

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0570.01 Michael Dohr x4347

HOUSE BILL 20-1123

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HOUSE SPONSORSHIP

Lontine and Soper,

SENATE SPONSORSHIP

Lee,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING A GRACE PERIOD BEFORE A COURT ISSUES A FAILURE TO  
102 APPEAR WARRANT.

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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 prohibits a court from issuing a warrant for failing to appear at a scheduled court appearance for 72 hours after the missed appearance. If the defendant presents himself or herself to the court during the 72-hour period, the court shall not issue a warrant.

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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.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 16-1-110 as  
3 follows:

4 **16-1-110. Failure to appear - grace period.** WHEN A DEFENDANT  
5 FAILS TO APPEAR AT A SCHEDULED COURT APPEARANCE, THE COURT SHALL  
6 NOT ISSUE A WARRANT UNTIL THE PASSAGE OF AT LEAST SEVENTY-TWO  
7 HOURS AFTER THE MISSED COURT APPEARANCE. THE SEVENTY-TWO-HOUR  
8 PERIOD DOES NOT INCLUDE ANY DAY ON WHICH THE COURT IS NOT IN  
9 SESSION. IF THE DEFENDANT PRESENTS HIMSELF OR HERSELF TO THE  
10 COURT WITHIN THE SEVENTY-TWO-HOUR PERIOD, THE COURT SHALL NOT  
11 ISSUE A WARRANT. THE COURT RETAINS DISCRETION TO DETERMINE  
12 WHETHER THE DEFENDANT SHALL PRESENT IN PERSON OR MAY PRESENT  
13 THROUGH COUNSEL, A PHONE CALL, OR OTHER MEANS TO RESCHEDULE THE  
14 COURT DATE. IF, DURING THE SEVENTY-TWO-HOUR PERIOD, THE  
15 DEFENDANT OR DEFENDANT'S COUNSEL CONTACTS THE COURT REGARDING  
16 THE MISSED COURT APPEARANCE, THE COURT SHALL INFORM THE  
17 DEFENDANT OR DEFENDANT'S COUNSEL THAT NO WARRANT SHALL ISSUE  
18 IF THE DEFENDANT VOLUNTARILY PRESENTS TO THE COURT WITHIN  
19 SEVENTY-TWO HOURS AFTER THE MISSED COURT DATE, EXCLUDING THE  
20 DAYS THE COURT IS NOT IN SESSION.

21 **SECTION 2. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
25 referendum petition is filed pursuant to section 1 (3) of article V of the  
26 state constitution against this act or an item, section, or part of this act  
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in  
2 November 2020 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.