

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0815.01 Richard Sweetman x4333

HOUSE BILL 17-1150

HOUSE SPONSORSHIP

Navarro,

SENATE SPONSORSHIP

(None),

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING DISALLOWING A COURT FROM GRANTING BAIL AFTER**
102 **CONVICTION TO OFFENDERS WHO HAVE COMMITTED CERTAIN**
103 **FELONY CRIMES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law allows a court to grant bail after a person is convicted, pending sentencing or appeal; except that no bail is allowed for persons convicted of certain specific crimes. To this list of crimes the bill adds stalking and felony offenses for which acts of domestic violence are the underlying factual basis.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-4-201.5, **amend**
3 (1)(f); and **add** (1)(h), (1)(i), and (1)(j) as follows:

4 **16-4-201.5. Right to bail after a conviction - exceptions.**

5 (1) The court may grant bail after a person is convicted, pending
6 sentencing or appeal, only as provided by this part 2; except that no bail
7 is allowed for persons convicted of:

8 (f) A crime of possession of a weapon by a previous offender, as
9 described in section 18-12-108 (2)(b), (2)(c), (4)(b), (4)(c), or (5); ~~C.R.S.;~~
10 ~~or~~

11 (h) A CLASS 5 FELONY ACT OF DOMESTIC VIOLENCE, AS DESCRIBED
12 IN SECTION 18-6-801 (7);

13 (i) A SECOND OR SUBSEQUENT OFFENSE FOR STALKING THAT
14 OCCURS WITHIN SEVEN YEARS AFTER THE DATE OF A PRIOR OFFENSE FOR
15 WHICH THE PERSON WAS CONVICTED, AS DESCRIBED IN SECTION 18-3-602
16 (3)(b); OR

17 (j) STALKING WHEN THERE WAS A TEMPORARY OR PERMANENT
18 PROTECTION ORDER, INJUNCTION, OR CONDITION OF BOND, PROBATION, OR
19 PAROLE OR ANY OTHER COURT ORDER IN EFFECT THAT PROTECTED THE
20 VICTIM FROM THE PERSON, INCLUDING BUT NOT LIMITED TO STALKING, AS
21 DESCRIBED IN SECTION 18-3-602 (5).

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2018 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.