

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

## REENGROSSED

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 25-0706.02 Jacob Baus x2173

## SENATE BILL 25-155

## **SENATE SPONSORSHIP**

**Gonzales J. and Ball, Amabile, Cutter, Jodeh, Kipp, Michaelson Jenet, Sullivan, Wallace, Weissman, Winter F.**

## HOUSE SPONSORSHIP

Clifford,

## Senate Committees

## Judiciary Appropriations

## House Committees

## A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF AN ADVISORY COUNCIL FOR PERSONS**  
102 **WHO ARE INCARCERATED.**

## 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>.)*

The bill creates the legislation inside advisory council (council) to identify, examine, and discuss the issues, interests, and needs affecting people who are incarcerated and to formally advise and make recommendations to the general assembly regarding those issues, interests, and needs.

## The bill:

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.*

**SENATE**  
3rd Reading Unamended  
April 21, 2025

**SENATE**  
Amended 2nd Reading  
April 17, 2025

- Requires the council, in conjunction with the director of the legislative council, to use a request for proposal process to contract with and designate a nonprofit organization to assist the council;
- Establishes membership requirements of the council;
- Outlines the duties of the council, including reporting requirements;
- Requires the council to report during the department of corrections' annual "SMART Act" presentation to the judiciary committees of the senate and house of representatives, beginning in January of 2027; and
- Creates an advisory review committee, consisting of 5 voting legislative members and 5 nonvoting council members to meet no more than 3 times during the interim and recommend no more than 3 bills during each interim.

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

2                   **SECTION 1.** In Colorado Revised Statutes, **add** part 24 to article  
3                   2 of title 2 as follows:

## PART 24

## LEGISLATION INSIDE ADVISORY COUNCIL

**2-2-2401. Short title.** THE SHORT TITLE OF THIS PART 24 IS THE  
"LEGISLATION INSIDE ADVISORY COUNCIL ACT".

8           **2-2-2402. Definitions.** AS USED IN THIS PART 24, UNLESS THE  
9           CONTEXT OTHERWISE REQUIRES:

10 (1) "CORRECTIONAL FACILITY" HAS THE SAME MEANING AS SET  
11 FORTH IN SECTION 17-1-102 (1.7).

12 (2) "COUNCIL" MEANS THE LEGISLATION INSIDE ADVISORY  
13 COUNCIL CREATED IN SECTION 2-2-2403.

14 (3) "DESIGNATED ORGANIZATION" MEANS THE NONPROFIT  
15 ORGANIZATION DESIGNATED PURSUANT TO SECTION 2-2-2405.

16 (4) "PRIVATE CONTRACT PRISON" HAS THE SAME MEANING AS SET  
17 FORTH IN SECTION 17-1-102 (7.3).

3                   **2-2-2403. Legislation inside advisory council - creation -**  
4                   **purpose.** (1) THERE IS CREATED IN THE LEGISLATIVE BRANCH THE  
5                   LEGISLATION INSIDE ADVISORY COUNCIL.

6 (2) THE INTENT OF THE LEGISLATION INSIDE ADVISORY COUNCIL IS  
7 TO PROVIDE PEOPLE WHO ARE INCARCERATED WITH THE OPPORTUNITY TO  
8 IDENTIFY, EXAMINE, AND DISCUSS THE ISSUES, INTERESTS, AND NEEDS  
9 THAT DIRECTLY AFFECT THEM AND TO HAVE A RECOGNIZED OPINION ON  
10 LEGISLATION AND POLICIES THAT AFFECT THEIR LIVES, THEIR FAMILIES'  
11 LIVES, THEIR COMMUNITIES, AND THE PUBLIC. THEREFORE, THE PURPOSE  
12 OF THE COUNCIL IS TO IDENTIFY, EXAMINE, AND DISCUSS THE ISSUES,  
13 INTERESTS, AND NEEDS AFFECTING PEOPLE WHO ARE INCARCERATED AND  
14 TO FORMALLY ADVISE AND MAKE RECOMMENDATIONS TO THE GENERAL  
15 ASSEMBLY REGARDING THOSE ISSUES, INTERESTS, AND NEEDS.

