

## CHAPTER 139

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**COURTS**


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**HOUSE BILL 10-1104**

BY REPRESENTATIVE(S) Looper, Apuan, Baumgardner, Court, DelGrosso, Fischer, Frangas, Gardner B., Gardner C., Kagan, Kefalas, Kerr J., King S., Labuda, Lambert, McFadyen, Middleton, Nikkel, Ryden, Schafer S., Solano, Stephens, Summers, Todd, Massey, Pommer, Primavera;  
 also SENATOR(S) Williams, Penry, Boyd, Cadman, Heath, Hodge, Hudak, King K., Kopp, Morse, Newell, Romer, Sandoval, Scheffel.

**AN ACT**

**CONCERNING AUTHORIZATION FOR THE ESTABLISHMENT OF A VETERANS TREATMENT COURT PROGRAM IN JUDICIAL DISTRICTS.**

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

**SECTION 1. Legislative declaration.** (1) The general assembly finds and declares that:

(a) Historically, the state of Colorado has honored the noble sacrifices that members of the military have made to protect our freedoms by providing veterans and members of the military certain benefits and rehabilitative services;

(b) Studies have shown that combat service may exact a tremendous psychological toll on members of the military who are faced with the constant threat of death or injury over an extended period of time;

(c) Researchers have shown that a significant number of the one million six hundred thousand members of the military who have served in Iraq and Afghanistan will suffer, as a result of their military service, mental health injuries, such as post-traumatic stress disorder, traumatic brain injury, depression, anxiety, and acute stress;

(d) Such combat-related injuries, including the use of drugs and alcohol to cope with such injuries, can lead to encounters with the criminal justice system that would not have otherwise occurred without the combat-related injury;

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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.*

(e) While the vast majority of returning members of the military do not have contact with the criminal justice system, and most veterans and members of the military are well-adjusted, contributing members of society, psychiatrists and law enforcement officials agree that combat-related injuries have led to instances of criminality; and

(f) As a grateful state, we must continue to honor the military service of our men and women by attempting to provide them with an alternative to incarceration when feasible, permitting them instead to access proper treatment for mental health and substance abuse problems resulting from military service.

(2) Therefore, the general assembly finds that it is in the best interests of Colorado citizens to assist veterans and members of the military involved in the criminal justice system who have a military-related injury. In order to achieve this end, the general assembly encourages the establishment of veterans' treatment courts to address the unique challenges veterans face as a result of their honorable service.

**SECTION 2.** 13-3-101, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**13-3-101. State court administrator.** (9) THE STATE COURT ADMINISTRATOR IS AUTHORIZED TO SEEK FEDERAL FUNDING AS IT BECOMES AVAILABLE ON BEHALF OF THE STATE COURT SYSTEM FOR THE ESTABLISHMENT, MAINTENANCE, OR EXPANSION OF VETERANS' TREATMENT COURTS.

**SECTION 3.** Part 1 of article 5 of title 13, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**13-5-144. Chief judge - veterans treatment court authority.** THE CHIEF JUDGE OF A JUDICIAL DISTRICT MAY ESTABLISH AN APPROPRIATE PROGRAM FOR THE TREATMENT OF VETERANS AND MEMBERS OF THE MILITARY.

**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 16, 2010