

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 20-085

BY SENATOR(S) Zenzinger and Gardner;
also REPRESENTATIVE(S) Michaelson Jenet and Soper, Bockenfeld,
Champion, Cutter, Duran, Hooton, Jackson, Liston, McLachlan, Rich,
Sandridge, Snyder, Titone, Valdez D., Van Winkle, Young, Becker.

CONCERNING A REQUIREMENT THAT A SEX OFFENDER BEING PLACED IN A
COMMUNITY CORRECTIONS PROGRAM MEET CERTAIN REQUIREMENTS
FOR A SEX OFFENDER BEING RELEASED ON PAROLE.

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

SECTION 1. In Colorado Revised Statutes, 18-1.3-301, **add** (2)(f)
as follows:

**18-1.3-301. Authority to place offenders in community
corrections programs. (2) (f) Requirements for sex offenders.**
(I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL NOT
TRANSFER AN OFFENDER SENTENCED PURSUANT TO THE "COLORADO SEX
OFFENDER LIFETIME SUPERVISION ACT OF 1998", PART 10 OF THIS ARTICLE
1.3, UNLESS:

*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.*

(A) THE OFFENDER HAS SUCCESSFULLY PROGRESSED IN THE TREATMENT REQUIRED BY SECTION 16-11.7-105, AS DETERMINED BY THE DEPARTMENT OF CORRECTIONS AFTER CONSIDERATION OF THE CRITERIA DEVELOPED PURSUANT TO SECTION 18-1.3-1009 (1)(b), AND WOULD NOT POSE AN UNDUE THREAT TO THE COMMUNITY IF TRANSFERRED TO A COMMUNITY CORRECTIONS PROGRAM UNDER APPROPRIATE TREATMENT AND MONITORING REQUIREMENTS; AND

(B) THERE IS A STRONG AND REASONABLE PROBABILITY THAT THE OFFENDER WOULD NOT THEREAFTER COMMIT A NEW CRIMINAL OFFENSE.

(II) IN MAKING THE DETERMINATION PURSUANT TO SUBSECTION (2)(f)(I) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL CONSIDER THE RELEVANT CRITERIA ESTABLISHED PURSUANT TO SECTION 18-1.3-1009 AND ANY OTHER RELEVANT FACTORS.

SECTION 2. Applicability. This act applies to the transfer of offenders on or after the effective date of this act.

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, or safety.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO