

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0731.01 Jerry Barry x4341

HOUSE BILL 25-1214

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HOUSE SPONSORSHIP

Clifford,

SENATE SPONSORSHIP

Gonzales J.,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING MEASURES TO MAKE APPROPRIATE USE OF PRISON BEDS.

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>.)*

Before an individual is sentenced to the department of corrections (department) for a class 5 or 6 felony, the bill requires the court to review certain available information and to make additional findings.

The bill directs the executive director of the department (executive director) to notify the sentencing court that a person sentenced to prison for certain lower-class felonies is either past or within 90 days or less of the person's parole eligibility date.

The bill adds certified recovery residences to the lists of possible

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.

treatment or recovery options for a parolee.

The bill eliminates the requirement that a parolee who tests positive for drugs or alcohol must pay for any treatment program ordered as a new condition of parole.

The bill repeals provisions that require approval by a majority of the members of the state board of parole (state board) for a denial of parole to certain low- or very low-risk inmates. The bill replaces these provisions by creating a presumption that certain low- or very low-risk inmates who have reached their parole eligibility dates will be granted parole. The bill also requires the state board to provide a monthly report to the department on the status of hearings for these low- and very low-risk inmates.

If an offender is otherwise eligible for parole or placement in a community corrections program but has an outstanding warrant or detainer, the parole board or the executive director shall notify the public defender liaison, who shall determine if the warrant or detainer may be resolved and notify the executive director of the outcome.

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

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

4 (a) The department of corrections' budget has grown by over  
5 \$246.7 million over the past six years, and its fiscal year 2024-25 budget  
6 is almost \$1.2 billion;

7 (b) Prison population projections indicate continued growth in the  
8 prison population, and the department has requested an additional 427  
9 male prison beds in its initial budget request for fiscal year 2025-26;

10 (c) It is essential that the state's costly prison resources are used  
11 for those offenders for whom a different sentence is not appropriate or  
12 will not properly meet the goals of community safety and rehabilitation  
13 of the offender;

14 (d) Making changes to internal processes within the department  
15 of corrections and parole board can result in better utilization of prison  
16 beds;

1           (e) Over 10% of persons admitted to prison as a new court  
2 commitment are past or within 90 days or less of their parole eligibility  
3 date upon admission to prison, especially if the conviction was for a  
4 lower-level felony or drug felony. Courts, defense counsel, and  
5 prosecutors do not have sentence time computation information at the  
6 time of sentencing.

7           (f) Given that these new prison admissions are past or close to  
8 their parole eligibility date, the department of corrections will be unlikely  
9 to be able to provide education, treatment, or other rehabilitative  
10 programs prior to release. Requiring the department of corrections to  
11 notify the court when a new prison admission convicted of a lower-level  
12 felony is past or near their parole eligibility date allows the court to  
13 reconsider whether a sentence to prison is the most appropriate sentence  
14 with input from the prosecutor, defense counsel, and any victim.

15           (g) The number of people approved by community corrections as  
16 transition clients from prison has declined in recent years. In current law,  
17 inmates with a detainer or warrant are ineligible for referral to community  
18 corrections. Since that law went into effect, a new position was created  
19 within the office of state public defender to serve as a liaison to the  
20 department of corrections and parole board to assist with legal matters  
21 including warrants and detainers, special needs parole, and competency.  
22 Limiting the exclusionary criteria to only those situations when the  
23 warrant and detainer cannot be resolved may enable the public defender  
24 liaison to resolve outstanding warrants and detainers, creating a larger  
25 pool of potential applicants who can be considered by the community  
26 corrections boards and community corrections programs.

27           (h) Current law allows the parole board to deny parole to an

1 inmate by a majority vote of the parole board when the inmate is assessed  
2 to be low or very low risk, has good institutional conduct, is program  
3 compliant, has an approved parole plan, has not been regressed from  
4 community corrections or parole within the past 180 days, does not have  
5 a warrant or detainer, and the parole release guidelines recommend  
6 release. Requiring that the inmate have an approved parole plan prior to  
7 release, rather than at the time of the parole hearing, provides greater  
8 flexibility for the parole board to work with the department of corrections  
9 if the parole board believes the parole plan is not adequate. Similarly, the  
10 criteria that makes an inmate ineligible for parole due to a warrant or  
11 detainer was enacted prior to the creation of the public defender liaison,  
12 and this exclusionary criterion should only be applied if the public  
13 defender liaison is unable to resolve the warrant or detainer.

