

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**ENGROSSED**

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

LLS NO. 20-1040.01 Conrad Imel x2313

**SENATE BILL 20-169**

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**SENATE SPONSORSHIP**

**Gonzales,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Judiciary

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING PERMITTING YOUTHFUL OFFENDERS TO BE HOUSED IN**  
102              **THE SAME FACILITY AS INMATES THAT MENTOR YOUTHFUL**  
103              **OFFENDERS.**

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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>.)*

Under existing law, offenders sentenced to the youthful offender system are housed and serve their sentences in a facility separate from, and are not brought into daily physical contact with, inmates older than 24 years of age who are sentenced to the department of corrections who have not been sentenced to the youthful offender system. The bill adds an

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 2nd Reading  
March 5, 2020

exemption that permits youthful offenders to be housed in a youthful offender facility with inmates who are participating in a mentoring program.

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

2           **SECTION 1.** In Colorado Revised Statutes, 18-1.3-407, **add**  
3 (5)(d) as follows:

4           **18-1.3-407. Sentences - youthful offenders - powers and duties**  
5 **of district court - authorization for youthful offender system - powers**  
6 **and duties of department of corrections - legislative declaration -**  
7 **definitions.** (5) (d) (I) EXCEPT AS PROVIDED IN SUBSECTION (5)(d)(II) OF  
8 THIS SECTION, AN OFFENDER MAY BE HOUSED IN A YOUTHFUL OFFENDER  
9 FACILITY THAT ALSO HOUSES INMATES OLDER THAN TWENTY-FOUR YEARS  
10 OF AGE SENTENCED TO THE DEPARTMENT OF CORRECTIONS == WHO ARE OF  
11 A LOWER THAN CLOSE CUSTODY LEVEL WHEN SUCH INMATES ARE HOUSED  
12 IN THE YOUTHFUL OFFENDER FACILITY FOR THE PURPOSE OF  
13 PARTICIPATING IN A PROGRAM TO MENTOR YOUTHFUL OFFENDERS THAT IS  
14 AUTHORIZED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
15 CORRECTIONS.

16           (II) AN OFFENDER MAY NOT BE HOUSED IN A YOUTHFUL OFFENDER  
17 FACILITY THAT ALSO HOUSES ANY INMATES OLDER THAN TWENTY-FOUR  
18 YEARS OF AGE SENTENCED TO THE DEPARTMENT OF CORRECTIONS WHO  
19 HAVE BEEN CONVICTED OF A SEX OFFENSE, AS DESCRIBED IN SECTION  
20 16-11.7-102 (3).

21           **SECTION 2. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2020 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.