

SB015_L.006

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB26-015 be amended as follows:

1 Amend printed bill, page 3, strike line 1 and substitute "**child -**
2 **sentencing.**"

3 Page 3, strike lines 14 through 19 and substitute:

4 "(2) (a) Soliciting for ~~child prostitution~~ COMMERCIAL SEXUAL
5 ACTIVITY WITH A CHILD is a class 3 felony.

6 (b) A PERSON CONVICTED OF SOLICITING FOR COMMERCIAL SEXUAL
7 ACTIVITY WITH A CHILD SHALL BE SENTENCED IN ACCORDANCE WITH THE
8 PROVISIONS OF SECTION 18-1.3-401 AND THIS SUBSECTION (2).

9 (c) BECAUSE OF THE HARMS SUFFERED BY VICTIMS OF CRIMES
10 INVOLVING COMMERCIAL SEXUAL ACTIVITY WITH A CHILD, THE GENERAL
11 ASSEMBLY ENCOURAGES COURTS TO EXERCISE THEIR DISCRETION TO
12 SENTENCE PERSONS CONVICTED OF SOLICITING FOR COMMERCIAL SEXUAL
13 ACTIVITY WITH A CHILD TO THE DEPARTMENT OF CORRECTIONS FOR A
14 TERM OF AT LEAST THE MINIMUM OF THE PRESUMPTIVE RANGE FOR A
15 CLASS 3 FELONY, AS SET FORTH IN SECTION 18-1.3-401.

16 (d) IF THE COURT SENTENCES THE PERSON TO A TERM OF
17 PROBATION AS PERMITTED BY SECTION 18-1.3-202, THE COURT SHALL
18 ORDER AS A CONDITION OF PROBATION THAT THE PERSON SERVE THREE
19 HUNDRED SIXTY-FOUR DAYS IMPRISONMENT IN THE COUNTY JAIL. DURING
20 THE MANDATORY PERIOD OF IMPRISONMENT, THE PERSON IS NOT ELIGIBLE
21 FOR DEDUCTIONS OF THEIR SENTENCE PURSUANT TO SECTION 17-26-109,
22 INCLUDING FOR TRUSTY PRISONER STATUS PURSUANT TO SECTION
23 17-26-109 (1)(b); EXCEPT THAT THE PERSON RECEIVES CREDIT FOR THE
24 TIME SERVED IN CUSTODY FOR THE OFFENSE PRIOR TO THE CONVICTION.
25 DURING THE MANDATORY PERIOD OF IMPRISONMENT, THE COURT DOES
26 NOT HAVE DISCRETION TO EMPLOY ANY SENTENCING ALTERNATIVES
27 DESCRIBED IN SECTION 18-1.3-106."

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