

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0423.01 Conrad Imel x2313

SENATE BILL 23-088

SENATE SPONSORSHIP

Pelton B. and Fields,

HOUSE SPONSORSHIP

Winter T.,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING AN OFFENDER'S ELIGIBILITY FOR RELEASE FROM
102 CONFINEMENT, AND, IN CONNECTION THEREWITH, INFORMING
103 THE VICTIM OF AN OFFENSE OF CHANGES TO AN OFFENDER'S
104 PROJECTED RELEASE DATE.

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 requires the Colorado commission on criminal and juvenile justice (commission) to report to the general assembly about its study of sentencing reform. The report must be made by November 15,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

2023. The report must include a summary of the commission's work, a recommendation of whether to change the minimum sentence required to be served prior to eligibility for parole, and data and information that support the recommendation.

Under existing law, the department of corrections (department) is required to notify a victim covered by the "Victim Rights Act" of the projected release date of an offender who was charged with or convicted of a crime against the victim. The bill requires the department to notify the victim of any changes to the projected release date, including changes as a result of earned time awarded, at the time the projected release date changes.

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-11.3-103, **add** (8)
3 as follows:

4 **16-11.3-103. Duties of commission - mission - staffing - report**
5 **- definition - repeal.** (8) (a) ON OR BEFORE NOVEMBER 15, 2023, THE
6 COMMISSION SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY
7 CONCERNING THE COMMISSION'S, INCLUDING ANY COMMISSION TASK
8 FORCE'S, STUDY OF SENTENCING REFORM. THE REPORT MUST INCLUDE A
9 SUMMARY OF THE COMMISSION'S WORK TO DATE; A RECOMMENDATION OF
10 WHETHER TO CHANGE THE MINIMUM AMOUNT OF A SENTENCE A PERSON
11 IS REQUIRED TO SERVE PRIOR TO BECOMING ELIGIBLE FOR PAROLE,
12 INCLUDING SENTENCES IMPOSED FOLLOWING A CONVICTION FOR PERSONS
13 CONVICTED OF CERTAIN OFFENSES AS DESCRIBED IN SECTION 17-22.5-403
14 (2.5) AND (3.5); AND DATA AND INFORMATION THAT SUPPORT THE
15 COMMISSION'S RECOMMENDATION.

16 (b) THE REPORT REQUIRED PURSUANT TO THIS SUBSECTION (8) IS
17 NOT INTENDED TO REQUIRE THE COMMISSION OR COMMISSION TASK FORCE
18 TO COMPLETE ITS STUDY OF SENTENCING REFORM BY NOVEMBER 15, 2023.

19 (c) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JUNE 30, 2024.

1 **SECTION 2.** In Colorado Revised Statutes, 24-4.1-303, **add**
2 (14)(b.5) as follows:

3 **24-4.1-303. Procedures for ensuring rights of victims of**
4 **crimes.** (14) Upon receipt of a written victim impact statement as
5 provided in section 24-4.1-302.5 (1)(j.5), the department of corrections
6 shall include the statement with any referral made by the department of
7 corrections or a district court to place an offender in a public or private
8 community corrections facility or program. The department of corrections
9 or the public or private local corrections authorities shall notify the victim
10 of the following information regarding any person who was charged with
11 or convicted of a crime against the victim:

12 (b.5) ANY CHANGES TO THE PROJECTED DATE OF THE PERSON'S
13 RELEASE FROM CONFINEMENT, INCLUDING CHANGES TO THE PERSON'S
14 PROJECTED PAROLE ELIGIBILITY DATE AS A RESULT OF EARNED TIME
15 GRANTED TO THE OFFENDER, AT THE TIME THE PROJECTED RELEASE OR
16 PAROLE ELIGIBILITY DATE CHANGES;

17 **SECTION 3. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2024 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.