

SB274\_L.009

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB18-274 be amended as follows:

1 Amend reengrossed bill, page 4, line 25, strike "and (10)" and substitute  
2 "(10), and (11)".

3 Page 5, line 18, strike "DEPARTMENT;" and substitute "DEPARTMENT, AS  
4 OVERSEEN BY THE LEGISLATIVE COMMITTEE ON STATE PRISON  
5 POPULATION ISSUES CREATED IN SECTION 2-2-2001;".

6 Page 5, line 21, strike "APPROPRIATE." and substitute "APPROPRIATE, AS  
7 OVERSEEN BY THE LEGISLATIVE COMMITTEE ON STATE PRISON  
8 POPULATION ISSUES CREATED IN SECTION 2-2-2001.".

9 Page 8, after line 6 insert:

10 "(10) BEGINNING JULY 1, 2018, AND EVERY TWO MONTHS  
11 THEREAFTER THROUGH MAY 1, 2020, THE DEPARTMENT SHALL REPORT TO  
12 THE LEGISLATIVE COMMITTEE ON STATE PRISON POPULATION ISSUES  
13 CREATED IN SECTION 2-2-2001 CONCERNING THE STATUS OF THE  
14 DEPARTMENT'S IMPLEMENTATION OF THE 2013 PRISON UTILIZATION  
15 STUDY, WHICH STUDY WAS COMPLETED FOR THE OFFICE OF STATE  
16 PLANNING AND BUDGETING IN THE GOVERNOR'S OFFICE PURSUANT TO  
17 HOUSE BILL 12-1336, ENACTED IN 2012, AND THE 2016 PRISON  
18 UTILIZATION STUDY, WHICH WAS COMMISSIONED BY THE OFFICE OF STATE  
19 PLANNING AND BUDGETING ITSELF."

20 Renumber succeeding subsection accordingly.

21 Page 9, after line 4 insert:

22 "SECTION 5. In Colorado Revised Statutes, add part 20 to  
23 article 2 of title 2 as follows:

24 PART 20

25 STATE PRISON POPULATION STUDY

26 **2-2-2001. Legislative committee on state prison population**  
27 **issues - creation.** (1) NOTWITHSTANDING THE PROVISIONS OF SECTION  
28 2-3-303.3, THERE IS HEREBY CREATED THE LEGISLATIVE COMMITTEE ON  
29 STATE PRISON POPULATION ISSUES, REFERRED TO IN THIS PART 20 AS THE  
30 "COMMITTEE", TO STUDY THE ISSUES DESCRIBED IN SECTION 2-2-2002.  
31 THE COMMITTEE SHALL MEET BEGINNING DURING THE 2018 LEGISLATIVE  
32 INTERIM THROUGH JUNE 30, 2020, AND MAY MEET DURING THE 2019 AND  
33 2020 LEGISLATIVE SESSIONS. THE COMMITTEE CONSISTS OF:

34 (a) FIVE MEMBERS OF THE SENATE, THREE OF WHOM THE  
35 PRESIDENT OF THE SENATE SHALL APPOINT AND TWO OF WHOM THE  
36 MINORITY LEADER OF THE SENATE SHALL APPOINT; AND

1 (b) FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES, THREE OF  
2 WHOM THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT  
3 AND TWO OF WHOM THE MINORITY LEADER OF THE HOUSE OF  
4 REPRESENTATIVES SHALL APPOINT.

5 (2) (a) THE APPOINTING AUTHORITIES SHALL APPOINT THE  
6 MEMBERS OF THE COMMITTEE AS SOON AS POSSIBLE AFTER THE EFFECTIVE  
7 DATE OF THIS PART 20 BUT NO LATER THAN JUNE 15, 2018. THE  
8 APPOINTING AUTHORITIES SHALL, TO THE EXTENT PRACTICABLE, ENSURE  
9 THAT THE MEMBERS OF THE COMMITTEE REPRESENT JUDICIAL DISTRICTS  
10 IN ALL AREAS OF THE STATE, INCLUDING URBAN, SUBURBAN, AND RURAL  
11 DISTRICTS. IF A VACANCY ARISES ON THE COMMITTEE, THE APPROPRIATE  
12 APPOINTING AUTHORITY SHALL APPOINT AN APPROPRIATE PERSON TO FILL  
13 THE VACANCY AS SOON AS POSSIBLE.

14 (b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
15 APPOINT THE CHAIR OF THE COMMITTEE. THE PRESIDENT OF THE SENATE  
16 SHALL APPOINT THE VICE-CHAIR OF THE COMMITTEE.

