

SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chair of Committee

\_\_\_\_\_  
Date

May 4, 2022

Committee on Appropriations.

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

SB22-043 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend the Senate Judiciary Committee Report, dated February 24, 2022,  
2 page 2, strike lines 18 through 21 and substitute "OF OPERATING A  
3 PERSONAL VEHICLE EQUAL TO THE LATEST PUBLISHED RATES FROM THE  
4 UNITED STATES GENERAL SERVICES ADMINISTRATION FOR GOVERNMENT  
5 EMPLOYEES, AS DETERMINED PURSUANT TO 5 U.S.C. 5701 ET SEQ., AS  
6 AMENDED; AND MEAL AND LODGING PER DIEM EQUAL TO THE LATEST  
7 PUBLISHED RATES FROM THE UNITED STATES GENERAL SERVICES  
8 ADMINISTRATION FOR GOVERNMENT EMPLOYEES, AS DETERMINED  
9 PURSUANT TO 5 U.S.C. 5701 ET SEQ., AS AMENDED."

10 Page 3, strike lines 31 through 43 and substitute "**department of**  
11 **corrections.** (2.5) (a) THE DEPARTMENT OF CORRECTIONS SHALL  
12 INTERCEPT GOVERNMENT WINDFALL PAYMENTS BEFORE THE GOVERNMENT  
13 WINDFALL PAYMENTS ARE DEPOSITED IN AN INMATE'S BANK ACCOUNT.  
14 THE DEPARTMENT OF CORRECTIONS SHALL DISPERSE EACH GOVERNMENT  
15 WINDFALL PAYMENT IN ACCORDANCE WITH SECTION 16-18.5-110.

16 (b) AS USED IN THIS SUBSECTION (2.5), "GOVERNMENT WINDFALL  
17 PAYMENT" MEANS AN UNUSUAL PAYMENT FROM A GOVERNMENTAL  
18 ENTITY TO AN INMATE IN THE DEPARTMENT OF CORRECTIONS AND  
19 INCLUDES ECONOMIC STIMULUS PAYMENTS AND ANY OTHER UNUSUAL  
20 GOVERNMENT PAYMENTS. "GOVERNMENT WINDFALL PAYMENT" DOES NOT  
21 INCLUDE PAYMENTS TO INMATES FOR WAGES, PENSIONS, DISABILITY  
22 PAYMENTS, CHILD SUPPORT, TUITION, RESTITUTION, AND VICTIMS  
23 COMPENSATION."

24 Page 4, before line 1 insert:

25 "**SECTION 5.** In Colorado Revised Statutes, **add** 16-18.5-113 as

1 follows:

2 **16-18.5-113. Office of restitution services - created.** (1) THERE  
3 IS CREATED IN THE JUDICIAL DEPARTMENT THE OFFICE OF RESTITUTION  
4 SERVICES, REFERRED TO IN THIS SECTION AS THE "OFFICE". THE PURPOSE  
5 OF THE OFFICE IS TO ASSIST VICTIMS WHO ARE OWED COURT-ORDERED  
6 RESTITUTION.

7 (2) THE OFFICE SHALL:

8 (a) RECEIVE REQUESTS FROM VICTIMS REQUESTING SEMIANNUAL  
9 STATEMENTS AS SET FORTH IN SUBSECTION (3) OF THIS SECTION;

10 (b) ANSWER GENERAL QUESTIONS AND ASSIST VICTIMS WITH  
11 CASE-SPECIFIC QUESTIONS RELATED TO COURT-ORDERED RESTITUTION;

12 (c) CREATE AND MAINTAIN A WEB PAGE ON THE JUDICIAL  
13 DEPARTMENT WEBSITE WITH RESOURCES AND INFORMATION ON  
14 COURT-ORDERED RESTITUTION;

15 (d) ASSIST WITH TRAINING RELATED TO THE ADMINISTRATION OF  
16 THE RESTITUTION SYSTEM;

17 (e) ENHANCE COMMUNICATIONS FOR POSTSENTENCE RESTITUTION;  
18 AND

19 (f) COLLABORATE WITH VICTIM ADVOCACY PROGRAMS.

20 (3)(a) A VICTIM WHO IS OWED COURT-ORDERED RESTITUTION MAY  
21 SUBMIT A REQUEST TO THE OFFICE TO PROVIDE SEMIANNUAL STATEMENTS  
22 DETAILING THE RESTITUTION PAYMENTS THE DEFENDANT HAS MADE TO  
23 THE VICTIM AND THE DISBURSEMENTS THE COURT HAS MADE TO THE  
24 VICTIM. THE STATEMENT MUST INCLUDE THE OUTSTANDING AMOUNT OF  
25 COURT-ORDERED RESTITUTION OWED TO THE VICTIM.

26 (b) THE OFFICE SHALL VERIFY THE IDENTITY OF THE VICTIM  
27 MAKING THE REQUEST DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION  
28 TO ENSURE THE VICTIM IS OWED COURT-ORDERED RESTITUTION FOR THE  
29 CASE.

30 (c) THE OFFICE SHALL NOT PROVIDE INFORMATION RELATED TO  
31 COURT-ORDERED RESTITUTION TO OTHER VICTIMS IN THE SAME CASE OR  
32 IN OTHER CASES IN WHICH THE VICTIM REQUESTS A SEMIANNUAL  
33 STATEMENT PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION.

34 **SECTION 6. Appropriation.** (1) For the 2022-23 state fiscal  
35 year, \$129,359 is appropriated to the judicial department. This  
36 appropriation is from the judicial collection enhancement fund created in  
37 section 16-11-101.6 (2), C.R.S. To implement this act, the department  
38 may use this appropriation as follows:

39 (a) \$116,319 for the office of restitution services, which amount  
40 is based on an assumption that the office will require an additional 1.6  
41 FTE; and

42 (b) \$13,040 for capital outlay."

- 1 Renumber succeeding section accordingly.
- 2 Amend the printed bill, page 1, line 101, strike "VICTIMS." and substitute
- 3 "VICTIMS, AND, IN CONNECTION THEREWITH, MAKING AN
- 4 APPROPRIATION."

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