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HOUSE BILL 20-1019

BY REPRESENTATIVE(S) Herod, Benavidez, Bird, Buckner, Caraveo, Coleman, Duran, Exum, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, Melton, Mullica, Singer, Snyder, Tipper, Valdez A., Weissman, Froelich, Michaelson Jenet, Sirota, Woodrow;
also SENATOR(S) Gonzales, Lee, Moreno, Rodriguez, Zenzinger, Garcia.

CONCERNING MEASURES TO MANAGE THE STATE PRISON POPULATION, AND,
IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 17-1-102, **amend** (7.3) as follows:

17-1-102. Definitions. As used in this title 17, unless the context otherwise requires:

(7.3) "Private contract prison" means any private prison facility IN THIS STATE operated by a ~~county, city and county, or private corporation located in this state~~ POLITICAL SUBDIVISION OF THIS STATE OR AN INCORPORATED OR UNINCORPORATED BUSINESS ENTITY; except that "private

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

contract prison" does not include any local jail, multijurisdictional jail, or community corrections center.

SECTION 2. In Colorado Revised Statutes, 17-1-104.3, **amend** (1)(b.5); and **repeal** (1)(b.7) as follows:

17-1-104.3. Correctional facilities - locations - security level.

~~(1)(b.5) Notwithstanding the provisions of paragraph (b) of this subsection (1), beginning February 1, 2013, NOT MORE THAN SIX HUNDRED AND FIFTY BEDS AT the Centennial south campus of the Centennial correctional facility shall not~~ MAY be operated by the department for the purpose of housing inmates in the housing units but, if necessary, may be maintained to provide support and other services to the Centennial correctional facility. The department shall actively pursue options to sell or lease the Centennial south campus of the Centennial correctional facility, which is also known as Colorado state penitentiary II or CSP II. Any proceeds received as a result of a sale or lease of Centennial south campus of the Centennial correctional facility shall be first applied to the payment of the certificates of participation WHO ARE CLOSE CUSTODY INMATES. AT THE DISCRETION OF THE EXECUTIVE DIRECTOR, THE DEPARTMENT MAY HOUSE INMATES OF A LOWER THAN CLOSE CUSTODY LEVEL FOR NO LONGER THAN THREE MONTHS FROM THE EFFECTIVE DATE OF THIS SECTION IN ORDER TO FACILITATE THE MOVEMENT OF INMATES DISPLACED AS A RESULT OF PRISON CLOSURE OR IF THE LOWER THAN CLOSE CUSTODY INMATE IS VOLUNTARILY SERVING AS A MENTOR PEER-SUPPORT, OR IN ANOTHER OTHER LEADERSHIP ROLE AS PART OF DEPARTMENTAL PROGRAMMING WITH THE PURPOSE OF PROGRESSING CLOSE CUSTODY INMATES TO LOWER SECURITY LEVELS.

~~(b.7) (f) Notwithstanding subsection (1)(b.5) of this section, the Centennial south campus of the Centennial correctional facility may be used to house inmates on a limited basis when the state male prison vacant bed rate, excluding RTP treatment beds, remains below one percent vacancy for two consecutive months and the department has exhausted all options pursuant to section 17-1-119.7. The department shall not house more than one hundred twenty-six inmates at one time in the Centennial south campus. Once the state male prison vacant bed rate surpasses one percent vacancy, including calculating the inmates housed in the Centennial south campus, the department shall transfer inmates housed in the Centennial south campus to an appropriate facility under the department's control within thirty calendar days.~~

~~(H) The department shall report the use of the Centennial south campus of the Centennial correctional facility to the joint budget committee and the judiciary committees of the senate and the house of representatives; or any successor committees, within five calendar days after the use of the Centennial south campus. For each month that the Centennial south campus of the Centennial correctional facility is used, the department shall report on the first day of every month the continued nature of the use of the Centennial south campus at the Centennial correctional facility, the steps taken by the department to address the vacancy issue, and the expected time frame for the vacancy issue to end.~~