14 **SECTION 2.** In Colorado Revised Statutes, 16-11-301, **amend**  
15 (1); and **add** (5) as follows:

16 **16-11-301. Sentences - commitments - correctional facilities -**  
17 **county jail - age limit.** (1) (a) As a general rule, imprisonment for the  
18 conviction of a felony by an adult offender ~~shall be~~ IS served by  
19 confinement in an appropriate facility as determined by the executive  
20 director of the department of corrections. In such cases, the court ~~will~~  
21 SHALL sentence the offender to the custody of the executive director of  
22 the department of corrections.

23 (b) (I) PRIOR TO THE IMPOSITION OF A SENTENCE TO THE  
24 DEPARTMENT OF CORRECTIONS FOR A CONVICTION OF A CLASS 5 FELONY  
25 OR CLASS 6 FELONY AT SENTENCING OR AT RESENTENCING AFTER A  
26 REVOCATION OF PROBATION OR COMMUNITY CORRECTIONS SENTENCE, THE  
27 COURT SHALL DETERMINE THAT:

1 (A) INCARCERATION IS THE MOST SUITABLE OPTION GIVEN THE  
2 FACTS AND CIRCUMSTANCES OF THE CASE; AND

3 (B) ALL OTHER REASONABLE AND APPROPRIATE SANCTIONS AND  
4 SUPPORTIVE SERVICES AVAILABLE TO THE COURT HAVE BEEN TRIED AND  
5 FAILED, DO NOT APPEAR LIKELY TO BE SUCCESSFUL IF TRIED, OR PRESENT  
6 AN UNACCEPTABLE RISK TO PUBLIC SAFETY.

7 (II) IN MAKING THE DETERMINATION DESCRIBED IN SUBSECTION  
8 (1)(b)(I) OF THIS SECTION, THE COURT SHALL REVIEW, TO THE EXTENT  
9 AVAILABLE, THE INFORMATION PROVIDED BY THE SUPERVISING AGENCY,  
10 WHICH MUST INCLUDE A COMPLETE STATEMENT AS TO WHAT TREATMENT  
11 AND SENTENCING OPTIONS HAVE BEEN TRIED AND HAVE FAILED, WHAT  
12 OTHER COMMUNITY OPTIONS ARE AVAILABLE, AND THE REASONS WHY  
13 OTHER AVAILABLE COMMUNITY OPTIONS APPEAR TO BE UNLIKELY TO BE  
14 SUCCESSFUL. THE SUPERVISING AGENCY SHALL PROVIDE TO THE COURT  
15 THE RISK LEVEL OF THE OFFENDER AS DETERMINED BY AN  
16 EVIDENCE-BASED RISK ASSESSMENT TOOL EMPLOYED BY THE SUPERVISING  
17 AGENCY AND ANY OTHER INFORMATION RELEVANT TO THE OFFENDER'S  
18 RISK TO PUBLIC SAFETY.

19 (5) IF A SENTENCING COURT RECEIVES A NOTICE FROM THE  
20 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS PURSUANT  
21 TO SECTION 17-1-103 (1)(s) THAT, AT THE TIME OF ADMISSION, AN  
22 OFFENDER SENTENCED TO PRISON BY THE COURT IS EITHER PAST OR  
23 WITHIN NINETY DAYS OF THE OFFENDER'S PAROLE ELIGIBILITY DATE IN THE  
24 SENTENCED CASE, THE COURT SHALL NOTIFY COUNSEL FOR THE  
25 DEFENDANT AND THE PROSECUTION AND REQUEST THAT THE DEFENDANT  
26 FILE A MOTION IF THE DEFENDANT WANTS TO MOVE FOR  
27 RECONSIDERATION. IF THE COURT RECEIVES A MOTION FOR

1 RECONSIDERATION, THE COURT SHALL SCHEDULE A HEARING ON THE  
2 MOTION WITHIN THIRTY-FIVE DAYS AFTER FILING AND, AT THE HEARING,  
3 MAY IMPOSE AN ALTERNATIVE SENTENCE.