16                   **2-2-2404. Membership - selection - terms - repeal.** (1) THE  
17                   COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

18 (a) FOUR NONVOTING LEGISLATIVE MEMBERS, TWO OF WHOM ARE  
19 MEMBERS OF THE SENATE AND TWO OF WHOM ARE MEMBERS OF THE  
20 HOUSE OF REPRESENTATIVES; \_\_

21 (b) FORTY VOTING NONLEGISLATIVE MEMBERS, ALL OF WHOM  
22 MUST BE INCARCERATED IN A CORRECTIONAL FACILITY OR PRIVATE  
23 CONTRACT PRISON AT THE TIME OF THEIR APPOINTMENT AND FOR THE  
24 DURATION OF THEIR TERM. THE NONLEGISLATIVE MEMBERSHIP DESCRIBED  
25 IN THIS SUBSECTION (1)(b) MUST:

26 (I) INCLUDE PEOPLE WHO ARE INCARCERATED IN MEN'S  
27 CORRECTIONAL FACILITIES OR PRIVATE CONTRACT PRISONS AND PEOPLE

1 WHO ARE INCARCERATED IN WOMEN'S CORRECTIONAL FACILITIES OR  
2 PRIVATE CONTRACT PRISONS;

3 (II) INCLUDE PEOPLE WHO ARE INCARCERATED IN DIFFERENT  
4 LEVELS OF SECURITY AT CORRECTIONAL FACILITIES OR PRIVATE CONTRACT  
5 PRISONS; AND

6 (III) TO THE EXTENT PRACTICABLE, REFLECT THE DEMOGRAPHIC  
7 DIVERSITY OF THE STATE; AND

8 (c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
9 CORRECTIONS, OR THE EXECUTIVE DIRECTOR'S DESIGNEE.

10 (2)(a) LEGISLATIVE MEMBERS OF THE COUNCIL ARE APPOINTED AS  
11 FOLLOWS:

12 (I) ON OR BEFORE DECEMBER 31, 2025, AND ON OR BEFORE  
13 DECEMBER 31 EVERY TWO YEARS THEREAFTER, THE PRESIDENT AND  
14 MINORITY LEADER OF THE SENATE SHALL EACH APPOINT ONE MEMBER  
15 FROM THE SENATE; AND

16 (II) ON OR BEFORE DECEMBER 31, 2025, AND ON OR BEFORE  
17 DECEMBER 31 EVERY TWO YEARS THEREAFTER, THE SPEAKER AND  
18 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL EACH  
19 APPOINT ONE MEMBER FROM THE HOUSE OF REPRESENTATIVES.

20 (b) NONLEGISLATIVE MEMBERS OF THE COUNCIL ARE APPOINTED  
21 AS FOLLOWS:

22 (I) (A) ON OR BEFORE SEPTEMBER 15, 2025, THE DESIGNATED  
23 ORGANIZATION SHALL COLLABORATE WITH THE DEPARTMENT OF  
24 CORRECTIONS TO ADOPT AN APPLICATION PROCESS FOR INTERESTED AND  
25 ELIGIBLE PEOPLE TO APPLY FOR APPOINTMENT TO THE COUNCIL,  
26 INCLUDING THE CONTENT AND AVAILABILITY OF THE APPLICATION FORM,  
27 SELECTION CRITERIA, AND AN APPLICATION REVIEW PROCESS.

6 (C) THIS SUBSECTION (2)(b)(I) IS REPEALED, EFFECTIVE JULY 1,  
7 2027.

14 (B) THE COUNCIL SHALL COLLABORATE WITH THE DEPARTMENT OF  
15 CORRECTIONS TO ADOPT AN APPLICATION PROCESS FOR INTERESTED AND  
16 ELIGIBLE PEOPLE TO APPLY FOR APPOINTMENT TO THE COUNCIL,  
17 INCLUDING THE CONTENT AND AVAILABILITY OF THE APPLICATION FORM,  
18 SELECTION CRITERIA, AND AN APPLICATION REVIEW PROCESS.

22 (III) (A) SUBJECT TO AVAILABLE APPROPRIATIONS, LEGISLATIVE  
23 MEMBERS OF THE COUNCIL MUST BE COMPENSATED FOR COUNCIL MEETING  
24 ATTENDANCE IN THE SAME MANNER AS PROVIDED IN SECTION 2-2-307 FOR  
25 LEGISLATIVE MEMBERS ATTENDING MEETINGS DURING THE LEGISLATIVE  
26 INTERIM. ALL EXPENDITURES INCURRED BY THE COUNCIL MUST BE  
27 APPROVED BY THE CHAIR OF THE LEGISLATIVE COUNCIL AND PAID FOR BY

1 VOUCHERS AND WARRANTS DRAWN AS PROVIDED BY LAW FROM MONEY  
2 ALLOCATED TO THE LEGISLATIVE COUNCIL FOR LEGISLATIVE COMMITTEES  
3 FROM APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY.

