

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0659.01 Richard Sweetman x4333

SENATE BILL 17-125

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SENATE SPONSORSHIP

Guzman,

HOUSE SPONSORSHIP

Pabon,

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Senate Committees

Judiciary  
Finance

House Committees

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A BILL FOR AN ACT

101 CONCERNING ALLOWING CERTAIN PERSONS WHO HAVE BEEN  
102 EXONERATED OF CRIMES TO RECEIVE IN LUMP-SUM PAYMENTS  
103 COMPENSATION THAT IS OWED TO THEM BY THE STATE.

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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 requires the state to compensate persons who were wrongly convicted of crimes and subsequently incarcerated. Such compensation is paid in annual payments of \$100,000 until the state's duty of compensation is satisfied. The bill allows an exonerated person to elect to receive the remaining balance of the state's duty of

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.*

compensation in a lump sum by:

- ! Notifying the state court administrator, the governor, and the general assembly of such election;
- ! Completing a personal financial management instruction course; and
- ! Acquiring and committing to maintain a qualified health insurance plan.

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

2           **SECTION 1.** In Colorado Revised Statutes, 13-3-114, **add** (8) as  
3 follows:

4           **13-3-114. State court administrator - compensation for**  
5 **exonerated persons - definitions - annual payments - child support**  
6 **payments - financial literacy training - qualified health plan -**  
7 **damages awarded in civil actions - reimbursement to the state.**

8 (8) (a) AT ANY POINT AFTER THE STATE COURT ADMINISTRATOR MAKES  
9 AN ANNUAL PAYMENT TO AN EXONERATED PERSON PURSUANT TO  
10 SUBSECTION (2) OF THIS SECTION, THE EXONERATED PERSON MAY ELECT  
11 TO RECEIVE THE REMAINING BALANCE OF THE STATE'S DUTY OF MONETARY  
12 COMPENSATION IN A LUMP SUM BY:

13           (I) NOTIFYING THE STATE COURT ADMINISTRATOR, THE  
14 GOVERNOR, AND THE GENERAL ASSEMBLY OF SUCH ELECTION, WHICH  
15 NOTIFICATION MUST BE PROVIDED IN WRITING;

16           (II) COMPLETING A PERSONAL FINANCIAL MANAGEMENT  
17 INSTRUCTION COURSE; AND

18           (III) ACQUIRING AND COMMITTING TO MAINTAIN A QUALIFIED  
19 HEALTH INSURANCE PLAN.

20           (b) UPON RECEIVING WRITTEN DOCUMENTATION THAT AN  
21 EXONERATED PERSON HAS SATISFIED THE REQUIREMENTS DESCRIBED IN  
22 SUBSECTION (8)(a) OF THIS SECTION, THE STATE COURT ADMINISTRATOR

1 SHALL PAY TO THE EXONERATED PERSON THE BALANCE OF THE STATE'S  
2 DUTY OF MONETARY COMPENSATION NOT LATER THAN ONE YEAR AFTER  
3 RECEIVING SUCH WRITTEN DOCUMENTATION.

4 **SECTION 2.** In Colorado Revised Statutes, 13-65-103, **amend**  
5 (2)(f) as follows:

6 **13-65-103. Compensation for certain exonerated persons -**  
7 **monetary compensation - financial literacy training - penalty for lack**  
8 **of a qualified health plan - expungement of records - damages**  
9 **awarded in civil actions.** (2) A district court that directs the state court  
10 administrator to compensate an exonerated person or an immediate family  
11 member of an exonerated person pursuant to this section shall reduce the  
12 directions to writing and include within the directions:

13 (f) A statement notifying the person and the state court  
14 administrator that, pursuant to section 24-30-209 (4), ~~C.R.S.~~, the  
15 exonerated person is required to complete a personal financial  
16 management instruction course before the state court administrator may  
17 issue to the exonerated person more than one annual payment of monetary  
18 compensation OR A LUMP-SUM PAYMENT, AS DESCRIBED BY SECTION  
19 13-3-114 (8);

20 **SECTION 3. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.