~~(HH) The department shall consider input from any legislative interim committee that meets during the 2019 interim regarding prison population management, specifically including:~~

~~(A) Strategies to safely reduce the prison population and reduce recidivism; and~~

~~(B) Prison use analysis including the Centennial south campus at the Centennial correctional facility, private prisons, and alternative bed programs.~~

~~(IV) This subsection (1)(b.7) is repealed, effective September 1, 2020.~~

SECTION 3. In Colorado Revised Statutes, 17-1-104.5, **add** (3) and (4) as follows:

17-1-104.5. Incarceration of inmates from other states - private contract prison facilities. (3) THE DEPARTMENT SHALL DEVELOP AND RELY UPON CRITERIA FOR THE PROTECTION OF THE HEALTH, SAFETY, AND FINANCIAL INTERESTS OF THE STATE OF COLORADO AS DEVELOPED BY THE EXECUTIVE DIRECTOR.

(4) UPON VIOLATION OF THIS SECTION, THE EXECUTIVE DIRECTOR MAY RESCIND HIS OR HER APPROVAL PURSUANT TO SUBSECTION (2) OF THIS SECTION AND MUST PROVIDE AT LEAST SIXTY DAYS NOTICE TO THE CONTRACTING PARTIES OF THE RECISION.

SECTION 4. In Colorado Revised Statutes, 24-32-104, **add** (3) as

follows:

24-32-104. Functions of the division - definition. (3) (a) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS SHALL CONTRACT WITH A NATIONALLY RECOGNIZED RESEARCH AND CONSULTING ENTITY TO STUDY FUTURE PRISON BED NEEDS IN COLORADO. WHILE CONDUCTING THE STUDY, THE ENTITY SHALL SOLICIT INPUT FROM LOCAL COMMUNITIES AND OTHER INTERESTED PARTIES OR ISSUE EXPERTS, INCLUDING BUT NOT LIMITED TO PUBLIC SAFETY EXPERTS, VICTIM'S ADVOCATES, PROSECUTORS, DEFENSE ATTORNEYS, AND COMMUNITY REENTRY PROVIDERS.

(b) THE DIVISION SHALL CONVENE AN ADVISORY COMMITTEE THAT CONTAINS THREE REPRESENTATIVES OF LOCAL GOVERNMENTS, OF WHICH AT LEAST TWO MUST BE COUNTY COMMISSIONERS, SELECTED BY THE EXECUTIVE DIRECTOR, FROM EACH COUNTY THAT HAS A PRIVATE PRISON TO CONSULT WITH THE ENTITY DURING THE STUDY. THE STUDY MUST INCLUDE:

(I) AN ANALYSIS OF THE ECONOMIC AND OTHER IMPACTS THAT POTENTIAL PRISON CLOSURE WOULD HAVE ON LOCAL GOVERNMENTS AND THE WIDER COMMUNITY AND RECOMMENDATIONS ON STRATEGIES TO DIVERSIFY THE LOCAL ECONOMY;

(II) A UTILIZATION ANALYSIS OF ALL STATE AND PRIVATELY OPERATED FACILITIES AND ALL OTHER FACILITIES THAT CAN BE USED FOR HOUSING INMATES;

(III) AN ANALYSIS OF THE FEASIBILITY OF THE DEPARTMENT TO OBTAIN PRIVATELY OWNED FACILITIES OR UTILIZE UNUSED STATE-OWNED BUILDINGS IN COLORADO.

(c) PRIOR TO COMPLETING THE STUDY, THE DIVISION, IN CONJUNCTION WITH THE COUNTY COMMISSIONERS, SHALL PROVIDE NOTICE AND CONDUCT PUBLIC HEARINGS IN THE COUNTIES IN WHICH PRIVATE PRISONS ARE LOCATED TO ALLOW DIRECT PUBLIC TESTIMONY AND INPUT, WHICH THE DEPARTMENT SHALL INCLUDE IN THE FINAL REPORT.

