

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

ENGROSSED

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

LLS NO. 25-0516.01 Jerry Barry x4341

HOUSE BILL 25-1081

HOUSE SPONSORSHIP

Martinez and Soper,

SENATE SPONSORSHIP

Weissman,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REPORTING STATISTICS ON RESTITUTION PAYMENTS.**

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>.)

Starting with the judicial department's 2026 "SMART Act" hearing, the bill requires the state court administrator to report statistics concerning restitution payments received and owed during the previous 5 state fiscal years.

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

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
January 30, 2025

1 **SECTION 1.** In Colorado Revised Statutes, 13-3-101, **add** (13.5)
2 as follows:

3 **13-3-101. State court administrator - duties - report -**
4 **definitions - repeal.** (13.5) NOTWITHSTANDING SECTION 24-1-136
5 (11)(a)(I), DURING THE 2026 REGULAR SESSION AND EACH REGULAR
6 SESSION THEREAFTER, THE STATE COURT ADMINISTRATOR OR THE
7 ADMINISTRATOR'S DESIGNEE SHALL PRESENT AT THE JUDICIAL
8 DEPARTMENT'S "SMART ACT" HEARING PURSUANT TO SECTION 2-7-203
9 THE FOLLOWING STATISTICS CONCERNING RESTITUTION FOR EACH OF THE
10 PREVIOUS FIVE STATE FISCAL YEARS:

11 (a) FOR CASES THAT WERE ELIGIBLE FOR A RESTITUTION ORDER:

12 (I) THE NUMBER OF CASES;

13 (II) THE NUMBER OF CASES IN WHICH RESTITUTION WAS
14 REQUESTED;

15 (III) THE NUMBER OF CASES IN WHICH RESTITUTION WAS ORDERED;

16 AND

17 (IV) THE NUMBER OF CASES IN WHICH RESTITUTION WAS NOT
18 REQUESTED;

19 (b) THE AMOUNT OF RESTITUTION PAID TO:

20 (I) INDIVIDUALS; AND

21 (II) INSURANCE COMPANIES;

22 (c) THE PERCENTAGE OF INDIVIDUALS OWING RESTITUTION WHO
23 ARE:

24 (I) ASIAN;

25 (II) BLACK;

26 (III) AMERICAN INDIAN;

27 (IV) CAUCASIAN;

- 1 (V) OTHER RACE;
- 2 (VI) UNKNOWN RACE;
- 3 (VII) HISPANIC;
- 4 (VIII) MALE;
- 5 (IX) FEMALE;
- 6 (X) UNDER TWENTY- FIVE YEARS OF AGE;
- 7 (XI) AT LEAST TWENTY-FIVE YEARS OF AGE BUT UNDER FORTY
- 8 YEARS OF AGE;
- 9 (XII) AT LEAST FORTY YEARS OF AGE BUT UNDER SIXTY YEARS OF
- 10 AGE; AND
- 11 (XIII) SIXTY YEARS OF AGE OR OLDER;
- 12 (d) FOR INDIVIDUALS WHO OWE RESTITUTION, THE PERCENTAGE OF
- 13 INDIVIDUALS WHO OWE RESTITUTION IN EACH COUNTY;
- 14 (e) FOR INDIVIDUALS WHO ARE IN DEFAULT ON RESTITUTION
- 15 PAYMENTS FOR MORE THAN THIRTY DAYS:
- 16 (I) THE NUMBER OF INDIVIDUALS IN DEFAULT;
- 17 (II) THE PERCENTAGE OF INDIVIDUALS IN DEFAULT WHO ARE:
- 18 (A) ASIAN;
- 19 (B) BLACK;
- 20 (C) AMERICAN INDIAN;
- 21 (D) CAUCASIAN;
- 22 (E) OTHER RACE;
- 23 (F) UNKNOWN RACE;
- 24 (G) HISPANIC;
- 25 (H) MALE;
- 26 (I) FEMALE;
- 27 (J) UNDER TWENTY- FIVE YEARS OF AGE;

1 (K) AT LEAST TWENTY-FIVE YEARS OF AGE BUT UNDER FORTY
2 YEARS OF AGE;

3 (L) AT LEAST FORTY YEARS OF AGE BUT UNDER SIXTY YEARS OF
4 AGE; AND

5 (M) SIXTY YEARS OF AGE OR OLDER;

6 (III) THE TOTAL PRINCIPAL AMOUNT AND THE TOTAL INTEREST
7 OWED BY THE INDIVIDUALS IN DEFAULT;

8 (IV) THE AVERAGE LENGTH OF TIME THAT THE INDIVIDUALS HAVE
9 BEEN IN DEFAULT; AND

10 (f) FOR INDIVIDUALS WHO ARE IN DEFAULT ON RESTITUTION
11 PAYMENTS, THE PERCENTAGE OF INDIVIDUALS WHO ARE IN DEFAULT IN
12 EACH COUNTY.

13

14 **SECTION 2. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly; except
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V
18 of the state constitution against this act or an item, section, or part of this
19 act within such period, then the act, item, section, or part will not take
20 effect unless approved by the people at the general election to be held in
21 November 2026 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.