

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB22-1131 be amended as follows:

1 Amend reengrossed bill, page 2, strike lines 2 through 9 and substitute:

2 **"SECTION 1.** In Colorado Revised Statutes, 16-11.3-103, **add**
3 (2.6) as follows:

4 **16-11.3-103. Duties of the commission - mission - staffing -**
5 **report - definition - repeal.** (2.6) (a) BY MARCH 1, 2023, THE
6 COMMISSION SHALL COMPLETE THE STUDY DESCRIBED IN SUBSECTION
7 (2.6)(b) OF THIS SECTION AND MAKE RECOMMENDATIONS TO THE GENERAL
8 ASSEMBLY REGARDING ISSUES RELATED TO THE AGE OF DELINQUENCY.
9 THE COMMISSION MAY INVITE ADDITIONAL INTERESTED PERSONS TO BE
10 PART OF THE STUDY.

11 (b) THE COMMISSION SHALL:

12 (I) COMPILE DATA REGARDING ALL CRIMINAL FILINGS IN THE STATE
13 FROM THE LAST FIVE YEARS THAT DATA IS AVAILABLE IN WHICH A
14 JUVENILE IS AT LEAST TEN YEARS OF AGE BUT UNDER THIRTEEN YEARS OF
15 AGE AT THE TIME OF THE OFFENSE. THE DATA, AS AVAILABLE, MUST
16 INCLUDE, BUT IS NOT LIMITED TO:

17 (A) THE AGE, RACE, AND ETHNICITY OF THE DEFENDANT;

18 (B) THE JUDICIAL DISTRICT OF FILING;

19 (C) THE CRIME ALLEGED IN THE PETITION;

20 (D) THE DISPOSITION OF THE CHARGES FILED;

21 (E) THE ADJUDICATION IMPOSED AND THE OUTCOME;

22 (F) THE OVERALL OUTCOME OF THE PERSON IN THE SYSTEM AND
23 WHETHER THE PERSON WAS SUCCESSFUL IN COMPLETING THE
24 ADJUDICATION;

25 (G) THE RE-OFFENSE RATES WITHIN THE FIRST YEAR AFTER
26 COMPLETION OF ADJUDICATION;

27 (H) ANY PRIOR SERVICES PROVIDED THROUGH CRIMINAL AND
28 JUVENILE JUSTICE INVOLVEMENT; AND

29 (I) ANY OTHER RESEARCH OR DATA THE COMMISSION BELIEVES IS
30 USEFUL IN STUDYING DELINQUENCY ISSUES FOR JUVENILES AT LEAST TEN
31 YEARS OF AGE BUT UNDER THIRTEEN YEARS OF AGE.

32 (II) REVIEW AND COMPILE AVAILABLE DATA REGARDING
33 DIVERSION PROGRAMS AND THE NUMBER OF JUVENILES TEN YEARS OF AGE
34 OR OLDER BUT UNDER THIRTEEN YEARS OF AGE WHO WERE PROVIDED
35 DIVERSION BEFORE AND AFTER FILING OF PETITIONS IN DELINQUENCY IN
36 THE LAST FIVE YEARS, INCLUDING THE SERVICES UTILIZED IN DIVERSION
37 AGREEMENTS, THE OUTCOMES OF DIVERSION, AND ANY AVAILABLE DATA
38 REGARDING RE-OFFENSE FOR DIVERSION PARTICIPANTS IN THIS AGE
39 GROUP;

40 (III) STUDY THE IMPACTS ON THE JUVENILE JUSTICE SYSTEM ON

1 JUVENILES WHO ARE TEN YEARS OF AGE OR OLDER BUT UNDER THIRTEEN
2 YEARS OF AGE, INCLUDING COMPLETING AND MAKING RECOMMENDATIONS
3 REGARDING APPROPRIATE USES OF THE JUVENILE JUSTICE SYSTEM FOR THIS
4 AGE GROUP;

5 (IV) IDENTIFY SERVICES, INCLUDING, BUT NOT LIMITED TO,
6 MENTAL HEALTH, SUBSTANCE ABUSE AND SEX OFFENSE RELATED
7 TREATMENT SERVICES THAT ARE CURRENTLY PROVIDED THROUGH THE
8 JUVENILE JUSTICE SYSTEM TO JUVENILES WHO ARE TEN YEARS OF AGE OR
9 OLDER, BUT UNDER THIRTEEN YEARS OF AGE, THAT WOULD NO LONGER BE
10 PROVIDED DIRECTLY TO JUVENILES AND GUARDIANS OF JUVENILE IF THE
11 MINIMUM AGE OF PROSECUTION OF JUVENILES IS INCREASED TO THIRTEEN;

12 (V) IDENTIFY SERVICES AND FUNDS THAT ARE CURRENTLY
13 PROVIDED THROUGH THE JUVENILE JUSTICE SYSTEM TO VICTIMS OF CRIMES
14 COMMITTED BY JUVENILES WHO ARE TEN YEARS OF AGE OR OLDER, BUT
15 UNDER THIRTEEN YEARS OF AGE, THAT WOULD NO LONGER BE AVAILABLE
16 TO VICTIMS OF CRIMES COMMITTED BY JUVENILES WHO ARE TEN YEARS OF
17 AGE OR OLDER BUT UNDER THIRTEEN YEARS OF AGE IF THE MINIMUM AGE
18 OF PROSECUTION OF JUVENILES IS INCREASED TO THIRTEEN;

19 (VI) MAKE RECOMMENDATIONS FOR HOW THE SERVICES
20 IDENTIFIED IN SUBSECTIONS (2.6)(b)(IV) AND (2.6)(b)(V) OF THIS SECTION
21 MAY INSTEAD BE PROVIDED BY EXISTING AGENCIES OR ORGANIZATIONS
22 OUTSIDE OF THE JUVENILE JUSTICE SYSTEM IF THE MINIMUM AGE OF
23 PROSECUTION IS INCREASED TO THIRTEEN; AND

24 (VII) MAKE RECOMMENDATIONS FOR HOW EXISTING OR
25 POTENTIAL FUNDING IDENTIFIED IN SUBSECTIONS (2.6)(b)(IV) AND
26 (2.6)(b)(V) OF THIS SECTION MAY BE UTILIZED TO PROVIDE SERVICES
27 OUTSIDE OF THE JUVENILE JUSTICE SYSTEM IF THE MINIMUM AGE OF
28 PROSECUTION OF JUVENILES IS INCREASED TO THIRTEEN.

29 (c) ON OR BEFORE MARCH 1, 2023, THE COMMISSION SHALL
30 CREATE A REPORT CONTAINING THE DATA COLLECTED PURSUANT TO
31 SUBSECTION (2.6)(b) OF THIS SECTION AND ANY RECOMMENDATIONS MADE
32 THERETO AND PROVIDE THE REPORT TO THE JUDICIARY COMMITTEES OF
33 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
34 COMMITTEES.

35 (d) THIS SUBSECTION (2.6) IS REPEALED, EFFECTIVE JULY 1, 2023.".

36 Strike pages 3 through 10.

37 Page 11, strike lines 1 through 6.

38 Rerumber succeeding section accordingly.

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