4 **SECTION 3.** In Colorado Revised Statutes, 17-1-103, **add** (1)(s)  
5 as follows:

6 **17-1-103. Duties of the executive director.** (1) The duties of the  
7 executive director are:

8 (s) IF AN OFFENDER IS ADMITTED TO THE CUSTODY OF THE  
9 EXECUTIVE DIRECTOR AS A NEW COURT COMMITMENT SERVING A  
10 SENTENCE FOR A CLASS 5 OR CLASS 6 FELONY OR A CLASS 3 OR CLASS 4  
11 DRUG FELONY AND THE OFFENDER IS DETERMINED BY THE DEPARTMENT  
12 AT ADMISSION TO BE PAST OR WITHIN NINETY DAYS OF THE OFFENDER'S  
13 PAROLE ELIGIBILITY DATE, THE DEPARTMENT SHALL NOTIFY THE  
14 SENTENCING COURT WITHIN FOURTEEN DAYS AFTER ADMISSION AND  
15 PROVIDE THE COURT WITH INFORMATION ON THE PAROLE ELIGIBILITY  
16 DATE, THE MANDATORY RELEASE DATE, AND THE RESULTS OF ANY INTAKE  
17 ASSESSMENTS FOR THE OFFENDER.

18 **SECTION 4.** In Colorado Revised Statutes, 17-2-201, **amend**  
19 (3)(h.1)(I), (4)(f)(I)(B), (4)(f)(I)(C), (5)(c)(II) introductory portion,  
20 (5.5)(d)(I), (5.7) introductory portion, and (5.7)(a); and **repeal**  
21 (4)(f)(I)(D), (4)(f)(I)(E), and (19) as follows:

22 **17-2-201. State board of parole - duties - definitions.** (3) The  
23 chairperson, in addition to other provisions of law, has the following  
24 powers and duties:

25 (h.1) To contract with qualified individuals to serve as release  
26 hearing officers:

27 (I) To conduct parole application hearings for inmates convicted

1 of class 4, class 5, or class 6 felonies or level 3 or level 4 drug felonies  
2 who have been assessed to be less than high risk by the Colorado risk  
3 assessment scale developed pursuant to section 17-22.5-404 (2)(a); ~~or~~  
4 ~~hearings pursuant to subsection (19) of this section pursuant to rules~~  
5 ~~adopted by the parole board;~~ and

6 (4) The board has the following powers and duties:

7 (f) (I) To conduct an initial or subsequent parole release review  
8 in lieu of a hearing, without the presence of the inmate, if:

9 (B) A detainer from the United States immigration and customs  
10 enforcement agency has been filed with the department, the inmate meets  
11 the criteria for the presumption of parole in section 17-22.5-404.7, and  
12 victim notification is not required pursuant to section 24-4.1-302.5; OR

13 (C) The inmate has a statutory discharge date or mandatory  
14 release date within six months after ~~his or her~~ THE INMATE'S next  
15 ordinarily scheduled parole hearing and victim notification is not required  
16 pursuant to section 24-4.1-302.5.

17 (D) ~~The inmate is assessed to be a low or very low risk on the~~  
18 ~~validated risk assessment instrument developed pursuant to section~~  
19 ~~17-22.5-404 (2), the inmate meets readiness criteria established by the~~  
20 ~~board, and victim notification is not required pursuant to section~~  
21 ~~24-4.1-302.5; or~~

22 (E) ~~The inmate is subject to subsection (19) of this section.~~

23 (5) (c) (II) ~~Except if the offender is subject to subsection (19) of~~  
24 ~~this section,~~ If the offender fails to pay the restitution, ~~he or she~~ THE  
25 OFFENDER may be returned to the board and, upon proof of failure to pay,  
26 the board shall:

27 (5.5) (d) (I) If a chemical test administered pursuant to the

1 requirements of this subsection (5.5) reflects the presence of drugs or  
2 alcohol, the parolee may be required to participate ~~at his own expense~~ in  
3 an appropriate drug or alcohol program; community correctional  
4 nonresidential program; mental health program; CERTIFIED RECOVERY  
5 RESIDENCE, AS DEFINED IN SECTION 27-80-129; or other fee-based or  
6 non-fee-based treatment program approved by the parole board.

