

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

INTRODUCED

LLS NO. 23-0604.03 Michael Dohr x4347

HOUSE BILL 23-1258

HOUSE SPONSORSHIP

Sharbini and Garcia,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CREATING A TASK FORCE TO STUDY THE COSTS**
102 **ASSOCIATED WITH DRUG CRIMES.**

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 creates the evaluating the costs associated with enforcement of and incarceration for drug crimes task force (task force). The task force has the following duties:

- Consider and determine state and local government costs associated with the investigation of drug crimes and the enforcement of drug laws;

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.*

- Consider and determine the costs incurred by the judicial department in adjudicating drug crimes and supervising defendants convicted of drug crimes;
- Consider and determine state and local government costs associated with confining and incarcerating individuals accused of and convicted of drug crimes and the state costs associated with parole supervision for those convicted of drug crimes;
- Determine the total state and local government costs associated with enforcing drug laws, investigating and punishing drug crimes, and rehabilitating those convicted of drug crimes; and
- Make recommendations to the general assembly regarding how money saved by reducing drug crimes or sentencing for drug crimes could be spent to reduce substance use and dependence in Colorado.

The task force shall create a report of its findings by December 31, 2023, and shall present the report to the judiciary committees of the house of representatives and senate by January 30, 2024.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25-1.5-120 as
 3 follows:

4 **25-1.5-120. Evaluating the costs associated with enforcement**
 5 **of drug laws and incarceration for drug crimes task force -**
 6 **definitions - duties - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE
 7 CONTEXT OTHERWISE REQUIRES:

8 (a) "DRUG CRIMES" MEANS THE CRIMES DESCRIBED IN PART 4 OF
 9 ARTICLE 18 OF TITLE 18.

10 (b) "TASK FORCE" MEANS THE EVALUATING THE COSTS
 11 ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS AND INCARCERATION
 12 FOR DRUG CRIMES TASK FORCE CREATED IN SUBSECTION (2) OF THIS
 13 SECTION.

14 (2) THERE IS CREATED IN THE DEPARTMENT THE EVALUATING THE

1 COSTS ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS AND
2 INCARCERATION FOR DRUG CRIMES TASK FORCE TO STUDY STATE AND
3 LOCAL GOVERNMENT COSTS ASSOCIATED WITH ENFORCING DRUG LAWS,
4 INVESTIGATING AND PUNISHING DRUG CRIMES, AND REHABILITATING
5 THOSE CONVICTED OF DRUG CRIMES.

6 (3) THE TASK FORCE MEMBERS MUST BE APPOINTED ON OR BEFORE
7 AUGUST 31, 2023. THE TASK FORCE CONSISTS OF SEVEN MEMBERS AS
8 FOLLOWS:

9 (a) A MEMBER OF THE HOUSE OF THE REPRESENTATIVES,
10 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND
11 WHO IS CHAIR OF THE TASK FORCE;

12 (b) A MEMBER OF THE SENATE, APPOINTED BY THE MAJORITY
13 LEADER OF THE SENATE AND WHO IS THE VICE-CHAIR OF THE TASK FORCE;

14 (c) A PUBLIC HEALTH EXPERT WHO WORKS FOR A NONPROFIT,
15 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
16 HEALTH AND ENVIRONMENT;

17 (d) A REPRESENTATIVE OF DISTRICT ATTORNEYS, APPOINTED BY
18 THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT ATTORNEYS'
19 COUNCIL;

20 (e) A REPRESENTATIVE OF LAW ENFORCEMENT, APPOINTED BY A
21 STATEWIDE ORGANIZATION REPRESENTING CHIEFS OF POLICE;

22 (f) AN EXPERT ON HOUSING AND THE UNHOUSED WHO WORKS FOR
23 A NONPROFIT, APPOINTED BY THE STATE DIRECTOR OF HOUSING IN THE
24 DIVISION OF HOUSING IN THE DEPARTMENT OF LOCAL AFFAIRS; AND

25 (g) A REPRESENTATIVE OF A NONPROFIT ORGANIZATION THAT
26 WORKS ON DRUG POLICY, APPOINTED BY THE SPEAKER OF THE HOUSE OF
27 REPRESENTATIVES.

