

CHAPTER 188

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 16-1278

BY REPRESENTATIVE(S) Lee, Buckner, Court, Esgar, Foote, Hamner, Kagan, Lundeen, McCann, Moreno, Singer, Thurlow, Willett, Young, Becker K., Carver, Fields, Kraft-Tharp, Lontine, Melton, Mitsch Bush, Primavera, Rosenthal, Ryden, Salazar, Vigil, Williams;
 also SENATOR(S) Cooke, Aguilar, Guzman, Heath, Hill, Hodge, Jahn, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Neville T., Roberts, Scheffel, Scott, Tate, Todd, Woods, Cadman.

AN ACT**CONCERNING RESIDENTIAL DRUG TREATMENT FOR PERSONS ON PROBATION.**

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

SECTION 1. In Colorado Revised Statutes, 18-1.3-204, **amend** (2.2) as follows:

18-1.3-204. Conditions of probation - interstate compact probation transfer cash fund - creation. (2.2) ~~If a defendant is sentenced to probation for a drug offense~~ WHEN GRANTING PROBATION, the court may include as a condition of probation a requirement that the defendant participate in drug treatment. If the defendant's assessed treatment need is for residential treatment, the court may make residential drug treatment a condition of probation and may place the offender in a community corrections program that can provide the appropriate level of treatment subject to the provision of section 18-1.3-301 (4).

SECTION 2. In Colorado Revised Statutes, 18-1.3-301, **amend** (4) (b) as follows:

18-1.3-301. Authority to place offenders in community corrections programs. (4) (b) A district court, county court, and any other criminal justice official may enter into agreements with community corrections programs that provide residential DRUG treatment, for the placement and supervision of ~~drug~~ offenders as a term and condition of probation when assessed treatment need levels indicate that residential DRUG treatment is necessary and appropriate. The agreement is subject to review and approval by the community corrections board in the jurisdiction where a community corrections program is located. A community

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

corrections program used pursuant to this paragraph (b) may receive funds from the correctional treatment cash fund, as well as local funding, public or private grants, or offender fees.

SECTION 3. 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: May 20, 2016