

CHAPTER 199

GOVERNMENT - COUNTY

HOUSE BILL 04-1341

BY REPRESENTATIVE(S) Rose, Hefley, Coleman, Vigil, and Frangas;
also SENATOR(S) Windels, and Taylor.

AN ACT

CONCERNING PRISONER PROCESSING FEES COLLECTED BY A COUNTY.

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

SECTION 1. 30-1-104 (1) (n), Colorado Revised Statutes, is amended to read:

30-1-104. Fees of sheriff. (1) Fees collected by sheriffs shall be as follows:

(n) For committing and discharging CONVICTED prisoners to and from the county jail, in counties of every class, ~~fifty cents~~ A REASONABLE FEE, NOT TO EXCEED THIRTY DOLLARS, WHICH FEE SHALL BE COLLECTED DIRECTLY FROM PRISONERS AT THE TIME OF COMMITMENT, BUT SHALL BE REFUNDED TO ANY PRISONER WHO IS NOT CONVICTED.

SECTION 2. 30-1-119, Colorado Revised Statutes, is amended to read:

30-1-119. Separate fee funds kept. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, all fees collected by county officers except those collected pursuant to section 30-1-102 (3) shall be paid over to the county treasurer and shall be kept by him in separate funds to be known as:

- (a) The "sheriff's fee fund";
- (b) The "county clerk's fee fund";
- (c) The "county treasurer's commission and fee fund".

(2) THE REVENUES GENERATED ANNUALLY FROM THE FEE FOR COMMITTING AND DISCHARGING PRISONERS AUTHORIZED PURSUANT TO SECTION 30-1-104 (1) (n) SHALL

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

BE DISTRIBUTED AS FOLLOWS:

(a) (I) THE COUNTY SHALL EXPEND AN AMOUNT EQUAL TO TWENTY PERCENT OF THE REVENUES GENERATED ANNUALLY FROM THE FEE TO ADMINISTER A COMMUNITY-BASED TREATMENT PROGRAM FOR THE TREATMENT OF OFFENDERS WITH MENTAL ILLNESS OR ADDICTION COMMITTED OR DISCHARGED BY THE COUNTY IF THE COUNTY HAS ESTABLISHED, OR THE BOARD OF COUNTY COMMISSIONERS CHOOSES TO ESTABLISH, SUCH A COMMUNITY-BASED TREATMENT PROGRAM.

(II) FOR PURPOSES OF THIS PARAGRAPH (a), "COMMUNITY-BASED TREATMENT PROGRAM" MEANS A COMMUNITY-BASED PROGRAM THAT PROVIDES MANAGEMENT AND TREATMENT SERVICES TO PERSONS WITH MENTAL ILLNESS OR ADDICTION IN THE CRIMINAL OR JUVENILE JUSTICE SYSTEM, DESIGNED, AT A MINIMUM, TO REDUCE RECIDIVISM AND HOSPITALIZATION OF THESE PERSONS.

(b) THE COUNTY SHALL EXPEND AN AMOUNT EQUAL TO TWENTY PERCENT OF THE REVENUES GENERATED ANNUALLY FROM THE FEE FOR TRAINING OF THE SHERIFF AND DEPUTY SHERIFFS AND OTHER LOCAL LAW ENFORCEMENT OFFICERS, WHICH TRAINING MAY INCLUDE A CRISIS INTERVENTION TRAINING COMPONENT TO MEET THE NEEDS OF OFFENDERS WITH MENTAL ILLNESS; AND

(c) THE COUNTY SHALL EXPEND THE BALANCE OF THE REVENUES GENERATED ANNUALLY FROM THE FEE FOR LAW-ENFORCEMENT-RELATED EXPENDITURES TO DEFRAY THE COSTS OF PROCESSING PRISONERS INTO AND OUT OF CUSTODY.

SECTION 3. Effective date. This act shall take effect July 1, 2004.

SECTION 4. 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 23, 2004