

SB077 L.011

## SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB13-077 be amended as follows:

1 Amend printed bill, page 9, after line 21, insert:

2 "SECTION 4. In Colorado Revised Statutes, 15-14-406, amend  
3 (6); and repeal (7) as follows:

4 **15-14-406. Original petition - persons under disability -**  
5 **preliminaries to hearing.** (6) ~~The court may also appoint a physician,~~  
6 ~~psychologist, or other individual qualified to evaluate the alleged~~  
7 ~~impairment to conduct an examination of the respondent. WHILE A~~  
8 ~~PETITION TO ESTABLISH A CONSERVATORSHIP OR FOR ANOTHER~~  
9 ~~PROTECTIVE ORDER IS PENDING, AFTER PRELIMINARY HEARING AND~~  
10 ~~WITHOUT NOTICE TO OTHERS, THE COURT MAY ISSUE ORDERS TO PRESERVE~~  
11 ~~AND APPLY THE PROPERTY OF THE RESPONDENT AS MAY BE REQUIRED FOR~~  
12 ~~THE SUPPORT OF THE RESPONDENT OR INDIVIDUALS WHO ARE IN FACT~~  
13 ~~DEPENDENT UPON THE RESPONDENT. THE COURT MAY APPOINT A SPECIAL~~  
14 ~~CONSERVATOR TO ASSIST IN THAT TASK.~~

15 (7) ~~While a petition to establish a conservatorship or for another~~  
16 ~~protective order is pending, after preliminary hearing and without notice~~  
17 ~~to others, the court may issue orders to preserve and apply the property of~~  
18 ~~the respondent as may be required for the support of the respondent or~~  
19 ~~individuals who are in fact dependent upon the respondent. The court may~~  
20 ~~appoint a special conservator to assist in that task.~~

21 **SECTION 5.** In Colorado Revised Statutes, **add** 15-14-406.5 as  
22 follows:

23 **15-14-406.5. Professional evaluation.** (1) AT OR BEFORE A  
24 HEARING UNDER THIS PART 4, THE COURT MAY ORDER A PROFESSIONAL  
25 EVALUATION IF THE RESPONDENT SO DEMANDS. IF THE COURT ORDERS THE  
26 EVALUATION, THE RESPONDENT MUST BE EXAMINED BY A PHYSICIAN,  
27 PSYCHOLOGIST, OR OTHER INDIVIDUAL APPOINTED BY THE COURT WHO IS  
28 QUALIFIED TO EVALUATE THE RESPONDENT'S ALLEGED IMPAIRMENT. THE  
29 EXAMINER SHALL PROMPTLY FILE A WRITTEN REPORT WITH THE COURT.  
30 UNLESS THE COURT DIRECTS OTHERWISE, THE REPORT MUST CONTAIN:

31 (a) A DESCRIPTION OF THE NATURE, TYPE, AND EXTENT OF THE  
32 RESPONDENT'S SPECIFIC COGNITIVE AND FUNCTIONAL LIMITATIONS, IF  
33 ANY;

34 (b) AN EVALUATION OF THE RESPONDENT'S MENTAL AND PHYSICAL  
35 CONDITION AND, IF APPROPRIATE, EDUCATIONAL POTENTIAL, ADAPTIVE  
36 BEHAVIOR, AND SOCIAL SKILLS;

37 (c) A PROGNOSIS FOR IMPROVEMENT AND A RECOMMENDATION AS



- 1 TO THE APPROPRIATE TREATMENT OF HABILITATION PLAN; AND
- 2 (d) THE DATE OF ANY ASSESSMENT OR EXAMINATION UPON WHICH
- 3 THE REPORT IS BASED."
  
- 4 Renumber succeeding sections accordingly.

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