

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 22-0732.01 Alana Rosen x2606

HOUSE BILL 22-1373

HOUSE SPONSORSHIP

Gonzales-Gutierrez, Amabile, Bacon, Benavidez, Bernett, Cutter, Duran, Esgar, Exum, Herod, Hooton, Jodeh, Lindsay, Lontine, Michaelson Jenet, Ricks, Weissman

SENATE SPONSORSHIP

Gonzales,

House Committees
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A BILL FOR AN ACT

101 **CONCERNING PROHIBITING COURTS FROM ORDERING JUVENILES TO**
102 **PAY RESTITUTION TO INSURANCE COMPANIES.**

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 prohibits a court from ordering a juvenile to pay restitution to insurance companies. A court may still order restitution for a victim's pecuniary loss for which the victim cannot be compensated under a policy of insurance, self-insurance, an indemnity agreement, or a risk management fund.

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

HOUSE
3rd Reading Unamended
April 25, 2022

HOUSE
2nd Reading Unamended
April 22, 2022

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-2.5-1104, **add** (3)
3 and (4) as follows:

4 **19-2.5-1104. Sentencing - restitution by juvenile.**
5 (3) NOTWITHSTANDING SECTION 18-1.3-602 (4)(a)(III) OR ANY OTHER
6 PROVISION OF LAW, A COURT SHALL NOT ORDER A JUVENILE TO PAY
7 RESTITUTION TO AN INSURANCE COMPANY. A COURT MAY ORDER A
8 JUVENILE TO PAY RESTITUTION TO A VICTIM FOR THE PORTION OF A
9 VICTIM'S PECUNIARY LOSS FOR WHICH THE VICTIM CANNOT BE
10 COMPENSATED UNDER A POLICY OF INSURANCE, SELF-INSURANCE, AN
11 INDEMNITY AGREEMENT, OR A RISK MANAGEMENT FUND.

12 (4) AS USED IN THIS SECTION, "VICTIM" DOES NOT MEAN AN
13 INSURANCE COMPANY, AS DEFINED IN SECTION 38-13-102 (13), FOR
14 PURPOSES OF RESTITUTION IN JUVENILE CASES.

15 **SECTION 2. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety.