

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB26-159 be amended as follows:

1 Amend printed bill, page 2, strike line 3 and substitute "(1.5)(a), (1.5)(b),
2 and (9)(a);".

3 Page 2, line 4, strike "(1.5);" and after "**add**" insert "(1.5)(a.5)".

4 Page 2, strike lines 7 through 26.

5 Strike pages 3 through 5.

6 Page 6, strike lines 1 through 8 and substitute:

7 "(1.5) (a) EXCEPT AS PROVIDED IN SUBSECTION (1.5)(a.5) OF THIS
8 SECTION, earned time, not to exceed ~~twelve~~ FOURTEEN days for each
9 month of incarceration or parole, may be deducted from an inmate's
10 sentence if the inmate:

11 (I) Is serving a sentence for a class 4, class 5, or class 6 felony or
12 level 3 or level 4 drug felony;

13 (II) Has not incurred a class I code of penal discipline violation
14 within the twenty-four months immediately preceding the time of
15 crediting or during ~~his or her~~ THE INMATE'S entire term of incarceration
16 if the term is less than twenty-four months or a class II code of penal
17 discipline violation within the twelve months immediately preceding the
18 time of crediting or during ~~his or her~~ THE INMATE'S entire term of
19 incarceration if the term is less than twelve months; AND

20 (III) Is program-compliant. ~~and~~

21 (IV) ~~Was not convicted of, and has not previously been convicted~~
22 ~~of, a felony crime described in section 18-3-303, 18-3-305, 18-3-306, or~~
23 ~~18-6-701, sections 18-7-402 to 18-7-407, or section 18-12-102 or~~
24 ~~18-12-109, C.R.S., or a felony crime listed in section 24-4.1-302 (1);~~
25 ~~C.R.S.~~

26 (a.5) NOTWITHSTANDING THE FOURTEEN-DAY LIMITATION IN
27 SUBSECTION (1.5)(a) OF THIS SECTION, AN INMATE CONVICTED OF, OR AN
28 INMATE WHO HAS PREVIOUSLY BEEN CONVICTED OF, A FELONY CRIME
29 DESCRIBED IN SECTION 18-3-303, 18-3-305, 18-3-306, OR 18-6-701;
30 SECTIONS 18-7-402 TO 18-7-407; SECTION 18-12-102 OR 18-12-109; A
31 FELONY MOTOR VEHICLE THEFT; OR A FELONY CRIME LISTED IN SECTION
32 24-4.1-302 (1), IS LIMITED TO TWELVE DAYS OF EARNED TIME PER MONTH.

33 (b) The earned time specified in ~~subsection (1.5)(a)~~ SUBSECTION
34 (1.5) of this section may be deducted based upon a demonstration to the
35 department by the inmate, which is certified by the inmate's case manager
36 or community parole officer, that he or she has made positive progress in
37 accordance with performance standards established by the department."

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