(d) THE DIVISION OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL AFFAIRS SHALL REPORT THE STUDY TO THE JUDICIARY COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR

COMMITTEES, DURING THE COMMITTEES' HEARINGS HELD DURING THE 2021 SESSION OF THE GENERAL ASSEMBLY UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

SECTION 5. In Colorado Revised Statutes, 17-2-103, **amend** (11)(c) introductory portion as follows:

17-2-103. Arrest of parolee - revocation proceedings. (11) (c) If the board determines that the parolee is in need of treatment, ~~and is amenable to treatment~~, the board shall consider placing the parolee in one of the following treatment options and, if appropriate, may modify the conditions of parole to include:

SECTION 6. In Colorado Revised Statutes, 17-22.5-405, **amend** (1) introductory portion and (1.5)(b); and **add** (1)(h) as follows:

17-22.5-405. Earned time - earned release time - achievement earned time - definition. (1) Earned time, not to exceed ten days for each month of incarceration or parole, may be deducted from the inmate's sentence upon a demonstration to the department by the inmate, which is certified by the inmate's case manager or community parole officer, that ~~he or she~~ THE INMATE has made consistent progress in the following categories as required by the department of corrections:

(h) THE INMATE HAS SHOWN EXEMPLARY LEADERSHIP THROUGH MENTORING, COMMUNITY SERVICE, AND DISTINGUISHED ACTIONS BENEFITING THE HEALTH, SAFETY, ENVIRONMENT, AND CULTURE FOR STAFF AND OTHER INMATES.

(1.5) (b) The earned time specified in ~~paragraph (a) of this subsection (1.5)~~ SUBSECTION (1.5)(a) OF THIS SECTION may be deducted based upon a demonstration to the department by the inmate, which is certified by the inmate's case manager or community parole officer, that he or she has made ~~consistent progress in the categories described in subsection (1) of this section~~ POSITIVE PROGRESS IN ACCORDANCE WITH PERFORMANCE STANDARDS ESTABLISHED BY THE DEPARTMENT.

SECTION 7. In Colorado Revised Statutes, 18-1.3-301, **amend** (1)(g) as follows:

18-1.3-301. Authority to place offenders in community corrections programs. (1) (g) The sentencing court may make appropriate orders for the detention, transfer, or resentencing of any offender whose placement in a community corrections program is terminated pursuant to section 17-27-103 (7) ~~C.R.S.~~, or section 17-27-104 (5). ~~C.R.S.~~ As to any offender held pursuant to section 17-27-104 (6) ~~C.R.S.~~, in a jail operated by a unit of local government in a county other than where the offender's original conviction occurred, the sentencing court shall order the transfer of the offender to the jail of the county where the original conviction occurred as soon as possible. ~~The sentencing court is not required to provide the offender with an evidentiary hearing pertaining to the rejection of placement in a community corrections program prior to resentencing~~ THE SENTENCING COURT SHALL PROVIDE THE OFFENDER WITH A NEW SENTENCING HEARING, FOR ANY TERMINATION FROM A COMMUNITY CORRECTIONS PROGRAM, INCLUDING A VIOLATION OF SECTION 18-8-208.2. AT ANY NEW SENTENCING HEARING, THE COURT MAY CONSIDER ANY SENTENCING ALTERNATIVE ORIGINALLY AVAILABLE TO THE COURT WHEN ORDERING THE APPROPRIATE SENTENCE.

SECTION 8. In Colorado Revised Statutes, 18-8-208, **amend** (11) as follows:

18-8-208. Escapes. (11) If a person ~~who~~ is SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301, OR IS TRANSITIONING FROM THE DEPARTMENT OF CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM, OR IS PLACED IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101, OR IS PARTICIPATING IN A WORK RELEASE OR HOME DETENTION PROGRAM PURSUANT TO SECTION 18-1.3-106 (1.1), INTENSIVE SUPERVISION PROGRAM OR ANY OTHER SIMILAR AUTHORIZED SUPERVISED OR UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN SECTION 18-8-203 (3), IS HOUSED IN A STAFF SECURE FACILITY AS DEFINED IN SECTION 19-1-103 (101.5), OR IS placed in a community corrections program for purposes of obtaining residential treatment as a condition of probation pursuant to section 18-1.3-204 (2.2) or 18-1.3-301 (4)(b), THEN THE PERSON is not in custody or confinement for purposes of this section.

