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Bill Proposed to Revise Colorado Statutes

Dicta Editorial Board

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BILL PROPOSED TO REVISE COLORADO STATUTES

The Statutes Publications committee, under the chairmanship of Allyn Cole of Glenwood Springs, recently completed the draft of a bill which would establish a permanent state office of a revisor of statutes under a statutory revision commission. The commission and its staff would be charged with preparing a completely new and much-needed revision of the Colorado statutes, with annotations thereto, for presentation to the 1953 General Assembly. Thereafter, it would be function of the revisor to keep the statutes in a current condition, as well as assist in bill drafting service for the legislature.

The proposed bill has been approved by the Board of Governors of the Colorado Bar Association and presented for the consideration of the General Assembly. Attorneys and others who are interested in having a useable and up-to-date revision of the statutes should recommend the measure to their representatives. The full text of the bill reads as follows:

A BILL FOR

AN ACT TO PROVIDE FOR THE REVISION AND CODIFICATION OF THE LAWS OF THE STATE OF COLORADO; TO ESTABLISH A COMMISSION FOR STATUTE REVISION AND PROVIDING FOR THE OFFICE OF REVISOR OF STATUTES AND PRESCRIBING THE DUTIES THEREOF:

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

SECTION 1. There is hereby established a Commission on Statute Revision to consist of the Chief Justice of Colorado or a Justice of the Supreme Court to be designated by the Chief Justice; the Attorney General of Colorado; two (2) members of the Senate to be appointed by the President of the Senate; two (2) members of the House of Representatives to be appointed by the Speaker of the House; provided that not more than one of the members of said Commission appointed as aforesaid from each of the houses of the General Assembly shall be affiliated with the same political party. The members of the Commission shall serve without compensation as such but shall receive their actual and necessary expenses incurred in the performance of their official duties.

SECTION 2. The Chief Justice or Justice of the Supreme Court designated by the Chief Justice, shall be chairman of the Commission and shall call meetings of the Commission at such times as shall be necessary for the proper performance of the duties and requirements of this act.

SECTION 3. Immediately upon its organization, the Commission shall appoint a Revisor of Statutes and such associates and assistants as it shall deem necessary, and shall fix the compensation thereof. The Revisor of Statutes and his associates and assistants shall be attorneys at law, serving as such, and shall serve at the pleasure of the Commission. The Commission may also authorize the employment of such clerical and stenographic assistance as may be necessary to effect the requirements of this act. Such clerical and stenographic assistance shall be requisitioned from the civil service list and will be subject to civil service regulations.

SECTION 4. Immediately upon his appointment the Revisor of Statutes, under the supervision and direction of the Commission, shall proceed to compile, edit, arrange and prepare for publication the Declaration of Independence, the Constitutions of the United States and of the State of Colorado, the act admitting Colorado into the Union and all laws of the State of Colorado of a general and permanent nature in effect on July 1, 1952, together with a complete index thereto and comparative tables of such statutes with prior compilations. The

statutory laws shall be arranged into titles, chapters, articles and sections so collated and arranged with appropriate section or paragraph numbers in such form as the Commission shall approve and direct. At the end of each section, reference shall be made to the statutory history of such section. Annotations of decisions of the Supreme Court of the United States, the Supreme Court of Colorado and the Federal Courts, construing, applying or interpreting each section, or relating to the subject matter thereof, and such other matter as the Commission shall deem advisable or advantageous shall also be prepared for publication in such form as the Commission shall direct.

SECTION 5. In the course of collating, compiling, editing and preparing said statutes, the Revisor of Statutes, under the supervision and direction of the Commission, shall adopt a uniform system of punctuation, capitalization and wording; eliminate all obsolete and redundant words, correct obvious errors and inconsistencies, eliminate duplications and laws repealed directly or by implication; correct defective section structure in arrangement of the subject matter of existing statutes; clarify existing laws and such other similar matter as the Commission shall deem proper. All of the foregoing shall be done in such form and manner as to preserve the intent, effect and meaning of any and every such statutory provision.

SECTION 6. The Commission shall prepare a report of said statutes so compiled, edited and annotated and shall admit such report to the 1953 session of the General Assembly. The report of the Commission shall contain printing and binding specifications for the printing and binding of the 1953 Revised Statutes of Colorado, and annotations thereof, in such form that bids for the publication thereof may be invited. Such specifications shall provide that the copyright of said 1953 Revised Statutes of Colorado, and annotations thereof, shall be taken and remain in the Secretary of State for the State of Colorado. Such report shall also contain recommendations to the General Assembly of such legislation as is deemed necessary, if any, for repeal or amendment of existing laws, which may be obsolete, inoperative, imperfect, obscure, or in doubt, to the end that clarification and certainty may be improved.

SECTION 7. Immediately following the 1953 session of the General Assembly, the Commission shall prepare the laws passed at such session in the manner provided in Sections 4 and 6 of this act, so that they may be included in the publication of the 1953 Revised Statutes of Colorado.

SECTION 8. The Revisor of Statutes shall, at the end of each legislative session after 1953, annotate, arrange and prepare for publication in the form of pocket parts or bound supplements to said revision, all general laws enacted during such session and said supplements, when certified by the Commission, published and copyrighted as aforesaid, shall be received, recognized and referred to in like manner and with like effect as the original revision.

SECTION 9. The Revisor of Statutes, together with so many of his permanent staff as may be necessary, shall aid and assist the Legislative Reference Bureau or other agency of the General Assembly in bill drafting service, and in enrolling and engrossing bills and such other services as the legislature may require.

SECTION 10. The distribution of the 1953 Revised Statutes of Colorado, and annotations thereof, shall be in such numbers and to such offices and persons as the General Assembly shall direct at the time of approval for publication of such revised statutes.

SECTION 11. The General Assembly hereby finds, determines and declares this act to be necessary for the immediate preservation of the public peace, health and safety.

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