

CHAPTER 39

CHILDREN AND DOMESTIC MATTERS

SENATE BILL 99-018

BY SENATORS Wham, Chlouber, and Powers;
also REPRESENTATIVES George, Alexander, Coleman, Decker, Kaufman, Kester, Lawrence, Lee, May, McElhany, Paschall,
Piffner, Spence, Stengel, Scott, Taylor, Veiga, Witwer, and Young.

AN ACT

CONCERNING A REDUCTION IN MANDATORY FUNDING FOR ART IN JUVENILE CORRECTIONAL FACILITIES.

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

SECTION 1. 24-80.5-102, Colorado Revised Statutes, is amended to read:

24-80.5-102. Works of art in correctional and juvenile facilities. (1) Each capital construction appropriation for a correctional facility shall include as a nondeductible item an allocation of not less than one-tenth of one percent of the capital construction costs to be used for a prison inmate art fund. The moneys in such fund shall be used for materials to allow inmates to create works of art to be included in the construction of or to be placed permanently in such facility. The department of corrections shall administer by rule ~~and regulation~~ a competitive program among the inmates of such facility in order to determine which art projects and inmates shall receive an incentive award not to exceed two hundred dollars each. The Colorado council on the arts shall appoint one of its members to serve in an advisory capacity to the department of corrections on the implementation of this ~~section~~ SUBSECTION (1).

(2) For the purposes of SUBSECTION (1) OF this section, "correctional facility" means any state facility in which persons are or may be lawfully held in custody as a result of conviction of a crime.

(3) (a) ON AND AFTER JANUARY 1, 1998, EACH CAPITAL CONSTRUCTION APPROPRIATION FOR A JUVENILE CORRECTIONAL FACILITY SHALL INCLUDE AS A NONDEDUCTIBLE ITEM AN ALLOCATION OF NOT LESS THAN ONE-TENTH OF ONE PERCENT OF THE CAPITAL CONSTRUCTION COSTS TO BE USED FOR A JUVENILE ART FUND. THE MONEYS IN SUCH FUND SHALL BE USED FOR MATERIALS TO ALLOW

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

JUVENILES HOUSED BY THE DEPARTMENT OF HUMAN SERVICES TO CREATE WORKS OF ART TO BE INCLUDED IN THE CONSTRUCTION OF OR TO BE PLACED PERMANENTLY IN JUVENILE FACILITIES. THE COLORADO COUNCIL ON THE ARTS SHALL APPOINT ONE OF ITS MEMBERS TO SERVE IN AN ADVISORY CAPACITY TO THE DEPARTMENT OF HUMAN SERVICES ON THE IMPLEMENTATION OF THIS SUBSECTION (3).

(b) AS USED IN THIS SUBSECTION (3), "JUVENILE CORRECTIONAL FACILITY" MEANS ANY FACILITY OPERATED BY OR UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES PURSUANT TO SECTION 19-2-403, C.R.S.

SECTION 2. 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 24, 1999