SECTION 9. In Colorado Revised Statutes, 18-8-208.1, **amend** (1.5); and **repeal** (6) as follows:

18-8-208.1. Attempt to escape. (1.5) ~~If a person, while in custody or confinement following conviction of a felony and either serving a direct sentence to a community corrections program pursuant to section 18-1.3-301, or having been placed in an intensive supervision parole program pursuant to section 17-27.5-101, C.R.S., knowingly attempts to escape from his or her custody or confinement, he or she commits a class 5 felony. The sentence imposed pursuant to this subsection (1.5) may run concurrently or consecutively with any sentence being served by the offender~~ IF A PERSON IS SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301, OR IS TRANSITIONING FROM THE DEPARTMENT OF CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM, OR IS PLACED IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101, OR IS PARTICIPATING IN A WORK RELEASE OR HOME DETENTION PROGRAM PURSUANT TO SECTION 18-1.3-106(1.1), INTENSIVE SUPERVISION PROGRAM OR ANY OTHER SIMILAR AUTHORIZED SUPERVISED OR UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN SECTION 18-8-203 (3), IS HOUSED IN A STAFF SECURE FACILITY AS DEFINED IN SECTION 19-1-103 (101.5), OR IS PLACED IN A COMMUNITY CORRECTIONS PROGRAM FOR PURPOSES OF OBTAINING RESIDENTIAL TREATMENT AS A CONDITION OF PROBATION PURSUANT TO SECTION 18-1.3-204 (2.2) OR 18-1.3-301 (4)(b), THEN THE PERSON IS NOT IN CUSTODY OR CONFINEMENT FOR PURPOSES OF THIS SECTION.

~~(6) A person who participates in a work release program, a home detention program, as defined in section 18-1.3-106 (1.1), a furlough, an intensive supervision program, or any other similar authorized supervised or unsupervised absence from a detention facility, as defined in section 18-8-203 (3), and who is required to report back to the detention facility at a specified time shall be deemed to be in custody.~~

SECTION 10. In Colorado Revised Statutes, **add** 18-8-208.2 as follows:

18-8-208.2. Unauthorized absence. (1) A PERSON WHO IS SERVING A DIRECT SENTENCE TO A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 18-1.3-301; TRANSITIONING FROM THE DEPARTMENT OF CORRECTIONS TO A COMMUNITY CORRECTIONS PROGRAM OR PLACED IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101; PARTICIPATING IN A WORK RELEASE OR HOME DETENTION PROGRAM PURSUANT TO 18-1.3-106 (1.1), INTENSIVE SUPERVISION PROGRAM, OR ANY

OTHER SIMILAR AUTHORIZED SUPERVISED OR UNSUPERVISED ABSENCE FROM A DETENTION FACILITY AS DEFINED IN SECTION 18-8-203 (3); OR IS HOUSED IN A STAFF SECURE FACILITY AS DEFINED IN SECTION 19-1-103 (101.5) COMMITS THE CRIME OF UNAUTHORIZED ABSENCE IF THE PERSON KNOWINGLY:

(a) LEAVES OR FAILS TO RETURN TO HIS OR HER RESIDENTIAL OR FACILITY LOCATION WITHOUT PERMISSION OF THE SUPERVISING AGENCY AND IN VIOLATION OF THE TERMS AND CONDITIONS OF SUPERVISION; OR

(b) REMOVES OR TAMPERS WITH AN ELECTRONIC MONITORING DEVICE REQUIRED BY THE SUPERVISING AGENCY TO BE WORN BY THE PERSON IN ORDER TO MONITOR HIS OR HER LOCATION, WITHOUT PERMISSION AND WITH THE INTENT TO AVOID ARREST, PROSECUTION, MONITORING OR OTHER LEGAL PROCESS.

