-5-103, **add** (2)(d)
8 and (2)(e) as follows:

9 **13-5-103. Second district.** (2) (d) SUBJECT TO AVAILABLE
10 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
11 THE SECOND JUDICIAL DISTRICT IS TWENTY-FIVE.

12 (e) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY
13 1, 2020, THE NUMBER OF JUDGES FOR THE SECOND JUDICIAL DISTRICT IS
14 TWENTY-SEVEN.

15 **SECTION 3.** In Colorado Revised Statutes, 13-5-105, **add** (2)(g)
16 and (2)(h) as follows:

17 **13-5-105. Fourth district.** (2) (g) SUBJECT TO AVAILABLE
18 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
19 THE FOURTH JUDICIAL DISTRICT IS TWENTY-THREE.

20 (h) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY
21 1, 2020, THE NUMBER OF JUDGES FOR THE FOURTH JUDICIAL DISTRICT IS
22 TWENTY-FOUR.

23 **SECTION 4.** In Colorado Revised Statutes, 13-5-109, **add** (2)(e)
24 as follows:

25 **13-5-109. Eighth district.** (2) (e) SUBJECT TO AVAILABLE
26 APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES

1 FOR THE EIGHTH JUDICIAL DISTRICT IS NINE.

2 **SECTION 5.** In Colorado Revised Statutes, 13-5-111, **add (2)(c)**
3 as follows:

4 **13-5-111. Tenth district.** (2) (c) SUBJECT TO AVAILABLE
5 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
6 THE TENTH JUDICIAL DISTRICT IS EIGHT.

7 **SECTION 6.** In Colorado Revised Statutes, 13-5-114, **amend (2)**
8 as follows:

9 **13-5-114. Thirteenth district.** (2) (a) The number of judges for
10 the thirteenth judicial district shall be four.

11 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JULY 1,
12 2019, THE NUMBER OF JUDGES FOR THE THIRTEENTH JUDICIAL DISTRICT IS
13 FIVE.

14 **SECTION 7.** In Colorado Revised Statutes, 13-5-118, **add (2)(g)**
15 as follows:

16 **13-5-118. Seventeenth district.** (2) (g) SUBJECT TO AVAILABLE
17 APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER OF JUDGES
18 FOR THE SEVENTEENTH JUDICIAL DISTRICT IS SIXTEEN.

19 **SECTION 8.** In Colorado Revised Statutes, 13-5-119, **add**
20 **(2)(d)(VI)** as follows:

21 **13-5-119. Eighteenth district.** (2) (d) (VI) SUBJECT TO
22 AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY 1, 2020, THE NUMBER
23 OF JUDGES FOR THE EIGHTEENTH JUDICIAL DISTRICT IS TWENTY-FOUR.

24 **SECTION 9.** In Colorado Revised Statutes, 13-5-120, **add (2)(g)**
25 **and (2)(h)** as follows:

26 **13-5-120. Nineteenth district.** (2) (g) SUBJECT TO AVAILABLE
27 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR

1 THE NINETEENTH JUDICIAL DISTRICT IS TEN.

2 (h) SUBJECT TO AVAILABLE APPROPRIATIONS, EFFECTIVE JANUARY
3 1, 2020, THE NUMBER OF JUDGES FOR THE NINETEENTH JUDICIAL DISTRICT
4 IS ELEVEN.

5 **SECTION 10.** In Colorado Revised Statutes, 13-5-122, **add**
6 (2)(c) as follows:

7 **13-5-122. Twenty-first district.** (2) (c) SUBJECT TO AVAILABLE
8 APPROPRIATIONS, EFFECTIVE JULY 1, 2019, THE NUMBER OF JUDGES FOR
9 THE TWENTY-FIRST JUDICIAL DISTRICT IS SIX.

