First Regular Session Seventy-second General Assembly STATE OF COLORADO

REREVISED

This Version Includes All Amendments Adopted in the Second House HOUSE BILL 19-1148

LLS NO. 19-0094.01 Michael Dohr x4347

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A BILL FOR AN ACT

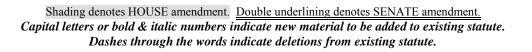
101 CONCERNING CHANGING THE MAXIMUM JAIL SENTENCE FOR CERTAIN

102 CRIMES FROM ONE YEAR TO THREE HUNDRED SIXTY-FOUR DAYS.

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 <u>http://leg.colorado.gov</u>.)

Under current law, the maximum jail sentence for a class 2 misdemeanor, misdemeanors without a fixed statutory penalty, and municipal ordinance violations is one year. The bill changes the maximum jail sentence to 364 days.



SENATE 3rd Reading Unamended March 8, 2019

> Reading Unamended March 7, 2019

2nd

SENATE





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

2 SECTION 1. In Colorado Revised Statutes, 13-10-113, amend
3 (1)(a) as follows:

13-10-113. Fines and penalties. (1) (a) Except as provided in
paragraph (b) of this subsection (1) SUBSECTION (1)(b) OF THIS SECTION,
any person convicted of violating a municipal ordinance in a municipal
court of record may be incarcerated for a period not to exceed one year
THREE HUNDRED SIXTY-FOUR DAYS or fined an amount not to exceed two
thousand six hundred fifty dollars, or both.

SECTION 2. In Colorado Revised Statutes, 18-1.3-501, amend
(1)(a) and (1)(d) as follows:

12 18-1.3-501. Misdemeanors classified - drug misdemeanors and 13 drug petty offenses classified - penalties - definitions. (1) (a) Except 14 as otherwise provided in paragraph (d) of this subsection (1) SUBSECTION 15 (1)(d) OF THIS SECTION, misdemeanors are divided into three classes that 16 are distinguished from one another by the following penalties that are 17 authorized upon conviction except as provided in subsection (1.5) of this 18 section:

19	Class	Minimum Sentence	Max	ximum Sentence
20	1	Six months imprisonment, or five		Eighteen months
21		hundred dollars fine, or both		imprisonment,
22				or five thousand
23				dollars fine, or
24				both
25	2	Three months imprisonment, or two)	Twelve months
26		hundred fifty dollars fine, or both		THREE HUNDRED
27				SIXTY-FOUR DAYS

1			imprisonment, or			
2			one thousand			
3			dollars fine, or			
4			both			
5	3	Fifty dollars fine	Six months			
6			imprisonment, or			
7			seven hundred			
8			fifty dollars fine,			
9			or both			
10	(d)	For purposes of sentencing a person	convicted of a			
11	misdemeanor drug offense described in article 18 of this title TITLE 18,					
12	committed on or after October 1, 2013, drug misdemeanors are divided					
13	into two levels that are distinguished from one another by the following					
14	penalties that are authorized upon conviction:					
15	Level	Minimum Sentence Max	ximum Sentence			
16	DM1	Six months imprisonment,	Eighteen months			
17		five hundred dollars fine,	imprisonment,			
18		or both	five thousand			
19			dollars fine, or			
20			both			
21	DM2	No imprisonment, fifty	Twelve months			
22		dollars fine	THREE HUNDRED			
23			SIXTY-FOUR DAYS			
24			imprisonment,			
25			seven hundred			
26			fifty dollars fine,			

SECTION 3. In Colorado Revised Statutes, 18-1.3-505, amend
 (1) as follows:

18-1.3-505. Penalty for misdemeanor not fixed by statute punishment. (1) In all cases where an offense is denominated a
misdemeanor and no penalty is fixed in the statute therefor, the
punishment shall be imprisonment for not more than one year THREE
HUNDRED SIXTY-FOUR DAYS in the county jail, or a fine of not more than
one thousand dollars, or both such imprisonment and fine.

9 SECTION 4. Act subject to petition - effective date. This act 10 takes effect at 12:01 a.m. on the day following the expiration of the 11 ninety-day period after final adjournment of the general assembly (August 12 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a 13 referendum petition is filed pursuant to section 1 (3) of article V of the 14 state constitution against this act or an item, section, or part of this act 15 within such period, then the act, item, section, or part will not take effect 16 unless approved by the people at the general election to be held in 17 November 2020 and, in such case, will take effect on the date of the 18 official declaration of the vote thereon by the governor.