1 (4) (a) ON OR BEFORE SEPTEMBER 15, 2023, THE CHAIR OF THE
2 TASK FORCE SHALL CALL THE FIRST MEETING OF THE TASK FORCE. DURING
3 THE FIRST MEETING, THE TASK FORCE SHALL ESTABLISH PROCEDURES TO
4 ALLOW MEMBERS OF THE TASK FORCE TO PARTICIPATE IN MEETINGS
5 REMOTELY, DEVELOP BEST PRACTICES FOR THE ADMINISTRATION OF TASK
6 FORCE MEETINGS, AND CREATE A PLAN FOR ENGAGEMENT OF
7 STAKEHOLDERS AND EXPERTS TO SUPPORT AND INFORM THE TASK FORCE'S
8 WORK.

9 (b) THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES BETWEEN
10 SEPTEMBER 15, 2023, AND DECEMBER 31, 2023.

11 (c) EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-326, THE
12 TASK FORCE MEMBERS SHALL SERVE WITHOUT COMPENSATION BUT MUST
13 RECEIVE REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED TO
14 PARTICIPATE IN TASK FORCE MEETINGS.

15 (d) IF A VACANCY OCCURS ON THE TASK FORCE FOR ANY REASON,
16 THE ORIGINAL APPOINTING AUTHORITY SHALL APPOINT A PERSON WHO
17 MEETS THE REQUIREMENTS OF THE VACANT POSITION TO FILL THE
18 VACANCY AS SOON AS POSSIBLE AFTER THE VACANCY OCCURS.

19 (e) UPON REQUEST OF THE CHAIR OF THE TASK FORCE, THE
20 DEPARTMENT SHALL PROVIDE THE TASK FORCE WITH STAFF ASSISTANCE,
21 MEETING SPACE, OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY
22 RESOURCES, AS NECESSARY, FOR THE TASK FORCE TO MEET THE DUTIES
23 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

24 (5) (a) IN COMPLETING THE STUDY DESCRIBED IN SUBSECTION (2)
25 OF THIS SECTION, THE TASK FORCE SHALL:

26 (I) CONSIDER AND DETERMINE STATE AND LOCAL GOVERNMENT
27 COSTS ASSOCIATED WITH THE INVESTIGATION AND ENFORCEMENT OF DRUG

1 CRIMES;

2 (II) CONSIDER AND DETERMINE THE COSTS INCURRED BY THE
3 JUDICIAL DEPARTMENT TO ADJUDICATE DRUG CRIMES AND TO SUPERVISE
4 DEFENDANTS CONVICTED OF DRUG CRIMES;

5 (III) CONSIDER AND DETERMINE STATE AND LOCAL GOVERNMENT
6 COSTS ASSOCIATED WITH CONFINEMENT AND INCARCERATION OF
7 INDIVIDUALS ACCUSED OF AND CONVICTED OF DRUG CRIMES AND THE
8 STATE COSTS ASSOCIATED WITH PAROLE SUPERVISION FOR THOSE
9 CONVICTED OF DRUG CRIMES;

10 (IV) DETERMINE THE TOTAL STATE AND LOCAL GOVERNMENT
11 COSTS ASSOCIATED WITH ENFORCEMENT OF DRUG LAWS, INVESTIGATION
12 OF AND PUNISHMENT FOR DRUG CRIMES, AND REHABILITATION OF THOSE
13 CONVICTED OF DRUG CRIMES; AND

14 (V) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY
15 REGARDING HOW MONEY SAVED BY A REDUCTION IN DRUG CRIMES OR
16 SENTENCING FOR DRUG CRIMES COULD BE SPENT TO REDUCE SUBSTANCE
17 USE AND DEPENDENCE IN COLORADO.

18 (b) THE TASK FORCE SHALL CONSULT WITH STAKEHOLDERS AND
19 EXPERTS AS NEEDED TO INFORM DISCUSSIONS AND TO ADDRESS QUESTIONS
20 NECESSARY TO FINALIZE ITS FINDINGS AND RECOMMENDATIONS.

21 (6) ON OR BEFORE JANUARY 30, 2024, THE TASK FORCE SHALL
22 SUBMIT A FINAL REPORT, INCLUDING ITS FINDINGS AND
23 RECOMMENDATIONS REGARDING ISSUES IDENTIFIED IN SUBSECTION (5) OF
24 THIS SECTION TO THE JUDICIARY COMMITTEES OF THE HOUSE OF
25 REPRESENTATIVES AND THE SENATE, OR THEIR SUCCESSOR COMMITTEES.

26 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2024.

27 **SECTION 2. Act subject to petition - effective date.** This act

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