

[West's Colorado Revised Statutes Annotated](#)

[Title 16. Criminal Proceedings](#)

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C.R.S.A. § 16-9-701

§ 16-9-701. Discovery project steering committee

Effective: May 29, 2014

[Currentness](#)

(1)(a) There shall be a discovery project steering committee convened to assist in developing a request for proposal application and selection process to choose a vendor to develop a statewide discovery sharing system. The steering committee consists of:

(I) The attorney general or his or her designee, who shall serve as the chair of the steering committee;

(II) The state court administrator or his or her designee, who shall serve as the vice-chair of the steering committee;

(III) The state public defender or his or her designee;

(IV) A representative of the criminal defense bar appointed by the chief justice;

(V) Three district attorneys appointed by the governor, one representing an urban judicial district, one representing a mid-sized district, and one representing a rural district;

(VI) A county sheriff appointed by the governor;

(VII) The alternate defense counsel or his or her designee;

(VIII) A chief of police appointed by the governor; and

(IX) A district court judge appointed by the chief justice.

(b) The project steering committee must also have a nonvoting member appointed by the governor from the office of information technology who serves only as a technology advisor to assist the steering committee.

(2) The chair of the discovery project steering committee shall convene the first meeting of the steering committee by June 30, 2014.

(3) The discovery project steering committee shall develop a request for proposal application and recommend a selection process to choose a vendor to develop a statewide discovery sharing system. The application process must be developed in a timely manner so the selection can be made by November 1, 2014, at the latest. The steering committee shall make a vendor recommendation to the Colorado district attorneys' council after the application process is completed. The Colorado district attorneys' council shall select a vendor after the application and selection process is complete and after considering the recommendation of the steering committee.

(4)(a) The discovery project steering committee shall develop benchmarks and contractual requirements for the statewide discovery sharing system.

(b) The Colorado district attorneys' council shall enter into a contract with the selected vendor to complete the system by October 31, 2016. The contract must include the benchmarks and requirements developed pursuant to paragraph (a) of this subsection (4). The executive director of the Colorado district attorneys' council shall provide periodic reports to the steering committee and the joint budget committee regarding benchmarks and requirements and the progress of the development of the system. It is not necessary for the steering committee to meet to receive the periodic reports.

(5) The discovery project steering committee may meet as necessary to provide practical and technical support for the maintenance and enhancement of the system and to ensure that the system is meeting the needs of the criminal justice system.

(6) Once the statewide discovery sharing system is operational, a district attorney or the Colorado district attorneys' council, who, after making a good-faith effort to redact all information from a discovery document provided to a defendant or defense counsel, provides a document that contains information that is legally required to be redacted is not liable for civil damages as a result of acts or omissions related to providing discovery documents that contain information required to be redacted that is not redacted.

Credits

Added by [Laws 2013, Ch. 269, § 1, eff. May 24, 2013](#). Amended by [Laws 2014, Ch. 275, § 2, eff. May 29, 2014](#).

C. R. S. A. § 16-9-701, CO ST § 16-9-701

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[Part 7. Discovery Project Steering Committee](#)

C.R.S.A. § 16-9-702

§ 16-9-702. Statewide discovery sharing system

Effective: May 29, 2014

[Currentness](#)

(1) The Colorado district attorneys' council shall develop and maintain a statewide discovery sharing system integrated with its ACTION system. The statewide discovery sharing system must be operational by November 1, 2016. The Colorado district attorneys' council shall maintain and operate the system with the assistance of the discovery project steering committee created in [section 16-9-701](#).

(2) The general assembly shall appropriate the necessary moneys from the general fund and the statewide discovery sharing system surcharge fund created in [section 18-26-102\(2\)](#), C.R.S., to fund the development, continuing enhancement, and maintenance of the statewide discovery sharing system and maintenance and continuing enhancement of the existing ACTION system operated by the Colorado district attorneys' council. The judicial department shall allocate the appropriated moneys to the Colorado district attorneys' council for the development, continuing enhancement, and maintenance of the statewide discovery sharing system and the existing ACTION system.

