

CHAPTER 142

GOVERNMENT - STATE

SENATE BILL 95-039

BY SENATORS Blickensderfer, Martinez, and Perlmutter;
also REPRESENTATIVES Agler, Knox, McPherson, and Tucker.

AN ACT

CONCERNING A VICTIMS' SERVICES COORDINATOR, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Part 1 of article 31 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

24-31-106. Rights of crime victims - victims' services coordinator. (1) TO ASSURE THAT THE CONSTITUTIONAL AND STATUTORY RIGHTS OF VICTIMS ARE PRESERVED IN CRIMINAL CASES BEING PROSECUTED OR DEFENDED BY THE OFFICE OF THE ATTORNEY GENERAL, THE ATTORNEY GENERAL MAY APPOINT, IN ACCORDANCE WITH SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION, A VICTIMS' SERVICES COORDINATOR, WHO SHALL BE SUBJECT TO THE STATE PERSONNEL SYSTEM PURSUANT TO ARTICLE 50 OF THIS TITLE.

(2) THE VICTIMS' SERVICES COORDINATOR SHALL PERFORM SUCH SERVICES AS DESIGNATED BY THE ATTORNEY GENERAL TO ASSURE THAT VICTIMS OF CRIME ARE AFFORDED THE RIGHTS DESCRIBED IN SECTION 24-4.1-302.5 WITH REGARD TO CRIMINAL CASES BEING PROSECUTED OR DEFENDED BY THE DEPARTMENT OF LAW.

(3) THE ATTORNEY GENERAL MAY FURTHER DIRECT THE VICTIMS' SERVICES COORDINATOR TO PROVIDE APPROPRIATE SERVICES TO THE VICTIMS OF CRIME, AS DEFINED BY SECTION 18-1-104 (1), C.R.S., WHOSE CASES ARE BEING HANDLED ON APPEAL BY THE DEPARTMENT OF LAW.

(4) THE POSITION OF VICTIMS' SERVICES COORDINATOR SHALL BE PROPERLY CLASSIFIED UNDER THE STATE PERSONNEL DIRECTOR'S CLASSIFICATION SYSTEM.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. 24-33.5-506 (1) and (3), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

24-33.5-506. Victims assistance and law enforcement fund - creation.

(1) There is hereby created in the state treasury a fund to be known as the victims assistance and law enforcement fund, referred to in sections 24-33.5-506 to 24-33.5-508 as the "fund". The state treasurer shall credit to this fund all moneys deposited with the state treasurer pursuant to section 24-4.2-105 (1). The general assembly shall make annual appropriations of the moneys in such fund to the division:

(a) For payment of the direct and indirect costs incurred by said division in administering the provisions of this section and section 24-33.5-507 and in administering any victims program authorized by federal or state law; ~~and~~

(b) For allocation to criminal justice agencies in the department of public safety to help implement and coordinate statewide or multi-jurisdictional victim services, to victims and witnesses assistance and law enforcement boards created pursuant to article 4.2 of this title to help implement the programs and services funded by such boards, to statewide organizations whose primary purpose is to address issues related to crime victims to help implement and coordinate victim programs and services, and to other Colorado state criminal justice agencies to help implement the requirements of the state constitution relating to the rights of crime victims and any enabling legislation relating to such constitutional provision; AND

(c) FOR ALLOCATION TO THE DEPARTMENT OF LAW FOR THE POSITION OF VICTIMS' SERVICES COORDINATOR CREATED PURSUANT TO SECTION 24-31-106.

(3) The priority use for moneys in the fund created in this section shall be the implementation of the rights afforded to crime victims pursuant to section 24-4.1-302.5 and for the provision of the services delineated pursuant to sections 24-4.1-303 and 24-4.1-304 related to all crimes as defined by section 24-4.1-302 (1), INCLUDING THE SERVICES OF THE VICTIMS' SERVICES COORDINATOR PURSUANT TO SECTION 24-31-106.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the victims assistance and law enforcement fund created pursuant to section 24-33.5-506, Colorado Revised Statutes, not otherwise appropriated, to the department of law, for the fiscal year beginning July 1, 1995, the sum of thirty-eight thousand eight hundred seventy-five dollars (\$38,875) and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 16, 1995