

CHAPTER 249

CORRECTIONS

HOUSE BILL 94-1158

BY REPRESENTATIVES Coffman, Acquafresca, Adkins, Agler, Allen, Armstrong, Berry, Faatz, Fleming, Friednash, Greenwood, Hagedorn, Jerke, Kaufman, Lawrence, Martin, Moellenberg, Morrison, Owen, Pfiffner, Pierson, and Tucker; also SENATORS Owens, Ament, Schroeder, and Tebedo.

AN ACT

CONCERNING THE RESTRICTION OF PRIVILEGES OF OFFENDERS IN STATE CORRECTIONAL FACILITIES.

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

SECTION 1. Article 20 of title 17, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

17-20-114.5. Restriction of privileges in correctional facilities. ANY PERSON CONVICTED OF A CRIME AND CONFINED IN ANY STATE CORRECTIONAL FACILITY LISTED IN SECTION 17-1-104.3 IS NOT ENTITLED TO ANY PRIVILEGES THAT MAY BE MADE AVAILABLE BY THE DEPARTMENT OF CORRECTIONS. IF ANY SUCH PERSON IS REQUIRED BY THE DEPARTMENT TO PERFORM ANY AVAILABLE LABOR, PARTICIPATE IN ANY AVAILABLE EDUCATIONAL PROGRAM OR WORK PROGRAM, UNDERGO ANY AVAILABLE COUNSELING, OR ANY ONE OR A COMBINATION OF THE FOREGOING AND SUCH PERSON DOES NOT PERFORM THE LABOR, PARTICIPATE IN THE PROGRAM, UNDERGO THE COUNSELING, OR DO ANY ONE OR A COMBINATION OF THE FOREGOING AS REQUIRED BY THE DEPARTMENT, THE DEPARTMENT SHALL DENY SPECIFIED PRIVILEGES TO SUCH PERSON. THE PRIVILEGES THAT THE DEPARTMENT SHALL DENY TO SUCH PERSON INCLUDE, BUT ARE NOT LIMITED TO, TELEVISION, RADIOS, ENTERTAINMENT SYSTEMS, CIGARETTES, AND ACCESS TO SNACKS. IF THE DEPARTMENT DENIES TELEVISION PRIVILEGES, IT MAY ALLOW A PERSON TO WATCH TELEVISION FOR EDUCATIONAL PURPOSES, INCLUDING PUBLIC TELEVISION BROADCASTS TRANSMITTED TO OR AVAILABLE TO THE FACILITY. A PERSON WHO IS PHYSICALLY UNABLE TO PERFORM LABOR, PARTICIPATE IN AN EDUCATIONAL PROGRAM OR WORK PROGRAM, OR UNDERGO COUNSELING MAY BE ALLOWED THE PRIVILEGES SPECIFIED IN THIS SECTION. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO GRANT AS A RIGHT ANY SUCH

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

LABOR, PROGRAM, OR COUNSELING OR ANY PRIVILEGES LISTED IN THIS SECTION.

SECTION 2. Effective date. This act shall take effect July 1, 1994.

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 25, 1994