4 (B) NONLEGISLATIVE MEMBERS SERVE WITHOUT COMPENSATION  
5 BUT MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATING TO THEIR  
6 SERVICE ON THE COUNCIL.

7 (3) (a) IF A VACANCY OF A LEGISLATIVE MEMBER OCCURS, THE  
8 APPOINTING AUTHORITY OF THE VACATED SEAT SHALL PROMPTLY APPOINT  
9 A NEW MEMBER TO COMPLETE THE TERM.

10 (b) THE COUNCIL SHALL ADOPT, AND MAY AMEND, A VACANCY  
11 POLICY. IF A VACANCY OF A NONLEGISLATIVE MEMBER OCCURS, THE SEAT  
12 MUST BE APPOINTED PURSUANT TO THE VACANCY POLICY.

13 (4) THE COUNCIL SHALL ADOPT, AND MAY AMEND, WRITTEN  
14 BYLAWS SETTING FORTH A LEADERSHIP STRUCTURE. THE COUNCIL SHALL  
15 APPOINT MEMBERS TO SERVE IN ANY LEADERSHIP ROLES AS DESCRIBED IN  
16 ITS BYLAWS.

17 **2-2-2405. Duties - meetings - community outreach -**  
18 **designation of organization to accept donations - authority to**  
19 **contract - legislative intent.** (1) THE COUNCIL SHALL:

20 (a) IDENTIFY, EXAMINE, AND DISCUSS THE ISSUES, INTERESTS, AND  
21 NEEDS AFFECTING PEOPLE WHO ARE INCARCERATED; AND

22 (b) MAKE RECOMMENDATIONS FOR LEGISLATION OR ALTERNATIVE  
23 POLICY SOLUTIONS REGARDING THOSE ISSUES, INTERESTS, AND NEEDS.

24 (2) (a) ON OR BEFORE SEPTEMBER 1, 2025, THE COUNCIL SHALL,  
25 IN CONJUNCTION WITH THE DIRECTOR OF THE LEGISLATIVE COUNCIL, USE  
26 A REQUEST FOR PROPOSAL PROCESS TO CONTRACT WITH AND DESIGNATE  
27 A NONPROFIT ORGANIZATION TO PROVIDE STAFFING, ADMINISTRATIVE,

1 AND OPERATIONAL ASSISTANCE AND TO SERVE AS THE CUSTODIAN OF  
2 MONEY DONATED TO THE COUNCIL THROUGH THE DESIGNATED  
3 ORGANIZATION. THE DESIGNATED ORGANIZATION SELECTED FOLLOWING  
4 THE 2025 REQUEST FOR PROPOSAL PROCESS SHALL, PURSUANT TO ONE OR  
5 MORE CONTRACTS, PROVIDE THE STAFFING, ADMINISTRATIVE,  
6 OPERATIONAL, AND CUSTODIAN SERVICES THROUGH JUNE 30, 2030.  
7 THEREAFTER, THE COUNCIL SHALL, IN CONJUNCTION WITH THE DIRECTOR  
8 OF THE LEGISLATIVE COUNCIL, ON OR BEFORE APRIL 15, 2030, AND ON OR  
9 BEFORE EVERY SECOND APRIL 15 THEREAFTER, USE A REQUEST FOR  
10 PROPOSAL PROCESS TO CONTRACT WITH AND DESIGNATE A NONPROFIT  
11 ORGANIZATION TO PROVIDE STAFFING, ADMINISTRATIVE, OPERATIONAL,  
12 AND CUSTODIAN SERVICES. THE TERM OF EACH CONTRACT ENTERED INTO  
13 FOR A TERM COMMENCING ON OR AFTER JULY 1, 2030, IS TWO STATE  
14 FISCAL YEARS; EXCEPT THAT A CONTRACT MAY BE EXTENDED FOR ONE  
15 ADDITIONAL TWO-YEAR TERM. IF A CONTRACT IS EXTENDED, THE REQUEST  
16 FOR PROPOSAL FOR THE NEXT CONTRACT MUST BE ISSUED ON OR BEFORE  
17 THE APRIL 15 IMMEDIATELY PRECEDING THE EXPIRATION OF THE  
18 EXTENSION TERM. THE DESIGNATED ORGANIZATION IS AUTHORIZED TO  
19 EXPEND ANY MONEY IT RECEIVES AS IS NECESSARY TO PROVIDE STAFFING,  
20 ADMINISTRATIVE, OPERATIONAL, AND CUSTODIAN SERVICES FOR THE  
21 COUNCIL. THE DESIGNATED ORGANIZATION AND THE COUNCIL MAY  
22 SOLICIT AND ACCEPT MONETARY AND IN-KIND GIFTS, GRANTS, AND  
23 DONATIONS USED TO FURTHER THE COUNCIL'S DUTIES AND  
24 RESPONSIBILITIES. ANY MONEY DONATED OR AWARDED TO THE  
25 DESIGNATED ORGANIZATION FOR THE BENEFIT OF THE COUNCIL IS NOT  
26 SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY. ANY MONEY  
27 OBTAINED BY THE COUNCIL OR THE DESIGNATED ORGANIZATION, THAT IS

