

CHAPTER 39

CRIMINAL LAW AND PROCEDURE

SENATE BILL 96-133

BY SENATORS Perlmutter, Matsunaka, and Wham;
also REPRESENTATIVES McPherson, Mace, Schwarz, and Tucker.

AN ACT

**CONCERNING THE IMPOSITION OF MONETARY CHARGES RELATING TO CONTROLLED SUBSTANCES,
AND, IN CONNECTION THEREWITH, INCREASING THE SURCHARGE IMPOSED ON DRUG OFFENDERS
AND REPEALING THE CONTROLLED SUBSTANCES TAX.**

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

SECTION 1. 18-19-103 (1), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

18-19-103. Source of revenues - allocation of moneys. (1) FOR OFFENSES COMMITTED on and after July 1, ~~1991~~ 1996, each drug offender who is convicted, or receives a deferred sentence pursuant to section 16-7-403, C.R.S., shall be required to pay a surcharge to the clerk of the court in the county in which the conviction occurs or in which the deferred sentence is entered. Such surcharge shall be in the following amounts:

(a) For each class 2 felony of which a person is convicted, ~~three thousand dollars~~ FOUR THOUSAND FIVE HUNDRED DOLLARS;

(b) For each class 3 felony of which a person is convicted, ~~two thousand dollars~~ THREE THOUSAND DOLLARS;

(c) For each class 4 felony of which a person is convicted, ~~one thousand dollars~~ ONE THOUSAND FIVE HUNDRED DOLLARS;

(d) For each class 5 felony of which a person is convicted, ~~seven hundred fifty dollars~~ ONE THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS;

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

(e) For each class 6 felony of which a person is convicted, ~~five hundred dollars~~ SEVEN HUNDRED FIFTY DOLLARS;

(f) For each class 1 misdemeanor of which a person is convicted, ~~four hundred dollars~~ SIX HUNDRED DOLLARS;

(g) For each class 2 misdemeanor of which a person is convicted, ~~three hundred dollars~~ FOUR HUNDRED FIFTY DOLLARS;

(h) For each class 3 misdemeanor of which a person is convicted, ~~one hundred fifty dollars~~ TWO HUNDRED TWENTY-FIVE DOLLARS.

SECTION 2. Repeal. Article 28.7 of title 39, Colorado Revised Statutes, 1994 Repl. Vol., as amended, is repealed.

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: March 25, 1996