

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB25-1214 be amended as follows:

- 1 Amend printed bill, page 4, line 23, strike "(I)".
- 2 Page 4, line 24, strike "FELONY" and insert "FELONY,".
- 3 Page 4, strike lines 25 through 27 and substitute "CLASS 6 FELONY, CLASS
- 4 3 DRUG FELONY, OR CLASS 4 DRUG FELONY AT SENTENCING OR
- 5 RESENTENCING AFTER A REVOCATION OF PROBATION OR COMMUNITY
- 6 CORRECTIONS SENTENCE, THE COURT SHALL DETERMINE WHETHER
- 7 INCARCERATION IS THE MOST SUITABLE OPTION GIVEN THE FACTS AND
- 8 CIRCUMSTANCES OF THE CASE.".
- 9 Page 5, strike lines 1 through 18.
- 10 Page 5, line 19, strike "If" and substitute "UNLESS THE PRISON SENTENCE
- 11 IS THE RESULT OF A STIPULATED PLEA AGREEMENT FOR AN EXACT NUMBER
- 12 OF YEARS IN PRISON, IF".
- 13 Page 6, line 3, after "SENTENCE." add "THIS HEARING IS SUBJECT TO PART
- 14 3 OF ARTICLE 4.1 OF TITLE 24.".
- 15 Page 6, line 10, after "SENTENCE" insert "WHERE THE CONTROLLING
- 16 SENTENCE IS".
- 17 Page 11, line 11, after "HEARING" insert "DECISION".
- 18 Page 11, line 12, after "NOTIFY" insert "THE DEPARTMENT, WHICH SHALL
- 19 NOTIFY".
- 20 Page 11, line 23, after "BOARD." add "THE PAROLE BOARD SHALL NOT
- 21 DENY PAROLE FOR NOT COMPLETING TREATMENT OR A PROGRAM THAT CAN
- 22 BE ORDERED AS A CONDITION OF PAROLE.".
- 23 Page 12, after line 21, insert:
- 24 "(9) ANY PAROLE HEARING CONDUCTED PURSUANT TO THIS
- 25 SECTION IS SUBJECT TO PART 3 OF ARTICLE 4.1 OF TITLE 24.
- 26 (10) THIS PRESUMPTION OF PAROLE DOES NOT APPLY TO AN
- 27 OTHERWISE ELIGIBLE INMATE WHO IS IN THE RESIDENTIAL PHASE OF A
- 28 COMMUNITY CORRECTIONS PROGRAM AND SUBJECT TO SECTION 17-2-201
- 29 (17).".

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