

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

REENGROSSED

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

LLS NO. 18-0305.01 Richard Sweetman x4333

HOUSE BILL 18-1287

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HOUSE SPONSORSHIP

Weissman,

SENATE SPONSORSHIP

Cooke and Kagan,

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House Committees

Judiciary  
Appropriations

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE EXTENSION OF THE REPEAL OF THE COLORADO  
102 COMMISSION ON CRIMINAL AND JUVENILE JUSTICE, AND, IN  
103 CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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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/>.)*

**Sentencing in the Criminal Justice System Interim Study Committee.** Current law repeals the Colorado commission on criminal and juvenile justice, effective July 1, 2018. The bill extends the repeal date to July 1, 2028.

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 20, 2018

HOUSE  
Amended 2nd Reading  
April 19, 2018

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 16-11.3-105  
3 as follows:

4 **16-11.3-105. Repeal of article.** This ~~article~~ ARTICLE 11.3 is  
5 repealed, effective ~~July 1, 2018~~ JULY 1, 2023. ~~PRIOR TO SUCH REPEAL, THE~~  
6 ~~DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE COMMISSION~~  
7 ~~AS DESCRIBED IN SECTION 2-3-1203.~~

8 **SECTION 2.** In Colorado Revised Statutes, 24-1-128.6, **amend**  
9 (8)(b) as follows:

10 **24-1-128.6. Department of public safety - creation - repeal.**  
11 (8) (b) This subsection (8) is repealed, effective ~~July 1, 2018~~ JULY 1,  
12 2023.

13 **SECTION 3.** In Colorado Revised Statutes, 16-11.3-102, **amend**  
14 (2)(a) introductory portion, (2)(a)(XI) introductory portion, (2)(a)(XI)(H),  
15 (2)(a)(XI)(I), and (3)(b); **repeal** (2)(a)(XI)(D); and **add** (2)(a)(V.5),  
16 (2)(a)(XI)(J), (2)(a)(XI)(K), (2)(a)(XI)(L), (2)(a)(XI)(M), and (3)(c) as  
17 follows:

18 **16-11.3-102. Colorado commission on criminal and juvenile**  
19 **justice - creation - membership - operation.** (2) (a) The commission  
20 consists of ~~twenty-six~~ TWENTY-NINE voting members, as follows:

21 (V.5) THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT  
22 ATTORNEYS' COUNCIL, OR HIS OR HER DESIGNEE, AND ONE ELECTED  
23 DISTRICT ATTORNEY, TO BE DESIGNATED BY THE COLORADO DISTRICT  
24 ATTORNEYS' COUNCIL;

25 (XI) ~~Twelve~~ THIRTEEN members appointed by the governor as  
26 follows:

1           (D) ~~Two elected district attorneys;~~  
2           (H) One member who is a representative of a community  
3           corrections provider, a community corrections board member, or a  
4           behavioral, mental health, or substance use disorder treatment provider;  
5           and  
6           (I) ~~Three members who shall be appointed at-large~~ ONE MEMBER  
7           WHO IS A VICTIM, AS DEFINED IN SECTION 24-4.1-302 (5), WHO HAS  
8           DEMONSTRATED KNOWLEDGE OF THE CRIMINAL JUSTICE SYSTEM AND ITS  
9           IMPACTS;  
10          (J) A PERSON WHO IS A FORMER OFFENDER WHO HAS  
11          DEMONSTRATED KNOWLEDGE OF THE CRIMINAL JUSTICE SYSTEM AND ITS  
12          IMPACTS;  
13          (K) A REPRESENTATIVE OF A NONPROFIT ORGANIZATION  
14          REPRESENTING MUNICIPALITIES;  
15          (L) A VICTIM'S ADVOCATE, AS DEFINED IN SECTION 13-90-107  
16          (1)(k)(II); AND  
17          (M) TWO MEMBERS WHO SHALL BE APPOINTED AT-LARGE.  
18          (3) (b) Each appointing authority shall appoint the initial  
19          appointed members of the commission within sixty days after May 23,  
20          2007. THE GOVERNOR SHALL APPOINT THE COMMISSION MEMBERS  
21          DESCRIBED IN SUBSECTION (2)(a)(XI)(I), (2)(a)(XI)(J), (2)(a)(XI)(K), and  
22          (2)(a)(XI)(L) OF THIS SECTION ON OR BEFORE JULY 1, 2018. An appointed  
23          member shall not serve more than two consecutive full terms, in addition  
24          to any partial term. In the event of a vacancy in an appointed position by  
25          death, resignation, removal for misconduct, incompetence, neglect of  
26          duty, or otherwise, the appointing authority shall appoint a member to fill  
27          the position for the remainder of the unexpired term.

1 (c) A PERSON WHO HAS BEEN APPOINTED AND SUBSEQUENTLY  
2 REAPPOINTED TO THE COMMISSION BY THE SAME GOVERNOR IN ANY  
3 CAPACITY DESCRIBED IN SUBSECTION (2)(a)(XI) OF THIS SECTION MAY NOT  
4 BE APPOINTED BY THE SAME GOVERNOR TO SERVE IN ANY OTHER  
5 CAPACITY DESCRIBED IN SAID SUBSECTION (2)(a)(XI).

6 **SECTION 4.** In Colorado Revised Statutes, 16-11.3-103, **add** (7)  
7 as follows:

8 **16-11.3-103. Duties of the commission - mission - staffing.**  
9 (7) ON OR BEFORE MAY 1 OF EACH EVEN-NUMBERED YEAR, THE  
10 COMMISSION SHALL REQUEST A LETTER FROM THE GOVERNOR SUGGESTING  
11 TOPICS FOR THE COMMISSION TO STUDY. IN PREPARING THE LETTER, THE  
12 GOVERNOR IS ENCOURAGED TO CONSULT WITH THE CHIEF JUSTICE OF THE  
13 COLORADO SUPREME COURT AND THE MAJORITY AND MINORITY LEADERS  
14 OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

15 **SECTION 5.** In Colorado Revised Statutes, 2-3-1203, **add**  
16 (14)(a)(VI) as follows:

17 **2-3-1203. Sunset review of advisory committees - legislative**  
18 **declaration - definition - repeal.** (14) (a) The following statutory  
19 authorizations for the designated advisory committees are scheduled for  
20 repeal on September 1, 2023:

21 (VI) THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE  
22 JUSTICE CREATED IN SECTION 16-11.3-102.

23 **SECTION 6. Appropriation.** (1) For the 2018-19 state fiscal  
24 year, \$255,443 is appropriated to the department of public safety. This  
25 appropriation is from the general fund and is based on an assumption that  
26 the department will require an additional 2.5 FTE. To implement this act,  
27 the department may use this appropriation as follows:

1	<b>Executive director's office, administration</b>	
2	Health, life, and dental	\$23,781
3	Short-term disability	\$216
4	S.B. 04-257 amortization equalization	
5	disbursement	\$5,685
6	S.B. 06-235 supplemental amortization	
7	equalization disbursement	\$5,685
8	<b>Division of criminal justice, administration</b>	
9	DCJ administrative services	\$220,076 (2.5 FTE)

10       **SECTION 7. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.