1 UNEXPENDED AND UNENCUMBERED AT THE TIME THE COUNCIL IS  
2 DISSOLVED, MUST BE DISTRIBUTED ACCORDING TO APPROPRIATE FEDERAL  
3 AND STATE LAWS GOVERNING NONPROFIT ORGANIZATIONS. IF A DIFFERENT  
4 NONPROFIT OR PRIVATE ORGANIZATION IS SUBSEQUENTLY DESIGNATED AS  
5 THE CUSTODIAN OF DONATED MONEY, ANY MONEY THAT IS UNEXPENDED  
6 AND UNENCUMBERED AT THE TIME OF THE CHANGE IN DESIGNATION MUST  
7 BE PROMPTLY TRANSFERRED BY THE PREVIOUSLY DESIGNATED  
8 ORGANIZATION TO THE NEWLY DESIGNATED ORGANIZATION.

25 (3) (a) THE COUNCIL MUST MEET AT LEAST THREE TIMES PER  
26 MONTH. MEETINGS MAY BE HELD THROUGH THE USE OF AUDIO-VISUAL  
27 COMMUNICATION TECHNOLOGY.

3 (4) THE COUNCIL MAY DEVELOP RULES AND PROCEDURES TO  
4 GOVERN ITS ACTIVITIES.

23 (8) WITHIN EXISTING RESOURCES, THE DEPARTMENT OF  
24 CORRECTIONS SHALL PROVIDE THE COUNCIL OR DESIGNATED  
25 ORGANIZATION ANY NECESSARY STAFF SUPPORT, MEETING SPACE, AND  
26 AUDIO-VISUAL COMMUNICATION TECHNOLOGY RESOURCES.

27 (9) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT NO

1       GENERAL FUND MONEY BE APPROPRIATED FOR A CONTRACT WITH THE  
2       DESIGNATED ORGANIZATION FOR THE PERFORMANCE OF ITS DUTIES  
3       PURSUANT TO THIS PART 24. THE DESIGNATED ORGANIZATION IS SOLELY  
4       RESPONSIBLE FOR THE COSTS OF PROVIDING THE CONTRACTED SERVICES  
5       AND PERFORMING ITS DUTIES PURSUANT TO THIS PART 24. THE  
6       DESIGNATED ORGANIZATION MAY ACCEPT MONETARY OR IN-KIND GIFTS,  
7       GRANTS, AND DONATIONS TO DEFRAY THE COSTS OF PROVIDING THE  
8       CONTRACTED SERVICES AND PERFORMING ITS DUTIES PURSUANT TO THIS  
9       PART 24.

10       **2-2-2406. Report.** (1) BEGINNING JANUARY 2027, AND EACH  
11       JANUARY THEREAFTER, THE COUNCIL SHALL REPORT, AT A MINIMUM, THE  
12       INFORMATION DESCRIBED IN SUBSECTION (2) OF THIS SECTION TO THE  
13       JUDICIARY COMMITTEES OF THE SENATE AND THE HOUSE OF  
14       REPRESENTATIVES, OF THEIR SUCCESSOR COMMITTEES, AS PART OF THE  
15       DEPARTMENT OF CORRECTION'S "SMART ACT" PRESENTATION REQUIRED  
16       PURSUANT TO PART 2 OF ARTICLE 7 OF THIS TITLE 2.

17       (2) IN ITS REPORT, THE COUNCIL SHALL, AT A MINIMUM, DESCRIBE  
18       THE:

19               (a) ISSUES, INTERESTS, AND NEEDS AFFECTING PEOPLE WHO ARE  
20       INCARCERATED THAT WERE IDENTIFIED, EXAMINED, AND DISCUSSED BY  
21       THE COUNCIL IN THE PRECEDING YEAR;

22               (b) COUNCIL'S RECOMMENDATIONS FOR LEGISLATION OR  
23       ALTERNATIVE POLICY SOLUTIONS REGARDING THOSE ISSUES, INTERESTS,  
24       AND NEEDS; AND

25               (c) RESULTS FROM THE IMPLEMENTATION OF LEGISLATION OR  
26       ALTERNATIVE POLICY SOLUTIONS DEVELOPED PURSUANT TO THIS PART 24.

