

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 17-0894.01 Michael Dohr x4347

HOUSE BILL 17-1326

HOUSE SPONSORSHIP

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House Committees

Judiciary
Appropriations

Senate Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING CREATION OF THE JUSTICE REINVESTMENT CRIME**
102 **PREVENTION INITIATIVE, AND, IN CONNECTION THEREWITH,**
103 **FUNDING THE INITIATIVE THROUGH SAVINGS CREATED BY**
104 **PAROLE REFORMS AND MAKING AND REDUCING AN**
105 **APPROPRIATION.**

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 changes the length of time that a parolee may serve for a technical parole violation. If the parolee is on parole for a class 2 felony;

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
May 10, 2017

SENATE
Amended 2nd Reading
May 9, 2017

HOUSE
3rd Reading Unamended
April 28, 2017

HOUSE
Amended 2nd Reading
April 27, 2017

level 1 drug felony; a crime of violence, stalking, menacing, or unlawful sexual behavior; or a crime against an at-risk adult or is a sexually violent predator, the length of revocation is up to the remainder of the parolee's parole period. If the parolee is on parole for a level 2 drug felony or a class 3 nonviolent felony, the length of revocation is up to 90 days. If the parolee is on parole for a level 3 or level 4 drug felony or a class 4, class 5, or class 6 nonviolent felony, the length of revocation is up to 30 days.

The bill requires the division of adult parole to conduct a parole plan investigation prior to the parole release hearing and to inform the parole board (board) of the results of the investigation. If the board finds an inmate's parole plan inadequate, the board can table the release decision and order the department to submit a revised parole plan developed in conjunction with the inmate within 30 days of the board's order.

The bill allows the board to conduct a parole release review instead of a hearing without the presence of the inmate if the inmate is assessed "low" or "very low" on the risk assessment instrument and victim notification is not required.

The bill creates the justice reinvestment crime prevention initiative in the division of local government in the department of local affairs (division). The division shall develop the initiative to expand small business lending in the target communities of Aurora and Colorado Springs. The division will issue a request for participation from one or more nondepository community development financial institution loan funds to participate in the small business lending program. The division shall enter into a contract with the selected funds to define the operating terms of the loan program. The loans are limited to 5 years and \$50,000.

The division shall also develop the initiative to implement a grant program for programs, projects, or direct services aimed at reducing crime in the target communities. The division shall issue a request for participation to select a community foundation or foundations to manage the grant program. The division shall sign an agreement with the selected foundation or foundations that defines the role and responsibility of the foundation in managing the grant program. The grant program may fund:

- ! Academic improvement programs;
- ! Community-based services;
- ! Community engagement programs;
- ! Increasing safety and usability of common outdoor-spaces programs;
- ! Technical assistance related to data collection, data analysis, and evaluation; and
- ! Administrative costs of the foundation.

Only a nonprofit organization in good standing and registered with the internal revenue service and the Colorado secretary of state, a school, a unit of local government, or a private contractor hired to provide technical

assistance are eligible to receive grants.

The bill requires the division to present a status report to the joint judiciary committee regarding the initiative.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) On any given day, there are over 100,000 Coloradans either
5 incarcerated or otherwise under some form of criminal justice supervision
6 at a cost of well over one billion dollars to the state budget annually;

7 (b) However, many of the neighborhoods that experience higher
8 crime see little to no reduction in crime overall because public safety
9 strategies largely react to crime after the fact and fail to adequately
10 address the root causes of crime;

11 (c) Law enforcement agencies take their role in helping to
12 promote public safety very seriously, and they care very deeply about the
13 communities they serve. However, it is not the role of law enforcement
14 to address community challenges that impact crime rates such as
15 unemployment, high school dropout rates, homelessness, or people in
16 crisis due to mental illness or addiction.

17 (d) By many metrics, the overuse of the criminal justice system
18 brings its own set of unintended, negative consequences by damaging
19 families, straining police and community relations, undermining the
20 legitimacy of the criminal justice system due to racial disparity,
21 underserving crime victims, and making it harder for people with a
22 criminal record to find employment and housing to support their families;

23 (e) Colorado must develop a new paradigm related to public safety
24 that is a more comprehensive, community-based approach that focuses on

1 crime prevention from a community development perspective. This
2 paradigm combines crime prevention, economic development, mental
3 health and trauma recovery treatment, improving academic achievement,
4 strengthening families, and other targeted direct services into our core
5 public safety strategies. This new paradigm must be based on an
6 understanding that community development strategies are also important
7 public safety strategies.

8 (f) This new public safety paradigm framework is based on
9 several key components. First, it needs to be geographically targeted to
10 focus on neighborhoods that have higher rates of crime. Often attempts
11 at crime prevention have been too dispersed to have the desired impact.
12 Second, people at the local level are best positioned to identify crime
13 prevention and community development priorities. Third, in order to
14 reduce crime rates, multiple strategies must be deployed simultaneously
15 and in a coordinated fashion. Finally, there must be engagement from the
16 public sector and the private sector, including business, philanthropy, and
17 nonprofit organizations.

