

CHAPTER 90

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 02-1079

BY REPRESENTATIVE(S) Bacon, Groff, Mace, Romanoff, Spence, and Vigil;
also SENATOR(S) Windels.

AN ACT**CONCERNING IMPOSITION OF INCARCERATION FOR VIOLATING A VALID COURT ORDER UNDER THE
"SCHOOL ATTENDANCE LAW OF 1963".**

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

SECTION 1. 22-33-108 (7), Colorado Revised Statutes, is amended to read:

22-33-108. Judicial proceedings. (7) (a) If the child does not comply with the VALID court order issued against the child or against both the parent and the child, the court may order that an investigation be conducted as provided in section 19-2-510 (2), C.R.S., and the court may order the child to show cause why he or she should not be held in contempt of court. The court may include as a sanction after a finding of contempt an appropriate treatment plan that may include, but not be limited to, community service to be performed by the child, supervised activities, and other activities having goals that shall ensure that the child has an opportunity to obtain a quality education.

(b) The court may ~~not impose any~~ ON THE CHILD AS A sanction ~~of~~ FOR CONTEMPT OF COURT A SENTENCE TO incarceration to ~~a jail, lockup, other place used for the confinement of adult offenders, or~~ any juvenile detention facility operated by or under contract with the department of human services PURSUANT TO SECTION 19-2-402, C.R.S., AND ANY RULES PROMULGATED BY THE COLORADO SUPREME COURT.

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: April 12, 2002

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