

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2020

COUNCIL BILL NO. CB20-1179
COMMITTEE OF REFERENCE:
Safety, Housing, Education & Homelessness

A BILL

For an ordinance repealing sections of Article II of Chapter 14 of the Denver Revised Municipal Code, concerning a person’s right to a personal recognizance bond.

WHEREAS, in 2019, the General Assembly of the State of Colorado enacted legislation in the form of House Bill 19-1225 prohibiting the use of monetary bail for municipal offenses for which there are no comparable state misdemeanor offenses; and

WHEREAS, the DRMC currently prohibits a court from issuing a personal recognizance bond unless the ordinance violation is on a bond schedule or the prosecutor consents; and

WHEREAS, this bill is intended to repeal portions of the DRMC that explicitly disallow the use of personal recognizance bonds or that require a monetary bond schedule.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Section 14-33 of the Denver Revised Municipal Code shall be amended by adding the language underlined, and deleting the language stricken, to read as follows:

Sec. 14-33. Right to appearance on bond.

(e) Reserved. ~~*Personal recognizance bonds.*~~ ~~The court shall not issue a personal recognizance bond unless the ordinance violation is on a bond schedule or the prosecutor consents.~~

(g) Reserved. ~~*Prostitution bonds.*~~ ~~Violations of section 38-158 of the Revised Municipal Code shall not be on the bond schedule.~~

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1 COMMITTEE APPROVAL DATE: October 28, 2020

2 MAYOR-COUNCIL DATE: November 3, 2020

3 PASSED BY THE COUNCIL: _____ November 16, 2020

4 _____ *Steve Johnson* - PRESIDENT

5 APPROVED: _____ *[Signature]* - MAYOR _____ Nov 19, 2020

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

10 PREPARED BY: Marley Bordovsky, Assistant City Attorney DATE: November 5, 2020

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.

15 Kristin Bronson, Denver City Attorney

16 BY: _____ *Kristin J. Crawford*, Assistant City Attorney DATE: _____ Nov 4, 2020