

CHAPTER 214

**GOVERNMENT - STATE**

**HOUSE BILL 94-1194**

BY REPRESENTATIVES Faatz, Adkins, Allen, Friednash, Kerns, Lawrence, Mattingly, Morrison, Pierson, Romero, Snyder, Hagedorn, and Piffner;  
also SENATOR Blickensderfer.

**AN ACT**

**CONCERNING THE USE OF VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT FUNDS.**

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

**SECTION 1.** 24-4.2-105 (2) and (3), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended, and the said 24-4.2-105 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

**24-4.2-105. Allocation of moneys from fund - application for grants - disbursements.** (2) Not less than ~~fifty~~ EIGHTY-FIVE percent of the net aggregate of the fund remaining after the deduction of the amounts specified in subsection (1) of this section shall be allocated for the purchase of victims and witnesses services pursuant to subsection (4) of this section, and the remaining moneys may be allocated to the police departments, sheriffs' departments, and district attorneys for the purposes specified in subsection (3) of this section.

(2.5) (a) THE BOARD SHALL NOT ACCEPT, EVALUATE, OR APPROVE ANY APPLICATION REQUESTING GRANTS OF MONEY FROM THE FUND SUBMITTED BY, OR ON BEHALF OF, ANY STATE AGENCY, INCLUDING LOCAL OFFICES OF SUCH AGENCIES; EXCEPT THAT THE COURT ADMINISTRATOR OF EACH JUDICIAL DISTRICT MAY APPLY FOR GRANTS OF MONEYS FOR THE PURPOSE OF COLLECTING ALL MONEYS ASSESSED BY THE COURTS, INCLUDING MONEYS OWED PURSUANT TO THIS ARTICLE, AND COLLECTING AND DISBURSING RESTITUTION OWED TO VICTIMS OF CRIME.

(b) THE STATE JUDICIAL DEPARTMENT SHALL STUDY ALTERNATIVE METHODS FOR FUNDING THE COLLECTION OF RESTITUTION OWED TO VICTIMS OF CRIME AND SHALL REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY BY JULY 1, 1995.

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

(3) The board shall accept and evaluate applications from the law enforcement agencies listed in subsection (2) of this section requesting grants of ~~funds~~ MONEYS for the following purposes, including, but not limited to, purchase of equipment, training programs, and additional personnel. Such ~~funds~~ MONEYS shall not be used for defraying the costs of routine and ongoing operating expenses.

(4.3) (a) MONEYS ALLOCATED FOR THE PURPOSES SPECIFIED IN SUBSECTIONS (3) AND (4) OF THIS SECTION SHALL ONLY BE USED FOR THE PURCHASES OF EQUIPMENT, TRAINING PROGRAMS, ADDITIONAL PERSONNEL, AND VICTIMS AND WITNESSES SERVICES THAT ARE DIRECTLY RELATED TO THE IMPLEMENTATION OF THE RIGHTS AFFORDED TO CRIME VICTIMS PURSUANT TO SECTION 24-4.1-302.5 AND THE PROVISION OF SERVICES DELINEATED PURSUANT TO SECTIONS 24-4.1-303 AND 24-4.1-304.

(b) EQUIPMENT THAT MAY BE PURCHASED WITH SUCH MONEYS INCLUDES TECHNICAL EQUIPMENT DIRECTLY RELATED TO THE IMMEDIATE INDIVIDUAL PHYSICAL SAFETY OF CRIME VICTIMS.

(c) GRANTS OF MONEYS MAY BE APPROVED FOR REGISTRATION FEES AND EXPENSES FOR LODGING, TRAVEL, AND MEALS FOR THOSE IN-STATE TRAINING PROGRAMS SPECIFICALLY DIRECTED TOWARD DELIVERY OF SERVICES TO CRIME VICTIMS AND FOR THE ACTUAL COST OF PROVIDING THE NECESSARY STAFF TRAINING DIRECTLY RELATED TO THE IMPLEMENTATION OF THE RIGHTS AFFORDED TO CRIME VICTIMS PURSUANT TO SECTION 24-4.1-302.5 AND THE PROVISION OF SERVICES DELINEATED PURSUANT TO SECTIONS 24-4.1-303 AND 24-4.1-304. NOTHING IN THIS SUBSECTION (4.3) SHALL PRECLUDE VOLUNTEER BOARD MEMBERS FROM RECEIVING REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED AT IN-STATE TRAINING PROGRAMS HELD PURSUANT TO THIS PARAGRAPH (c). EXPENSES FOR LODGING, TRAVEL, AND MEALS WHICH MAY BE REIMBURSED PURSUANT TO THIS PARAGRAPH (c) SHALL NOT EXCEED THE STATE GOVERNMENT EXPENSE REIMBURSEMENT GUIDELINES.

(4.7) A REQUESTING AGENCY OR PERSON SHALL ACKNOWLEDGE IN WRITING THAT SUCH AGENCY OR PERSON HAS READ AND UNDERSTANDS THE RIGHTS AFFORDED TO CRIME VICTIMS PURSUANT TO SECTION 24-4.1-302.5 AND THE SERVICES DELINEATED PURSUANT TO SECTIONS 24-4.1-303 AND 24-4.1-304. SUCH WRITTEN ACKNOWLEDGMENT SHALL BE ATTACHED TO SUCH REQUESTING AGENCY'S OR PERSON'S APPLICATION FOR MONEYS PURSUANT TO THIS SECTION. THE BOARD SHALL NOT ACCEPT FOR EVALUATION ANY APPLICATION FOR A GRANT OF MONEYS PURSUANT TO THIS SECTION UNTIL THE REQUESTING AGENCY OR PERSON PROVIDES THE BOARD WITH SUCH WRITTEN ACKNOWLEDGMENT.

**SECTION 2.** 24-4.2-108, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-4.2-108. Report of grants and expenditures.** (3) THE STATE JUDICIAL DEPARTMENT SHALL REPORT ANNUALLY BY DECEMBER 1 OF EACH YEAR TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY ON ALL GRANTS OF MONEYS FROM THE FUND RECEIVED FOR THE PRECEDING FISCAL YEAR.

**SECTION 3. 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: May 22, 1994