(3) The Colorado district attorneys' council shall provide the judicial department financial reports regarding the statewide discovery sharing system. The judicial department shall use the reports in preparing its annual budget request. The reports must include the following:

(a) Actual expenditures of the moneys appropriated for the maintenance of the ACTION system and for the development, enhancement, implementation, and maintenance of the discovery sharing system so that the judicial department can include the expenditure data in its annual budget request. The judicial department shall require the Colorado district attorneys' council to provide the information in a format that is consistent with actual expenditures reported for other line item appropriations.

(b) The amount of state funding requested for the next fiscal year for such purpose, including a breakdown and justification for the amount requested.

Credits

Added by [Laws 2014, Ch. 275, § 3, eff. May 29, 2014](#).

C. R. S. A. § 16-9-702, CO ST § 16-9-702

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[Title 18. Criminal Code \(Refs & Annos\)](#)

[Article 26. Statewide Discovery Sharing System Surcharge](#)

C.R.S.A. § 18-26-101

§ 18-26-101. Statewide discovery sharing system surcharge

Effective: May 29, 2014

[Currentness](#)

(1) Each person who is represented by private counsel or appears pro se and is convicted of a felony, misdemeanor, drug felony, or drug misdemeanor shall be required to pay a surcharge to the clerk of the court for the judicial district in which the conviction occurs.

(2) Surcharges pursuant to subsection (1) of this section are in the following amounts:

(a) For each felony or drug felony of which a person is convicted, ten dollars; and

(b) For each misdemeanor or drug misdemeanor of which a person is convicted, five dollars.

(3) The court may waive all or any portion of the surcharge required by this section if the court finds that a person convicted of a crime is indigent or financially unable to pay all or any portion of the surcharge. The court may waive only that portion of the surcharge that the court finds that the person convicted of a crime is financially unable to pay.

(4) By January 15, 2016, the judicial department shall report to the judiciary committees of the house of representatives and senate, or any successor committees, and the joint budget committee regarding the collections made under this article.

Credits

Added by [Laws 2014, Ch. 275, § 4, eff. May 29, 2014](#).

C. R. S. A. § 18-26-101, CO ST § 18-26-101

Current through the First Regular Session of the 70th General Assembly (2015).

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[Title 18. Criminal Code \(Refs & Annos\)](#)

[Article 26. Statewide Discovery Sharing System Surcharge](#)

C.R.S.A. § 18-26-102

§ 18-26-102. Collection and distribution of funds--statewide discovery sharing system surcharge fund--creation

Effective: May 29, 2014

[Currentness](#)

(1) The clerk of the court shall allocate the surcharge required by [section 18-26-101](#) as follows:

(a) Five percent shall be retained by the clerk of the court for administrative costs incurred pursuant to this subsection (1). The amount retained shall be transmitted to the state treasurer for deposit in the judicial stabilization cash fund created in [section 13-32-101\(6\)](#), C.R.S.

(b) Ninety-five percent shall be transferred to the state treasurer, who shall credit the same to the statewide discovery sharing system surcharge fund created pursuant to subsection (2) of this section.

(2)(a) There is created in the state treasury the statewide discovery sharing surcharge fund that consists of moneys received by the state treasurer pursuant to this section. The moneys in the fund are subject to annual appropriation by the general assembly to the judicial department for distribution to the Colorado district attorneys' council for development, continuing enhancement, and maintenance of the statewide discovery sharing system under [section 16-9-702](#), C.R.S. These moneys are in addition to general fund moneys appropriated to the judicial department for distribution to the Colorado district attorneys' council for development, continuing enhancement, and maintenance of the statewide discovery sharing system under [section 16-9-702](#), C.R.S.

(b) The state treasurer shall credit all interest derived from the deposit and investment of moneys in the fund to the fund. Any moneys not appropriated by the general assembly must remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year.

Credits

Added by [Laws 2014, Ch. 275, § 4](#), eff. May 29, 2014.

C. R. S. A. § 18-26-102, CO ST § 18-26-102

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