

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0674.01 Michael Dohr x4347

SENATE BILL 19-143

SENATE SPONSORSHIP

Gonzales and Lee,

HOUSE SPONSORSHIP

Herod,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING CHANGES RELATED TO PAROLE RELEASE TO ALLEVIATE**
102 **PRISON POPULATION ISSUES.**

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 creates a new correctional facility level designation for transition centers that are used to enhance successful reintegration into the community.

Under current law, there are prison population measures that can be used when the vacancy rate drops below 2 percent. The bill changes the rate to 3 percent and adds a new measure. The new measure allows

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.

the department to submit a list of inmates who meet a specified eligibility criteria, have an approved parole plan, and have been assessed to be less than high risk to the parole board for a file review.

For technical parole violations related to possession of a deadly weapon, refusing or failing to comply with the requirements of sex offender treatment, absconding or willful failure to appear, unlawful contact with a victim, or willful tampering or removal of an electronic monitoring device, the bill allows the parole board to revoke parole and place the inmate back in prison for up to the remainder of the inmate's parole. For technical violations that do not involve the above conduct, the bill does not allow the parole board to revoke the inmate back to prison but can require programming at a transition center.

If an inmate meets criteria and has an approved parole plan, has been assessed low or very low risk, and parole guidelines recommend release, the parole board may deny parole only by a majority vote of the full board.

The bill provides an inmate released from prison without supervision the right to access reentry services for up to one year from the date of discharge.

The bill requires the parole board to table a parole release decision if it finds the inmate's parole plan is inadequate and to require a new parole plan within 30 days.

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-1-104.3, **amend**
3 (1)(b); and **repeal and reenact, with amendments,** (1)(a) as follows:

4 **17-1-104.3. Correctional facilities - locations - security level.**

5 (1) (a) (I) EACH FACILITY OPERATED BY OR UNDER CONTRACT WITH THE
6 DEPARTMENT SHALL HAVE A DESIGNATED SECURITY LEVEL. DESIGNATION
7 OF SECURITY LEVELS SHALL BE AS FOLLOWS:

8 (A) LEVEL 0 FACILITIES MUST HAVE DESIGNATED BOUNDARIES BUT
9 NEED NOT HAVE PERIMETER FENCING. LEVEL 0 FACILITIES MUST BE USED
10 TO ENHANCE SUCCESSFUL REINTEGRATION INTO THE COMMUNITY. PEOPLE
11 PLACED IN A LEVEL 0 FACILITY MAY BE ALLOWED OFF-SITE FOR THE
12 PURPOSE OF OBTAINING EMPLOYMENT AND ENGAGING IN EMPLOYMENT,
13 HOUSING, TREATMENT, OR OTHER APPROVED REINTEGRATION SERVICES

1 CONSISTENT WITH DEPARTMENT POLICY.

2 (B) LEVEL I FACILITIES MUST HAVE DESIGNATED BOUNDARIES BUT
3 NEED NOT HAVE PERIMETER FENCING. INMATES CLASSIFIED AS MINIMUM
4 MAY BE INCARCERATED IN LEVEL I FACILITIES, BUT GENERALLY, INMATES
5 OF HIGHER CLASSIFICATIONS SHALL NOT BE INCARCERATED IN LEVEL I
6 FACILITIES.

7 (C) LEVEL II FACILITIES MUST HAVE DESIGNATED BOUNDARIES
8 WITH SINGLE OR DOUBLE PERIMETER FENCING. THE PERIMETER OF LEVEL
9 II FACILITIES SHALL BE PATROLLED PERIODICALLY. INMATES CLASSIFIED
10 AS MINIMUM RESTRICTIVE AND MINIMUM MAY BE INCARCERATED IN LEVEL
11 II FACILITIES, BUT GENERALLY, INMATES OF HIGHER CLASSIFICATIONS
12 SHALL NOT BE INCARCERATED IN LEVEL II FACILITIES.

13 (D) LEVEL III FACILITIES GENERALLY MUST HAVE TOWERS, A WALL
14 OR DOUBLE PERIMETER FENCING WITH RAZOR WIRE, AND DETECTION
15 DEVICES. THE PERIMETER OF LEVEL III FACILITIES SHALL BE
16 CONTINUOUSLY PATROLLED. APPROPRIATELY DESIGNATED CLOSE
17 CLASSIFIED INMATES, MEDIUM CLASSIFIED INMATES, AND INMATES OF
18 LOWER CLASSIFICATION LEVELS MAY BE INCARCERATED IN LEVEL III
19 FACILITIES, BUT GENERALLY, INMATES OF HIGHER CLASSIFICATIONS SHALL
20 NOT BE INCARCERATED IN LEVEL III FACILITIES.

21 (E) LEVEL IV FACILITIES MUST GENERALLY HAVE TOWERS, A WALL
22 OR DOUBLE PERIMETER FENCING WITH RAZOR WIRE, AND DETECTION
23 DEVICES. THE PERIMETER OF LEVEL IV FACILITIES SHALL BE
24 CONTINUOUSLY PATROLLED. CLOSE CLASSIFIED INMATES AND INMATES OF
25 LOWER CLASSIFICATION LEVELS MAY BE INCARCERATED IN LEVEL IV
26 FACILITIES, BUT GENERALLY, INMATES OF HIGHER CLASSIFICATIONS SHALL
27 NOT BE INCARCERATED IN LEVEL IV FACILITIES ON A LONG-TERM BASIS.

