

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

January 26, 2017
Date

Committee on Judiciary.

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

HB17-1056 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, after line 10 insert:

2 "SECTION 2. In Colorado Revised Statutes, 18-18-432, amend
3 (2)(c) as follows:

4 **18-18-432. Drug offender public service and rehabilitation**
5 **program.** (2) (c) (I) If not already established pursuant to law, there may
6 be established in each judicial district in the state a useful public service
7 program under the direction of the chief judge of the judicial district. ~~It~~
8 ~~shall be~~ The purpose of the useful public service program IS to identify
9 and seek the cooperation of governmental entities and political
10 subdivisions thereof and corporations organized not for profit or
11 charitable trusts, AS SPECIFIED IN SUBSECTION (2)(c)(II) OF THIS SECTION,
12 for the purpose of providing useful public service jobs; to interview and
13 assign persons who have been ordered by the court to perform useful
14 public service to suitable useful public service jobs; and to monitor
15 compliance or noncompliance of such persons in performing useful
16 public service assignments as specified in ~~paragraph (a) of this subsection~~
17 ~~(2)~~ SUBSECTION (2)(a) OF THIS SECTION. NOTHING IN THIS SUBSECTION (2)
18 LIMITS THE AUTHORITY OF AN ENTITY THAT IS THE RECIPIENT OF
19 COMMUNITY OR USEFUL PUBLIC SERVICE TO ACCEPT OR REJECT SUCH
20 SERVICE, IN ITS SOLE DISCRETION.

21 (II) IN ADDITION TO GOVERNMENTAL ENTITIES AND POLITICAL
22 SUBDIVISIONS THEREOF, THE FOLLOWING ORGANIZATIONS ARE ELIGIBLE

1 TO PROVIDE COMMUNITY OR USEFUL PUBLIC SERVICE JOBS ESTABLISHED
2 UNDER THIS SECTION OR ANY OTHER PROVISION OF LAW SO LONG AS THEY
3 MEET ANY OTHER REQUIREMENT RELATED TO THE PROVISION OF THOSE
4 JOBS, AS ESTABLISHED BY THE ENTITY THAT IS THE RECIPIENT OF
5 COMMUNITY OR USEFUL PUBLIC SERVICE:

6 (A) A CHARITABLE TRUST OR OTHER ORGANIZATION THAT IS
7 EXEMPT FROM TAXATION UNDER SECTION 501 (c)(3) OF THE FEDERAL
8 "INTERNAL REVENUE CODE OF 1986", AS AMENDED;

9 (B) A CIVIC LEAGUE OR ORGANIZATION THAT IS EXEMPT FROM
10 TAXATION UNDER SECTION 501 (c)(4) OF THE FEDERAL "INTERNAL
11 REVENUE CODE OF 1986", AS AMENDED, AND THAT ALSO WOULD QUALIFY
12 AS A VETERANS' SERVICE ORGANIZATION AS DEFINED IN SECTION 501
13 (c)(19) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS
14 AMENDED; AND

15 (C) A VETERANS' SERVICE ORGANIZATION THAT IS EXEMPT FROM
16 TAXATION UNDER SECTION 501 (c)(19) OF THE FEDERAL "INTERNAL
17 REVENUE CODE OF 1986", AS AMENDED.

18 **SECTION 3.** In Colorado Revised Statutes, 42-4-1301.4, **amend**
19 (3) as follows:

20 **42-4-1301.4. Useful public service - definitions - local**
21 **programs - assessment of costs.** (3) (a) There may be established in the
22 probation department of each judicial district in the state a useful public
23 service program under the direction of the chief probation officer. It is the
24 purpose of the useful public service program: To identify and seek the
25 cooperation of governmental entities and political subdivisions thereof,
26 as well as corporations organized not for profit or charitable trusts, AS
27 SPECIFIED IN SUBSECTION (3)(c) OF THIS SECTION, for the purpose of
28 providing useful public service jobs; to interview and assign persons who
29 have been ordered by the court to perform useful public service to
30 suitable useful public service jobs; and to monitor compliance or
31 noncompliance of such persons in performing useful public service
32 assignments within the time established by the court.

33 (b) NOTHING IN THIS SUBSECTION (3) LIMITS THE AUTHORITY OF
34 AN ENTITY THAT IS THE RECIPIENT OF COMMUNITY OR USEFUL PUBLIC
35 SERVICE TO ACCEPT OR REJECT SUCH SERVICE, IN ITS SOLE DISCRETION.

36 (c) IN ADDITION TO GOVERNMENTAL ENTITIES AND POLITICAL
37 SUBDIVISIONS THEREOF, THE FOLLOWING ORGANIZATIONS ARE ELIGIBLE
38 TO PROVIDE COMMUNITY OR USEFUL PUBLIC SERVICE JOBS ESTABLISHED
39 UNDER THIS SECTION OR ANY OTHER PROVISION OF LAW SO LONG AS THEY
40 MEET ANY OTHER REQUIREMENT RELATED TO THE PROVISION OF THOSE

1 JOBS, AS ESTABLISHED BY THE ENTITY THAT IS THE RECIPIENT OF
2 COMMUNITY OR USEFUL PUBLIC SERVICE:

3 (I) A CHARITABLE TRUST OR OTHER ORGANIZATION THAT IS
4 EXEMPT FROM TAXATION UNDER SECTION 501 (c)(3) OF THE FEDERAL
5 "INTERNAL REVENUE CODE OF 1986", AS AMENDED;

6 (II) A CIVIC LEAGUE OR ORGANIZATION THAT IS EXEMPT FROM
7 TAXATION UNDER SECTION 501 (c)(4) OF THE FEDERAL "INTERNAL
8 REVENUE CODE OF 1986", AS AMENDED, AND THAT ALSO WOULD QUALIFY
9 AS A VETERANS' SERVICE ORGANIZATION AS DEFINED IN SECTION 501
10 (c)(19) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS
11 AMENDED; AND

12 (III) A VETERANS' SERVICE ORGANIZATION THAT IS EXEMPT FROM
13 TAXATION UNDER SECTION 501 (c)(19) OF THE FEDERAL "INTERNAL
14 REVENUE CODE OF 1986", AS AMENDED."

15 Renumber succeeding section accordingly.

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