18 (g) Justice reinvestment is also an important component of this
19 new crime prevention framework. Justice reinvestment is an approach
20 that identifies current ineffective expenditures in criminal justice
21 spending, reforms those laws and practices, and reinvests the savings into
22 other public safety strategies. Justice reinvestment has been utilized in
23 many states across the country, including Colorado.

24 (2) Therefore, the general assembly determines it is in the best
25 interest of the state to implement parole reforms to fund a justice
26 reinvestment crime prevention initiative.

27 **SECTION 2.** In Colorado Revised Statutes, 17-2-103, **amend**

1 (11)(b) as follows:

2 **17-2-103. Arrest of parolee - revocation proceedings.**

3 (11) (b) (I) If the board determines that the parolee has violated parole
4 through commission of a crime, the board may revoke parole and request
5 the sheriff of the county in which the hearing is held to transport the
6 parolee to a place of confinement designated by the executive director
7 FOR UP TO THE REMAINDER OF THE PAROLE PERIOD.

8 ~~(II) If the board determines that the parolee has violated any~~
9 ~~condition of parole other than commission of a crime or the board grants~~
10 ~~the parolee's request to revoke his or her parole, and the parolee is not~~
11 ~~subject to the provisions of subparagraph (I), (III), (III.5), (IV), or (VI) of~~
12 ~~this paragraph (b), the board may:~~ IF THE BOARD DETERMINES THAT THE
13 PAROLEE HAS VIOLATED ANY CONDITION OF PAROLE THAT DOES NOT
14 INVOLVE THE COMMISSION OF A CRIME, AND THE PROVISIONS OF
15 SUBSECTIONS (11)(b)(III) OR (11)(b)(III.5) OF THIS SECTION ARE NOT
16 APPLICABLE, THE BOARD MAY REVOKE PAROLE AND REQUEST THE SHERIFF
17 OF THE COUNTY IN WHICH THE HEARING IS HELD TO TRANSPORT THE
18 PAROLEE TO A PLACE OF CONFINEMENT FOR UP TO THE REMAINDER OF THE
19 PAROLE PERIOD AND ORDER THE PAROLEE CONFINED AT A FACILITY
20 DESIGNATED BY THE EXECUTIVE DIRECTOR.

21 ~~(A) Revoke parole and request the sheriff of the county in which~~
22 ~~the hearing is held to transport the parolee to a place of confinement~~
23 ~~designated by the executive director; or~~

24 ~~(B) Revoke parole for a period not to exceed one hundred eighty~~
25 ~~days and request the sheriff of the county in which the hearing is held to~~
26 ~~transport the parolee to a community corrections program pursuant to~~
27 ~~section 18-1.3-301 (3), C.R.S., a place of confinement within the~~

1 department of corrections, or any private facility that is under contract to
2 the department of corrections; or

3 ~~(C) Revoke parole for a period not to exceed ninety days and~~
4 ~~request the sheriff of the county in which the hearing is held to transport~~
5 ~~the parolee to the county jail of such county or to any private facility that~~
6 ~~is under contract to the department of corrections; or~~

7 ~~(D) Revoke parole for a period not to exceed one hundred eighty~~
8 ~~days and request the sheriff of the county in which the hearing is heard to~~
9 ~~transport the parolee to the facility described in section 17-1-206.5.~~

10 (II.5) ~~The board may extend a period of parole revocation~~
11 ~~imposed pursuant to sub-subparagraph (A), (B), (C), or (D) of~~
12 ~~subparagraph (II) of this paragraph (b) beyond the specified maximum if~~
13 ~~the parolee violates a condition of the parolee's placement pursuant to the~~
14 ~~notice and hearing procedures in this section.~~

15 (III) If the board determines that the parolee has violated any
16 condition of parole that does not involve the commission of a crime, the
17 parolee has no active felony warrant, felony detainer, or pending felony
18 criminal charge, and the parolee was on parole for an offense that was a
19 ~~level~~ LEVEL 3 OR LEVEL 4 drug felony or CLASS 4, class 5, or class 6
20 nonviolent felony as defined in section 17-22.5-405 (5)(b), except for
21 menacing as defined in section 18-3-206, ~~C.R.S.~~, or any unlawful sexual
22 behavior contained in section 16-22-102 (9), ~~C.R.S.~~, or unless the parolee
23 was subject to article 6.5 of title 18, ~~C.R.S.~~, or section 18-6-801, ~~C.R.S.~~,
24 the board may revoke parole AND REQUEST THE SHERIFF OF THE COUNTY
25 IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO A PLACE
26 OF CONFINEMENT for a period not to exceed ~~one hundred eighty~~ THIRTY
27 days and request the sheriff of the county in which the hearing is held to

1 ~~transport the parolee to the facility described in section 17-1-206.5 (3)~~
2 AND ORDER THE PAROLEE CONFINED AT A FACILITY DESIGNATED BY THE
3 EXECUTIVE DIRECTOR.