1 (F) LEVEL V FACILITIES COMPRISE THE HIGHEST SECURITY LEVEL
2 AND ARE CAPABLE OF INCARCERATING ALL CLASSIFICATION LEVELS. THE
3 FACILITIES MUST HAVE DOUBLE PERIMETER FENCING WITH RAZOR WIRE
4 AND DETECTION DEVICES OR EQUIVALENT SECURITY ARCHITECTURE.
5 THESE FACILITIES GENERALLY MUST USE TOWERS OR STUN-LETHAL
6 FENCING AS WELL AS CONTROLLED SALLY PORTS. THE PERIMETER OF
7 LEVEL V FACILITIES SHALL BE CONTINUOUSLY PATROLLED.

8 (II) THE DIRECTOR MAY INCREASE THE SECURITY LEVEL
9 DESIGNATION OF A LEVEL II FACILITY TO A LEVEL III FACILITY IF A LEVEL
10 II FACILITY MEETS REQUIREMENTS OF A LEVEL III FACILITY PURSUANT TO
11 SUBSECTION (1)(a)(I)(D) OF THIS SECTION.

12 (b) The correctional facilities operated by the department, the
13 location of such facilities, and the designated security level of such
14 facilities shall be as follows:

15	Correctional facility	Location	Security level
16	Colorado state	Fremont county	Level V
17	penitentiary		
18	Centennial correctional	Fremont county	Level V
19	facility		
20	Limon correctional	Lincoln county	Level IV
21	facility		
22	Arkansas Valley	Crowley county	Level III
23	correctional facility		
24	Buena Vista	Chaffee county	Level III
25	correctional complex		
26	Colorado Territorial	Fremont county	Level III
27	correctional facility		

1	Fremont correctional	Fremont county	Level III
2	facility		
3	Arrowhead	Fremont county	Level II
4	correctional center		
5	Four Mile	Fremont county	Level II
6	correctional center		
7	Skyline correctional	Fremont county	Level I
8	center		
9	Colorado correctional	Jefferson county	Level I LEVEL 0
10	TRANSITION center		
11	Delta correctional	Delta county	Level I
12	center		
13	Rifle correctional	Garfield county	Level I
14	center		
15	Colorado correctional	Chaffee county	Level I
16	alternative program		
17	Denver reception and	City and county	Level V
18	diagnostic center	of Denver	
19	La Vista correctional	Pueblo county	Level III
20	facility		
21	San Carlos	Pueblo county	Level V
22	correctional facility		
23	Sterling correctional	Logan county	Level V
24	facility		
25	Trinidad correctional	Las Animas county	Level II
26	facility		
27	Denver women's	City and county	Level V

1 correctional facility of Denver
2 Youthful offender Pueblo county Level III
3 system

4 **SECTION 2.** In Colorado Revised Statutes, 17-1-119.7, **amend**
5 (2)(a) introductory portion, (2)(a)(II), and (2)(a)(III); and **add** (2)(a)(IV)
6 as follows:

7 **17-1-119.7. Prison population management measures.**

8 (2) (a) If the vacancy rate in correctional facilities and state-funded
9 private contract prison beds falls below ~~two~~ THREE percent for thirty
10 consecutive days, the department may:

11 (II) Request that the parole board review a list of inmates who are
12 within ninety days of their mandatory release date, have an approved
13 parole plan, and do not require full board review or victim notification
14 pursuant to section 24-4.1-302.5 (1)(j); **and**

15 (III) Coordinate with the parole board to review the list of inmates
16 who have satisfied conditions for conditional release verified by the
17 department of corrections, do not require full board review or victim
18 notification pursuant to section 24-4.1-302.5 (1)(j), and have satisfied the
19 condition or conditions required for an order to parole; **AND**

20 (IV) (A) **SUBMIT TO THE PAROLE BOARD A LIST OF ELIGIBLE**
21 **INMATES WITH AN APPROVED PAROLE PLAN WHO HAVE BEEN ASSESSED TO**
22 **BE MEDIUM OR LOWER RISK ON THE VALIDATED RISK ASSESSMENT SCALE**
23 **DEVELOPED PURSUANT TO SECTION 17-22.5-404 (2). EXCEPT AS PROVIDED**
24 **IN SUBSECTION (2)(a)(IV)(B) OF THIS SECTION, THE PAROLE BOARD SHALL**
25 **CONDUCT A FILE REVIEW OF EACH INMATE ON THE LIST AND SET**
26 **CONDITIONS OF RELEASE FOR THE INMATE WITHIN THIRTY DAYS AFTER**
27 **RECEIPT OF THE LIST AND SET A DAY OF RELEASE NO LATER THAN THIRTY**

1 DAYS AFTER CONDUCTING THE FILE REVIEW.

2 (B) IF VICTIM NOTIFICATION IS REQUIRED AND A VICTIM WISHES TO
3 PROVIDE INPUT, THE PAROLE BOARD SHALL SCHEDULE A HEARING IN LIEU
4 OF A FILE REVIEW AND SET CONDITIONS OF RELEASE FOR THE INMATE
5 WITHIN THIRTY DAYS AFTER RECEIPT OF THE LIST AND SET A DAY OF
6 RELEASE NO LATER THAN THIRTY DAYS AFTER CONDUCTING THE HEARING.

