

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 13, 2018
Date

Committee on Judiciary.

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

SB18-135 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 14, line 13, strike "MAY RECEIVE A
2 SENTENCE OF CONFINEMENT" and substitute "RECEIVED A SENTENCE
3 GREATER THAN ONE YEAR OF CONFINEMENT OR A CONVICTION BY A
4 GENERAL COURT-MARTIAL OF ANY OFFENSE THAT, AT THE TIME THE
5 OFFENSE WAS COMMITTED, CARRIES A MAXIMUM TERM OF CONFINEMENT
6 OF THREE YEARS OR GREATER AS SET FORTH UNDER 10 U.S.C. SEC. 877 TO
7 10 U.S.C. SEC. 934, AS AMENDED, OR PURSUANT TO AN EXECUTIVE
8 ORDER,".

9 Page 14, line 15, after the period insert "ANY CONVICTION BY A SPECIAL
10 COURT-MARTIAL IS A MISDEMEANOR."

11 Page 14, after line 16 insert:

12 "SECTION 16. In Colorado Revised Statutes, 28-3.1-403, **add**
13 (6) as follows:

14 **28-3.1-403. Effective date of sentences.** (6) NOTWITHSTANDING
15 SUBSECTION (3) OF THIS SECTION, UNLESS WAIVED BY THE ACCUSED, AN
16 OFFICER EXERCISING SUMMARY COURT-MARTIAL JURISDICTION SHALL
17 DEFER SERVICE OF A SENTENCE TO CONFINEMENT PURSUANT TO SECTION
18 28-3.1-205 (4)(a), PENDING THE CONCLUSION OF ANY APPEAL FOLLOWING
19 REVIEW AND APPROVAL PURSUANT TO SECTION 28-3.1-420."

20 Renumber succeeding sections accordingly.

1 Page 19, line 19, strike "and a gentleman" and substitute "~~and a~~
2 gentleman".

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