

## CHAPTER 179

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**CRIMINAL LAW AND PROCEDURE**


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## SENATE BILL 19-064

BY SENATOR(S) Lee, Gardner, Fenberg, Ginal, Gonzales, Story, Todd, Williams A., Winter, Garcia;  
 also REPRESENTATIVE(S) Weissman, Buentello, Cutter, Duran, Exum, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson,  
 Kraft-Tharp, Michaelson Jenet, Roberts, Snyder, Tipper, Titone, Valdez A.

## AN ACT

## CONCERNING RETENTION OF CRIMINAL JUSTICE PROGRAMS FUNDING.

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

**SECTION 1.** In Colorado Revised Statutes, 17-33-101, **amend** (7)(e)(II); and **add** (7)(f.5) as follows:

**17-33-101. Reentry planning and programs for adult parole - grant program - rules - cash fund - reports - repeal.** (7) (e) In awarding grants from the grant program each fiscal year, the department:

(II) Shall not award any grant money in excess of the amount ~~appropriated to the department for the purposes of this section~~ IN THE FUND.

(f.5) (I) THE COMMUNITY-BASED REENTRY SERVICES CASH FUND, REFERRED TO IN THIS SUBSECTION (7) AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(III) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE GRANT PROGRAM DEVELOPED PURSUANT TO THIS SUBSECTION (7).

(IV) (A) AS SOON AS PRACTICABLE AFTER JULY 1, 2019, AND JULY 1, 2020, THE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED AS OF JUNE 30, 2019, AND

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

JUNE 30, 2020, TO THE DEPARTMENT FOR THE GRANT PROGRAM DEVELOPED PURSUANT TO THIS SUBSECTION (7).

(B) THIS SUBSECTION (7)(f.5)(IV) IS REPEALED, EFFECTIVE JULY 1, 2021.

(V) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON SEPTEMBER 1, 2023, TO THE GENERAL FUND.

**SECTION 2.** In Colorado Revised Statutes, 25-20.5-801, **add** (9) as follows:

**25-20.5-801. Community crime victims grant program - created - cash fund.**

(9) (a) THE COMMUNITY CRIME VICTIMS GRANT PROGRAM CASH FUND, REFERRED TO IN THIS SUBSECTION (9) AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(b) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(c) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE GRANT PROGRAM DEVELOPED PURSUANT TO THIS SECTION.

(d) (I) AS SOON AS PRACTICABLE AFTER JULY 1, 2019, AND JULY 1, 2020, THE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED AS OF JUNE 30, 2019, AND JUNE 30, 2020, TO THE DEPARTMENT FOR THE GRANT PROGRAM DEVELOPED PURSUANT TO THIS SUBSECTION (9).

(II) THIS SUBSECTION (9)(d) IS REPEALED, EFFECTIVE JULY 1, 2021.

(e) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON SEPTEMBER 1, 2023, TO THE GENERAL FUND.

**SECTION 3.** In Colorado Revised Statutes, 24-32-120, **amend** (3); **repeal** (1)(b)(IV) and (2)(h); and **add** (1)(c) and (2)(i) as follows:

**24-32-120. Justice reinvestment crime prevention initiative - program - rules - cash funds - reports - repeal.** (1) (b) Subject to available appropriations, on and after August 10, 2017, the division shall develop and implement an initiative in accordance with policies developed by the executive director specifically designed to expand small business lending in the target communities described in this subsection (1). An initiative developed and implemented pursuant to subsection (1)(a) of this section shall include, but need not be limited to, the following components:

~~(IV) Any unexpended funds are not subject to reversion to the state and may be allocated in the subsequent fiscal year.~~

(c) (I) THE JUSTICE REINVESTMENT CRIME PREVENTION CASH FUND, REFERRED TO

IN THIS SUBSECTION (1)(c) AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(III) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF LOCAL AFFAIRS FOR THE INITIATIVE DEVELOPED PURSUANT TO THIS SUBSECTION (1).

(IV) (A) AS SOON AS PRACTICABLE AFTER JULY 1, 2019, AND JULY 1, 2020, THE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED AS OF JUNE 30, 2019, AND JULY 1, 2020, TO THE DEPARTMENT OF LOCAL AFFAIRS FOR THE INITIATIVE DEVELOPED PURSUANT TO THIS SUBSECTION (1).

(B) THIS SUBSECTION (1)(c)(IV) IS REPEALED, EFFECTIVE JULY 1, 2021.

~~(2) (h) Any unexpended funds are not subject to reversion to the state and may be allocated in the subsequent fiscal year.~~

(i) (I) THE TARGETED CRIME REDUCTION GRANT PROGRAM CASH FUND, REFERRED TO IN THIS SUBSECTION (2) AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(III) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF LOCAL AFFAIRS FOR THE GRANT PROGRAM DEVELOPED PURSUANT TO THIS SUBSECTION (2).

(IV) THE STATE TREASURER SHALL TRANSFER TO THE GENERAL FUND ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON SEPTEMBER 1, 2023.

(V) (A) AS SOON AS PRACTICABLE AFTER JULY 1, 2019, AND JULY 1, 2020, THE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED AS OF JUNE 30, 2019, AND JULY 1, 2020, TO THE DEPARTMENT OF LOCAL AFFAIRS FOR THE GRANT PROGRAM DEVELOPED PURSUANT TO THIS SUBSECTION (2).

(B) THIS SUBSECTION (2)(i)(V) IS REPEALED, EFFECTIVE JULY 1, 2021.

(3) Subsection (2) of this section and this subsection (3) are repealed, effective September 1, 2020 2023. Before such repeal, the department of regulatory agencies shall review the justice reinvestment crime prevention initiative pursuant to section 24-34-104.

**SECTION 4.** In Colorado Revised Statutes, 24-34-104, **repeal** (19)(a)(XIV); and

**add** (24)(a)(XI) as follows:

**24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal.**

(19) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2020:

~~(XIV) The justice reinvestment crime prevention initiative created in section 24-32-120.~~

(24) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2023:

(XI) THE JUSTICE REINVESTMENT CRIME PREVENTION INITIATIVE CREATED IN SECTION 24-32-120.

**SECTION 5. 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 14, 2019