

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REENGROSSED**

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

LLS NO. 18-0888.01 Richard Sweetman x4333

**SENATE BILL 18-274**

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**SENATE SPONSORSHIP**

**Lambert, Moreno,**

**HOUSE SPONSORSHIP**

**Benavidez, Wilson,**

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**Senate Committees**

State, Veterans, & Military Affairs  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE IMPLEMENTATION OF RECOMMENDATIONS FROM**  
102 **PRISON UTILIZATION STUDIES, AND, IN CONNECTION THEREWITH,**  
103 **RENAMING AND REPURPOSING CERTAIN CORRECTIONAL**  
104 **FACILITIES AND 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>.)*

The bill states that the general assembly intends that the department of corrections (department) shall close excess facilities, as prioritized by a 2013 prison utilization study, when prison population

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.

SENATE  
Amended 3rd Reading  
May 4, 2018

SENATE  
Amended 2nd Reading  
May 3, 2018

projections indicate excess capacity within correctional facilities.

The bill states that on or before June 30, 2019, and thereafter, the department shall operate the Centennial south campus of the Centennial correctional facility to:

- ! Administer a diagnostic program;
- ! Administer a reentry program;
- ! Provide support and other services to the department; and
- ! Use the remaining capacity of the campus to house inmates, as appropriate.

Current law prohibits the department from operating the Centennial south campus for the purpose of housing inmates in housing units. The bill removes this prohibition and appropriates money to make physical modifications at the Centennial south campus to comply with legal requirements for housing inmates.

The bill renames the facility formerly referred to as the "Denver reception and diagnostic center" as the "Denver correctional facility" and requires the Denver correctional facility to administer a residential treatment program that provides mental health treatment services to inmates. The department shall also utilize the Denver correctional facility to house inmates with physical, cognitive, and medical conditions that require long-term treatment.

The bill states that on and after July 1, 2019, subject to available appropriations, the Centennial north campus shall serve as a transportation unit for the department and as a support facility for the Centennial correctional facility.

The bill requires the department to include certain information in its annual "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" report to the committees of reference through 2023.

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

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

4           (a) In the 2012 regular legislative session, the general assembly  
5 enacted House Bill 12-1336, which required the office of state planning  
6 and budgeting within the governor's office to contract with a vendor for  
7 a system-wide analysis of the department of corrections that identifies the  
8 most appropriate and cost-effective uses of the available public and

1 private inmate beds that house the department's jurisdictional population;

2 (b) In June 2013, a Colorado prison utilization study was  
3 completed and delivered to the office of state planning and budgeting;  
4 and

5 (c) In response to this study, the office of state planning and  
6 budgeting commissioned a second prison utilization study, which was  
7 completed and delivered to the office of state planning and budgeting in  
8 February 2016.

9 (2) The general assembly further finds that each of these studies  
10 offered constructive criticism of the department's utilization of prison  
11 facilities and included certain recommendations for improving such  
12 utilization. Specifically:

13 (a) (I) The 2013 study identified three tiers of functionality and  
14 placed each correctional facility into a tier; and

15 (II) The third tier of facilities, according to the study, includes  
16 seven prison facilities that are "less essential to the core functions of the  
17 department", and, accordingly, "in the event of a significant drop in the  
18 prison population . . . should receive serious consideration for closure".

19 (b) (I) The 2016 study made specific recommendations regarding  
20 the immediate future of the Centennial south campus of the Centennial  
21 correctional facility in Fremont, which was partially opened in 2010 but  
22 subsequently closed in 2012, and which remains vacant to this day; and

23 (II) The recommendations include the relocation of the  
24 department's central reception and diagnostic review functions from the  
25 Denver regional reception and diagnostic center to the Centennial south  
26 campus.