(2) (a) IF A PERSON COMMITS UNAUTHORIZED ABSENCE FOR A CRIME LISTED IN SECTION 24-4.1-302 (1) OR A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, UNAUTHORIZED ABSENCE IS A CLASS 6 FELONY AND AN ATTEMPT THEREOF IS A CLASS 6 FELONY.

(b) IF A PERSON COMMITS UNAUTHORIZED ABSENCE FOR A CRIME OTHER THAN THE CRIMES LISTED IN SECTION 24-4.1-302 (1) AND THE CRIME IS NOT A CRIME OF VIOLENCE AS DESCRIBED IN SECTION 18-1.3-406, UNAUTHORIZED ABSENCE IS A CLASS 3 MISDEMEANOR AND AN ATTEMPT THEREOF IS A CLASS 3 MISDEMEANOR.

(c) A PERSON WHO KNOWINGLY VIOLATES A PERMANENT OR TEMPORARY PROTECTION ORDER ISSUED PURSUANT TO SECTION 18-1-1001(1), 13-14-103, 13-14-104.5, OR 13-14-106 DURING THE COMMISSION OF UNAUTHORIZED ABSENCE COMMITS A CLASS 3 FELONY.

(3) IF A PAROLEE PLACED IN A COMMUNITY CORRECTIONS OR IN AN INTENSIVE SUPERVISION PROGRAM PURSUANT TO SECTION 17-27.5-101 HAS AN UNAUTHORIZED ABSENCE, THE DEPARTMENT OF CORRECTIONS SHALL NOTIFY THE APPROPRIATE COMMUNITY REENTRY PROGRAM DESCRIBED IN SECTION 17-33-101 (7)(a), AND PROVIDE CONTACT INFORMATION FOR THE PURPOSES OF ASSISTING THE PERSON TO REENGAGE WITH SUPERVISION.

SECTION 11. In Colorado Revised Statutes, 18-1.3-801, **amend**

(5) as follows:

18-1.3-801. Punishment for habitual criminals. (5) A current or prior conviction for escape, as described in section 18-8-208 (1), (2), or (3), or attempt to escape, as described in section 18-8-208.1 (1) ~~(1.5)~~, or (2), may not be used for the purpose of adjudicating a person an habitual criminal as described in subsection (1.5) or subsection (2) of this section unless the conviction is based on the offender's escape or attempt to escape from a correctional facility, as defined in section 17-1-102, or from physical custody within a county jail; except that, for the purposes of this section, "correctional facility" does not include a community corrections facility, as defined in section 17-27-102 (2.5), or a halfway house, as defined in section 19-1-103 (62).

SECTION 12. In Colorado Revised Statutes, 24-4.1-302.5, **amend** (1)(c)(I)(B) as follows:

24-4.1-302.5. Rights afforded to victims - definitions. (1) In order to preserve and protect a victim's rights to justice and due process, each victim of a crime has the following rights:

(c) (I) Except as otherwise provided in subsection (1)(c)(II) of this section:

(B) The right to be informed when a person who is accused or convicted of a crime against the victim is released or discharged from custody other than county jail, is paroled, escapes from a secure or nonsecure correctional facility or program, ~~or absconds from probation or parole,~~ OR COMMITS AN UNAUTHORIZED ABSENCE AS DESCRIBED IN SECTION 18-8-208.2 (1).

