

## CHAPTER 4

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**CORRECTIONS**

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**HOUSE BILL 95-1047**

BY REPRESENTATIVES Swenson, Agler, Chlouber, Dean, Kreutz, Nichol, Schwarz, and Snyder;  
also SENATOR Hopper.

**AN ACT****CONCERNING ACTIONS FOR COST OF CARE REIMBURSEMENT AGAINST OFFENDERS.**

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

**SECTION 1.** 17-10-101, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

**17-10-101. Legislative declaration.** The general assembly hereby finds that persons who are convicted of offenses in the state which result in such persons being confined to a local jail or a correctional facility, being sentenced to home detention, being placed on probation by the sentencing court, or being placed on parole by the state board of parole, should be required, where appropriate, to reimburse the state or a county or a city and county for the cost of care incurred as a result of such sentence. The general assembly further finds that a convicted person's financial circumstances may be fraudulently misrepresented to the sentencing court OR THAT SUCH CIRCUMSTANCES MAY CHANGE AFTER SENTENCING SO THAT A PERSON WHO IS UNABLE TO PAY THE COST OF CARE AT SENTENCING MAY BE OR BECOME ABLE TO CONTRIBUTE TO THE COST OF CARE AT A LATER DATE.

**SECTION 2.** 17-10-103 (2), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

**17-10-103. Action for reimbursement of cost of care.** (2) In an action filed pursuant to this article, the plaintiff seeking reimbursement for cost of care shall demonstrate that the offender substantially misrepresented such offender's financial status to the sentencing court OR THAT SUCH OFFENDER'S FINANCIAL CIRCUMSTANCES HAVE CHANGED SUBSTANTIALY AFTER SENTENCING.

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*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 3. Effective date.** This act shall take effect July 1, 1995.

**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: March 9, 1995