

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1271.01 Richard Sweetman x4333

HOUSE BILL 18-1437

HOUSE SPONSORSHIP

Herod,

SENATE SPONSORSHIP

Neville T.,

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 CONCERNING ELIMINATING THE REQUIREMENT THAT A PERSON WHO
102 PARTICIPATES IN COLLEGE-LEVEL ACADEMIC PROGRAMS
103 THROUGH THE CORRECTIONAL EDUCATION PROGRAM IN THE
104 DEPARTMENT OF CORRECTIONS MUST BEAR ENTIRELY THE
105 COSTS ASSOCIATED WITH SUCH PROGRAMS.

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>.)

Under current law, the correctional education program in the department of corrections is required to provide every person in a

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

correctional facility who demonstrates college-level aptitudes with the opportunity to participate in college-level academic programs that may be offered within the correctional facility. However, unless financial assistance for costs of the programs is provided through certain programs or through private or federally funded grants or scholarships, costs associated with such college-level academic programs must be borne entirely by the person participating in the program. The bill removes this stipulation concerning costs and states instead that such costs may be borne through private, local, or federally funded gifts, grants, donations, or scholarships or by such persons themselves, or through any combination of such funding.

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-32-105, **amend**
3 (1) introductory portion and (1)(g) as follows:

4 **17-32-105. Development of correctional education program -**
5 **goals and objectives - performance objectives - evaluation - transfers**
6 **of custody - reports.** (1) On and after July 1, 1990, the correctional
7 education program is responsible for providing educational services to
8 persons in correctional facilities under the control of the department and
9 for developing and implementing a comprehensive competency-based
10 educational and vocational program, which must conform to the goals and
11 objectives outlined in this subsection (1). The correctional education
12 program may be implemented in phases with the goals and objectives
13 implemented in all facilities in the order specified in this subsection (1);
14 except that the goal and objective stated in ~~paragraph (a) of this~~
15 ~~subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION must be implemented
16 in all correctional facilities no later than July 1, 1991, and the entire
17 program must be completely implemented in all correctional facilities no
18 later than July 1, 1992. The program shall continue to operate
19 instructional services currently offered in correctional facilities until such

1 services are incorporated in or replaced by instructional services offered
2 under the correctional education program. The correctional education
3 program must encompass the following goals and objectives:

4 (g) Seventh, to provide every person in a correctional facility who
5 demonstrates college-level aptitudes with the opportunity to participate
6 in college-level academic programs that may be offered within the
7 correctional facility. ~~Unless financial assistance for costs of the programs~~
8 ~~is provided through programs described in subsection (4) of this section~~
9 ~~or through private or federally funded grants or scholarships, costs~~
10 ~~associated with the college-level academic programs shall be borne~~
11 ~~entirely by the person participating in the program~~ COSTS FOR SUCH
12 PROGRAMS MAY BE BORNE THROUGH PRIVATE, LOCAL, OR FEDERALLY
13 FUNDED GIFTS, GRANTS, DONATIONS, OR SCHOLARSHIPS OR BY SUCH
14 PERSONS THEMSELVES, OR THROUGH ANY COMBINATION OF SUCH
15 FUNDING.

16 **SECTION 2. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in
24 November 2018 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.