

CHAPTER 261

CORRECTIONS

HOUSE BILL 95-1353

BY REPRESENTATIVES Adkins and Agler;
also SENATORS Wham, Hopper, Johnson, Lacy, Norton, and Tebedo.

AN ACT

CONCERNING THE AUTHORITY OF THE STATE TO ENTER INTO MULTIPLE-YEAR FINANCIAL OBLIGATIONS AS PART OF AGREEMENTS FOR THE HOUSING OF STATE PRISONERS IN NONSTATE FACILITIES.

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

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

17-1-106.5. Term of financial obligations in contracts for housing juvenile or adult state prisoners in nonstate facilities - legislative declaration. (1) THE TERM OF FINANCIAL OBLIGATIONS THAT ARE PART OF CONTRACTS OR AGREEMENTS ENTERED INTO BY THE STATE FOR THE CONFINEMENT AND MAINTENANCE OF JUVENILE OR ADULT STATE PRISONERS IN NONSTATE FACILITIES, OTHER THAN CONTRACTS OR AGREEMENTS ENTERED INTO PURSUANT TO SECTION 16-11-308.5, C.R.S., MAY BE FOR UP TO BUT NOT IN EXCESS OF TEN YEARS.

(2) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) THIS SECTION SHALL BE SUBMITTED TO THE VOTERS UNDER THE PROVISIONS OF THE REFERENDUM AS PROVIDED FOR IN SECTION 1 OF ARTICLE V AND SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, AND IN ARTICLE 40 OF TITLE 1, C.R.S.; AND

(b) IF A MAJORITY OF THE REGISTERED ELECTORS OF THE STATE OF COLORADO VOTING ON THE QUESTION VOTE IN SUPPORT OF THE ADOPTION OF THIS SECTION, SUCH VOTE IS SUFFICIENT TO COMPLY WITH THE PROVISIONS OF SECTION 20 (4) (b) OF ARTICLE X OF THE STATE CONSTITUTION REQUIRING VOTER APPROVAL IN ADVANCE FOR THE CREATION OF ANY MULTIPLE-FISCAL YEAR FINANCIAL OBLIGATIONS WHATSOEVER.

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) THIS SECTION SHALL NOT TAKE EFFECT UNTIL APPROVED BY THE VOTERS AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.

SECTION 2. Refer to people under referendum. This act shall be submitted to a vote of the registered electors of the state of Colorado at the next election for which it may be submitted, for their approval or rejection, under the provisions of the referendum as provided for in section 1 of article V and section 20 of article X of the state constitution, and in article 40 of title 1, Colorado Revised Statutes. Each elector voting at said election and desirous of voting for or against said act shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THE STATE BE AUTHORIZED TO ENTER INTO FINANCIAL OBLIGATIONS THAT ARE PART OF CONTRACTS OR AGREEMENTS FOR THE CONFINEMENT AND MAINTENANCE OF JUVENILE OR ADULT STATE PRISONERS IN NONSTATE FACILITIES FOR UP TO TEN YEARS?" The votes cast for the adoption or rejection of said act shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress.

Editor's note: All appropriations bills are located in volume 3, beginning with chapter 262. The bills are in the order of the date of the Governor's action. The legislative appropriation bill is located in chapter 282, and the general appropriation bill is located in chapter 283.