SECTION 13. In Colorado Revised Statutes, 24-4.1-303, **amend** (14)(e) and (14.2)(e) as follows:

24-4.1-303. Procedures for ensuring rights of victims of crimes. (14) Upon receipt of a written victim impact statement as provided in section 24-4.1-302.5 (1)(j.5), the department of corrections shall include the statement with any referral made by the department of corrections or a district court to place an offender in a public or private community corrections facility or program. The department of corrections or the public

or private local corrections authorities shall notify the victim of the following information regarding any person who was charged with or convicted of a crime against the victim:

(e) Any escape OR UNAUTHORIZED ABSENCE AS DESCRIBED IN SECTION 18-8-208.2 (1) by such person, or transfer or release from any state hospital, a detention facility, a correctional facility, a community correctional facility, or other program, and any subsequent recapture of such person;

(14.2) Upon receipt of a written statement as provided in section 24-4.1-302.5 (1)(j.5), the department of human services, division of youth services, shall include the statement with any referral made by the department of human services or a district court to place an offender in a public or private community corrections facility or program. The department of human services and any state hospital shall notify the victim of the following information regarding any person who was charged with or adjudicated of a crime against the victim:

(e) Any escape OR UNAUTHORIZED ABSENCE AS DESCRIBED IN SECTION 18-8-208.2 (1) by the person, or transfer or release from any state hospital, a detention facility, a correctional facility, a community correctional facility, parole supervision, or other program, and any subsequent recapture of the person;

SECTION 14. Appropriation. For the 2020-21 state fiscal year, \$250,000 is appropriated to the department of local affairs for use by the division of local government, field services. This appropriation is from the general fund. To implement this act, the department may use this appropriation for H.B. 20-1019 study of future prison bed needs in Colorado.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 15. Appropriation to the department of corrections for the fiscal year beginning July 1, 2019. In Session Laws of Colorado 2019, section 2 of chapter 454, (SB 19-207), amend Part II (1)(A), (1)(C), (2)(A), (2)(B), (2)(C), (2)(D), (2)(E), (2)(F), (2)(G), (2)(I), (2)(J), (2)(K), (4)(B), (4)(C), (4)(D), (5)(A), and (5)(C), as follows:

Section 2. **Appropriation.**

**PART II
DEPARTMENT OF CORRECTIONS**

(1) MANAGEMENT

(A) Executive Director's Office Subprogram

Personal Services	3,599,788		3,355,983 (22.8 FTE)		243,805 ^a (4.0 FTE)
Restorative Justice Program with Victim-Offender Dialogues in Department Facilities	75,000		75,000 (1.2 FTE)		
Health, Life, and Dental	60,376,258 60,812,248		58,561,755 58,997,745	1,814,503 ^b	
Short-term Disability	613,889 617,365		596,142 599,618	17,747 ^b	
S.B. 04-257 Amortization Equalization Disbursement	18,302,638 18,404,864		17,782,744 17,884,970	519,894 ^b	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	18,302,638 18,404,864		17,782,744 17,884,970	519,894 ^b	
PERA Direct Distribution	9,854,160		9,569,276	284,884 ^b	
Salary Survey	10,973,701		10,656,469	317,232 ^b	
Shift Differential	9,264,502		9,210,052	54,450 ^b	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Workers' Compensation	5,943,515		5,755,701		187,814 ^b		
Operating Expenses	357,759		267,759			5,000 ^a	85,000(1) ^c
Legal Services	2,390,373 ^d		2,309,875		80,498 ^b		
Payment to Risk Management and Property Funds	4,388,047		4,214,706		173,341 ^b		
Leased Space	5,250,810		4,960,104		290,706 ^b		
Capitol Complex Leased Space	56,871		40,626		16,245 ^b		
Planning and Analysis Contracts	82,410		82,410				
Payments to District Attorneys	681,102		681,102				
Payments to Coroners	32,175		32,175				
Annual depreciation-lease equivalent payments	235,033		235,033				
	<u>150,780,669</u>						
	151,424,587						

^a These amounts shall be transferred from the Department of Public Safety from the State Victims Assistance and Law Enforcement Program line item appropriation in the Victims Assistance section of the Division of Criminal Justice. These amounts originate as cash funds from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506 (1), C.R.S.

^b Of these amounts, an estimated \$3,756,425 shall be from sales revenues earned by Correctional Industries and an estimated \$520,783 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding. This amount is included for informational purposes only.

