

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REREVISED

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

LLS NO. 16-0855.01 Jerry Barry x4341

HOUSE BILL 16-1278

HOUSE SPONSORSHIP

Lee, Buckner, Court, Esgar, Foote, Hamner, Kagan, Lundeen, McCann, Moreno, Singer, Thurlow, Willett, Young

SENATE SPONSORSHIP

Cooke,

House Committees
Judiciary

Senate Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING RESIDENTIAL DRUG TREATMENT FOR PERSONS ON**
102 **PROBATION.**

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://www.leg.state.co.us/billsummaries>.)

Under current law, a court may only require a person on probation to participate in a residential drug treatment program if the person was sentenced for a drug offense. The bill authorizes a court to require any person as a condition of probation to participate in a community corrections residential drug treatment program.

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

SENATE
3rd Reading Unamended
April 19, 2016

SENATE
2nd Reading Unamended
April 18, 2016

HOUSE
3rd Reading Unamended
March 28, 2016

HOUSE
2nd Reading Unamended
March 24, 2016

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.3-204, **amend**
3 (2.2) as follows:

4 **18-1.3-204. Conditions of probation - interstate compact**
5 **probation transfer cash fund - creation.** (2.2) ~~If a defendant is~~
6 ~~sentenced to probation for a drug offense~~ WHEN GRANTING PROBATION,
7 the court may include as a condition of probation a requirement that the
8 defendant participate in drug treatment. If the defendant's assessed
9 treatment need is for residential treatment, the court may make residential
10 drug treatment a condition of probation and may place the offender in a
11 community corrections program that can provide the appropriate level of
12 treatment subject to the provision of section 18-1.3-301 (4).

13 **SECTION 2.** In Colorado Revised Statutes, 18-1.3-301, **amend**
14 (4) (b) as follows:

15 **18-1.3-301. Authority to place offenders in community**
16 **corrections programs.** (4) (b) A district court, county court, and any
17 other criminal justice official may enter into agreements with community
18 corrections programs that provide residential DRUG treatment, for the
19 placement and supervision of ~~drug~~ offenders as a term and condition of
20 probation when assessed treatment need levels indicate that residential
21 DRUG treatment is necessary and appropriate. The agreement is subject to
22 review and approval by the community corrections board in the
23 jurisdiction where a community corrections program is located. A
24 community corrections program used pursuant to this paragraph (b) may
25 receive funds from the correctional treatment cash fund, as well as local
26 funding, public or private grants, or offender fees.

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.