7 (5.7) If, as a condition of parole, an offender is required to  
8 undergo counseling, ~~or~~ treatment, OR PARTICIPATE IN A CERTIFIED  
9 RECOVERY RESIDENCE, AS DEFINED IN SECTION 27-80-129, unless the  
10 parole board determines that treatment at another facility or with another  
11 person is warranted, the treatment or counseling must be at a facility or  
12 with a person:

13 (a) Approved by the behavioral health administration in the  
14 department of human services if the treatment is for alcohol or drug abuse  
15 OR A CERTIFIED RECOVERY RESIDENCE, AS DEFINED IN SECTION 27-80-129;

16 ~~(19) (a) Except as provided in subsection (19)(b) of this section,~~  
17 ~~if a person has an approved parole plan, has been assessed to be low or~~  
18 ~~very low risk on the validated risk assessment scale developed pursuant~~  
19 ~~to section 17-22.5-404 (2), and the parole release guidelines recommend~~  
20 ~~release, the parole board may deny parole only by a majority vote of the~~  
21 ~~full parole board.~~

22 ~~(b) An inmate is not eligible for release pursuant to subsection~~  
23 ~~(19)(a) of this section if he or she has had a class I code of penal~~  
24 ~~discipline violation within the previous twelve months from the date of~~  
25 ~~consideration by the parole board or since incarceration, whichever is~~  
26 ~~shorter; has been terminated for lack of progress or has declined in~~  
27 ~~writing to participate in programs that have been recommended and made~~



1 available to the inmate within the previous twelve months or since  
2 incarceration, whichever is shorter; has been regressed from community  
3 corrections or revoked from parole within the previous one hundred  
4 eighty days; is required to be considered by the full board for release; or  
5 has a pending felony charge, detainer, or an extraditable warrant.

6 (c) If the parole board denies parole to an inmate pursuant to  
7 subsection (19)(a) of this section, the board shall submit to the department  
8 the basis for the denial in writing.

9 SECTION 5. In Colorado Revised Statutes, 17-2-203, amend  
10 (1.5)(c), (11)(c) introductory portion, and (11)(e); and add (11)(c)(III) as  
11 follows:

12 17-2-103. Arrest of parolee - revocation proceedings.  
13 (1.5) (c) A community parole officer shall also make referrals to any  
14 needed treatment, CERTIFIED RECOVERY RESIDENCE, AS DEFINED IN  
15 SECTION 27-80-129, or other support services that may help a parolee  
16 become compliant with the conditions of parole and succeed in  
17 reintegrating into society. For the purposes of this section, testing positive  
18 for the use of illegal drugs is considered a technical violation of parole.

19 (11) (c) If the board determines that the parolee is in need of  
20 treatment, the board shall consider placing the parolee in one of the  
21 following treatment OR RECOVERY options and, if appropriate, may  
22 modify the conditions of parole to include:

23 (III) PLACEMENT IN A CERTIFIED RECOVERY RESIDENCE, AS  
24 DEFINED IN SECTION 27-80-129.

25 (e) If the parolee is unsuccessful in participating in a treatment OR  
26 RECOVERY program ordered pursuant to paragraph (c) of this subsection  
27 ~~(11)~~ SUBSECTION (11)(c) OF THIS SECTION and his or her THE PAROLEE'S

1 participation is terminated, the board may consider placement of the  
2 parolee in additional treatment, as appropriate, including a higher level of  
3 treatment OR IN A CERTIFIED RECOVERY RESIDENCE, AS DEFINED IN  
4 SECTION 27-80-129.