^d Of this amount, \$2,369,627 shall be used to purchase legal services from the Department of Law and \$20,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

(C) Inspector General Subprogram

Personal Services	4,368,414		4,262,181 (48.2 FTE)		106,233 ^a		
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	429,367		346,180		83,187 ^a		
	435,229		352,042				
Inspector General Grants	<u>207,912</u>						207,912(I)
	5,005,693						
	5,011,555						

^a These amounts shall be from revenues earned from private prison out of state offender investigations.

(2) INSTITUTIONS

(A) Utilities Subprogram

Personal Services	326,492		326,492				
			(2.6 FTE)				
Utilities	22,062,941		20,658,871		1,404,070 ^a		
	<u>22,210,739</u>		20,806,669				
	22,389,433						
	22,537,231						

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services	21,441,109						
	21,664,385						
	(276.8 FTE)						
	(280.6 FTE)						
Operating Expenses	7,114,522						
	7,150,222						
Maintenance Pueblo Campus	<u>2,079,408</u>						
	30,635,039		30,635,039				
	30,894,015		30,894,015				

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Housing and Security Subprogram							
Personal Services ²	185,089,091		185,086,144		2,947 ^a		
	186,661,337		186,658,390				
			(2,980.6 FTE)				
			(3,000.3 FTE)				
Operating Expenses	1,852,341		1,852,341				
	<u>1,946,141</u>		1,946,141				
	186,941,432						
	188,607,478						

^a This amount shall be from the Corrections Expansion Reserve Fund created in Section 17-1-116, C.R.S.

(D) Food Service Subprogram

Personal Services	20,446,510		20,446,510				
	20,509,272		20,509,272				
			(317.8 FTE)				
			(318.8 FTE)				
Operating Expenses	18,015,818		18,015,818				
	18,389,845		18,389,845				
Food Service Pueblo Campus	<u>2,030,375</u>		2,030,375				
	40,492,703						
	40,929,492						

(E) Medical Services Subprogram

Personal Services	39,728,651		39,477,164		251,487 ^a		
	40,226,059		39,974,572				
			(384.5 FTE)				
			(390.5 FTE)		(3.0 FTE)		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	2,579,052		2,579,052				
	2,621,731		2,621,731				
Purchase of Pharmaceuticals	15,561,728		15,561,728				
	15,805,940		15,805,940				
Hepatitis C Treatment Costs	20,514,144		20,514,144				
Purchase of Medical Services from Other Medical Facilities	34,869,955		34,869,955				
Service Contracts	2,575,733		2,575,733				
Indirect Cost Assessment	914					914 ^a	
	<u>115,830,177</u>						
	116,614,476						

^a These amounts shall be from inmate medical fees collected pursuant to Section 17-1-113 (2), C.R.S.

(F) Laundry Subprogram

Personal Services	2,606,790					
	2,622,480					
	(37.4 FTE)					
	(37.7 FTE)					
Operating Expenses	2,197,545					
	<u>2,234,127</u>					
	4,804,335		4,804,335			
	4,856,607		4,856,607			

(G) Superintendents Subprogram

Personal Services	11,669,599					
	11,693,752					
	(156.9 FTE)					
	(157.4 FTE)					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	5,202,001						
	5,301,663						
Dress Out	1,006,280						
Start-up Costs	1,462						
	938,089						
	<u>17,879,342</u>		17,879,342				
	18,939,784		18,939,784				
 (I) Case Management Subprogram							
Personal Services	17,946,764						
	18,022,196						
	(248.2 FTE)						
	(249.5 FTE)						
Operating Expenses	173,081						
	178,943						
Offender ID Program	341,135						
Start-up Costs	4,703						
	<u>18,465,683</u>		18,465,683				
	18,546,977		18,546,977				
 (J) Mental Health Subprogram							
Personal Services	11,151,627		11,151,627				
	11,226,986		11,226,986				
			(154.0 FTE)				
			(155.4 FTE)				
Operating Expenses	281,266		281,266				
	292,991		292,991				
Medical Contract Services	4,544,498		4,544,498				