17 (3) THE CHAIR OF THE COMMITTEE SHALL SCHEDULE THE FIRST  
18 MEETING OF THE COMMITTEE TO BE HELD NO LATER THAN JULY 1, 2018.  
19 THE COMMITTEE MAY MEET UP TO SIX TIMES A YEAR.

20 (4) THE CHAIR AND VICE-CHAIR OF THE COMMITTEE MAY APPOINT  
21 SUBCOMMITTEES AS NECESSARY TO PROVIDE TECHNICAL ASSISTANCE TO  
22 THE COMMITTEE. A SUBCOMMITTEE MAY INCLUDE MEMBERS OF THE  
23 COMMITTEE AND PERSONS WITH TECHNICAL EXPERTISE IN PRISON  
24 POPULATION ISSUES. NONLEGISLATIVE MEMBERS OF A SUBCOMMITTEE  
25 SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR  
26 EXPENSES.

27 (5) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL  
28 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL  
29 PROVIDE STAFF ASSISTANCE TO THE COMMITTEE.

30 (6) THE COMMITTEE MAY INTRODUCE UP TO A TOTAL OF FIVE  
31 BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTIONS IN EACH OF  
32 THE 2019 AND 2020 LEGISLATIVE SESSIONS. BILLS THAT THE COMMITTEE  
33 INTRODUCES ARE EXEMPT FROM THE FIVE-BILL LIMITATION SPECIFIED IN  
34 RULE 24 (b)(1)(A) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF  
35 REPRESENTATIVES. JOINT RESOLUTIONS AND CONCURRENT RESOLUTIONS  
36 THAT THE COMMITTEE INTRODUCES ARE EXEMPT FROM THE LIMITATIONS  
37 SET OUT IN RULE 26 (g) OF THE RULES OF THE HOUSE OF REPRESENTATIVES  
38 AND RULE 30 (f) OF THE RULES OF THE SENATE. THE COMMITTEE IS  
39 EXEMPT FROM THE REQUIREMENT SPECIFIED IN RULE 24 (b)(1)(D) AND  
40 RULE 24A (d)(8) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF  
41 REPRESENTATIVES AND IN SECTION 2-3-303 (1)(f), TO REPORT BILLS OR  
42 OTHER MEASURES TO THE LEGISLATIVE COUNCIL.

43 (7) ALL EXPENDITURES THAT THE COMMITTEE INCURS ARE

1 SUBJECT TO APPROVAL BY THE CHAIR OF THE COMMITTEE AND, IF  
2 APPROVED, SHALL BE PAID BY VOUCHERS AND WARRANTS DRAWN AS  
3 PROVIDED BY LAW FROM APPROPRIATIONS MADE BY THE GENERAL  
4 ASSEMBLY FOR THE PURPOSES OF THIS PART 20.

5 **2-2-2002. Prison population study - issues.** (1) THE COMMITTEE  
6 SHALL, AT A MINIMUM, STUDY THE FOLLOWING ISSUES:

7 (a) PRISON POPULATION PROJECTIONS AND THE PRISON  
8 POPULATION FORECASTING MODELS;

9 (b) LONG- AND SHORT-TERM PRISON POPULATION CAPACITY  
10 NEEDS, TAKING INTO CONSIDERATION THE POSSIBLE IMPACTS OF CRIMINAL  
11 JUSTICE POLICY INITIATIVES ENACTED BY THE GENERAL ASSEMBLY; AND

12 (c) IMPLEMENTATION OF AND ADJUSTMENT TO THE UTILIZATION  
13 TARGETS USED BY THE DEPARTMENT OF CORRECTIONS, THE PAROLE  
14 BOARD, AND COMMUNITY CORRECTIONS BOARDS.

15 (2) BASED ON THE STUDY OF ISSUES DESCRIBED IN SUBSECTION (1)  
16 OF THIS SECTION, THE COMMITTEE SHALL MAKE LEGISLATIVE  
17 RECOMMENDATIONS TO THE GENERAL ASSEMBLY."

18 Renumber succeeding sections accordingly.

19 Page 10, after line 5 insert:

20 **"SECTION 8. Appropriation.** (1) For the 2018-19 state fiscal  
21 year, \$39,021 is appropriated to the legislative department. This  
22 appropriation is from the general fund. To implement this act, the  
23 department may use this appropriation as follows:

24 (a) \$18,414 for use by the legislative council, which amount is  
25 based on an assumption that the council will require an additional 0.3  
26 FTE;

27 (b) \$7,497 for use by the committee on legal services, which  
28 amount is based on an assumption that the committee will require an  
29 additional 0.1 FTE; and

30 (c) \$13,110 for use by the general assembly."

31 Renumber succeeding sections accordingly.

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