10 **SECTION 11.** In Colorado Revised Statutes, 13-3-101, **add** (11)
11 and (12) as follows:

12 **13-3-101. State court administrator - report - repeal.**

13 (11) (a) THERE IS CREATED IN THE OFFICE OF THE STATE COURT
14 ADMINISTRATOR A POSITION RESPONSIBLE FOR EDUCATION AND OUTREACH
15 REGARDING JUDICIAL OFFICE VACANCIES. THE POSITION SHALL CREATE
16 AND DELIVER EDUCATIONAL PROGRAMMING FOR ATTORNEYS AND LAW
17 STUDENTS REGARDING JUDICIAL VACANCIES AND THE APPLICATION
18 PROCESS.

19 (b) (I) THE POSITION SHALL REPORT ON OR BEFORE OCTOBER 1,
20 2020 AND ON OR BEFORE OCTOBER 1 EACH YEAR THEREAFTER THROUGH
21 2030, TO THE CHIEF JUSTICE OF THE SUPREME COURT AND THE JUDICIARY
22 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY
23 SUCCESSOR COMMITTEE, CONCERNING THE BACKGROUND, PROFESSIONAL
24 HISTORY, AND QUALIFICATIONS OF JUDICIAL OFFICERS IN THE STATE.
25 NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I),
26 THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SECTION
27 CONTINUES UNTIL THE REPEAL OF THIS SUBSECTION (11)(b) PURSUANT TO

1 SUBSECTION (11)(b)(II) OF THIS SECTION.

2 (II) THIS SUBSECTION (11)(b) IS REPEALED, EFFECTIVE JANUARY
3 1, 2031.

4 (12) (a) ON OR BEFORE NOVEMBER 1, 2019, AND ON OR BEFORE
5 EACH NOVEMBER 1 THEREAFTER, THE STATE COURT ADMINISTRATOR
6 SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE OF THE
7 GENERAL ASSEMBLY AND THE JUDICIARY COMMITTEES OF THE HOUSE OF
8 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON
9 CASE MANAGEMENT STATISTICS FOR THE PRIOR STATE FISCAL YEAR THAT
10 INCLUDES:

11 (I) THE TOTAL NUMBER AND TYPES OF:

12 (A) NEW DISTRICT COURT CASES ASSIGNED;

13 (B) DISTRICT COURT CASES RESOLVED; AND

14 (C) DISTRICT COURT CASES REMAINING ON THE DOCKET; AND

15 (II) FOR EACH JUDICIAL DISTRICT AND EACH DISTRICT COURT
16 JUDGE THE TOTAL NUMBER AND TYPES OF:

17 (A) NEW DISTRICT COURT CASES ASSIGNED;

18 (B) DISTRICT COURT CASES RESOLVED; AND

19 (C) DISTRICT COURT CASES REMAINING ON THE DOCKET.

20 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
21 REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN SUBSECTION (12)(a)
22 OF THIS SECTION CONTINUES INDEFINITELY.

23 **SECTION 12. Appropriation.** For the 2019-20 state fiscal year,
24 \$7,417,731 is appropriated to the judicial department. This appropriation
25 is from the general fund and is based on an assumption that the
26 department will require an additional 53.7 FTE. To implement this act,
27 the department may use this appropriation as follows:

1	Courts administration, administration	
2	and technology	
3	General courts administration	\$110,873 (0.9 FTE)
4	Courts administration, central appropriations	
5	Health, life, and dental	\$314,702
6	Short-term disability	\$2,886
7	S.B. 04-257 amortization equalization disbursement	\$136,758
8	S.B. 06-235 supplemental amortization	
9	equalization disbursement	\$136,758
10	Courts administration, centrally-administered programs	
11	Courthouse furnishings and infrastructure	
12	maintenance	\$1,671,645
13	Trial courts	
14	Trial court programs	\$3,697,132 (38.8 FTE)
15	Office of the state public defender	
16	Personal services	\$847,159 (14.0 FTE)
17	Health, life, and dental	\$137,858
18	Short-term disability	\$1,438
19	S.B. 04-257 amortization equalization disbursement	\$37,871
20	S.B. 06-235 supplemental amortization equalization	
21	disbursement	\$37,871
22	Operating expenses	\$13,300
23	Capital outlay	\$94,360
24	Leased space and utilities	\$174,840
25	Attorney registration	\$2,280.
26	SECTION 13. Safety clause. The general assembly hereby finds,	

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.