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Start-up Costs	<u>4,703</u>		4,703				
	15,982,094						
	16,069,178						
(K) Inmate Pay Subprogram	2,376,618		2,376,618				
	2,429,146		2,429,146				
(4) INMATE PROGRAMS							
(B) Education Subprogram							
Personal Services	14,105,285		14,105,285				
	14,167,093		14,167,093				
			(194.0 FTE)				
			(195.0 FTE)				
Operating Expenses	4,521,663		2,817,246		1,293,402^a	411,015 ^b	
	4,580,288				1,352,027 ^a		
Contract Services	237,128		237,128				
Education Grants	80,060				10,000 ^c	42,410 ^d	27,650(I)
	(2.0 FTE)						
Start-up Costs	<u>4,703</u>		4,703				
	18,948,839						
	19,069,272						

^a Of this amount, an estimated \$735,467 shall be from sales revenues earned by vocational programs and an estimated ~~\$557,935~~ \$616,560 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

^c This amount shall be from gifts, grants, and donations.

^d This amount shall be from the Colorado Department of Education from special education funds.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Recreation Subprogram							
Personal Services	7,732,383		7,732,383				
	7,781,935		7,781,935				
			(116.7 FTE)				
			(117.6 FTE)				
Operating Expenses	71,232				71,232 ^a		
	73,577				73,577 ^a		
	<u>7,803,615</u>						
	7,855,512						

^a This amount shall be from sales revenues earned by the Canteen Operation.

(D) Drug and Alcohol Treatment Subprogram

Personal Services	5,589,854		5,589,854				
	5,618,296		5,618,296				
			(85.4 FTE)				
			(85.9 FTE)				
Operating Expenses	110,932		110,932				
	113,511		113,511				
Services for Substance Abuse and Co-occurring Disorders	1,027,121					1,027,121 ^a	
Contract Services	2,508,458		2,147,206			361,252 ^a	
Treatment Grants	126,682					126,682 ^b	
	<u>9,363,047</u>						
	9,394,068						

^a These amounts shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(5) COMMUNITY SERVICES							
(A) Parole Subprogram							
Personal Services	19,007,465		19,007,465				
	19,022,598		19,022,598				
			(302.2 FTE)				
			(302.5 FTE)				
Operating Expenses	2,615,820		2,615,820				
	2,616,320		2,616,320				
Parolee Supervision and Support Services	11,299,514		9,089,758			2,209,756 ^a	
Wrap-Around Services Program	2,336,782		2,336,782				
Grants to Community-based Organizations for Parolee Support	6,697,140		6,697,140				
Community-based Organizations Housing Support	500,000		500,000				
Parolee Housing Support	500,000		500,000				
Work Release Program ³	3,500,000		3,500,000				
	<u>46,456,721</u>						
	46,472,354						

^b This amount shall be from grant funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

^a Of this amount, \$2,163,125 shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section and \$46,631 shall be transferred from the General Fund appropriation to the Offender Treatment and Services line item in the Probation and Related Services section. The transfer from the Offender Treatment and Services line item is for the provision of day reporting services.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Community Re-entry Subprogram							
Personal Services	2,512,252		2,512,252				
	2,526,627		2,526,627				
			(41.6 FTE)				
			(41.9 FTE)				
Operating Expenses	146,202		146,202				
	146,702		146,702				
Offender Emergency Assistance	96,768		96,768				
Contract Services	190,000		190,000				
Offender Re-employment Center	374,000		364,000		10,000 ^a		
Community Reintegration Grants	39,098						39,098(I) (1.0 FTE)
	<u>3,358,320</u>						
	3,373,195						

^a This amount shall be from gifts, grants, and donations.

**TOTALS PART II
(CORRECTIONS)**

	\$975,865,876	\$872,913,457	\$47,619,442^a	\$51,757,665	\$3,575,312^b
	<u>\$981,377,043</u>	<u>\$878,363,654</u>	<u>\$47,680,412^a</u>		

^a Of this amount, \$21,314,186 contains an (I) notation.

^b This amount contains an (I) notation.

SECTION 16. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO