

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0305.01 Richard Sweetman x4333

**HOUSE BILL 18-1287**

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**HOUSE SPONSORSHIP**

**Weissman,**

**SENATE SPONSORSHIP**

**Cooke,**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE EXTENSION OF THE REPEAL OF THE COLORADO**  
102 **COMMISSION ON CRIMINAL AND JUVENILE JUSTICE.**

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**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/>.)*

**Sentencing in the Criminal Justice System Interim Study Committee.** Current law repeals the Colorado commission on criminal and juvenile justice, effective July 1, 2018. The bill extends the repeal date to July 1, 2028.

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

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 16-11.3-105  
3 as follows:

4 **16-11.3-105. Repeal of article.** This ~~article~~ ARTICLE 11.3 is  
5 repealed, effective ~~July 1, 2018~~ JULY 1, 2023. PRIOR TO SUCH REPEAL, THE  
6 DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE COMMISSION  
7 AS DESCRIBED IN SECTION 2-3-1203.

8 **SECTION 2.** In Colorado Revised Statutes, 24-1-128.6, **amend**  
9 (8)(b) as follows:

10 **24-1-128.6. Department of public safety - creation - repeal.**  
11 (8) (b) This subsection (8) is repealed, effective ~~July 1, 2018~~ JULY 1,  
12 2023.

13 **SECTION 3.** In Colorado Revised Statutes, 16-11.3-102, **amend**  
14 (2)(a) introductory portion, (2)(a)(XI) introductory portion, (2)(a)(XI)(H),  
15 (2)(a)(XI)(I), and (3)(b); **repeal** (2)(a)(XI)(D); and **add** (2)(a)(V.5),  
16 (2)(a)(XI)(J), (2)(a)(XI)(K), (2)(a)(XI)(L), (2)(a)(XI)(M), and (3)(c) as  
17 follows:

18 **16-11.3-102. Colorado commission on criminal and juvenile**  
19 **justice - creation - membership - operation.** (2) (a) The commission  
20 consists of ~~twenty-six~~ TWENTY-NINE voting members, as follows:

21 (V.5) THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT  
22 ATTORNEYS' COUNCIL, OR HIS OR HER DESIGNEE, AND ONE ELECTED  
23 DISTRICT ATTORNEY, TO BE DESIGNATED BY THE COLORADO DISTRICT  
24 ATTORNEYS' COUNCIL;

25 (XI) ~~Twelve~~ THIRTEEN members appointed by the governor as  
26 follows:

27 (D) ~~Two elected district attorneys;~~

1 (H) One member who is a representative of a community  
2 corrections provider, a community corrections board member, or a  
3 behavioral, mental health, or substance use disorder treatment provider;  
4 and

5 (I) ~~Three members who shall be appointed at-large~~ ONE MEMBER  
6 WHO IS A VICTIM, AS DEFINED IN SECTION 24-4.1-302 (5), WHO HAS  
7 DEMONSTRATED KNOWLEDGE OF THE CRIMINAL JUSTICE SYSTEM AND ITS  
8 IMPACTS;

9 (J) A PERSON WHO IS A FORMER OFFENDER WHO HAS  
10 DEMONSTRATED KNOWLEDGE OF THE CRIMINAL JUSTICE SYSTEM AND ITS  
11 IMPACTS;

12 (K) A REPRESENTATIVE OF A NONPROFIT ORGANIZATION  
13 REPRESENTING MUNICIPALITIES;

14 (L) A VICTIM'S ADVOCATE, AS DEFINED IN SECTION 13-90-107  
15 (1)(k)(II); AND

16 (M) TWO MEMBERS WHO SHALL BE APPOINTED AT-LARGE.

17 (3) (b) Each appointing authority shall appoint the initial  
18 appointed members of the commission within sixty days after May 23,  
19 2007. THE GOVERNOR SHALL APPOINT THE COMMISSION MEMBERS  
20 DESCRIBED IN SUBSECTION (2)(a)(XI)(I), (2)(a)(XI)(J), (2)(a)(XI)(K), and  
21 (2)(a)(XI)(L) OF THIS SECTION ON OR BEFORE JULY 1, 2018. An appointed  
22 member shall not serve more than two consecutive full terms, in addition  
23 to any partial term. In the event of a vacancy in an appointed position by  
24 death, resignation, removal for misconduct, incompetence, neglect of  
25 duty, or otherwise, the appointing authority shall appoint a member to fill  
26 the position for the remainder of the unexpired term.

27 (c) A PERSON WHO HAS BEEN APPOINTED AND SUBSEQUENTLY

1 REAPPOINTED TO THE COMMISSION BY THE SAME GOVERNOR IN ANY  
2 CAPACITY DESCRIBED IN SUBSECTION (2)(a)(XI) OF THIS SECTION MAY NOT  
3 BE APPOINTED BY THE SAME GOVERNOR TO SERVE IN ANY OTHER  
4 CAPACITY DESCRIBED IN SAID SUBSECTION (2)(a)(XI).

5 **SECTION 4.** In Colorado Revised Statutes, 16-11.3-103, **add** (7)  
6 as follows:

7 **16-11.3-103. Duties of the commission - mission - staffing.**  
8 (7) ON OR BEFORE MAY 1 OF EACH EVEN-NUMBERED YEAR, THE  
9 COMMISSION SHALL REQUEST A LETTER FROM THE GOVERNOR SUGGESTING  
10 TOPICS FOR THE COMMISSION TO STUDY. IN PREPARING THE LETTER, THE  
11 GOVERNOR IS ENCOURAGED TO CONSULT WITH THE CHIEF JUSTICE OF THE  
12 COLORADO SUPREME COURT AND THE MAJORITY AND MINORITY LEADERS  
13 OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

14 **SECTION 5.** In Colorado Revised Statutes, 2-3-1203, **add**  
15 (14)(a)(VI) as follows:

16 **2-3-1203. Sunset review of advisory committees - legislative**  
17 **declaration - definition - repeal.** (14) (a) The following statutory  
18 authorizations for the designated advisory committees are scheduled for  
19 repeal on September 1, 2023:

20 (VI) THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE  
21 JUSTICE CREATED IN SECTION 16-11.3-102.

22 **SECTION 6. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.