

CHAPTER 30

**CORRECTIONS**

**HOUSE BILL 93-1028**

BY REPRESENTATIVES Wright, Blue, DeGette, Kerns, Knox, Pierson, Reeves, Rupert, Snyder, and Williams;  
also SENATORS Ruddick, Casey, Peterson, Weissmann, and Wham.

**AN ACT**

**CONCERNING CREDIT AGAINST SENTENCES FOR TIME SPENT IN ALTERNATIVE PROGRAMS.**

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

**SECTION 1.** 17-26-128 (1) (e), (1) (f), and (1.1), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended, and the said 17-26-128 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**17-26-128. Employment of county prisoners.** (1) Any county may provide a program whereby any person sentenced to the county jail upon conviction for a crime, nonpayment of any fine or forfeiture, or contempt of court may be granted by the court the privilege of leaving the jail during necessary and reasonable hours for any of the following purposes:

- (e) Medical treatment; ~~or~~
- (f) Home detention; OR
- (g) DAY REPORTING.

(1.1) For purposes of this section, "home detention" means an alternative correctional sentence or term of legal supervision wherein a defendant charged or convicted of a misdemeanor, ~~or~~ felony, NONPAYMENT OF ANY FINE, OR CONTEMPT OF COURT is allowed to serve his OR HER sentence or term of supervision, or a portion thereof, within his OR HER home or other approved residence. Such sentence or term of supervision shall cause the defendant to remain within ~~his~~ SUCH DEFENDANT'S approved residence at all times except for approved employment, court-ordered activities, and medical needs. Supervision of the defendant shall include personal monitoring by an agent or designee of the referring unit of government and

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

monitoring by electronic devices which are capable of detecting and reporting the defendant's absence or presence within the approved residence.

**SECTION 2.** 17-26-128, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**17-26-128. Employment of county prisoners.** (12) PERSONS SENTENCED TO THE COUNTY JAIL AS A DIRECT SENTENCE OR SENTENCED TO THE COUNTY JAIL AS A CONDITION OF PROBATION WHO ARE PERMITTED TO PARTICIPATE IN WORK, EDUCATIONAL, MEDICAL RELEASE, HOME DETENTION, OR DAY REPORTING PROGRAMS PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL RECEIVE DAY FOR DAY CREDIT AGAINST THEIR SENTENCES FOR THE PERIOD OF TIME SPENT IN SUCH PROGRAMS. AS USED IN THIS SECTION, "DAY REPORTING PROGRAM" MEANS AN ALTERNATIVE CORRECTIONAL SENTENCE WHEREIN A DEFENDANT IS ALLOWED TO SERVE HIS OR HER SENTENCE BY REPORTING DAILY TO A CENTRAL LOCATION WHEREIN THE DEFENDANT IS SUPERVISED IN COURT-ORDERED ACTIVITIES.

**SECTION 3. Effective date.** This act shall take effect July 1, 1993.

**SECTION 4. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 22, 1993