5 **SECTION 6.** In Colorado Revised Statutes, **add** 17-22.5-404.9  
6 as follows:

7 **17-22.5-404.9. Presumption of parole - low- and very low-risk**  
8 **offenders - assessment - report.** (1) THERE IS A PRESUMPTION, SUBJECT  
9 TO THE FINAL DISCRETION OF THE PAROLE BOARD, IN FAVOR OF GRANTING  
10 PAROLE AT THE FIRST OR A SUBSEQUENT PAROLE APPLICATION HEARING TO  
11 AN INMATE WHO HAS REACHED THEIR PAROLE ELIGIBILITY DATE AND WHO:

12 (a) HAS BEEN ASSESSED TO BE LOW OR VERY LOW RISK ON THE  
13 VALIDATED RISK ASSESSMENT SCALE DEVELOPED PURSUANT TO SECTION  
14 17-22.5-404 (2)(a), AND THE ADMINISTRATIVE RELEASE GUIDELINE  
15 INSTRUMENT DEVELOPED PURSUANT TO SECTION 17-22.5-107 (1)  
16 RECOMMENDS RELEASE;

17 (b) HAS NOT INCURRED A CLASS I CODE OF PENAL DISCIPLINE  
18 VIOLATION WITHIN THE PREVIOUS TWELVE MONTHS AFTER THE DATE OF  
19 CONSIDERATION BY THE PAROLE BOARD OR SINCE INCARCERATION,  
20 WHICHEVER IS SHORTER;

21 (c) HAS NOT, WITHIN THE TWELVE MONTHS PRECEDING THE  
22 INMATE'S PAROLE APPLICATION HEARING, DECLINED IN WRITING TO  
23 PARTICIPATE IN PROGRAMS THAT HAVE BEEN RECOMMENDED AND MADE  
24 AVAILABLE TO THE INMATE;

25 (d) WAS NOT CONVICTED OF A CLASS 1 DRUG FELONY OFFENSE, A  
26 CLASS 1, CLASS 2, OR CLASS 3 FELONY OFFENSE, AND IS NOT SERVING AN  
27 INDETERMINATE SENTENCE PURSUANT TO SECTION 18-1.3-1004; AND

1 (e) HAS NOT BEEN REGRESSED FROM COMMUNITY CORRECTIONS OR  
2 REVOKED FROM PAROLE WITHIN THE PREVIOUS ONE HUNDRED EIGHTY  
3 DAYS.

4 (2) IF THE DEPARTMENT DID NOT SUBMIT AN APPROVED PAROLE  
5 PLAN PRIOR TO THE PAROLE APPLICATION HEARING OR THE PAROLE BOARD  
6 CONSIDERS THE SUBMITTED PAROLE PLAN TO BE INADEQUATE, THE PAROLE  
7 BOARD OR AN INDIVIDUAL MEMBER OF THE PAROLE BOARD SHALL NOT  
8 DENY PAROLE AND SHALL PROCEED PURSUANT TO SECTION 17-2-201 (20).

9 (3) IF AN INMATE WHO OTHERWISE MEETS THE CRITERIA OF  
10 SUBSECTION (1) OF THIS SECTION HAS A DETAINER OR A WARRANT, THE  
11 PAROLE BOARD SHALL DELAY THE HEARING OR ORDER A CONDITIONAL  
12 RELEASE AND NOTIFY THE PUBLIC DEFENDER LIAISON TO DETERMINE IF  
13 THE WARRANT OR DETAINER MAY BE RESOLVED. THE PUBLIC DEFENDER  
14 LIAISON SHALL NOTIFY THE PAROLE BOARD OF THE OUTCOME, AND, IF THE  
15 WARRANT OR DETAINER HAS BEEN REMOVED, THE PAROLE BOARD MAY  
16 ORDER RELEASE OF THE INMATE. IF THE DETAINER OR WARRANT IS NOT  
17 ABLE TO BE RESOLVED, THE PAROLE BOARD MAY ONLY RELEASE THE  
18 INMATE TO THE CUSTODY OF THE AGENCY THAT ISSUED THE WARRANT OR  
19 DETAINER.

20 (4) IF THE ADMINISTRATIVE RELEASE GUIDELINE INSTRUMENT  
21 DEVELOPED PURSUANT TO SECTION 17-22.5-107 (1) RECOMMENDS  
22 RELEASE, THE PAROLE BOARD SHALL ONLY DENY PAROLE BY A MAJORITY  
23 VOTE OF THE FULL PAROLE BOARD.

