

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 23-0423.01 Conrad Imel x2313

SENATE BILL 23-088

SENATE SPONSORSHIP

Pelton B. and Fields,

HOUSE SPONSORSHIP

Winter T. and Martinez,

Senate Committees
Judiciary

House Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING AN OFFENDER'S ELIGIBILITY FOR RELEASE FROM**
102 **CONFINEMENT.**

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, 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

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.

HOUSE
Amended 2nd Reading
May 3, 2023

SENATE
3rd Reading Unamended
March 10, 2023

SENATE
Amended 2nd Reading
March 9, 2023

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) (I) ON OR BEFORE JANUARY 31, 2024, 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 AND AN UPDATE ON THE
10 STATUS OF THE COMMISSION'S AND ANY TASK FORCE'S EFFORTS TO
11 ADDRESS CLARITY AND CERTAINTY IN THE CURRENT CRIMINAL
12 SENTENCING SCHEME, INCLUDING WAYS TO PROVIDE THE PUBLIC,
13 INCLUDING VICTIMS, DEFENDANTS, AND THEIR FAMILIES, CLARITY
14 REGARDING THE AMOUNT OF TIME THAT MUST BE SERVED ON EACH
15 SENTENCE IMPOSED BY THE COURT PRIOR TO A DEFENDANT'S PAROLE
16 ELIGIBILITY.

17 (II) THE COMMISSION SHALL, ON OR BEFORE JANUARY 31, 2025,
18 SUBMIT A REPORT TO THE GENERAL ASSEMBLY THAT INCLUDES AN UPDATE
19 ON THE COMMISSION'S AND ANY COMMISSION TASK FORCE'S WORK ON
20 CRIMINAL SENTENCING AS DESCRIBED IN SUBSECTION (8)(a)(I) OF THIS
21 SECTION; EXCEPT THAT, THE UPDATE IS NOT REQUIRED IF THE COMMISSION

1 HAS MADE A FINAL RECOMMENDATION TO THE GENERAL ASSEMBLY
2 CONCERNING SENTENCING REFORM.

3 (b) THE REPORTS REQUIRED PURSUANT TO THIS SUBSECTION (8)
4 ARE NOT INTENDED TO REQUIRE THE COMMISSION OR COMMISSION TASK
5 FORCE TO COMPLETE ITS STUDY OF SENTENCING REFORM BY THE DEADLINE
6 TO SUBMIT THE REPORT.

7 (c) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JUNE 30, 2025.

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10 **SECTION 2. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly; except
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V
14 of the state constitution against this act or an item, section, or part of this
15 act within such period, then the act, item, section, or part will not take
16 effect unless approved by the people at the general election to be held in
17 November 2024 and, in such case, will take effect on the date of the
official declaration of the vote thereon by the governor.