

CHAPTER 166

**CORRECTIONS**

**HOUSE BILL 01-1205**

BY REPRESENTATIVE(S) Kester, Alexander, Fairbank, Hefley, Hoppe, Johnson, Lee, Rippy, Smith, Snook, Spence, Stengel, Webster, White, Young, Cloer, Miller, Paschall, Romanoff, Schultheis, and Spradley; also SENATOR(S) Entz, Anderson, Arnold, Chlouber, Epps, Hillman, May, McElhany, and Teck.

**AN ACT**

CONCERNING CONTINUATION OF PROVISIONS REQUIRING COMMUNITY CORRECTIONS ESCAPEES TO FORFEIT EARNED REDUCTIONS IN SENTENCETIME, AND MAKING AN APPROPRIATION THEREFOR.

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

**SECTION 1. Repeal.** 17-27-105 (1) (k) (II), Colorado Revised Statutes, is repealed as follows:

**17-27-105. Authority to place offenders in community corrections programs.** (1) (k) (II) ~~This paragraph (k) is repealed, effective July 1, 2001.~~

**SECTION 2. Repeal.** 17-27-106 (1) (b) (II), Colorado Revised Statutes, is repealed as follows:

**17-27-106. Escape from custody from a community corrections program.** ~~(1) (b) (II) This paragraph (b) is repealed, effective July 1, 2001.~~

**SECTION 3.** Part 1 of article 1 of title 17, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**17-1-133. Appropriation to comply with section 2-2-703 - HB 01-1205.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT H.B. 01-1205, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM THE CAPITAL CONSTRUCTION

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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.*

FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF ONE MILLION SEVEN HUNDRED SIXTY-EIGHT THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS (\$1,768,225).

(b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF SIX HUNDRED SEVENTY-NINE THOUSAND THREE HUNDRED FORTY-SIX DOLLARS (\$679,346).

**SECTION 4.** 24-75-302 (2) (o), Colorado Revised Statutes, is amended to read:

**24-75-302. Capital construction fund - capital assessment fees - calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 2005, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(o) On July 1, 2002, one hundred million dollars plus thirteen thousand nine hundred sixty-two dollars pursuant to S.B. 98-021, enacted at the second regular session of the sixty-first general assembly; plus eight million three hundred seven thousand five hundred nine dollars pursuant to H.B. 98-1156, enacted at the second regular session of the sixty-first general assembly; plus three hundred ninety-seven thousand nine hundred twenty-three dollars pursuant to H.B. 98-1160, enacted at the second regular session of the sixty-first general assembly; plus fifty thousand three hundred sixty-four dollars pursuant to H.B. 00-1107, enacted at the second regular session of the sixty-second general assembly; plus one hundred twenty-one thousand five hundred sixty-seven dollars pursuant to H.B. 00-1201, enacted at the second regular session of the sixty-second general assembly; plus two hundred fifty thousand eighty-one dollars pursuant to H.B. 00-1214, enacted at the second regular session of the sixty-second general assembly; plus forty thousand five hundred twenty-two dollars pursuant to H.B. 00-1247, enacted at the second regular session of the sixty-second general assembly; PLUS ONE MILLION SEVEN HUNDRED SIXTY-EIGHT THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS PURSUANT TO H.B. 01-1205, ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

**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: May 22, 2001