

SB135\_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB18-135 be amended as follows:

1 Amend reengrossed bill, page 14, line 13, strike "MAY RECEIVE A  
2 SENTENCE OF CONFINEMENT" and substitute "RECEIVED A SENTENCE  
3 GREATER THAN ONE YEAR OF CONFINEMENT OR A CONVICTION BY A  
4 GENERAL COURT-MARTIAL OF ANY OFFENSE THAT, AT THE TIME THE  
5 OFFENSE WAS COMMITTED, CARRIES A MAXIMUM TERM OF CONFINEMENT  
6 OF THREE YEARS OR GREATER AS SET FORTH UNDER 10 U.S.C. SEC. 877 TO  
7 10 U.S.C. SEC. 934, AS AMENDED, OR PURSUANT TO AN EXECUTIVE  
8 ORDER,".

9 Page 14, line 15, after the period insert "ANY CONVICTION BY A SPECIAL  
10 COURT-MARTIAL IS A MISDEMEANOR."

11 Page 14, after line 16 insert:

12 SECTION 16. In Colorado Revised Statutes, 28-3.1-403, add (6)  
13 as follows:

14 "28-3.1-403. Effective date of sentences. (6) NOTWITHSTANDING  
15 SUBSECTION (3) OF THIS SECTION, UNLESS WAIVED BY THE ACCUSED, AN  
16 OFFICER EXERCISING SUMMARY COURT-MARTIAL JURISDICTION SHALL  
17 DEFER SERVICE OF A SENTENCE TO CONFINEMENT PURSUANT TO SECTION  
18 28-3.1-205 (4)(a), PENDING THE CONCLUSION OF ANY APPEAL FOLLOWING  
19 REVIEW AND APPROVAL PURSUANT TO SECTION 28-3.1-420."

20 Renumber succeeding sections accordingly.

21 Page 19, line 19, strike "and a gentleman" and substitute "~~and a~~  
22 gentleman".

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