4 (III.5) If the board determines that the parolee has violated any
5 condition of parole that does not involve the commission of a crime, the
6 parolee has no active felony warrant, felony detainer, or pending felony
7 criminal charge, and the parolee was on parole for an offense that was a
8 ~~level 3~~ LEVEL 2 drug felony or a ~~class 4~~ CLASS 3 nonviolent felony as
9 defined in section 17-22.5-405 (5)(b), except for stalking as described in
10 section 18-9-111 (4), ~~C.R.S.~~, as it existed prior to August 11, 2010, or
11 section 18-3-602, ~~C.R.S.~~, or any unlawful sexual behavior described in
12 section 16-22-102 (9), ~~C.R.S.~~, or unless the parolee was subject to article
13 6.5 of title 18, ~~C.R.S.~~, or section 18-6-801, ~~C.R.S.~~, and the board revokes
14 parole, the board may request the sheriff of the county in which the
15 hearing is held to transport the parolee to the facility described in section
16 17-1-206.5 (3) for a period not to exceed one hundred eighty days THE
17 BOARD MAY REVOKE PAROLE AND REQUEST THE SHERIFF OF THE COUNTY
18 IN WHICH THE HEARING IS HELD TO TRANSPORT THE PAROLEE TO A PLACE
19 OF CONFINEMENT FOR UP TO NINETY DAYS AND ORDER THE PAROLEE
20 CONFINED AT A FACILITY DESIGNATED BY THE EXECUTIVE DIRECTOR.

21 (IV) ~~If the board determines that the parolee has violated any~~
22 ~~condition of parole other than commission of a new crime and the parolee~~
23 ~~was not on parole for a crime of violence as defined in section 18-1.3-406~~
24 ~~(2), C.R.S., the board may:~~

25 (A) ~~Revoke parole for a period not to exceed ninety days and~~
26 ~~request the sheriff of the county in which the hearing is held to transport~~
27 ~~the parolee to a place of confinement designated by the executive director~~

1 if, at the time of the revocation hearing, the inmate is assessed as below
2 high risk based upon a research-based risk assessment instrument
3 approved by the department of corrections and the state board of parole;
4 or

5 (B) Revoke parole for a period not to exceed one hundred eighty
6 days and request the sheriff of the county in which the hearing is held to
7 transport the parolee to a place of confinement designated by the
8 executive director if, at the time of the revocation hearing, the inmate is
9 assessed as high risk or greater based upon a research-based risk
10 assessment instrument approved by the department of corrections and the
11 state board of parole; or

12 (C) Revoke parole for a period not to exceed one hundred eighty
13 days and request the sheriff of the county in which the hearing is held to
14 transport the parolee to a community corrections program; or

15 (D) Revoke parole for a period not to exceed one hundred eighty
16 days and request the sheriff of the county in which the hearing is held to
17 transport the parolee to the facility described in section 17-1-206.5.

18 (V) The board may extend a period of parole revocation imposed
19 pursuant to sub-subparagraph (A), (B), (C), or (D) of subparagraph (IV)
20 of this paragraph (b) beyond the specified maximum if the parolee
21 violates a condition of the parolee's placement pursuant to the notice and
22 hearing procedures in this section.

23 (VI) If the board determines that a parolee who has been
24 designated as a sexually violent predator pursuant to section 18-3-414.5
25 C.R.S., or found to be a sexually violent predator or its equivalent in any
26 other state or jurisdiction, including but not limited to a military or federal
27 jurisdiction, has violated any condition of parole, the board may revoke

1 parole and request the sheriff of the county in which the hearing is held
2 to transport the parolee to FOR UP TO THE REMAINDER OF THE PAROLE
3 PERIOD AND ORDER THE PAROLEE CONFINED AT a place of confinement
4 designated by the executive director.

5 **SECTION 3.** In Colorado Revised Statutes, 17-1-206.5, **amend**
6 (2)(c); and **repeal** (3) as follows:

7 **17-1-206.5. Preparole release and revocation facility -**
8 **community return-to-custody facility.** (2) The prison described in
9 subsection (1) of this section shall contain at least three hundred beds and
10 incarcerate any of the following:

11 (c) Offenders whose parole has been revoked; except that such
12 incarceration shall be for no more than ~~one hundred eighty~~ NINETY days.

