

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 12, 2018
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB18-1287 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, line 5, strike "2028." and substitute "2023.
2 PRIOR TO SUCH REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES
3 SHALL REVIEW THE COMMISSION AS DESCRIBED IN SECTION 2-3-1203."

4 Page 2, strike line 10 and substitute:
5 "2023.

6 **SECTION 3.** In Colorado Revised Statutes, 16-11.3-102, **amend**
7 (2)(a) introductory portion, (2)(a)(XI) introductory portion, (2)(a)(XI)(H),
8 (2)(a)(XI)(I), and (3)(b); **repeal** (2)(a)(XI)(D); and **add** (2)(a)(V.5),
9 (2)(a)(XI)(J), (2)(a)(XI)(K), (2)(a)(XI)(L), (2)(a)(XI)(M), and (3)(c) as
10 follows:

11 **16-11.3-102. Colorado commission on criminal and juvenile**
12 **justice - creation - membership - operation.** (2) (a) The commission
13 consists of ~~twenty-six~~ TWENTY-NINE voting members, as follows:

14 (V.5) THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT
15 ATTORNEYS' COUNCIL, OR HIS OR HER DESIGNEE, AND ONE ELECTED
16 DISTRICT ATTORNEY, TO BE DESIGNATED BY THE COLORADO DISTRICT
17 ATTORNEYS' COUNCIL;

18 (XI) ~~Twelve~~ THIRTEEN members appointed by the governor as
19 follows:

20 (D) ~~Two elected district attorneys;~~

21 (H) One member who is a representative of a community
22 corrections provider, a community corrections board member, or a
23 behavioral, mental health, or substance use disorder treatment provider;

1 and

2 (I) ~~Three members who shall be appointed at-large~~ ONE MEMBER
3 WHO IS A VICTIM, AS DEFINED IN SECTION 24-4.1-302 (5), WHO HAS
4 DEMONSTRATED KNOWLEDGE OF THE CRIMINAL JUSTICE SYSTEM AND ITS
5 IMPACTS;

6 (J) A PERSON WHO IS A FORMER OFFENDER WHO HAS
7 DEMONSTRATED KNOWLEDGE OF THE CRIMINAL JUSTICE SYSTEM AND ITS
8 IMPACTS;

9 (K) A REPRESENTATIVE OF A NONPROFIT ORGANIZATION
10 REPRESENTING MUNICIPALITIES;

11 (L) A VICTIM'S ADVOCATE, AS DEFINED IN SECTION 13-90-107
12 (1)(k)(II); AND

13 (M) TWO MEMBERS WHO SHALL BE APPOINTED AT-LARGE.

14 (3) (b) Each appointing authority shall appoint the initial
15 appointed members of the commission within sixty days after May 23,
16 2007. THE GOVERNOR SHALL APPOINT THE COMMISSION MEMBERS
17 DESCRIBED IN SUBSECTION (2)(a)(XI)(I), (2)(a)(XI)(J), (2)(a)(XI)(K), and
18 (2)(a)(XI)(L) OF THIS SECTION ON OR BEFORE JULY 1, 2018. An appointed
19 member shall not serve more than two consecutive full terms, in addition
20 to any partial term. In the event of a vacancy in an appointed position by
21 death, resignation, removal for misconduct, incompetence, neglect of
22 duty, or otherwise, the appointing authority shall appoint a member to fill
23 the position for the remainder of the unexpired term.

24 (c) A PERSON WHO HAS BEEN APPOINTED AND SUBSEQUENTLY
25 REAPPOINTED TO THE COMMISSION BY THE SAME GOVERNOR IN ANY
26 CAPACITY DESCRIBED IN SUBSECTION (2)(a)(XI) OF THIS SECTION MAY NOT
27 BE APPOINTED BY THE SAME GOVERNOR TO SERVE IN ANY OTHER
28 CAPACITY DESCRIBED IN SAID SUBSECTION (2)(a)(XI).

29 **SECTION 4.** In Colorado Revised Statutes, 16-11.3-103, **add** (7)
30 as follows:

31 **16-11.3-103. Duties of the commission - mission - staffing.**

32 (7) ON OR BEFORE MAY 1 OF EACH EVEN-NUMBERED YEAR, THE
33 COMMISSION SHALL REQUEST A LETTER FROM THE GOVERNOR SUGGESTING
34 TOPICS FOR THE COMMISSION TO STUDY. IN PREPARING THE LETTER, THE
35 GOVERNOR IS ENCOURAGED TO CONSULT WITH THE CHIEF JUSTICE OF THE
36 COLORADO SUPREME COURT AND THE MAJORITY AND MINORITY LEADERS
37 OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

38 **SECTION 5.** In Colorado Revised Statutes, 2-3-1203, **add**
39 (14)(a)(VI) as follows:

40 **2-3-1203. Sunset review of advisory committees - legislative**
41 **declaration - definition - repeal.** (14) (a) The following statutory

1 authorizations for the designated advisory committees are scheduled for
2 repeal on September 1, 2023:

3 (VI) THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE
4 JUSTICE CREATED IN SECTION 16-11.3-102."

5 Renumber succeeding section accordingly.

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