

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

REVISED

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

LLS NO. 25-0302.02 Michael Dohr x4347

HOUSE BILL 25-1050

HOUSE SPONSORSHIP

Garcia, Bacon, Brown, Clifford, Duran, Lindsay, Marshall, McCluskie, Story, Velasco

SENATE SPONSORSHIP

Amabile,

House Committees
Judiciary

Senate Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING AN EXCEPTION TO THE REQUIREMENT THAT A COUNTY**
102 **WITH A POPULATION OF TWO THOUSAND OR MORE MAINTAIN ITS**
103 **OWN COUNTY JAIL FOR A COUNTY THAT ENTERS INTO AN**
104 **INTERGOVERNMENTAL AGREEMENT FOR A**
105 **MULTIJURISDICTIONAL COUNTY JAIL.**

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/>.)

Legislative Oversight Committee Concerning Colorado Jail Standards. Current law requires each county with a population of 2,000

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.

SENATE
2nd Reading Unamended
February 27, 2025

HOUSE
3rd Reading Unamended
February 3, 2025

HOUSE
Amended 2nd Reading
January 30, 2025

or more to maintain a county jail. The bill exempts any such county from the requirement to maintain a county jail if the county has entered into an intergovernmental agreement with another county to operate a multijurisdictional county jail.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Many small counties cannot support the construction,
5 maintenance, operation, and staffing of a county jail;

6 (b) The state does not provide funding for county jail operations
7 to counties and imposes state-mandated requirements on county jails; and

8 (c) Counties have statutory authority to enter into
9 intergovernmental agreements and to construct multijurisdictional jails.

10 (2) Therefore, the general assembly finds and declares that it is
11 necessary to consolidate county jails to ensure detainees and prisoners
12 from small counties have necessary resources.

13 **SECTION 2.** In Colorado Revised Statutes, **amend** 17-26-101 as
14 follows:

15 **17-26-101. Jail in each county.** (1) EXCEPT AS PROVIDED IN
16 SUBSECTION (2) OF THIS SECTION, there shall be IS maintained in each
17 county in this state, at the expense of the county, a county jail for the
18 detention, safekeeping, and confinement of persons and prisoners
19 lawfully committed. Nothing in this article shall be construed to compel
20 ARTICLE 26 COMPELS the erection of jails in counties having a population
21 of less than two thousand or when the county owns a jail erected in any
22 other place in the county.

23 (2) A COUNTY THAT MAINTAINS AN INTERGOVERNMENTAL

1 AGREEMENT OR ANY OTHER CONTRACT WITH AT LEAST ONE OTHER
2 COUNTY FOR THE SAFEKEEPING OR CONFINEMENT OF PERSONS OR
3 PRISONERS LAWFULLY COMMITTED IS NOT REQUIRED TO MAINTAIN A
4 COUNTY JAIL WITHIN THE JURISDICTIONAL PHYSICAL BOUNDARIES OF SUCH
5 COUNTY.

6 **SECTION 3. Safety clause.** The general assembly finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety or for appropriations for
9 the support and maintenance of the departments of the state and state
10 institutions.