

CHAPTER 18

CORRECTIONS

HOUSE BILL 08-1132

BY REPRESENTATIVE(S) Stafford, Carroll T., Frangas, Green, Hodge, Looper, Merrifield, Roberts, Stephens, Todd, Borodkin, Buescher, Casso, Jahn, Kerr J., Labuda, Madden, Massey, Primavera, Riesberg, Rose, and Summers; also SENATOR(S) Keller, Boyd, Gibbs, Groff, Shaffer, Tapia, Tochtrop, Williams, and Windels.

AN ACT**CONCERNING TREATMENT FOR OFFENDERS IN THE YOUTHFUL OFFENDER SYSTEM.**

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

SECTION 1. 18-1.3-407 (4.3) and (4.5), Colorado Revised Statutes, are 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. (4.3) The youthful offender system shall provide sex offender treatment services for ~~any~~ AN offender who is sentenced to the youthful offender system and who has a history of committing ~~any~~ A sex offense as defined in section 16-11.7-102 (3), C.R.S., or who has a history of committing any other offense, the underlying factual basis of which includes a sex offense. Prior to July 1, 2002, the sex offender treatment services provided pursuant to this subsection (4.3) shall comply with any existing national standards for juvenile sex offender treatment. On and after July 1, 2002, the sex offender treatment services provided pursuant to this subsection (4.3) shall comply with the ~~juvenile~~ sex offender treatment standards adopted by the sex offender management board pursuant to section 16-11.7-103, C.R.S.

(4.5) The consent of the parent, parents, or legal guardian of an offender under the age of eighteen years who has been sentenced to the youthful offender system pursuant to this section shall not be necessary in order to authorize hospital, medical, MENTAL HEALTH, dental, emergency health, or emergency surgical care. In addition, neither the department nor any hospital, physician, surgeon, MENTAL HEALTH CARE PROVIDER, dentist, trained emergency health care provider, or agent or employee thereof who, in good faith, relies on such a minor offender's consent

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

shall be liable for civil damages for failure to secure the consent of such an offender's parent, parents, or legal guardian prior to rendering such care. However, the parent, parents, or legal guardian of a minor offender described in this subsection (4.5) may be liable, as provided by law, to pay the charges for the care provided the minor on said minor's consent.

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 13, 2008