

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 18-1271.01 Richard Sweetman x4333

**HOUSE BILL 18-1437**

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**HOUSE SPONSORSHIP**

**Herod,**

**SENATE SPONSORSHIP**

**Neville T.,**

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**House Committees**  
Education

**Senate Committees**

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**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.**

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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>.)*

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.

HOUSE  
2nd Reading Unamended  
May 2, 2018

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.

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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.