

CHAPTER 303

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 19-1310

BY REPRESENTATIVE(S) Melton and Gonzales-Gutierrez, Benavidez, Bird, Buckner, Cutter, Duran, Galindo, Herod, Hooton, Jaquez Lewis, Michaelson Jenet, Valdez A., Hansen, Snyder;
also SENATOR(S) Lee, Gonzales.

AN ACT

CONCERNING INTEREST ON ORDERS OF RESTITUTION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 18-1.3-603, **amend** (4)(b)(I); and **add** (4)(b.5) as follows:

18-1.3-603. Assessment of restitution - corrective orders. (4) (b) Any order for restitution made pursuant to this section is also an order that:

(I) EXCEPT AS PROVIDED IN SUBSECTION (4)(b.5) OF THIS SECTION, the defendant owes simple interest from the date of the entry of the order at the rate of eight percent per annum; and

(b.5) (I) INTEREST ON AN ORDER FOR RESTITUTION DOES NOT ACCRUE WHILE:

(A) THE DEFENDANT IS SERVING A SENTENCE IN A CORRECTIONAL FACILITY OPERATED BY OR UNDER CONTRACT WITH THE DEPARTMENT OF CORRECTIONS LOCATED WITHIN THE STATE; OR

(B) THE DEFENDANT IS IN A JUVENILE DELINQUENCY CASE AND IS UNDER TWENTY-ONE YEARS OF AGE.

(II) IN ANY CASE WHERE INTEREST WAS ACCRUING ON AN ORDER OF RESTITUTION AT THE RATE OF TWELVE PERCENT PER ANNUM, ON AND AFTER JANUARY 1, 2020, INTEREST ACCRUES AT THE RATE OF EIGHT PERCENT PER ANNUM.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 2. Appropriation. For the 2019-20 state fiscal year, \$220,480 is appropriated to the judicial department. This appropriation is from the judicial collection enhancement cash fund created in section 16-11-101.6 (2), C.R.S. To implement this act, the department may use this appropriation for information technology infrastructure.

SECTION 3. Effective date - applicability. This act takes effect July 1, 2019, and applies to orders entered on and after said date.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 28, 2019