

## CHAPTER 196

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**CHILDREN AND DOMESTIC MATTERS**

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HOUSE BILL 97-1126

BY REPRESENTATIVES Smith, Adkins, and Sullivan;  
also SENATOR Wham.**AN ACT**CONCERNING COMMITMENT TO THE DEPARTMENT OF HUMAN SERVICES OF JUVENILES WHO ARE NOT  
ADJUDICATED AS AGGRAVATED JUVENILE OFFENDERS BUT WHO ARE ADJUDICATED FOR OFFENSES  
THAT WOULD CONSTITUTE FELONIES IF COMMITTED BY ADULTS.*Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** 19-2-909 (1) (a), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:**19-2-909. Sentencing - commitment to the department of human services.**

(1) (a) Except as otherwise provided in ~~section 19-2-601~~ SECTIONS 19-2-601 AND 19-2-921 for an aggravated juvenile offender, the court may commit a juvenile to the department of human services for a determinate period of up to two years if the juvenile is adjudicated for an offense that would constitute a ~~class 3, class 4, class 5, or class 6~~ felony or a misdemeanor if committed by an adult; except that, if the juvenile is younger than twelve years of age and is not adjudicated an aggravated juvenile offender, the court may commit the juvenile to the department of human services only if the juvenile is adjudicated for an offense that would constitute a CLASS 1, CLASS 2, OR class 3 felony if committed by an adult.

**SECTION 2.** 19-2-921 (3) (c), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

**19-2-921. Commitment to department of human services.** (3) (c) The juvenile court may commit any juvenile who is not adjudicated an aggravated juvenile offender, but is adjudicated for an offense that would constitute a ~~class 3, class 4, class 5, or class 6~~ felony or a misdemeanor to the department of human services, and

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

the determinate period of commitment shall not exceed two years; except that, if the juvenile is ten or eleven years of age and is not adjudicated an aggravated juvenile offender, the juvenile may be committed to the department of human services only if the juvenile is adjudicated for an offense that would constitute a CLASS 1, CLASS 2, OR class 3 felony if committed by an adult.

**SECTION 3. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**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: May 27, 1997