

HB1286_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB24-1286 be amended as follows:

- 1 Amend the Judiciary Committee Report dated, March 5, 2024, page 2,
2 strike line 26 and substitute "EQUAL JUSTICE AUTHORITY".
- 3 Page 2, strike lines 35 and 36.
- 4 Renumber succeeding subsection accordingly.
- 5 Page 3, line 6, strike "GOVERNMENT," and substitute "GOVERNMENT".
- 6 Page 3, strike lines 9 and 10 and substitute "DISTRIBUTING THE EQUAL
7 JUSTICE FEE PURSUANT TO SECTION 13-5.7-206 FOR THE PURPOSE OF
8 PROVIDING EQUAL ACCESS TO LEGAL AID SERVICES AND TO INCREASE
9 EFFICIENCY OF THE COURT SYSTEM FOR ALL COURT USERS."
- 10 Page 4, line 34, strike "**fund**".
- 11 Page 4, line 35, strike "**fund -**".
- 12 Page 5, line 7, strike "THE EXECUTIVE DIRECTOR OF".
- 13 Page 5, line 19 and 20, strike "THE EXECUTIVE DIRECTOR OF".
- 14 Page 5, after line 41, insert:
15 "(12) THE BOARD, BY RESOLUTION, SHALL ESTABLISH RULES TO
16 ENSURE MONEY RECEIVED FROM A GRANT IS USED FOR PURPOSES
17 SPECIFIED IN SECTION 13-5.7-206 AND TO ESTABLISH A FUNDING FORMULA
18 TO USE TO DETERMINE THE GRANT DISTRIBUTION AMOUNT FOR EACH
19 QUALIFIED CIVIL LEGAL AID PROVIDER."
- 20 Renumber succeeding subsections accordingly.
- 21 Page 6, after line 15, insert:
22 "(15) THE ATTORNEY GENERAL SHALL REPRESENT THE AUTHORITY
23 IN A CAUSE OF ACTION."
- 24 Page 6, strike lines 16 through 43.
- 25 Page 7, strike line 1 and substitute:

1 **"13-5.7-205. Imposition and collection of the equal justice fee.**

2 (1) BEGINNING JANUARY 1, 2025, THE AUTHORITY SHALL IMPOSE, AND
3 THE COURT SHALL COLLECT ON BEHALF OF THE AUTHORITY, AN EQUAL
4 JUSTICE FEE IN THE AMOUNT OF TWENTY DOLLARS ON THE COURT FILINGS
5 SPECIFIED IN SECTIONS 13-4-112 (1)(a) AND (1)(b); 13-32-101 (1), EXCEPT
6 FILINGS IN SMALL CLAIMS COURT; AND 13-32-102 (1)(a), (1)(b), AND
7 (1)(f). FOR THE PURPOSE OF MINIMIZING COMPLIANCE COSTS FOR COURT
8 USERS AND ADMINISTRATIVE COSTS FOR THE AUTHORITY, THE COURT
9 SHALL COLLECT THE EQUAL JUSTICE FEE ON BEHALF OF THE AUTHORITY IN
10 THE SAME MANNER IN WHICH IT COLLECTS COURT FILING FEES IMPOSED BY
11 SECTIONS 13-4-112, 13-32-101, AND 13-32-102; EXCEPT THAT THE COURT
12 SHALL NOT TRANSMIT THE COLLECTED EQUAL JUSTICE FEES TO THE STATE
13 TREASURER FOR DEPOSIT TO ANY STATE FUND BUT SHALL INSTEAD REMIT
14 THE FEES COLLECTED TO THE AUTHORITY IN ACCORDANCE WITH THE
15 PROCESS DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION.

16 (2) THE AUTHORITY SHALL MAINTAIN AN ACCOUNT IN A FINANCIAL
17 INSTITUTION TO WHICH ALL MONEY COLLECTED FOR THE EQUAL JUSTICE
18 FEE IS DEPOSITED. THE AUTHORITY SHALL WORK WITH THE JUDICIAL
19 DEPARTMENT TO DEVELOP A PROCESS THAT ENSURES THAT EACH COURT
20 IS ABLE TO PROMPTLY AND EFFICIENTLY DEPOSIT ALL EQUAL JUSTICE FEES
21 COLLECTED DIRECTLY TO THE ACCOUNT OR OTHERWISE PROMPTLY AND
22 EFFICIENTLY REMIT SUCH FEES TO THE AUTHORITY.

23 (3) EQUAL JUSTICE FEES COLLECTED AND REMITTED TO THE
24 AUTHORITY PURSUANT TO THIS SECTION ARE NOT STATE REVENUE."

25 Page 7, line 2, strike "**funds.**" and substitute "**equal justice fees -**
26 **purpose.**".

27 Page 7, line 4, strike "REVENUE" and substitute "MONEY" and strike
28 "EQUAL JUSTICE FUND," and substitute "AUTHORITY'S ACCOUNT AS
29 REQUIRED BY SECTION 13-5.7-205 (2),".

30 Page 7, line 10, strike "GRANT," and substitute "GRANT".

31 Page 7, after line 31 insert:

32 "(4) MONEY RECEIVED FROM A GRANT MUST BE USED FOR THE
33 FOLLOWING PURPOSES:

34 (a) TO PROVIDE ACCESS TO LEGAL REPRESENTATION TO INDIGENT
35 PERSONS BY PROVIDING ANNUAL GRANTS TO THE COLORADO RECIPIENT OF
36 A FEDERAL LEGAL SERVICES CORPORATION FIELD GRANT AND OTHER
37 QUALIFIED CIVIL LEGAL AID PROVIDERS PURSUANT TO THIS SECTION;

38 (b) TO INCREASE THE EFFICIENCY OF COLORADO COURTS FOR ALL

1 COURT USERS BY REDUCING SLOWDOWNS CAUSED BY
2 SELF-REPRESENTATION; AND

3 (c) TO PAY THE DIRECT AND INDIRECT COSTS OF ADMINISTERING
4 THE REQUIREMENTS OF THIS PART 2, INCLUDING PAYMENT FOR COSTS
5 ASSOCIATED WITH STAFFING THE AUTHORITY AND REIMBURSEMENT OF THE
6 ACTUAL AND NECESSARY EXPENSES OF BOARD MEMBERS AS REQUIRED BY
7 SECTION 13-5.7-204."

8 Page 7, line 36, strike "FUND." and substitute "EQUAL JUSTICE FEES."

9 Page 7, line 38, strike "THE FUND" and substitute "EQUAL JUSTICE FEES
10 AND DEPOSITED IN THE AUTHORITY'S ACCOUNT AS REQUIRED BY SECTION
11 13-5.7-205 (2)".

12 Page 7, line 42, strike "FUND" and substitute "COLLECTED EQUAL JUSTICE
13 FEES".

14 Page 7, line 43, strike "FUNDS LEFT" and substitute "MONEY RECEIVED
15 FROM THE COLLECTED EQUAL JUSTICE FEES THAT REMAINED".

16 Page 8, line 5, strike "AS A RESULT OF THE FUND." and substitute "FROM
17 THE COLORADO RECIPIENT OF A FEDERAL LEGAL SERVICES CORPORATION
18 FIELD GRANT AND OTHER QUALIFIED CIVIL LEGAL AID PROVIDERS THAT
19 RECEIVED MONEY FROM THE COLLECTED EQUAL JUSTICE FEES."

20 Page 8, strike lines 6 through 43.

21 Strike page 9.

22 Page 10, strike lines 1 through 19 and substitute:

23 "SECTION 3. In Colorado Revised Statutes, 13-4-112, **add** (3)
24 as follows:

25 **13-4-112. Fees of the clerk of court of appeals - equal justice**
26 **fee collection.** (3) (a) BEGINNING JANUARY 1, 2025, THE CLERK OF THE
27 COURT OF APPEALS SHALL COLLECT THE EQUAL JUSTICE FEE ON FILINGS
28 SPECIFIED IN SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION ON BEHALF
29 OF THE EQUAL JUSTICE AUTHORITY AND TRANSMIT THE EQUAL JUSTICE FEE
30 IN THE MANNER SPECIFIED IN SECTION 13-5.7-205 (2).

31 (b) AN INDIVIDUAL WHOSE INCOME IS BELOW TWO HUNDRED FIFTY
32 PERCENT OF THE FEDERAL POVERTY LINE IS EXEMPT FROM PAYING THE
33 EQUAL JUSTICE FEE REQUIRED IN SUBSECTION (3)(a) OF THIS SECTION.

34 **SECTION 4.** In Colorado Revised Statutes, 13-32-101, **add** (9)

1 as follows:

2 **13-32-101. Docket fees in civil actions - judicial stabilization**
3 **cash fund - justice center cash fund - justice center maintenance fund**
4 **- equal justice fee collection - created - report - legislative declaration.**

5 (9) (a) BEGINNING JANUARY 1, 2025, THE COURT SHALL COLLECT THE
6 EQUAL JUSTICE FEE ON FILINGS SPECIFIED IN SUBSECTION (1) OF THIS
7 SECTION, EXCEPT FOR FILINGS IN SMALL CLAIMS COURT, ON BEHALF OF THE
8 EQUAL JUSTICE AUTHORITY AND TRANSMIT THE EQUAL JUSTICE FEE IN THE
9 MANNER SPECIFIED IN SECTION 13-5.7-205 (2).

10 (b) AN INDIVIDUAL WHOSE INCOME IS BELOW TWO HUNDRED FIFTY
11 PERCENT OF THE FEDERAL POVERTY LINE IS EXEMPT FROM PAYING THE
12 EQUAL JUSTICE FEE REQUIRED IN SUBSECTION (9)(a) OF THIS SECTION.

13 **SECTION 5.** In Colorado Revised Statutes, 13-32-102, **add** (7)
14 as follows:

15 **13-32-102. Fees in probate proceedings - equal justice fee**
16 **collection.** (7) (a) BEGINNING JANUARY 1, 2025, THE COURT SHALL
17 COLLECT THE EQUAL JUSTICE FEE ON FILINGS SPECIFIED IN SUBSECTIONS
18 (1)(a), (1)(b), AND (1)(f) OF THIS SECTION ON BEHALF OF THE EQUAL
19 JUSTICE AUTHORITY AND TRANSMIT THE EQUAL JUSTICE FEE IN THE
20 MANNER SPECIFIED IN SECTION 13-5.7-205 (2).

21 (b) AN INDIVIDUAL WHOSE INCOME IS BELOW TWO HUNDRED FIFTY
22 PERCENT OF THE FEDERAL POVERTY LINE IS EXEMPT FROM PAYING THE
23 EQUAL JUSTICE FEE REQUIRED IN SUBSECTION (7)(a) OF THIS SECTION."

24 Renumber succeeding sections accordingly.

25 Strike "FUND" on: **Page 2**, lines 29, 31, 33; **Page 3**, line 4; **Page 4**, line
26 36; and **Page 10**, line 29.

27 Strike "COMMISSION" and substitute "CONTRACTED ENTITY" on: **Page 6**,
28 lines 8, 11, 12, and 15.

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