13 ~~(3) In addition to the parole release and revocation facility~~
14 ~~described in subsections (1) and (2) of this section, the department has the~~
15 ~~authority to operate community return-to-custody facilities and provide~~
16 ~~other support and monitoring services as a revocation facility for the~~
17 ~~placement of nonviolent parolees whose parole is revoked pursuant to~~
18 ~~section 17-2-103 (11)(b)(III) under the following conditions:~~

19 (a) ~~The facilities shall be limited to the placement of nonviolent~~
20 ~~parolees whose parole is revoked pursuant to section 17-2-103~~
21 ~~(11)(b)(III);~~

22 (b) ~~The scope of the facilities' programming shall be limited to~~
23 ~~services and monitoring that address the failure of a nonviolent parolee~~
24 ~~whose parole is revoked pursuant to section 17-2-103 (11)(b)(III) and will~~
25 ~~allow for limited performance-based access to the community. A request~~
26 ~~for proposals for such services and monitoring shall be issued by the~~
27 ~~department on or before August 31, 2003, and the contracts awarded by~~

1 ~~November 2003.~~

2 ~~(c) The department may assess and collect fees from parolees~~
3 ~~placed in the facility pursuant to section 17-2-103 (11)(b)(III).~~

4 **SECTION 4.** In Colorado Revised Statutes, 17-2-201, **amend**
5 (4)(f)(I) as follows:

6 **17-2-201. State board of parole - definitions.** (4) The board has
7 the following powers and duties:

8 (f) (I) To conduct ~~a~~ AN INITIAL OR SUBSEQUENT parole release
9 review in lieu of a hearing, without the presence of the inmate, if:

10 (A) The application for release is for special needs parole pursuant
11 to section 17-22.5-403.5, and victim notification is not required pursuant
12 to section 24-4.1-302.5; ~~C.R.S.~~;

13 (B) A detainer from the United States immigration and customs
14 enforcement agency has been filed with the department, the inmate meets
15 the criteria for the presumption of parole in section 17-22.5-404.7, and
16 victim notification is not required pursuant to section 24-4.1-302.5;
17 ~~C.R.S.~~; or

18 (C) The inmate has a statutory discharge date or mandatory
19 release date within six months after his or her next ordinarily scheduled
20 parole hearing and victim notification is not required pursuant to section
21 24-4.1-302.5; ~~C.R.S.~~; OR

22 (D) THE INMATE IS ASSESSED TO BE A "LOW" OR "VERY LOW" RISK
23 ON THE VALIDATED RISK ASSESSMENT INSTRUMENT DEVELOPED PURSUANT
24 TO SECTION 17-22.5-404 (2) AND MEETS READINESS CRITERIA
25 ESTABLISHED BY THE BOARD AND VICTIM NOTIFICATION IS NOT REQUIRED
26 PURSUANT TO SECTION 24-4.1-302.5.

27 **SECTION 5.** In Colorado Revised Statutes, 17-22.5-403, **amend**

1 (5) introductory portion as follows:

2 **17-22.5-403. Parole eligibility - repeal.** (5) For any offender
3 who is incarcerated for an offense committed prior to July 1, 1993, upon
4 application for parole, the state board of parole, working in conjunction
5 with the department and using the guidelines established pursuant to
6 section 17-22.5-404, shall determine whether or not to grant parole and,
7 if granted, the length of the period of parole. PRIOR TO THE PAROLE
8 RELEASE HEARING, THE DIVISION OF ADULT PAROLE SHALL CONDUCT A
9 PAROLE PLAN INVESTIGATION AND INFORM THE STATE BOARD OF PAROLE
10 OF THE RESULTS OF THE INVESTIGATION. IF THE STATE BOARD OF PAROLE
11 FINDS AN INMATE'S PAROLE PLAN INADEQUATE, IT MAY TABLE THE PAROLE
12 RELEASE DECISION AND REQUIRE THE DEPARTMENT TO SUBMIT A REVISED
13 PAROLE PLAN DEVELOPED IN CONJUNCTION WITH THE INMATE WITHIN
14 THIRTY DAYS AFTER THE PAROLE BOARD'S REQUEST. The state board of
15 parole may set the length of the period of parole for any time period up
16 to the date of final discharge as determined in accordance with section
17 17-22.5-402. If an application for parole is refused by the state board of
18 parole, the state board of parole shall reconsider within one year
19 thereafter whether such inmate should be granted parole. The state board
20 of parole shall continue such reconsideration each year thereafter until
21 such inmate is granted parole or until such inmate is discharged pursuant
22 to law; except that:

23 **SECTION 6.** In Colorado Revised Statutes, **add** 24-32-118 as
24 follows:

25 **24-32-118. Justice reinvestment crime prevention initiative -**
26 **program - rules - reports - repeal.** (1) (a) THE DIVISION OF LOCAL
27 GOVERNMENT SHALL ADMINISTER THE JUSTICE REINVESTMENT CRIME

1 PREVENTION INITIATIVE TO EXPAND SMALL BUSINESS LENDING AND
2 PROVIDE GRANTS AIMED AT REDUCING CRIME AND PROMOTING
3 COMMUNITY DEVELOPMENT IN THE TARGET COMMUNITIES OF NORTH
4 AURORA AND SOUTHEAST COLORADO SPRINGS.

