

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 17-0681.01 Richard Sweetman x4333

**HOUSE BILL 17-1077**

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**HOUSE SPONSORSHIP**

**Valdez,**

**SENATE SPONSORSHIP**

**Coram,**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

Judiciary  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING THE USEFUL PUBLIC SERVICE CASH FUND.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill creates the useful public service cash fund (fund) in the judicial branch to facilitate the administration of programs that supervise the performance of useful public service by persons who are required to perform such service pursuant to a criminal sentence. The fund is excluded from statutory limitations on uncommitted cash reserves.

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
May 3, 2017

SENATE  
2nd Reading Unamended  
May 2, 2017

HOUSE  
3rd Reading Unamended  
April 17, 2017

HOUSE  
Amended 2nd Reading  
April 13, 2017

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.3-507, **amend**  
3 (6) as follows:

4 **18-1.3-507. Community or useful public service -**  
5 **misdemeanors - useful public service cash fund created.** (6) (a) The  
6 court shall assess ~~an amount~~ A FEE, not to exceed one hundred twenty  
7 dollars, upon every person required to perform community or useful  
8 public service pursuant to section 18-1.3-501 (2), 18-18-432, OR  
9 42-4-1301.4. THE AMOUNT OF THE FEE MUST BE COMMENSURATE WITH  
10 THE COSTS OF ADMINISTERING THE PERSON'S COMMUNITY OR USEFUL  
11 PUBLIC SERVICE PROGRAM. The court may waive this fee if the court  
12 determines the defendant to be indigent. IN COUNTIES WHERE THE  
13 JUDICIAL DEPARTMENT OPERATES THE LOCAL USEFUL PUBLIC SERVICE  
14 PROGRAM, THE COURT SHALL TRANSFER EACH SUCH FEE TO THE STATE  
15 TREASURER, WHO SHALL CREDIT THE FEE TO THE FUND CREATED IN  
16 SECTION 18-1.3-507.5.

17 (b) ~~Such amount shall~~ MONEY COLLECTED AS FEES PURSUANT TO  
18 SUBSECTION (6)(a) MAY be used by the operating agency responsible for  
19 overseeing such person's community or useful public service program OR  
20 BY THE JUDICIAL DEPARTMENT, AS MAY BE APPLICABLE, to pay the cost of  
21 administration of the program and the cost of personal services. ~~Such~~  
22 ~~amount is to be commensurate with program costs in providing services~~  
23 ~~and shall be adjusted from time to time by the general assembly to insure~~  
24 ~~that the operating agencies shall be financially self-supporting.~~ The  
25 proceeds from such amounts ~~shall~~ MAY be used by the operating agency  
26 only for defraying the cost of personal services and other operating  
27 expenses related to the administration of the program, a general liability

1 policy covering such person, and, if such person will be covered by  
2 workers' compensation insurance pursuant to subsection (5) of this  
3 section or an insurance policy providing such or similar coverage, the cost  
4 of purchasing and keeping in force such insurance coverage and shall  
5 MAY not be used by the operating agency for any other purpose.

6 **SECTION 2.** In Colorado Revised Statutes, **add** 18-1.3-507.5 as  
7 follows:

8 **18-1.3-507.5. Useful public service cash fund created.** (1) THE  
9 USEFUL PUBLIC SERVICE CASH FUND, REFERRED TO WITHIN THIS SECTION  
10 AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS  
11 OF MONEY COLLECTED AS FEES AND CREDITED TO THE FUND PURSUANT TO  
12 SUBSECTION (3) OF THIS SECTION AND ANY OTHER MONEY THAT THE  
13 GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.  
14 MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE JUDICIAL  
15 DEPARTMENT FOR THE COST OF ADMINISTERING USEFUL PUBLIC SERVICE  
16 PROGRAMS AND ASSOCIATED COSTS FOR PERSONAL SERVICES; EXCEPT  
17 THAT THE FUND IS SUBJECT TO THE LIMITATIONS ON UNCOMMITTED  
18 RESERVES DESCRIBED IN SECTION 24-75-402.

19 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
20 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
21 FUND TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEY  
22 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAINS IN THE  
23 FUND AND MAY NOT BE TRANSFERRED TO THE GENERAL FUND OR TO  
24 ANOTHER FUND.

25 (3) IN COUNTIES WHERE THE JUDICIAL DEPARTMENT OPERATES A  
26 USEFUL PUBLIC SERVICE PROGRAM AS PROVIDED IN SECTION 18-1.3-507,  
27 18-18-432, OR 42-4-1301.4, THE COURT SHALL COLLECT ANY MONEY

1 ASSESSED AS FEES PURSUANT TO SUCH SECTIONS AND TRANSFER SUCH  
2 MONEY TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE  
3 FUND.

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5 **SECTION 3. Act subject to petition - effective date.** This act  
6 takes effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly (August  
8 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
9 referendum petition is filed pursuant to section 1 (3) of article V of the  
10 state constitution against this act or an item, section, or part of this act  
11 within such period, then the act, item, section, or part will not take effect  
12 unless approved by the people at the general election to be held in  
13 November 2018 and, in such case, will take effect on the date of the  
14 official declaration of the vote thereon by the governor.