27 (3) Now, therefore, the general assembly declares that:

1 (a) On or before June 30, 2019, and thereafter:

2 (I) The department shall operate the Centennial south campus of  
3 the Centennial correctional facility to administer a diagnostic program,  
4 administer a reentry program, provide support and other services to the  
5 department, and use the remaining capacity of the campus to house  
6 inmates, as appropriate;

7 (II) The facility formerly referred to as the "Denver reception and  
8 diagnostic center" shall be renamed and repurposed as the "Denver  
9 correctional facility"; and

10 (III) The department shall utilize the Denver correctional facility  
11 to house inmates with physical, cognitive, and medical conditions that  
12 require long-term treatment;

13 (b) On and after July 1, 2019, subject to available appropriations:

14 (I) The Centennial north campus of the Centennial correctional  
15 facility shall serve as a transportation unit for the department and as a  
16 support facility for the Centennial south campus; and

17 (II) The Denver correctional facility shall administer a residential  
18 treatment program that provides mental health treatment program that  
19 provides mental health treatment services to inmates; and

20 (c) It is the intent of the general assembly that, when prison  
21 population projections indicate excess capacity, the department shall  
22 proceed to close excess prisons as prioritized by the 2013 prison  
23 utilization study.

24 **SECTION 2.** In Colorado Revised Statutes, 17-1-104.3, **amend**  
25 (1)(b.5); and **add** (6), (7), (8), (9), and (10) as follows:

26 **17-1-104.3. Correctional facilities - locations - security level -**  
27 **repeal.** (1) (b.5) (I) ~~Notwithstanding the provisions of paragraph (b) of~~

1 ~~this subsection (1), beginning February 1, 2013, the Centennial south~~  
2 ~~campus of the Centennial correctional facility shall not be operated by the~~  
3 ~~department for the purpose of housing inmates in the housing units but,~~  
4 ~~if necessary, may be maintained to provide support and other services to~~  
5 ~~the Centennial correctional facility. The department shall actively pursue~~  
6 ~~options to sell or lease the Centennial south campus of the Centennial~~  
7 ~~correctional facility, which is also known as Colorado state penitentiary~~  
8 ~~H or CSP II. Any proceeds received as a result of a sale or lease of~~  
9 ~~Centennial south campus of the Centennial correctional facility shall be~~  
10 ~~first applied to the payment of the certificates of participation. ON OR~~  
11 ~~BEFORE JUNE 30, 2019, AND THEREAFTER, THE DEPARTMENT SHALL~~  
12 ~~OPERATE THE CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL~~  
13 ~~CORRECTIONAL FACILITY TO:~~

14 (A) ADMINISTER A DIAGNOSTIC PROGRAM, AS DESCRIBED IN  
15 SUBSECTION (6)(a) OF THIS SECTION;

16 (B) ADMINISTER A REENTRY PROGRAM, AS DESCRIBED IN  
17 SUBSECTION (6)(b) OF THIS SECTION;

18 (C) PROVIDE SUPPORT AND OTHER SERVICES TO THE DEPARTMENT;  
19 AND

20 (D) USE THE REMAINING CAPACITY OF THE CAMPUS TO HOUSE  
21 OFFENDERS, AS APPROPRIATE.

22 (II) (A) FOR THE 2018-19 FISCAL YEAR, THE GENERAL ASSEMBLY  
23 SHALL APPROPRIATE SUFFICIENT MONEY TO MAKE PHYSICAL  
24 MODIFICATIONS AT THE CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL  
25 CORRECTIONAL FACILITY TO COMPLY WITH LEGAL REQUIREMENTS FOR  
26 HOUSING INMATES. THE DEPARTMENT SHALL USE THE ENTIRE AMOUNT OF  
27 SUCH APPROPRIATION TO PAY FOR THE PURPOSES DESCRIBED IN THIS

1 SECTION, AS AMENDED, AND FOR NO OTHER PURPOSES.

2 (B) THIS SUBSECTION (1)(b.5)(II) IS REPEALED, EFFECTIVE JULY 1,  
3 2019.

4 (6) (a) ON OR BEFORE JUNE 30, 2019, AND THEREAFTER, THE  
5 CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL CORRECTIONAL  
6 FACILITY SHALL ADMINISTER A DIAGNOSTIC PROGRAM. FOR THOSE  
7 EMPLOYEES OF THE DIAGNOSTIC PROGRAM AT THE FACILITY FORMERLY  
8 KNOWN AS THE "DENVER RECEPTION AND DIAGNOSTIC CENTER" WHO DO  
9 NOT WANT TO CONTINUE THEIR EMPLOYMENT AT THE CENTENNIAL SOUTH  
10 CAMPUS OF THE CENTENNIAL CORRECTIONAL FACILITY, THE DEPARTMENT  
11 SHALL EXPLORE ALL PRACTICABLE ALTERNATIVES TO ALLOW SUCH  
12 EMPLOYEES TO RETAIN THEIR EMPLOYMENT WITH THE DEPARTMENT  
13 WITHOUT RELOCATING TO THE CENTENNIAL SOUTH CAMPUS.

14 (b) (I) ON OR BEFORE JUNE 30, 2019, AND THEREAFTER, THE  
15 CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL CORRECTIONAL  
16 FACILITY SHALL ADMINISTER A REENTRY PROGRAM TO PROVIDE  
17 TRANSITIONAL PREPARATION AND SUPPORT FOR INMATES FROM  
18 THROUGHOUT THE PRISON SYSTEM WHO ARE APPROACHING THE END OF  
19 THEIR TERMS OF INCARCERATION.

20 (II) FOR THE PURPOSE OF ADMINISTERING THE REENTRY PROGRAM  
21 DESCRIBED IN THIS SUBSECTION (6)(b), THE DEPARTMENT SHALL:

22 (A) ESTABLISH CRITERIA FOR DETERMINING WHICH INMATES ARE  
23 ELIGIBLE FOR PLACEMENT IN THE REENTRY PROGRAM;

24 (B) IDENTIFY SERVICES THAT INMATES IN THE REENTRY PROGRAM  
25 REQUIRE PRIOR TO THEIR REENTRY INTO THE COMMUNITY;

26 (C) SET FORTH A MISSION FOR THE REENTRY PROGRAM, INCLUDING  
27 DESCRIPTIONS OF SERVICES THAT THE REENTRY PROGRAM WILL OFFER AND

1 A CLEAR DESCRIPTION OF THE OBJECTIVES OF THE REENTRY PROGRAM;  
2 AND

3 (D) ESTABLISH THE FUNCTIONS AND DUTIES OF PAROLE OFFICERS  
4 WHO ARE EMPLOYED IN THE REENTRY PROGRAM.

5 (7) ON AND AFTER JULY 1, 2019, SUBJECT TO AVAILABLE  
6 APPROPRIATIONS, THE CENTENNIAL NORTH CAMPUS OF THE CENTENNIAL  
7 CORRECTIONAL FACILITY SHALL SERVE AS A TRANSPORTATION UNIT FOR  
8 THE DEPARTMENT AND AS A SUPPORT FACILITY FOR THE CENTENNIAL  
9 CORRECTIONAL FACILITY.

10 (8) (a) ON OR BEFORE JUNE 30, 2019, AND THEREAFTER, THE  
11 FACILITY FORMERLY REFERRED TO AS THE "DENVER RECEPTION AND  
12 DIAGNOSTIC CENTER" SHALL BE KNOWN AND REFERRED TO AS THE  
13 "DENVER CORRECTIONAL FACILITY".

14 (b) ON AND AFTER JULY 1, 2019, SUBJECT TO AVAILABLE  
15 APPROPRIATIONS, THE DENVER CORRECTIONAL FACILITY SHALL  
16 ADMINISTER A RESIDENTIAL TREATMENT PROGRAM THAT PROVIDES  
17 MENTAL HEALTH TREATMENT SERVICES TO INMATES.

18 (c) ON OR BEFORE JUNE 30, 2019, AND THEREAFTER, THE  
19 DEPARTMENT SHALL UTILIZE THE DENVER CORRECTIONAL FACILITY TO  
20 HOUSE INMATES WITH PHYSICAL, COGNITIVE, AND MEDICAL CONDITIONS  
21 THAT REQUIRE LONG-TERM TREATMENT.

22 (9) (a) IN ITS ANNUAL REPORT TO THE COMMITTEES OF REFERENCE  
23 PURSUANT TO SECTION 2-7-203, THE DEPARTMENT SHALL INCLUDE  
24 INFORMATION CONCERNING THE EFFECTS OF SENATE BILL 18-274,  
25 ENACTED IN THE 2018 REGULAR SESSION OF THE GENERAL ASSEMBLY.