5 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, ON AND AFTER
6 AUGUST 10, 2017, THE DIVISION SHALL DEVELOP AND IMPLEMENT AN
7 INITIATIVE IN ACCORDANCE WITH POLICIES DEVELOPED BY THE EXECUTIVE
8 DIRECTOR SPECIFICALLY DESIGNED TO EXPAND SMALL BUSINESS LENDING
9 IN THE TARGET COMMUNITIES DESCRIBED IN THIS SUBSECTION (1). AN
10 INITIATIVE DEVELOPED AND IMPLEMENTED PURSUANT TO SUBSECTION
11 (1)(a) OF THIS SECTION SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE
12 FOLLOWING COMPONENTS:

13 (I) ON OR BEFORE SEPTEMBER 10, 2017, THE DIVISION SHALL ISSUE
14 A REQUEST FOR PARTICIPATION AND SELECT ONE OR MORE
15 NONDEPOSITORY COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION
16 LOAN FUNDS TO PARTICIPATE IN THE SMALL BUSINESS LENDING PROGRAM
17 DESCRIBED IN THIS SUBSECTION (1);

18 (II) THE DIVISION SHALL EXECUTE A CONTRACT AND DEVELOP AN
19 OPERATING AGREEMENT WITH EACH PARTICIPATING NONDEPOSITORY
20 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION LOAN FUND THAT
21 PROVIDES COMPREHENSIVE GUIDANCE REGARDING THE PROCEDURES AND
22 PROGRAM REQUIREMENTS AND LENDING STANDARDS TO INCLUDE, BUT
23 NOT BE LIMITED TO, THE FOLLOWING SPECIFICS:

24 (A) ANY SMALL BUSINESS LOAN MUST BE MADE AT A FIXED AND
25 REASONABLE INTEREST RATE, FOR A TERM NOT TO EXCEED SIXTY MONTHS,
26 WITH NO PREPAYMENT PENALTY, AND A MAXIMUM LOAN VALUE OF FIFTY
27 THOUSAND DOLLARS;

1 (B) THE PROCEDURES AND TIMELINES FOR A NONDEPOSITORY
2 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION LOAN FUND TO DRAW
3 DOWN FUNDING AND ANY DEPOSIT ACCOUNT REQUIREMENTS;

4 (C) THE TERMS AND TIMELINE FOR REPAYMENT BY THE
5 NONDEPOSITORY COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION
6 LOAN FUND TO THE DIVISION, INCLUDING A REASONABLE GRACE PERIOD
7 PRIOR TO COMMENCEMENT OF REPAYMENT, AND AUTHORITY FOR THE
8 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION LOAN FUNDS TO
9 RETAIN INTEREST PAID BY THE BORROWER;

10 (D) PERMISSION FOR THE NONDEPOSITORY COMMUNITY
11 DEVELOPMENT FINANCIAL INSTITUTION LOAN FUND TO REQUEST FUNDING,
12 SUBJECT TO LIMITATIONS ESTABLISHED BY THE DIRECTOR, TO PROVIDE OR
13 CONTRACT FOR SERVICES TO INCREASE THE SKILLS OF PROSPECTIVE
14 BORROWERS INCLUDING, BUT NOT LIMITED TO, BUSINESS AND FINANCIAL
15 EDUCATION, MENTORSHIP, OR COMMUNITY OUTREACH FOR MARKETING
16 PURPOSES; AND

17 (E) DATA COLLECTION REQUIREMENTS AND PERFORMANCE AND
18 OUTCOME METRICS THAT INCLUDE, BUT ARE NOT LIMITED TO, THE
19 NUMBER OF LOANS MADE AND CAPITAL DISBURSED AND LOAN DETAILS
20 INCLUDING AMOUNT, RATE AND TERM, NATURE OF BUSINESS AND NUMBER
21 OF JOBS CREATED, REPAYMENT COLLECTED, AND DELINQUENCY OR AGING
22 REPORT;

23 (III) THE DIVISION MAY RETAIN UP TO FIFTEEN PERCENT OF
24 FUNDING RECEIVED FOR SMALL BUSINESS LENDING IN A LOAN LOSS
25 RESERVE FUND IF IT BELIEVES THAT SUCH RESERVE FUND WOULD
26 INCENTIVIZE ADDITIONAL LENDERS TO EXPAND SMALL BUSINESS LENDING
27 IN THE TWO TARGET COMMUNITIES; AND

1 (IV) ANY UNEXPENDED FUNDS ARE NOT SUBJECT TO REVERSION TO
2 THE STATE AND MAY BE ALLOCATED IN THE SUBSEQUENT FISCAL YEAR.

3 (2) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, ON AND AFTER
4 AUGUST 10, 2017, THE DIVISION SHALL DEVELOP AND IMPLEMENT A
5 GRANT PROGRAM TO PROVIDE FUNDING TO ELIGIBLE ENTITIES FOR
6 PROGRAMS, PROJECTS, OR DIRECT SERVICES AIMED AT REDUCING CRIME IN
7 THE TARGET COMMUNITIES DESCRIBED IN SUBSECTION (1) OF THIS
8 SECTION. THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM IN
9 ACCORDANCE WITH POLICIES DEVELOPED BY THE EXECUTIVE DIRECTOR
10 THAT INCLUDE, BUT ARE NOT LIMITED TO, THE SPECIFICS IN SUBSECTION
11 (2)(b) OF THIS SECTION.

12 (b) ON OR BEFORE SEPTEMBER 10, 2017, THE EXECUTIVE
13 DIRECTOR SHALL ISSUE A REQUEST FOR PARTICIPATION AND SELECT A
14 COMMUNITY FOUNDATION OR FOUNDATIONS TO MANAGE THE GRANT
15 PROGRAM. TO BE ELIGIBLE, THE COMMUNITY FOUNDATION MUST BE
16 REGISTERED IN THE STATE OF COLORADO AND HAVE A HISTORY OF
17 GRANT-MAKING IN THE TARGET COMMUNITY IN AREAS CONSISTENT WITH
18 THE PERMISSIBLE USES OF FUNDING DESCRIBED IN SUBSECTION (2)(e) OF
19 THIS SECTION. THE DIVISION MAY SELECT ONE COMMUNITY FOUNDATION
20 TO SERVE BOTH TARGET COMMUNITIES OR MAY SELECT ONE COMMUNITY
21 FOUNDATION FOR EACH TARGET COMMUNITY.

22 (c) THE DIVISION SHALL EXECUTE A WRITTEN AGREEMENT WITH
23 THE SELECTED COMMUNITY FOUNDATION OR COMMUNITY FOUNDATIONS
24 THAT OUTLINES THE ROLES AND RESPONSIBILITIES OF THE COMMUNITY
25 FOUNDATION. THE ROLES AND RESPONSIBILITIES MUST INCLUDE:

26 (I) DEVELOPING A NOMINATION PROCESS AND GOVERNANCE
27 POLICY FOR THE LOCAL CRIME PREVENTION PLANNING TEAM, SUBJECT TO

1 APPROVAL BY THE APPROPRIATE CITY COUNCIL. THE COMMUNITY
2 FOUNDATION SHALL ENSURE THAT THE PROPOSED LOCAL PLANNING TEAM
3 MEMBERS REPRESENT A DIVERSE CROSS-SECTION WITH EXPERTISE IN
4 AREAS LIKE EDUCATION, BUSINESS, YOUTH, FAMILIES, NONPROFIT DIRECT
5 SERVICE, LAW ENFORCEMENT, LOCAL GOVERNMENT, COMMUNITY, AND
6 RESIDENTS OF THE TARGET COMMUNITIES, INCLUDING THOSE THAT HAVE
7 BEEN DIRECTLY IMPACTED BY CRIME AND INVOLVEMENT IN THE CRIMINAL
8 JUSTICE SYSTEM.

9 (II) PROVIDING FACILITATION TO THE LOCAL CRIME PREVENTION
10 PLANNING TEAM IN BOTH AURORA AND COLORADO SPRINGS;

11 (III) DEVELOPING THE GRANT GUIDELINES, APPLICATION AND
12 REVIEW PROCESS, DATA COLLECTION, AND REPORTING REQUIREMENTS FOR
13 GRANTEES;

14 (IV) REVIEWING PROPOSALS SUBMITTED BY THE LOCAL PLANNING
15 TEAM AND MAKING GRANT AWARDS SUBJECT TO APPROVAL BY THE
16 DIVISION AND THE OFFICE OF STATE PLANNING AND BUDGETING AND
17 CONSISTENT WITH THE PERMISSIBLE USES DESCRIBED IN SUBSECTION (2)(e)
18 OF THIS SECTION;

19 (V) CONTRACTING WITH A THIRD-PARTY EVALUATOR TO ASSIST
20 EACH LOCAL PLANNING TEAM TO ESTABLISH BEST PRACTICES WITH
21 REGARD TO DATA COLLECTION AND IDENTIFYING APPROPRIATE
22 PERFORMANCE AND OUTCOME MEASURES THAT MEASURE OUTCOME AND
23 IMPACT OF ANY FUNDED CRIME PREVENTION PROJECTS, PROGRAMS, OR
24 INITIATIVES;

25 (VI) COLLABORATING WITH THE OFFICE OF STATE PLANNING AND
26 BUDGETING TO PROVIDE INFORMATION AND RESEARCH TO LOCAL
27 PLANNING TEAMS REGARDING BEST PRACTICES AND EFFECTIVE PROGRAMS

1 FOR COMMUNITY DEVELOPMENT AND CRIME PREVENTION.

2 (d) THE DIVISION SHALL DEVELOP THE PROCEDURES AND
3 TIMELINES BY WHICH THE SELECTED COMMUNITY FOUNDATION OR
4 COMMUNITY FOUNDATIONS WILL BE PROVIDED FUNDING FROM THE
5 DIVISION FOR DISBURSEMENT FOR THE GRANT PROGRAM.

6 (e) THE PERMISSIBLE USES OF ANY FUNDING PROVIDED TO THE
7 COMMUNITY FOUNDATION SHALL INCLUDE PROGRAMS, PROJECTS, OR
8 INITIATIVES THAT ARE AIMED AT:

9 (I) IMPROVING ACADEMIC ACHIEVEMENT INCLUDING, BUT NOT
10 LIMITED TO, SCHOOL READINESS, REDUCING EXPULSIONS AND
11 SUSPENSIONS IN SCHOOLS, INCREASING HIGH SCHOOL GRADUATION,
12 COLLEGE ENROLLMENT AND RETENTION RATES, AND PROMOTING
13 SCHOOL-PARENT-STUDENT ENGAGEMENT;

14 (II) PROVIDING COMMUNITY-BASED SERVICES TO STRENGTHEN
15 FAMILIES, PROMOTE RECOVERY FROM TRAUMA, PROVIDE SUPPORT TO
16 CRIME SURVIVORS, INCREASE EMPLOYMENT, AND REDUCE RECIDIVISM, OR
17 OTHER SIMILAR COMMUNITY DIRECT SERVICE NEEDS IDENTIFIED BY THE
18 LOCAL PLANNING TEAM;

19 (III) FACILITATING NEIGHBORHOOD CONNECTIONS, COMMUNITY
20 ENGAGEMENT, AND LOCAL LEADERSHIP DEVELOPMENT;

21 (IV) INCREASING THE SAFETY AND USABILITY OF COMMON
22 OUTDOOR SPACES; AND

23 (V) DEVELOPING TECHNICAL ASSISTANCE RELATED TO DATA
24 COLLECTION, DATA ANALYSIS, AND EVALUATION.

25 (f) THE DIVISION SHALL TRANSFER TO THE COMMUNITY
26 FOUNDATION WITHIN THIRTY DAYS AFTER EXECUTION OF THE AGREEMENT
27 DESCRIBED IN SUBSECTION (2)(c) OF THIS SECTION THE ADMINISTRATIVE

1 COSTS OF THE COMMUNITY FOUNDATION RELATED TO THE PERFORMANCE
2 OF THE ROLES AND RESPONSIBILITIES FOR MANAGING THE GRANT
3 PROGRAM, WHICH COSTS MUST NOT EXCEED FOUR PERCENT OF THE
4 APPROPRIATION.

5 (g) TO BE ELIGIBLE TO RECEIVE GRANT FUNDING AN ENTITY MUST
6 BE A NONPROFIT ORGANIZATION IN GOOD STANDING AND REGISTERED
7 WITH THE INTERNAL REVENUE SERVICE AND THE COLORADO SECRETARY
8 OF STATE'S OFFICE, A SCHOOL, A UNIT OF LOCAL GOVERNMENT, OR A
9 PRIVATE CONTRACTOR HIRED TO PROVIDE TECHNICAL ASSISTANCE TO THE
10 LOCAL PLANNING TEAMS.

11 (h) ANY UNEXPENDED FUNDS ARE NOT SUBJECT TO REVERSION TO
12 THE STATE AND MAY BE ALLOCATED IN THE SUBSEQUENT FISCAL YEAR.

13 (3) SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (3)
14 ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2020. BEFORE SUCH REPEAL,
15 THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE JUSTICE
16 REINVESTMENT CRIME PREVENTION INITIATIVE PURSUANT TO SECTION
17 24-34-104.

18 (4) ON AND AFTER DECEMBER 1, 2017, DURING ITS ANNUAL
19 PRESENTATION BEFORE THE JOINT JUDICIARY COMMITTEE OF THE GENERAL
20 ASSEMBLY, OR ANY SUCCESSOR JOINT COMMITTEE, PURSUANT TO SECTION
21 2-7-203, THE DIVISION SHALL INCLUDE A STATUS REPORT REGARDING THE
22 PROGRESS AND OUTCOMES OF THE INITIATIVES DEVELOPED AND
23 IMPLEMENTED BY THE DIVISION PURSUANT TO THIS SECTION DURING THE
24 PRECEDING YEAR.

25 (5) (a) THE PAROLE SAVINGS FUND, REFERRED TO IN THIS
26 SUBSECTION (5) AS THE "FUND", IS HEREBY CREATED IN THE STATE
27 TREASURY. THE FUND CONSISTS OF MONEY GENERATED BY SAVINGS

1 CREATED IN ENACTING HOUSE BILL 17-1326 AND APPROPRIATED TO THE
2 FUND BY THE GENERAL ASSEMBLY.

3 (b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
4 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
5 FUND TO THE FUND.

6 (c) THE STATE TREASURER SHALL TRANSFER ANY UNEXPENDED
7 AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A
8 FISCAL YEAR TO THE GENERAL FUND.

9 (d) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
10 ASSEMBLY, THE DIVISION OF LOCAL GOVERNMENT MAY EXPEND MONEY
11 FROM THE FUND TO PROVIDE SMALL BUSINESS LENDING AND GRANTS
12 AIMED AT REDUCING CRIME AND PROMOTING COMMUNITY DEVELOPMENT
13 IN THE TARGET COMMUNITIES OF NORTH AURORA AND SOUTHEAST
14 COLORADO SPRINGS.

15 (e) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
16 ASSEMBLY, THE DEPARTMENT OF CORRECTIONS MAY EXPEND MONEY FROM
17 THE FUND FOR EXTERNAL CAPACITY IF THE ANTICIPATED REDUCTION IN
18 THE USE OF PRIVATE PRISON BEDS FROM THE PAROLE CHANGES ENACTED
19 IN HOUSE BILL 17-1326 ARE NOT ACHIEVED.

20 **SECTION 7.** In Colorado Revised Statutes, 24-34-104, **add**
21 (19)(a)(XII) as follows:

22 **24-34-104. General assembly review of regulatory agencies**
23 **and functions for repeal, continuation, or reestablishment - legislative**
24 **declaration - repeal.** (19) (a) The following agencies, functions, or both,
25 ~~will~~ ARE SCHEDULED FOR repeal on September 1, 2020:

26 (XII) THE JUSTICE REINVESTMENT CRIME PREVENTION INITIATIVE
27 CREATED IN SECTION 24-32-118.

1 **SECTION 8. Appropriation - adjustments to 2017 long bill.**

2 (1) To implement this act, appropriations made in the annual general
3 appropriation act for the 2017-18 state fiscal year to the department of
4 corrections are adjusted as follows:

5 (a) The general fund appropriation for payments to local jails is
6 increased by \$13,595;

7 (b) The general fund appropriation for payments to in-state private
8 prisons is decreased by \$2,165,720;

9 (c) The general fund appropriation for payments to prerelease
10 parole revocation facilities is decreased by \$1,082,860; and

11 (d) The general fund appropriation for payments to community
12 return to custody facilities is decreased by \$2,775,738.

13 (2) For the 2017-18 state fiscal year, \$103,824 is appropriated to
14 the department of corrections. This appropriation is from the general
15 fund. To implement this act, the department may use this appropriation
16 for the purchase of information technology services.

17 (3) For the 2017-18 state fiscal year, \$41,717 is appropriated to
18 the department of corrections. This appropriation is from the general
19 fund. To implement this act, the department may use this appropriation
20 as follows:

21 (a) \$36,254 for personal services related to the parole subprogram,
22 which amount is based on an assumption that the department will require
23 an additional 0.8 FTE; and

24 (b) \$5,463 for operating expenses related to the parole
25 subprogram.

26 (4) For the 2017-18 state fiscal year, \$5,865,182 is appropriated
27 to the department of local affairs. This appropriation is from the general

1 fund. To implement this act, the department may use this appropriation
2 as follows:

3 (a) \$51,001 for use by the division of local government for field
4 services program costs, which amount is based on an assumption that the
5 division will require an additional 0.8 FTE;

6 (b) \$1,000,000 for use by the division of local government for
7 small business lending;

8 (c) \$3,000,000 for use by the division of local government for
9 grant funding;

10 (d) \$1,761,140 to the parole savings fund created in section
11 24-32-118 (5);

12 (e) \$4,753 for the purchase of legal services; and

13 (f) \$48,288 for the purchase of information technology services.

14 (5) For the 2017-18 state fiscal year, \$4,753 is appropriated to the
15 department of law. This appropriation is from reappropriated funds
16 received from the department of local affairs under subsection (4)(e) of
17 this section. To implement this act, the department of law may use this
18 appropriation to provide legal services for the department of local affairs.

19 (6) For the 2017-18 state fiscal year, \$103,824 is appropriated to
20 the office of the governor for use by the office of information technology.
21 This appropriation is from reappropriated funds received from the
22 department of corrections under subsection (2) of this section. To
23 implement this act, the office may use this appropriation to provide
24 information technology services for the department of corrections.

25 (7) For the 2017-18 state fiscal year, \$48,288 is appropriated to
26 the office of the governor for use by the office of information technology.
27 This appropriation is from reappropriated funds received from the

1 department of local affairs under subsection (4)(f) of this section. To
2 implement this act, the office may use this appropriation to provide
3 information technology services for the department of local affairs.

4 **SECTION 9. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2018 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.