

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0526.01 Conrad Imel x2313

**HOUSE BILL 22-1091**

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**HOUSE SPONSORSHIP**

**Soper and Weissman, Tipper**

**SENATE SPONSORSHIP**

**Gardner and Bridges,**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE ONLINE AVAILABILITY OF OPINIONS ISSUED BY**  
102     **COLORADO COURTS, AND, IN CONNECTION THEREWITH, MAKING**  
103     **AN APPROPRIATION.**

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**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 requires the judicial department to publish opinions of the Colorado supreme court and the Colorado court of appeals online. The opinions must be published online in a searchable format and be available free of charge. Colorado supreme court and court of appeals opinions that are not published pursuant to state law or court rules are exempt from the

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.*

online publishing requirement. The judicial department and the general assembly must include a link to the opinions web page in a conspicuous place on their websites.

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

2           **SECTION 1. Short title.** The short title of this act is the "Justice  
3           Gregory Hobbs Public Access to Case Law Act".

4           **SECTION 2. Legislative declaration.** (1) The general assembly  
5           finds and declares that:

6               (a) Every person is presumed to know the law and is expected to  
7           follow the law at all times;

8               (b) The Colorado constitution, Colorado Revised Statutes,  
9           Colorado court rules, and state administrative regulations are available  
10           online free of charge;

11               (c) Colorado supreme court opinions are case law that other state  
12           court judges are bound to follow, and published opinions of the Colorado  
13           court of appeals are case law that must be followed as precedent by all  
14           lower court judges in Colorado; and

15               (d) Colorado supreme court opinions and published opinions of  
16           the Colorado court of appeals should be available online in the same  
17           manner as other sources of law.

18           **SECTION 3.** In Colorado Revised Statutes, **amend** 13-2-122 as  
19           follows:

20               **13-2-122. Supreme court and court of appeals opinions  
21           published.** (1) The opinions of the supreme court of the state of  
22           Colorado and of the court of appeals ~~shall~~ MUST be published in volumes  
23           of the size, as nearly as may be, as present volumes of the Colorado  
24           reports, and containing not less than six hundred fifty pages each.

11 (b) AN OPINION OF THE SUPREME COURT OF THE STATE OF  
12 COLORADO NOT PUBLISHED PURSUANT TO SUBSECTION (1) OF THIS  
13 SECTION AND ANY COURT OF APPEALS OPINION NOT DESIGNATED FOR  
14 OFFICIAL PUBLICATION PURSUANT TO THE COLORADO APPELLATE RULES  
15 IS NOT REQUIRED TO BE PUBLISHED ONLINE PURSUANT TO THIS  
16 SUBSECTION (2).

17                   **SECTION 4.** In Colorado Revised Statutes, 13-2-124, amend (1)  
18                   as follows:

19                   **13-2-124. Publication of reports.** (1) In lieu of the publication  
20                   of the opinions of the supreme court and the court of appeals ~~as provided~~  
21                   ~~for in this article~~ PURSUANT TO SECTION 13-2-122 (1), the supreme court  
22                   may designate the published volumes of the decisions of the supreme  
23                   court and the court of appeals, as the same are published by any person,  
24                   firm, or corporation, to be the official reports of the decisions of the  
25                   supreme court and the court of appeals. Any publication so designated as  
26                   the official reports may include both the opinions of the supreme court  
27                   and the court of appeals in the same volume.

1                   **SECTION 5. Appropriation.** For the 2022-23 state fiscal year,  
2   \$100,000 is appropriated to the judicial department. This appropriation  
3   is from the general fund. To implement this act, the department may use  
4   this appropriation for information technology infrastructure.

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