27       (3) IN ADDITION TO REPORTING TO THE GENERAL ASSEMBLY, THE

1 COUNCIL SHALL SUBMIT ITS REPORT TO THE EXECUTIVE DIRECTOR OF THE  
2 DEPARTMENT OF CORRECTIONS, AND ANY OTHER PERSON OR ENTITY THAT  
3 THE COUNCIL DEEMS NECESSARY AS AN INTERESTED PARTY.

4 (4) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136  
5 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS  
6 SECTION CONTINUES INDEFINITELY.

7 **2-2-2407. Legislation inside advisory council review committee**

8 - **created.** (1) THERE IS CREATED IN THE LEGISLATIVE BRANCH THE  
9 LEGISLATION INSIDE ADVISORY COUNCIL REVIEW COMMITTEE TO REVIEW  
10 THE COUNCIL'S WORK AND TO RECOMMEND LEGISLATION REGARDING  
11 ISSUES AFFECTING PEOPLE WHO ARE INCARCERATED.

12 (2)(a) THE REVIEW COMMITTEE INCLUDES THE FOLLOWING VOTING  
13 MEMBERS:

14 (I) THE FOUR LEGISLATIVE MEMBERS OF THE COUNCIL; AND  
15 (II) ONE MEMBER OF THE LEGISLATIVE COUNCIL, CREATED IN  
16 SECTION 2-3-301, APPOINTED BY THE CHAIR OF THE LEGISLATIVE COUNCIL  
17 ON OR BEFORE APRIL 1, 2026, AND ON OR BEFORE APRIL 1 EACH YEAR  
18 THEREAFTER.

19 (b) THE REVIEW COMMITTEE INCLUDES FIVE NONVOTING MEMBERS  
20 OF THE COUNCIL, APPOINTED BY THE COUNCIL.

21 (3) IN ODD-NUMBERED YEARS, THE PRESIDENT OF THE SENATE  
22 SHALL APPOINT THE CHAIR AND THE SPEAKER OF THE HOUSE OF  
23 REPRESENTATIVES SHALL APPOINT THE VICE-CHAIR OF THE REVIEW  
24 COMMITTEE. IN EVEN-NUMBERED YEARS, THE SPEAKER SHALL APPOINT  
25 THE CHAIR AND THE PRESIDENT SHALL APPOINT THE VICE-CHAIR OF THE  
26 REVIEW COMMITTEE. THE PRESIDENT AND THE SPEAKER SHALL MAKE THE  
27 APPOINTMENTS ON OR BEFORE APRIL 1, 2026, AND ON OR BEFORE APRIL

1 1 OF EACH YEAR THEREAFTER.

2 (4) THE REVIEW COMMITTEE SHALL NOT MEET MORE THAN THREE  
3 TIMES DURING EACH INTERIM. A MAJORITY OF VOTING MEMBERS  
4 CONSTITUTES A QUORUM.

5 (5) THE REVIEW COMMITTEE MAY NOT TRAVEL UNLESS  
6 AUTHORIZED BY THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE  
7 COUNCIL.

8 (6) THE REVIEW COMMITTEE MAY RECOMMEND UP TO A TOTAL OF  
9 THREE BILLS DURING EACH INTERIM. LEGISLATION RECOMMENDED BY THE  
10 REVIEW COMMITTEE IS TREATED AS LEGISLATION RECOMMENDED BY AN  
11 INTERIM COMMITTEE FOR PURPOSES OF APPLICABLE DEADLINES, BILL  
12 INTRODUCTION LIMITS, AND ANY OTHER REQUIREMENTS IMPOSED BY THE  
13 JOINT RULES OF THE GENERAL ASSEMBLY.

14 (7) VOTING MEMBERS OF THE REVIEW COMMITTEE ARE ENTITLED  
15 TO COMPENSATION PURSUANT TO SECTION 2-2-307. SUBJECT TO  
16 AVAILABLE FUNDS, NONVOTING MEMBERS OF THE REVIEW COMMITTEE  
17 MAY RECEIVE REIMBURSEMENT FOR EXPENSES.

18 (8) THE LEGISLATIVE COUNCIL STAFF AND THE STAFF OF THE  
19 OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL ASSIST THE REVIEW  
20 COMMITTEE IN CARRYING OUT ITS DUTIES PURSUANT TO THIS SECTION.

21 **SECTION 2. Safety clause.** The general assembly finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, or safety or for appropriations for  
24 the support and maintenance of the departments of the state and state  
25 institutions.