26 (b) IN REPORTING PURSUANT TO SUBSECTION (9)(a) OF THIS  
27 SECTION, THE DEPARTMENT SHALL:

1 (I) CONSIDER WHETHER SENATE BILL 18-274 IS RESULTING IN  
2 INCREASED VIOLATIONS BY PAROLEES;

3 (II) DESCRIBE THE WORKLOAD OF PAROLE OFFICERS; AND

4 (III) INCLUDE ANY RECOMMENDATIONS OF THE DEPARTMENT  
5 REGARDING THE IMPLEMENTATION OF SENATE BILL 18-274.

6 (c) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2023.

7 (10) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT WHEN  
8 PRISON POPULATION PROJECTIONS INDICATE EXCESS CAPACITY WITHIN  
9 CORRECTIONAL FACILITIES, THE DEPARTMENT SHALL PROCEED TO CLOSE  
10 EXCESS FACILITIES AS PRIORITIZED BY THE 2013 PRISON UTILIZATION  
11 STUDY, WHICH STUDY WAS COMPLETED FOR THE OFFICE OF STATE  
12 PLANNING AND BUDGETING IN THE GOVERNOR'S OFFICE PURSUANT TO  
13 HOUSE BILL 12-1336, ENACTED IN 2012.

14 **SECTION 3.** In Colorado Revised Statutes, 17-40-101, **amend**  
15 (1.5) as follows:

16 **17-40-101. Definitions.** As used in this article 40, unless the  
17 context otherwise requires:

18 (1.5) "Diagnostic center" means the diagnostic center located  
19 within the ~~city and county of Denver~~ CENTENNIAL SOUTH CAMPUS OF THE  
20 CENTENNIAL CORRECTIONAL FACILITY.

21 **SECTION 4.** In Colorado Revised Statutes, 25-1.5-301, **amend**  
22 (2)(a)(VI) as follows:

23 **25-1.5-301. Definitions.** As used in this part 3, unless the context  
24 otherwise requires:

25 (2) "Facility" means:

26 (a) The correctional facilities under the supervision of the  
27 executive director of the department of corrections including, but not



1 limited to:

2 (VI) The ~~Denver regional~~ diagnostic center LOCATED WITHIN THE  
3 CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL CORRECTIONAL  
4 FACILITY provided for in article 40 of title 17; ~~C.R.S.~~;

5 **SECTION 5.** In Colorado Revised Statutes, 24-75-302, **amend**  
6 **(2)(dd) and (2)(ee); and add (2)(ff) as follows:**

7 **24-75-302. Capital construction fund - capital assessment fees**  
8 **- calculation - information technology capital account.** (2) The  
9 controller shall transfer a sum as specified in this subsection (2) from the  
10 general fund to the capital construction fund as money becomes available  
11 in the general fund during the fiscal year beginning on July 1 of the fiscal  
12 year in which the transfer is made. Transfers between funds pursuant to  
13 this subsection (2) are not appropriations subject to the limitations of  
14 section 24-75-201.1. The amounts transferred pursuant to this subsection  
15 (2) are as follows:

16 (dd) On July 1, 2016, twenty million five hundred eighty-six  
17 thousand three hundred ninety-eight dollars; and

18 (ee) On July 1, 2017, sixty-eight million eight hundred forty  
19 thousand four hundred forty-six dollars; AND

20 (ff) ON JULY 1, 2018, ELEVEN MILLION TWO HUNDRED FIFTY-SIX  
21 THOUSAND FIVE HUNDRED SIXTY-ONE DOLLARS.

22 **SECTION 6. Capital construction appropriation.** (1) For the  
23 2018-19 state fiscal year, \$11,256,561 is appropriated to the department  
24 of corrections for use by the institutions. This appropriation is from the  
25 capital construction fund created in section 24-75-302 (3.7), C.R.S. To  
26 implement this act, the department may use this appropriation for capital  
27 construction related to changes at the Centennial south campus of the

1 Centennial correctional facility, the Denver correctional facility, and the  
2 Centennial north campus of the Centennial correctional facility. Any  
3 money appropriated in this subsection (1) not expended prior to July 1,  
4 2019, is further appropriated to the division for the 2019-20 and 2020-21  
5 state fiscal years for the same purpose.

6 **SECTION 7. Effective date.** (1) Except as described in  
7 subsection (2) of this section, this act takes effect upon passage.

8 (2) Sections 3 and 4 of this act take effect June 30, 2019.

9 **SECTION 8. Safety clause.** The general assembly hereby finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, and safety.