24 (5) IF THE PAROLE BOARD DENIES PAROLE TO AN INMATE  
25 PURSUANT TO THIS SECTION, THE PAROLE BOARD SHALL SUBMIT TO THE  
26 DEPARTMENT AND THE INMATE THE REASONS FOR THE DENIAL IN WRITING.

27 (6) THE DEPARTMENT SHALL ENSURE THAT EVERY INMATE HAS

1 BEEN ASSESSED ON THE VALIDATED RISK ASSESSMENT SCALE DEVELOPED  
2 PURSUANT TO SECTION 17-22.5-404 (2) AND THAT THE PAROLE BOARD HAS  
3 THE RESULTS OF THAT ASSESSMENT PRIOR TO AN INMATE'S PAROLE  
4 APPLICATION HEARING.

5 (7) THE PAROLE BOARD SHALL PROVIDE A MONTHLY REPORT TO  
6 THE DEPARTMENT FOR INCLUSION IN THE DEPARTMENT'S MONTHLY  
7 REPORTS ON THE NUMBER OF HEARINGS CONDUCTED THAT MET THE  
8 CRITERIA PURSUANT TO THIS SECTION; THE NUMBER OF DECISIONS BY THE  
9 PAROLE BOARD TO GRANT PAROLE, DEFER PAROLE, OR DELAY THE  
10 HEARING; AND, IF PAROLE WAS DEFERRED OR THE HEARING DELAYED, THE  
11 GENERAL REASON FOR THE DEFERRAL OR DELAY. THE INFORMATION MUST  
12 BE PROVIDED BOTH FOR THE REPORTING MONTH AND YEAR TO DATE. THE  
13 REPORT IS POSTED ON THE DEPARTMENT'S WEBSITE.

14 (8) WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS  
15 SECTION, THE DEPARTMENT SHALL IDENTIFY INMATES WHO MEET THE  
16 CRITERIA DESCRIBED IN SUBSECTION (1) OF THIS SECTION AND PROVIDE A  
17 LIST TO THE PAROLE BOARD. THE PAROLE BOARD SHALL SCHEDULE A  
18 PAROLE APPLICATION HEARING FOR THE INMATES IDENTIFIED WITHIN  
19 NINETY DAYS AFTER RECEIPT OF THE LIST, UNLESS THE INMATE WOULD  
20 OTHERWISE HAVE A PAROLE APPLICATION HEARING IN NINETY DAYS OR  
21 FEWER.

22 **SECTION 7.** In Colorado Revised Statutes, 18-1.3-301, **add**  
23 (2)(b.5) as follows:

24 **18-1.3-301. Authority to place offenders in community**  
25 **corrections program.** (2) (b.5) IF AN OFFENDER ELIGIBLE FOR REFERRAL  
26 UNDER THIS SUBSECTION (2) HAS A WARRANT OR DETAINER, THE  
27 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL

1 DELAY REFERRAL AND NOTIFY THE PUBLIC DEFENDER LIAISON TO  
2 DETERMINE IF THE WARRANT OR DETAINEE MAY BE RESOLVED. THE  
3 PUBLIC DEFENDER LIAISON SHALL NOTIFY THE DEPARTMENT OF  
4 CORRECTIONS OF THE OUTCOME, AND, IF THE WARRANT OR DETAINEE IS  
5 REMOVED, THE DEPARTMENT SHALL MAKE A REFERRAL AS REQUIRED BY  
6 SUBSECTION (2)(b) OF THIS SECTION.

7           **SECTION 8. Act subject to petition - effective date -**  
8 **applicability.** (1) This act takes effect September 1, 2025; except that,  
9 if a referendum petition is filed pursuant to section 1 (3) of article V of  
10 the state constitution against this act or an item, section, or part of this act  
11 within the ninety-day period after final adjournment of the general  
12 assembly, then the act, item, section, or part will not take effect unless  
13 approved by the people at the general election to be held in November  
14 2026 and, in such case, will take effect January 1, 2027, or on the date of  
15 the official declaration of the vote thereon by the governor, whichever is  
16 later.

17           (2) This act applies to sentences entered and parole board hearings  
18 held on or after the applicable effective date of this act.