

HB1345\_L.014

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.HB16-1345 be amended as follows:

1 Amend printed bill, page 3, after line 2 insert:

2 "SECTION 2. In Colorado Revised Statutes, **amend** 16-11.7-105  
3 as follows:

4 **16-11.7-105. Sentencing of sex offenders - treatment based**  
5 **upon evaluation and identification required.** (1) Each adult sex  
6 offender and juvenile who has committed a sexual offense sentenced by  
7 the court for an offense committed on or after January 1, 1994, shall be  
8 required, as a part of any sentence to probation, commitment to the  
9 department of human services, sentence to community corrections,  
10 incarceration with the department of corrections, placement on parole, or  
11 out-of-home placement to undergo treatment to the extent appropriate to  
12 such offender based upon the recommendations of the evaluation and  
13 identification made pursuant to section 16-11.7-104 or based upon any  
14 subsequent recommendations by the department of corrections, the  
15 judicial department, the department of human services, or the division of  
16 criminal justice in the department of public safety, whichever is  
17 appropriate. The treatment and monitoring shall be provided by an  
18 approved provider pursuant to section 16-11.7-106, and the offender shall  
19 pay for the treatment to the extent the offender is financially able to do so.

20 (2) THE SUPERVISING AGENCY OF EACH ADULT SEX OFFENDER AND  
21 JUVENILE WHO HAS COMMITTED A SEXUAL OFFENSE SHALL GIVE AN  
22 OFFENDER A CHOICE OF AT LEAST THREE APPROPRIATE AGENCIES STAFFED  
23 BY APPROVED PROVIDERS, UNLESS THE SUPERVISING AGENCY DOCUMENTS  
24 IN THE FILE THAT, BASED UPON THE NATURE OF THE PROGRAM OFFERED  
25 AND THE NEEDS OF THE OFFENDER, FEWER THAN THREE AGENCIES CAN  
26 MEET THE SPECIFIC NEEDS OF THE OFFENDER AND ENSURE THE SAFETY OF  
27 THE PUBLIC. ONCE SELECTED, NEITHER THE TREATMENT AGENCY NOR THE  
28 POLYGRAPH EXAMINER MAY BE CHANGED BY THE OFFENDER WITHOUT THE  
29 APPROVAL OF THE COMMUNITY SUPERVISION TEAM, THE  
30 MULTIDISCIPLINARY TEAM, OR THE COURT."

31 Renumber succeeding sections accordingly.

\*\* \*\* \*\* \*\* \*\*

