

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 22-0708.01 Conrad Imel x2313

SENATE BILL 22-019

SENATE SPONSORSHIP

Winter, Fenberg, Fields, Gonzales, Hansen, Jaquez Lewis, Kolker, Lee, Moreno, Rodriguez

HOUSE SPONSORSHIP

Woodrow, Benavidez, Boesenecker, Daugherty, Duran, Exum, Gonzales-Gutierrez, Herod, Hooton, Jodeh, Kipp, Lindsay, Lontine, Ricks, Weissman

Senate Committees

Judiciary

House Committees

Judiciary

HOUSE
3rd Reading Unamended
March 1, 2022

101

**CONCERNING ACCESS TO AUTOMATICALLY SUPPRESSED COURT
RECORDS OF EVICTION PROCEEDINGS.**

HOUSE
2nd Reading Unamended
February 28, 2022

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>.)

SENATE
3rd Reading Unamended
February 14, 2022

Under existing law, a court record in an eviction proceeding is automatically suppressed and only available to judges; court staff; a party to the case and, if represented, the party's attorneys; authorized judicial department staff; and a person with a valid court order authorizing access to the court record. The bill permits an attorney, with permission of a party included in a suppressed court record, to access the record for the

SENATE
Amended 2nd Reading
February 11, 2022

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.*

purpose of providing legal advice to, or evaluating whether to enter an appearance on behalf of, the party included in the record.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-40-110.5, **add** (5)
3 as follows:

4 **13-40-110.5. Automatic suppression of court records -**
5 **definition.** (5) IN ADDITION TO THE PERSONS DESCRIBED IN SUBSECTION
6 (1) OF THIS SECTION, A COURT SHALL ALLOW A PERSON TO ACCESS A
7 SUPPRESSED COURT RECORD IF THE PERSON AFFIRMS TO THE COURT, IN
8 WRITING OR ELECTRONICALLY, THAT:

9 (a) THE PERSON IS AN ATTORNEY, OTHER THAN A PARTY'S
10 ATTORNEY DESCRIBED IN SUBSECTION (1) OF THIS SECTION, OR IS ACTING
11 ON BEHALF OF THE ATTORNEY;

12 (b) A PARTY INCLUDED IN THE COURT RECORD HAS GIVEN WRITTEN
13 OR VERBAL PERMISSION FOR THE PERSON TO ACCESS THE SUPPRESSED
14 COURT RECORD;

15 (c) THE PERSON IS ONLY ACCESSING THE RECORD FOR THE PURPOSE
16 OF:

17 (I) PROVIDING LEGAL ADVICE TO, OR EVALUATING WHETHER TO
18 ENTER AN APPEARANCE ON BEHALF OF, THE PARTY WHO GAVE PERMISSION
19 FOR THE PERSON TO ACCESS THE RECORD; OR

20 (II) EVALUATING WHETHER THE MATTER IS SUITABLE FOR
21 MEDIATION OR IN PREPARATION FOR A MEDIATION BETWEEN THE PARTIES
22 INCLUDED IN THE COURT RECORD; AND

23 (d) THE PERSON IS NOT ACCESSING THE RECORD FOR COMMERCIAL
24 PURPOSES, OTHER THAN AS DESCRIBED IN SUBSECTION (5)(c) OF THIS
25 SECTION.

1 **SECTION 2. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly; except
4 that, if a referendum petition is filed pursuant to section 1 (3) of article V
5 of the state constitution against this act or an item, section, or part of this
6 act within such period, then the act, item, section, or part will not take
7 effect unless approved by the people at the general election to be held in
8 November 2022 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.