

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 15-0571.01 Richard Sweetman x4333

HOUSE BILL 15-1021

HOUSE SPONSORSHIP

Willett,

SENATE SPONSORSHIP

Merrifield,

House Committees
Judiciary

Senate Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING STATUTORILY ESTABLISHED TIME PERIODS THAT ARE**
102 **MULTIPLES OF SEVEN DAYS.**

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://www.leg.state.co.us/billsummaries>.)

The bill changes time periods in certain court proceedings to 7-day periods or periods that are multiples of 7 days to avoid actions being due on weekends. Similar changes to 7-day periods or periods that are multiples of 7 days were made to the Colorado Revised Statutes in 2012, pursuant to Senate Bill 12-175; in 2013, pursuant to House Bill 13-1126; and in 2014, pursuant to House Bill 14-1347.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
3rd Reading Unamended
February 26, 2015

SENATE
2nd Reading Unamended
February 24, 2015

HOUSE
3rd Reading Unamended
January 27, 2015

HOUSE
2nd Reading Unamended
January 26, 2015

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-2-126, **amend** (9)
3 (a) as follows:

4 **42-2-126. Revocation of license based on administrative**
5 **determination.** (9) **Appeal.** (a) Within ~~thirty~~ THIRTY-FIVE days after the
6 department issues its final determination under this section, a person
7 aggrieved by the determination ~~shall have~~ HAS the right to file a petition
8 for judicial review in the district court in the county of the person's
9 residence.

10 **SECTION 2.** In Colorado Revised Statutes, 42-2-127.7, **amend**
11 (9) (a) as follows:

12 **42-2-127.7. Authority to suspend driver's license - uninsured**
13 **motorists - legislative declaration.** (9) (a) Within ~~thirty~~ THIRTY-FIVE
14 days of the issuance of the final determination of the department under
15 this section, a person aggrieved by the determination ~~shall have~~ HAS the
16 right to file a petition for judicial review in the district court in the county
17 of the person's residence.

18 **SECTION 3.** In Colorado Revised Statutes, 42-2-135, **amend** (1)
19 as follows:

20 **42-2-135. Right to appeal.** (1) Every person finally denied a
21 license or identification card, whose identification card has been finally
22 cancelled, or whose license has been finally cancelled, suspended, or
23 revoked by or under the authority of the department may, within ~~thirty~~
24 THIRTY-FIVE days thereafter, obtain judicial review in accordance with
25 section 24-4-106, C.R.S.; except that the venue for such judicial review
26 shall be in the county of residence of the person seeking judicial review.

1 **SECTION 4.** In Colorado Revised Statutes, 42-2-405.5, **amend**
2 (5) (c) (I) as follows:

3 **42-2-405.5. Violations of out-of-service order.** (5) (c) (I) The
4 order of the hearing officer is the final agency action and may be
5 appealed under section 42-2-135. A petition for judicial review ~~shall~~
6 **MUST** be filed within ~~thirty~~ THIRTY-FIVE days after the date of the order.

7 **SECTION 5.** In Colorado Revised Statutes, 42-2-409, **amend** (3)
8 (d) as follows:

9 **42-2-409. Unlawful possession or use of a commercial driver's**
10 **license.** (3) (d) The order of the hearing officer is the final agency action
11 and may be appealed under section 42-2-135. A petition for judicial
12 review ~~shall~~ **MUST** be filed within ~~thirty~~ THIRTY-FIVE days after the date
13 of the order.

14 **SECTION 6. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly
17 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
18 if a referendum petition is filed pursuant to section 1 (3) of article V of
19 the state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2016 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.