

CHAPTER 270

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 98-1385

BY REPRESENTATIVES Owen, Grampas, and Romero;
also SENATORS Blickensderfer, Lacy, and Rizzuto.

AN ACT

CONCERNING ESTABLISHMENT OF CATCHMENT AREAS FOR JUVENILE FACILITIES.

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

SECTION 1. Part 4 of article 2 of title 19, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

19-2-402.5. Juvenile detention facilities - catchment areas. (1) (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES AND THE STATE COURT ADMINISTRATOR IN THE JUDICIAL DEPARTMENT SHALL TOGETHER ESTABLISH GEOGRAPHICAL CATCHMENT AREAS FOR THE JUVENILE DETENTION FACILITIES OPERATED BY OR UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES. TO THE EXTENT PRACTICABLE, THE DETENTION CATCHMENT AREAS SHALL BE ESTABLISHED TO ENSURE THAT THE JUVENILE IS HELD IN A JUVENILE DETENTION FACILITY LOCATED WITHIN THE JUDICIAL DISTRICT IN WHICH THE OFFENSE IS COMMITTED. FOR JUDICIAL DISTRICTS IN WHICH NO JUVENILE DETENTION FACILITY IS LOCATED, THE DEPARTMENT SHALL ESTABLISH THE CATCHMENT AREAS BASED ON CONSIDERATIONS OF PROXIMITY, BED AVAILABILITY, WORKLOAD, AND COST EFFICIENCY.

(b) ON OR BEFORE OCTOBER 1, 1998, AND EACH OCTOBER 1 THEREAFTER, THE WORKING GROUP ESTABLISHED IN SECTION 19-2-212 SHALL SUBMIT RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES AND THE STATE COURT ADMINISTRATOR CONCERNING CONFIGURATION OF THE DETENTION CATCHMENT AREAS AND THE PLACEMENT OF DETAINED JUVENILES.

(2) ON OR BEFORE DECEMBER 1, 1998, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES AND THE STATE COURT ADMINISTRATOR SHALL SUBMIT A DESCRIPTION OF THE DETENTION CATCHMENT AREAS TO THE JOINT BUDGET

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

COMMITTEE AND TO THE JUDICIARY COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES. THE EXECUTIVE DIRECTOR AND THE STATE COURT ADMINISTRATOR SHALL ANNUALLY REEXAMINE THE DETENTION CATCHMENT AREAS AND SUBMIT A DESCRIPTION OF ANY CHANGES IN THE DETENTION CATCHMENT AREA BOUNDARIES TO THE JOINT BUDGET COMMITTEE AND TO THE JUDICIARY COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES BY DECEMBER 1.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 1, 1998