

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 22-0732.01 Alana Rosen x2606

HOUSE BILL 22-1373

HOUSE SPONSORSHIP

Gonzales-Gutierrez,

SENATE SPONSORSHIP

Gonzales,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROHIBITING COURTS FROM ORDERING JUVENILES TO**
102 **PAY RESTITUTION TO INSURANCE COMPANIES.**

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>.)

The bill prohibits a court from ordering a juvenile to pay restitution to insurance companies. A court may still order restitution for a victim's pecuniary loss for which the victim cannot be compensated under a policy of insurance, self-insurance, an indemnity agreement, or a risk management fund.

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
April 22, 2022

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-2.5-1104, **add** (3)
3 and (4) as follows:

4 **19-2.5-1104. Sentencing - restitution by juvenile.**

5 (3) NOTWITHSTANDING SECTION 18-1.3-602 (4)(a)(III) OR ANY OTHER
6 PROVISION OF LAW, A COURT SHALL NOT ORDER A JUVENILE TO PAY
7 RESTITUTION TO AN INSURANCE COMPANY. A COURT MAY ORDER A
8 JUVENILE TO PAY RESTITUTION TO A VICTIM FOR THE PORTION OF A
9 VICTIM'S PECUNIARY LOSS FOR WHICH THE VICTIM CANNOT BE
10 COMPENSATED UNDER A POLICY OF INSURANCE, SELF-INSURANCE, AN
11 INDEMNITY AGREEMENT, OR A RISK MANAGEMENT FUND.

12 (4) AS USED IN THIS SECTION, "VICTIM" DOES NOT MEAN AN
13 INSURANCE COMPANY, AS DEFINED IN SECTION 38-13-102 (13), FOR
14 PURPOSES OF RESTITUTION IN JUVENILE CASES.

15 **SECTION 2. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety.