

CHAPTER 182

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 17-1150

BY REPRESENTATIVE(S) Navarro, Becker J., Buckner, Carver, Coleman, Danielson, Esgar, Exum, Gray, Hamner, Herod, Hooton, Humphrey, Jackson, Kennedy, Kraft-Tharp, Landgraf, Lee, Lewis, Lontine, Lundeen, McLachlan, Melton, Mitsch Bush, Nordberg, Pettersen, Ransom, Rosenthal, Saine, Salazar, Singer, Valdez, Van Winkle, Williams D., Winter, Wist, Young, Duran; also SENATOR(S) Hill, Cooke, Crowder, Fenberg, Gardner, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Smallwood, Tate.

AN ACT**CONCERNING DISALLOWING A COURT FROM GRANTING BAIL AFTER CONVICTION TO OFFENDERS WHO HAVE COMMITTED CERTAIN FELONY CRIMES.**

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

SECTION 1. In Colorado Revised Statutes, 16-4-201.5, **amend** (1)(f); and **add** (1)(h), (1)(i), and (1)(j) as follows:

16-4-201.5. Right to bail after a conviction - exceptions. (1) The court may grant bail after a person is convicted, pending sentencing or appeal, only as provided by this part 2; except that no bail is allowed for persons convicted of:

(f) A crime of possession of a weapon by a previous offender, as described in section 18-12-108 (2)(b), (2)(c), (4)(b), (4)(c), or (5); ~~C.R.S.; or~~

(h) A CLASS 5 FELONY ACT OF DOMESTIC VIOLENCE, AS DESCRIBED IN SECTION 18-6-801 (7);

(i) A SECOND OR SUBSEQUENT OFFENSE FOR STALKING THAT OCCURS WITHIN SEVEN YEARS AFTER THE DATE OF A PRIOR OFFENSE FOR WHICH THE PERSON WAS CONVICTED, AS DESCRIBED IN SECTION 18-3-602 (3)(b); OR

(j) STALKING WHEN THERE WAS A TEMPORARY OR PERMANENT PROTECTION ORDER, INJUNCTION, OR CONDITION OF BOND, PROBATION, OR PAROLE OR ANY OTHER COURT ORDER IN EFFECT THAT PROTECTED THE VICTIM FROM THE PERSON, INCLUDING BUT NOT LIMITED TO STALKING, AS DESCRIBED IN SECTION 18-3-602 (5).

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 3, 2017