

CHAPTER 242

CORRECTIONS

SENATE BILL 19-165

BY SENATOR(S) Rodriguez, Cooke, Crowder, Gardner, Gonzales, Lee, Moreno, Pettersen, Tate; also REPRESENTATIVE(S) Hansen and Ransom, Arndt, Duran, Esgar, Froelich, Galindo, Gonzales-Gutierrez, Herod, Kipp, Kraft-Tharp, Michaelson Jenet, Snyder, Sullivan, Titone, Valdez A., Valdez D., Weissman.

AN ACT

CONCERNING THE MEMBERSHIP OF THE STATE BOARD OF PAROLE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 17-2-201, **amend** (1)(a); and **add** (1)(c.2) as follows:

17-2-201. State board of parole - duties - definitions. (1) (a) There is hereby created a state board of parole, referred to in this part 2 as the "board", which ~~shall consist~~ **CONSISTS** of ~~seven~~ **NINE** members. The members of the board ~~shall be~~ **ARE** appointed by the governor and confirmed by the senate, and they shall devote their full time to their duties as members of the board. The members ~~shall be~~ **ARE** appointed for three-year terms and may serve consecutive terms. The governor may remove a board member for incompetency, neglect of duty, malfeasance in office, continued failure to use the risk assessment guidelines as required by section 17-22.5-404, or failure to regularly attend meetings as determined by the governor. Final conviction of a felony during the term of office of a board member ~~shall automatically result in the disqualification of~~ **DISQUALIFIES** the member from further service on the board. The board ~~shall be~~ **IS** composed of representatives from multidisciplinary areas of expertise. Two members ~~shall~~ **MUST** have experience in law enforcement, and one member ~~shall~~ **MUST** have experience in offender supervision, including parole, probation, or community corrections. ~~Four~~ **SIX** members ~~shall~~ **MUST** have experience in other relevant fields. Each member of the board ~~shall~~ **MUST** have a minimum of five years of experience in a relevant field and knowledge of parole laws and guidelines, rehabilitation, correctional administration, the functioning of the criminal justice system, issues associated with victims of crime, the duties of ~~parole~~ board members, and actuarial risk assessment instruments

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.

and other offender assessment instruments used by the board and the department of corrections. A person who has been convicted of a felony or of a misdemeanor involving moral turpitude or who has any financial interests which THAT conflict with the duties of a member of the parole board shall not be eligible IS INELIGIBLE for appointment.

(c.2) THE PAROLE BOARD IN EXISTENCE PRIOR TO JULY 1, 2019, IS EXPANDED TO NINE MEMBERS ON JULY 1, 2019. THE GOVERNOR SHALL APPOINT ONE ADDITIONAL MEMBER TO THE BOARD FOR A TERM OF TWO YEARS, TO EXPIRE ON JULY 30, 2021. THE GOVERNOR SHALL APPOINT ONE ADDITIONAL MEMBER TO THE BOARD FOR A TERM OF THREE YEARS, TO EXPIRE ON JULY 30, 2022. THEREAFTER, THE GOVERNOR SHALL APPOINT EACH SUCH MEMBER FOR A TERM OF THREE YEARS.

SECTION 2. Appropriation. (1) For the 2019-20 state fiscal year, \$293,774 is appropriated to the department of corrections. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

- (a) \$213,368 for use by the parole board for personal services, which amount is based on an assumption that the parole board will require an additional 1.8 FTE;
- (b) \$14,230 for use by the parole board for operating expenses;
- (c) \$60,240 for use by the parole board for start up costs; and
- (d) \$5,936 for the purchase of information technology services.

(2) For the 2019-20 state fiscal year, \$5,936 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of corrections under subsection (1)(d) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of corrections.

SECTION 3. 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 20, 2019