Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB19-143 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1. Amend printed bill page 2, strike lines 2 through 13.

2. Strike pages 3 through 5.

3. Page 6, strike lines 1 through 3.

4. Renumber succeeding sections accordingly.

5. Page 6, line 4, after "amend" insert "(1),".

6. Page 6, strike line 7 and substitute:

   "17-1-119.7. Prison population management measures. (1) The department shall track the prison bed vacancy rate in both correctional facilities and state-funded private contract prison beds on a monthly basis.
   If the vacancy rate falls below two three percent for thirty consecutive days, the department shall notify the governor, the joint budget committee, the parole board, each elected district attorney, the chief judge of each judicial district, the state public defender, and the office of community corrections in the department of public safety. The department shall notify the governor, the joint budget committee, the parole board, each elected district attorney, the chief judge of each judicial district, the state public defender, and the office of community corrections once the vacancy rate exceeds three four percent for thirty consecutive days.".
Page 6, line 10, strike "may:" and substitute "may SHALL:"

Page 6, line 21, strike "AN APPROVED" and substitute "A FAVORABLE"

Page 7, line 4, after "INMATE" insert "AND A DATE OF RELEASE"

Page 7, strike line 5.

Page 7, line 6, strike "RELEASE"

Page 7, line 8, after "REVIEW" insert "OR HEARING"

Page 8, line 3, after "16-22-102 (9);" insert "OR ANY OTHER OFFENSE, THE UNDERLYING FACTUAL BASIS OF WHICH INVOLVES UNLAWFUL SEXUAL BEHAVIOR;"

Page 8, line 6, after "amend" insert "(1.5)(d), (1.5)(g)(I),".

Page 8, strike line 9 and substitute:
"17-2-103. Arrest of parolee - revocation proceedings.
(1.5) (d) If a parolee has a technical violation, the parolee's community parole officer, with the approval of the director of the division of adult parole or the director's designee, may impose a brief term of confinement in the county jail, not to exceed fifteen consecutive days, as an intermediate sanction.

(g) Notwithstanding any other provision of this section, a community parole officer may bypass the use of intermediate sanctions or any additional intermediate sanctions in response to a technical violation of parole and file a complaint seeking revocation of parole if:

(I) The parolee has received up to four intermediate sanctions committing the parolee to a brief term of incarceration in jail, EXCEPT FOR A PAROLEE FOR WHOM SUBSECTION (11)(b)(III) OF THIS SECTION APPLIES; or"

Page 9, line 11, after "16-22-102 (9);" insert "OR ANY OTHER OFFENSE, THE UNDERLYING FACTUAL BASIS OF WHICH INVOLVES UNLAWFUL SEXUAL BEHAVIOR;"

Page 9, strike lines 12 through 19 and substitute "article 6.5 of title 18, or section 18-6-801, the board may revoke parole and request the sheriff of the county in which the hearing is held to transport the parolee to a place
of confinement for a period not to exceed thirty days and order the
parolee confined at a facility designated by the executive director.

Page 10, line 6, strike "add (19)" and substitute "amend (3)(h.1)(I),
(4)(f)(I)(C), (4)(f)(I)(D), and (5)(c)(II); and add (4)(f)(I)(E) and (19)".

Page 10, strike line 8 and substitute:

"17-2-201. State board of parole - duties - definitions. (3) The
chairperson, in addition to other provisions of law, has the following
powers and duties:

(h.1) To contract with qualified individuals to serve as release
hearing officers:

(I) To conduct parole application hearings for inmates convicted
of class 4, class 5, or class 6 felonies or level 3 or level 4 drug felonies
who have been assessed to be less than high risk by the Colorado risk
assessment scale developed pursuant to section 17-22.5-404 (2)(a), OR
HEARINGS PURSUANT TO SUBSECTION (19) OF THIS SECTION pursuant to
rules adopted by the parole board; and

(4) The board has the following powers and duties:

(f) (I) To conduct an initial or subsequent parole release review
in lieu of a hearing, without the presence of the inmate, if:

(C) The inmate has a statutory discharge date or mandatory
release date within six months after his or her next ordinarily scheduled
parole hearing and victim notification is not required pursuant to section
24-4.1-302.5; or

(D) The inmate is assessed to be a "low" or "very low" risk on the
validated risk assessment instrument developed pursuant to section
17-22.5-404 (2), the inmate meets readiness criteria established by the
board, and victim notification is not required pursuant to section
24-4.1-302.5; OR

(E) THE INMATE IS SUBJECT TO SUBSECTION (19) OF THIS SECTION.

(5) (c) (II) EXCEPT IF THE OFFENDER IS SUBJECT TO SUBSECTION
(19) OF THIS SECTION, if the offender fails to pay the restitution, he or she
may be returned to the board and, upon proof of failure to pay, the board
shall:".

Page 10, line 18, after "PAROLE" insert "BOARD".

Page 10, line 25, after "DAYS;" insert "IS REQUIRED TO BE CONSIDERED BY
THE FULL BOARD FOR RELEASE;".
"SECTION 5. In Colorado Revised Statutes, 17-22.5-402, add (4) as follows:

**17-22.5-402. Discharge from custody.** (4) A person discharged from a correctional facility without supervision is eligible to receive reentry support services from the department or community-based organizations that receive funding from the department to provide reentry services for up to one year after the person's date of discharge."

Renumber succeeding sections accordingly

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