

CHAPTER 14

CORRECTIONS

HOUSE BILL 01-1185

BY REPRESENTATIVE(S) Clapp, Fairbank, Fritz, Hefley, Miller, Mitchell, Nuñez, Schultheis, Snook, Spence, Stafford, Webster, Williams T., Boyd, Cadman, Coleman, Crane, Grossman, Jahn, Larson, Lawrence, Mace, Paschall, Plant, Rhodes, Romanoff, Scott, and Williams S.;
also SENATOR(S) Arnold, and Dyer (Littleton) .

AN ACT

CONCERNING VICTIMS IN PROBATION MATTERS.

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

SECTION 1. 16-11-204 (4), Colorado Revised Statutes, is amended to read:

16-11-204. Conditions of probation. (4) For good cause shown and after notice to the defendant, the district attorney, and the probation officer, and after a hearing if the defendant OR THE DISTRICT ATTORNEY requests it, the judge may reduce or increase the term of probation or alter the conditions or impose new conditions.

SECTION 2. 24-4.1-303 (13.5), Colorado Revised Statutes, is amended to read:

24-4.1-303. Procedures for assuring rights of victims of crimes. (13.5) (a) Following a sentence to probation and upon the written request of a victim, the probation department shall notify the victim of the following information regarding any person who was charged with or convicted of a crime against the victim:

(I) The location and telephone number of the probation department responsible for the supervision of the person;

(II) The date of the person's termination from probation supervision;

(III) Any release of the person in advance of the originally imposed sentence OR PERIOD OF PROBATION;

(IV) Any probation revocation or modification hearing regarding the person and

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

any changes in the scheduling of the hearings;

(V) Any change of venue, jurisdiction, or transfer of probation supervision from one jurisdiction to another;

(VI) Any complaint, summons, or warrant filed by the probation department for failure to report to probation or because the location of a person convicted of a crime is unknown; and

(VII) The death of the person while under the jurisdiction of the probation department.

(b) No state general fund moneys shall be used to pay any costs associated with the notifications required by this subsection (13.5).

SECTION 3. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) Section 1 of this act shall apply to all motions to modify terms of probation filed on or after the applicable effective date of this act.

Approved: March 9, 2001