

HOUSE COMMITTEE OF REFERENCE REPORT

January 25, 2023

Chair of Committee

Date

Committee on Public & Behavioral Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB23-1043 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 4, line 21, strike "FIVE" and substitute "SEVEN".
- 2 Page 4, line 23, strike "FIFTEEN" and substitute "FOURTEEN".
- 3 Page 4, line 27, strike "AND" and substitute "OR".
- 4 Page 5, line 1, strike "THE" and substitute "THE COUNTY DEPARTMENT
5 SHALL NOTIFY THE PARTIES TO THE CASE. WITHIN SEVENTY-TWO HOURS
6 OF NOTIFICATION, ANY PARTY WANTING THE CHILD OR YOUTH TO REMAIN
7 IN THAT PLACEMENT SHALL FILE A MOTION WITH THE COURT REGARDING
8 PLACEMENT OF THE CHILD OR YOUTH. THE".
- 9 Page 5, line 3, strike "IMMEDIATELY".
- 10 Page 5, strike lines 4 and 5 and substitute "CUSTODY OF THE RELATIVE OR
11 KIN IF NO PARTY, WITH PROPER NOTIFICATION, HAS FILED A MOTION TO
12 MAINTAIN THE CHILD OR YOUTH IN THE PLACEMENT WITHIN SEVENTY-TWO
13 HOURS. THE COUNTY DEPARTMENT".
- 14 Page 5, line 6, strike "FIFTEEN" and substitute "FOURTEEN".
- 15 Page 5, strike lines 11 and 12 and substitute:
 - 16 "(3) A COUNTY DEPARTMENT SHALL CONDUCT OR REQUEST THAT
17 A".
- 18 Page 5, line 16, strike "KIN. WHEN" and substitute "KIN ON A
19 NON-EMERGENCY BASIS, WHEN".

1 Page 5, line 17, strike "NON-COURT BASIS," and substitute
2 "NON-COURT-INVOLVED BASIS, WHEN".

3 Page 5, line 18, strike "CUSTODY OR" and substitute "CUSTODY, OR WHEN
4 THE COUNTY HAS".

5 Page 5, line 22, strike "DEPARTMENT, WHEN THE" and substitute
6 "DEPARTMENT;".

7 Page 5, strike line 23 and substitute "OR ANOTHER".

8 Page 6, line 24, strike "IMMEDIATELY".

9 Page 6, line 26, after "COURT," insert "OR IF NO PARTY, WITH PROPER
10 NOTIFICATION, HAS FILED A MOTION TO MAINTAIN THE CHILD OR YOUTH IN
11 THE PLACEMENT WITHIN SEVENTY-TWO HOURS,".

12 Page 7, line 2, after the period add "THE COURT MAY ORDER THE REPORTS
13 OF FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS FROM THE
14 COLORADO BUREAU OF INVESTIGATION OR FROM THE FEDERAL BUREAU OF
15 INVESTIGATION THAT WERE RELIED UPON BY THE COUNTY TO EVALUATE
16 THE PLACEMENT TO BE RELEASED BY THE COUNTY DEPARTMENT AFTER
17 PROVIDING AN OPPORTUNITY FOR THE INDIVIDUAL WHOSE RESULTS WOULD
18 BE RELEASED TO OBJECT OR REQUEST APPROPRIATE PROTECTIONS OR
19 REDACTIONS.".

20 Page 7, strike line 18 and substitute "SECTION 18-1.3-406 (2)(a)(I),
21 EXCLUDING THE CONVICTION OF ESCAPE;".

22 Page 7, line 27, strike "18-3-203;" and substitute "18-3-203, WITHIN THE
23 PRECEDING FIVE YEARS;".

24 Page 8, strike line 2 and substitute "THREE YEARS. IF THE RELATIVE OR KIN
25 HAS A FELONY DRUG-RELATED CONVICTION LESS THAN FIVE YEARS PRIOR,
26 ANY KINSHIP OR GUARDIANSHIP ASSISTANCE PAYMENTS ON BEHALF OF THE
27 CHILD OR YOUTH MUST NOT BE MADE WITH FEDERAL MONEY PROVIDED
28 PURSUANT TO TITLE IV-E OF THE FEDERAL "SOCIAL SECURITY ACT", AS
29 AMENDED.".

30 Page 8, line 3, strike "CONVICTIONS," and substitute "CONVICTIONS
31 RELATED TO DOMESTIC VIOLENCE,".

1 Page 8, line 16, strike "AUTOMATED DATABASE" and substitute "CHILD
2 WELFARE INFORMATION SYSTEM AND THE EQUIVALENT REGISTRIES AND
3 DATABASES IN OTHER STATES IF THE INDIVIDUAL HAS RESIDED IN ANOTHER
4 STATE IN THE PRIOR FIVE YEARS, AS PRESCRIBED BY RULE,".

5 Page 8, strike lines 20 and 21 and substitute "NEGLECT; AND".

6 Page 8, line 26, before "TO" insert "AND THE EQUIVALENT REGISTRIES AND
7 DATABASES IN OTHER STATES IF THE INDIVIDUAL HAS RESIDED IN ANOTHER
8 STATE IN THE PRIOR FIVE YEARS, AS PRESCRIBED IN RULE,".

9 Page 9, lines 11 and 12, strike "BEFORE THE COURT".

10 Page 11, lines 21 and 22, strike "A DEFERRED PROSECUTION
11 AGREEMENT,".

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