

CHAPTER 70

CORRECTIONS

SENATE BILL 04-123

BY SENATOR(S) Anderson, Arnold, Chlouber, Dyer, Gordon, Groff, Grossman, Hagedorn, Hanna, Isgar, Jones, Keller, Kester, Nichol, Phillips, Sandoval, Takis, Tapia, Taylor, Tupa, Veiga, and Windels;
also REPRESENTATIVE(S) Spradley, Boyd, Cadman, Carroll, Coleman, Decker, Hefley, McFadyen, McGihon, Weddig, and Williams S.

AN ACT**CONCERNING THE AUTHORITY FOR THE YOUTHFUL OFFENDER SYSTEM.**

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

SECTION 1. Repeal. 18-1.3-104 (1) (h) (II), Colorado Revised Statutes, is repealed as follows:

18-1.3-104. Alternatives in imposition of sentence. (1) Within the limitations of the applicable statute pertaining to sentencing and subject to the provisions of this title, the trial court has the following alternatives in entering judgment imposing a sentence:

(h) (II) ~~This paragraph (h) is repealed, effective June 30, 2004.~~

SECTION 2. 18-1.3-407 (1) (c), Colorado Revised Statutes, is amended to read:

18-1.3-407. Sentences - youthful offenders - legislative declaration - powers and duties of district court - authorization for youthful offender system - powers and duties of department of corrections. (1) (c) It is the intent of the general assembly that youthful offenders sentenced to the youthful offender system be housed and serve their sentences in a facility specifically designed and programmed for the youthful offender system and that youthful offenders so sentenced be housed separate from and not brought into daily physical contact with adult inmates sentenced to the department of corrections, except as specifically provided under subsection (5) of this section. THE FACILITY THAT HOUSES OFFENDERS SENTENCED TO THE YOUTHFUL OFFENDER SYSTEM SHALL BE LIMITED TO TWO HUNDRED FIFTY-SIX BEDS.

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

SECTION 3. Repeal. 18-1.3-407 (13), Colorado Revised Statutes, is repealed as follows:

18-1.3-407. Sentences - youthful offenders - legislative declaration - powers and duties of district court - authorization for youthful offender system - powers and duties of department of corrections. (13) ~~This section is repealed, effective June 30, 2004.~~

SECTION 4. Repeal. 19-2-517 (3) (b), Colorado Revised Statutes, is repealed as follows:

19-2-517. Direct filing. (3) (b) ~~Subparagraph (H) of paragraph (a) of this subsection (3) and this paragraph (b) are repealed, effective June 30, 2004.~~

SECTION 5. 17-1-104.3 (1) (b), Colorado Revised Statutes, is amended to read:

17-1-104.3. Correctional facilities - locations - security level. (1) (b) The correctional facilities operated by the department, the location of such facilities, and the designated security level of such facilities shall be as follows:

Correctional facility	Location	Security level
Colorado state penitentiary	Fremont county	Level V
Centennial correctional facility	Fremont county	Level IV
Limon correctional facility	Lincoln county	Level IV
Arkansas Valley correctional facility	Crowley county	Level III
Buena Vista correctional complex	Chaffee county	Level III
Colorado Territorial correctional facility	Fremont county	Level III
Fremont correctional facility	Fremont county	Level III
Arrowhead correctional center	Fremont county	Level II
Four Mile correctional center	Fremont county	Level II
Pre-release correctional center	Fremont county	Level II
Skyline correctional center	Fremont county	Level I
Colorado correctional center	Jefferson county	Level I
Delta correctional center	Delta county	Level I
Rifle correctional center	Garfield county	Level I
Colorado correctional alternative program	Chaffee county	Level I
Colorado women's correctional facility	Fremont county	Level IV
Denver reception and diagnostic center	City and county of Denver	Level V
Pueblo minimum center	Pueblo county	Level II
San Carlos correctional facility	Pueblo county	Level V
Sterling correctional facility	Logan county	Level V
Trinidad correctional facility	Las Animas county	Level II

Denver women's correctional facility	City and county of Denver	Level V
Youthful offender system	Pueblo county	Level V LEVEL III

SECTION 6. 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 5, 2004