

CHAPTER 113

CORRECTIONS

HOUSE BILL 98-1236

BY REPRESENTATIVES Epps and Morrison;
also SENATORS Coffman, Arnold, and Chlouber.

AN ACT

CONCERNING PLACEMENTS OF OFFENDERS AFTER COMPLETION OF A REGIMENTED INMATE DISCIPLINE PROGRAM.

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

SECTION 1. 17-27.7-104 (2) (c) (I), Colorado Revised Statutes, is amended to read:

17-27.7-104. Acceptance and completion of the program by an offender - reconsideration of sentence. (2) (c) (I) Any motion filed pursuant to paragraph (a) of this subsection (2) shall be given priority for consideration by the sentencing court. An offender ~~sentenced for six years or less~~ WHO SUCCESSFULLY COMPLETES THE REGIMENTED INMATE TRAINING PROGRAM WITHIN TWENTY-EIGHT MONTHS PRIOR TO SUCH OFFENDER'S PAROLE ELIGIBILITY DATE shall be eligible for placement in a community corrections program operated pursuant to article 27 of this title.

SECTION 2. 17-27-105 (2) (b), Colorado Revised Statutes, is amended to read:

17-27-105. Authority to place offenders in community corrections programs. (2) (b) UNLESS THE OFFENDER HAS AN ACTIVE FELONY WARRANT OR DETAINER OR HAS REFUSED COMMUNITY PLACEMENT, the executive director of the department of corrections shall refer for placement in a community corrections program:

(I) ANY OFFENDER WHO SUCCESSFULLY COMPLETES A REGIMENTED INMATE DISCIPLINE PROGRAM PURSUANT TO ARTICLE 27.7 OF THIS TITLE WITHIN TWENTY-EIGHT MONTHS PRIOR TO THE OFFENDER'S PAROLE ELIGIBILITY DATE;

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

(II) Any offender who is not serving a sentence for an offense referred to in section 16-11-309, C.R.S., and who has displayed acceptable institutional behavior sixteen months prior to such offender's parole eligibility date; ~~unless such offender has an active felony warrant or detainer or has refused community placement. The executive director shall refer~~ AND

(III) Any other offender who has displayed acceptable institutional behavior ~~to a community corrections program~~ one hundred eighty days prior to such offender's parole eligibility date. ~~unless such offender has an active felony warrant or detainer or has refused community placement.~~

SECTION 3. 17-27.5-101 (1) (a) and (1) (b) (I), Colorado Revised Statutes, are amended to read:

17-27.5-101. Authority to establish intensive supervision programs for parolees and community corrections offenders. (1) (a) The department shall have the authority to establish and directly operate an intensive supervision program for any offender not having more than one hundred eighty days remaining until such offender's parole eligibility date AND FOR ANY OFFENDER WHO SUCCESSFULLY COMPLETES A REGIMENTED INMATE DISCIPLINE PROGRAM PURSUANT TO ARTICLE 27.7 OF THIS TITLE.

(b) The department shall also be authorized to refer for placement to an intensive supervision program operated under the jurisdiction of units of local government under contract with and approved by the department:

(I) Any offender not having more than one hundred eighty days remaining until such offender's parole eligibility date AND ANY OFFENDER WHO SUCCESSFULLY COMPLETES A REGIMENTED INMATE DISCIPLINE PROGRAM PURSUANT TO ARTICLE 27.7 OF THIS TITLE;

SECTION 4. Effective date - applicability. This act shall take effect July 1, 1998, and shall apply to offenders who successfully complete the regimented inmate discipline program established in article 27.7 of title 17, Colorado Revised Statutes, on or after said date.

SECTION 5. 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: April 17, 1998