

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 18-1278.01 Michael Dohr x4347

HOUSE BILL 18-1425

HOUSE SPONSORSHIP

Lee and Wist,

SENATE SPONSORSHIP

Coram,

House Committees

Legislative Council
Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CREATION OF A LEGISLATIVE COMMITTEE TO STUDY THE**
102 **STATE PRISON POPULATION, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

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 a legislative committee on state prison population issues that begins in the 2018 interim and continues through June 30, 2020. The committee may meet during the 2019 and 2020 legislative sessions. The bill specifies issues that the committee must study. The chair and vice-chair of the committee may appoint subcommittees to

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.

HOUSE
3rd Reading Unamended
May 3, 2018

HOUSE
Amended 2nd Reading
May 2, 2018

provide technical assistance to the committee. The subcommittees may include members of the committee and other persons with expertise in school prison population issues.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 20 to article
3 2 of title 2 as follows:

4 **PART 20**

5 **STATE PRISON POPULATION STUDY**

6 **2-2-2001. Legislative committee on state prison population**
7 **issues - creation.** (1) NOTWITHSTANDING THE PROVISIONS OF SECTION

8 2-3-303.3, THERE IS HEREBY CREATED THE LEGISLATIVE COMMITTEE ON
9 STATE PRISON POPULATION ISSUES, REFERRED TO IN THIS PART 20 AS THE
10 "COMMITTEE", TO STUDY THE ISSUES DESCRIBED IN SECTION 2-2-2002.
11 THE COMMITTEE SHALL MEET BEGINNING DURING THE 2018 LEGISLATIVE
12 INTERIM THROUGH JUNE 30, 2020, AND MAY MEET DURING THE 2019 AND
13 2020 LEGISLATIVE SESSIONS. THE COMMITTEE CONSISTS OF:

14 (a) FIVE MEMBERS OF THE SENATE, THREE OF WHOM THE
15 PRESIDENT OF THE SENATE SHALL APPOINT AND TWO OF WHOM THE
16 MINORITY LEADER OF THE SENATE SHALL APPOINT; AND

17 (b) FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES, THREE OF
18 WHOM THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT
19 AND TWO OF WHOM THE MINORITY LEADER OF THE HOUSE OF
20 REPRESENTATIVES SHALL APPOINT.

21 (2) (a) THE APPOINTING AUTHORITIES SHALL APPOINT THE
22 MEMBERS OF THE COMMITTEE AS SOON AS POSSIBLE AFTER THE EFFECTIVE
23 DATE OF THIS PART 20 BUT NO LATER THAN JUNE 15, 2018. THE
24 APPOINTING AUTHORITIES SHALL, TO THE EXTENT PRACTICABLE, ENSURE

1 THAT THE MEMBERS OF THE COMMITTEE REPRESENT JUDICIAL DISTRICTS
2 IN ALL AREAS OF THE STATE, INCLUDING URBAN, SUBURBAN, AND RURAL
3 DISTRICTS. IF A VACANCY ARISES ON THE COMMITTEE, THE APPROPRIATE
4 APPOINTING AUTHORITY SHALL APPOINT AN APPROPRIATE PERSON TO FILL
5 THE VACANCY AS SOON AS POSSIBLE.

6 (b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
7 APPOINT THE CHAIR OF THE COMMITTEE. THE PRESIDENT OF THE SENATE
8 SHALL APPOINT THE VICE-CHAIR OF THE COMMITTEE.

9 (3) THE CHAIR OF THE COMMITTEE SHALL SCHEDULE THE FIRST
10 MEETING OF THE COMMITTEE TO BE HELD NO LATER THAN JULY 1, 2018.
11 THE COMMITTEE MAY MEET UP TO SIX TIMES A YEAR.

12 (4) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE MAY APPOINT
13 SUBCOMMITTEES AS NECESSARY TO PROVIDE TECHNICAL ASSISTANCE TO
14 THE COMMITTEE. A SUBCOMMITTEE MAY INCLUDE MEMBERS OF THE
15 COMMITTEE AND PERSONS WITH TECHNICAL EXPERTISE IN PRISON
16 POPULATION ISSUES. NONLEGISLATIVE MEMBERS OF A SUBCOMMITTEE
17 SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR
18 EXPENSES.

19 (5) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL
20 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL
21 PROVIDE STAFF ASSISTANCE TO THE COMMITTEE.

22 (6) THE COMMITTEE MAY INTRODUCE UP TO A TOTAL OF FIVE
23 BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTIONS IN EACH OF
24 THE 2019 AND 2020 LEGISLATIVE SESSIONS. BILLS THAT THE COMMITTEE
25 INTRODUCES ARE EXEMPT FROM THE FIVE-BILL LIMITATION SPECIFIED IN
26 RULE 24 (b)(1)(A) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF
27 REPRESENTATIVES. JOINT RESOLUTIONS AND CONCURRENT RESOLUTIONS

1 THAT THE COMMITTEE INTRODUCES ARE EXEMPT FROM THE LIMITATIONS
2 SET OUT IN RULE 26 (g) OF THE RULES OF THE HOUSE OF REPRESENTATIVES
3 AND RULE 30 (f) OF THE RULES OF THE SENATE. THE COMMITTEE IS
4 EXEMPT FROM THE REQUIREMENT SPECIFIED IN RULE 24 (b)(1)(D) AND
5 RULE 24A (d)(8) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF
6 REPRESENTATIVES AND IN SECTION 2-3-303 (1)(f), TO REPORT BILLS OR
7 OTHER MEASURES TO THE LEGISLATIVE COUNCIL.

8 (7) ALL EXPENDITURES THAT THE COMMITTEE INCURS ARE
9 SUBJECT TO APPROVAL BY THE CHAIR OF THE COMMITTEE AND, IF
10 APPROVED, SHALL BE PAID BY VOUCHERS AND WARRANTS DRAWN AS
11 PROVIDED BY LAW FROM APPROPRIATIONS MADE BY THE GENERAL
12 ASSEMBLY FOR THE PURPOSES OF THIS PART 20.

13 **2-2-2002. Prison population study - issues.** (1) THE COMMITTEE
14 SHALL, AT A MINIMUM, STUDY THE FOLLOWING ISSUES:

15 (a) PRISON POPULATION PROJECTIONS AND THE PRISON
16 POPULATION FORECASTING MODELS;

17 (b) LONG- AND SHORT-TERM PRISON POPULATION CAPACITY
18 NEEDS, TAKING INTO CONSIDERATION THE POSSIBLE IMPACTS OF CRIMINAL
19 JUSTICE POLICY INITIATIVES ENACTED BY THE GENERAL ASSEMBLY; AND

20 (c) IMPLEMENTATION OF AND ADJUSTMENT TO THE UTILIZATION
21 TARGETS USED BY THE DEPARTMENT OF CORRECTIONS, THE PAROLE
22 BOARD, AND COMMUNITY CORRECTIONS BOARDS.

23 (2) BASED ON THE STUDY OF ISSUES DESCRIBED IN SUBSECTION (1)
24 OF THIS SECTION, THE COMMITTEE SHALL MAKE LEGISLATIVE
25 RECOMMENDATIONS TO THE GENERAL ASSEMBLY.

26 **SECTION 2. Appropriation.** (1) For the 2018-19 state fiscal
27 year, \$39,021 is appropriated to the legislative department. This

1 appropriation is from the general fund. To implement this act, the
2 department may use this appropriation as follows:

3 (a) \$18,414 for use by the legislative council, which amount is
4 based on an assumption that the council will require an additional 0.3
5 FTE;

6 (b) \$7,497 for use by the committee on legal services, which
7 amount is based on an assumption that the committee will require an
8 additional 0.1 FTE; and

9 (b) \$13,110 for use by the general assembly.

10 **SECTION 3. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.