

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 26-0259.01 Shelby Ross x4510

SENATE BILL 26-124

SENATE SPONSORSHIP

Wallace, Benavidez, Coleman, Exum, Gonzales J., Jodeh, Kipp, Kolker, Marchman, Snyder, Weissman

HOUSE SPONSORSHIP

Stewart R.,

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary

A BILL FOR AN ACT

101 **CONCERNING INFORMATION RELATED TO THE AUTOMATED**
102 **PROTECTION ORDER NOTIFICATION SYSTEM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

If a defendant raises the affirmative defense of self-defense, the bill authorizes the defendant to offer relevant evidence of an act of violence committed by the alleged victim that is known to the defendant or perpetrated against the defendant and that affects the reasonableness of the defendant's belief in their justification in using self-defense.

The bill creates an alternative mandatory sentence for a defendant

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
2nd Reading Unamended
April 30, 2026

SENATE
3rd Reading Unamended
April 22, 2026

SENATE
Amended 2nd Reading
April 21, 2026

who is a victim of an act of violence if the court determines, based on the relevant evidence presented, that the act of violence was a significant contributing factor to the offense for which the defendant is being sentenced. If a victim-defendant meets the criteria, the court is not required to sentence the victim-defendant to the department of corrections and the victim-defendant is eligible for probation or other alternative sentences. A victim-defendant convicted of certain criminal offenses is not eligible for alternative sentencing.

The bill authorizes an individual serving a sentence with the department of corrections to file a petition with the court where the conviction was obtained requesting post-conviction relief from the terms of the sentence (petition) if the individual is a victim of an act of violence and:

- If an offense resulting in conviction was committed before July 1, 2026; and
- If the victim-petitioner received a sentence in the case of 15 years or more to the department of corrections, excluding the parole term of the sentence.

The petition must allege that the victim-petitioner was subjected to an act of violence and that the act of violence was a significant contributing factor to the offense for which the victim-petitioner was initially sentenced. The court shall determine whether to grant a hearing on the petition and, based on the evidence presented, determine by a preponderance of the evidence if the victim-petitioner was subjected to an act of violence and if the following criteria are met:

- The act of violence was a significant contributing factor to the offense; or
- The prosecution agrees that the best interests of justice and the welfare of society would be served by departure from the presumptive sentencing range initially imposed.

If the court determines the victim-petitioner meets the criteria, the victim-petitioner may file a motion for reconsideration and reduction of the initial sentence. A victim-petitioner convicted of certain criminal offenses is not eligible for post-conviction relief.

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

2 **SECTION 1. In Colorado Revised Statutes, 24-33.5-539, amend**
3 **(3)(d), (3)(e), and (4); and repeal (3)(f) as follows:**

4 **24-33.5-539. Automated protection order notification system**
5 **- definitions.**

1 (3) The automated protection order notification system must
2 include, but is not limited to, the following information, if available:

3 (d) Whether an extreme risk protection order was issued against
4 the restrained person pursuant to article 14.5 of title 13, and if so, the date
5 the extreme risk protection order was served or was attempted to be
6 served; AND

7 (e) Whether the restrained person applied for and was denied the
8 purchase or transfer of a firearm as the result of a background check, and

9 (f) Whether the restrained person completed and submitted a
10 firearm purchase or transfer application that indicated the restrained
11 person was ineligible to possess a firearm pursuant to state or federal law.

12 (4) The Colorado bureau of investigation in the division
13 DEPARTMENT AND THE COLORADO INTEGRATED CRIMINAL JUSTICE
14 INFORMATION SYSTEM PROGRAM CREATED IN SECTION 16-20.5-103 shall
15 make the information described in subsection (3) of this section available
16 to the division for the purpose of providing the information to a protected
17 person, the protected person's immediate family, or other interested
18 persons pursuant to subsection (2) of this section.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.