7 (C) THE PAROLE BOARD MAY TABLE A DECISION AFTER THE FILE
8 REVIEW AND REQUEST ADDITIONAL INFORMATION FROM THE DEPARTMENT
9 OR REQUEST THAT THE DEPARTMENT RESCIND AN INDIVIDUAL FOR
10 RELEASE PURSUANT TO THIS SECTION.

11 (D) AN INMATE IS NOT ELIGIBLE FOR RELEASE PURSUANT TO THIS
12 SECTION IF HE OR SHE HAS HAD A CLASS I CODE OF PENAL DISCIPLINE
13 VIOLATION WITHIN THE PREVIOUS TWELVE MONTHS FROM THE DATE OF
14 THE LIST OR SINCE INCARCERATION, WHICHEVER IS SHORTER; HAS BEEN
15 TERMINATED FOR LACK OF PROGRESS OR DECLINED IN WRITING TO
16 PARTICIPATE IN PROGRAMS THAT HAVE BEEN RECOMMENDED AND MADE
17 AVAILABLE TO THE INMATE WITHIN THE PREVIOUS TWELVE MONTHS OR
18 SINCE INCARCERATION, WHICHEVER IS SHORTER; HAS BEEN REGRESSED
19 FROM COMMUNITY CORRECTIONS OR REVOKED FROM PAROLE WITHIN THE
20 PREVIOUS ONE HUNDRED EIGHTY DAYS; OR HAS A PENDING FELONY
21 CHARGE, DETAINER, OR AN EXTRADITABLE WARRANT.

22 (E) AN INMATE IS ELIGIBLE FOR RELEASE PURSUANT TO THIS
23 SUBSECTION (2)(a)(IV) IF THE INMATE IS AT OR PAST HIS OR HER PAROLE
24 ELIGIBILITY DATE AND IS ONLY SERVING A SENTENCE FOR A CONVICTION
25 OF A LEVEL 3 OR LEVEL 4 DRUG FELONY OR A CLASS 3, CLASS 4, CLASS 5,
26 OR CLASS 6 NONVIOLENT FELONY OFFENSE AS DEFINED IN SECTION
27 17-22.5-405 (5)(b), EXCEPT FOR MENACING AS DEFINED IN SECTION

1 18-3-206; STALKING AS DESCRIBED IN SECTION 18-9-111 (4), AS IT
2 EXISTED PRIOR TO AUGUST 11, 2010, OR SECTION 18-3-602; OR ANY
3 UNLAWFUL SEXUAL BEHAVIOR CONTAINED IN SECTION 16-22-102 (9); OR
4 THE INMATE WAS SUBJECT TO ARTICLE 6.5 OF TITLE 18, OR SECTION
5 18-6-801.

6 **SECTION 3.** In Colorado Revised Statutes, 17-2-103, **amend**
7 (11)(b)(I), (11)(b)(II), and (11)(b)(III); and **repeal** (11)(b)(III.5) as
8 follows:

9 **17-2-103. Arrest of parolee - revocation proceedings.**

10 (11) (b) (I) If the board determines that the parolee has violated parole
11 through commission of a FELONY OR MISDEMEANOR crime, the board may
12 revoke parole and request the sheriff of the county in which the hearing
13 is held to transport the parolee to a place of confinement designated by
14 the executive director for up to the remainder of the parole period.

15 (II) If the board determines that the parolee has violated any
16 condition of parole that does not involve the commission of a FELONY OR
17 MISDEMEANOR crime ~~and the provisions of subsection (11)(b)(III) or~~
18 ~~(11)(b)(III.5) of this section are not applicable;~~ THAT INVOLVES
19 POSSESSION OF A DEADLY WEAPON AS DEFINED IN 18-1-901, REFUSING OR
20 FAILING TO COMPLY WITH REQUIREMENTS OF SEX OFFENDER TREATMENT,
21 ABSCONDING, WILLFUL FAILURE TO APPEAR FOR A SUMMONS, UNLAWFUL
22 CONTACT WITH A VICTIM, OR THE WILLFUL TAMPERING OR REMOVAL OF AN
23 ELECTRONIC MONITORING DEVICE THAT THE PAROLEE IS REQUIRED TO
24 WEAR AS A CONDITION OF HIS OR HER PAROLE, the board may revoke
25 parole and request the sheriff of the county in which the hearing is held
26 to transport the parolee to a place of confinement for up to the remainder
27 of the parole period and order the parolee confined at a facility designated

1 by the executive director.

2 (III) If the board determines that the parolee has violated any
3 condition of parole that does not involve the commission of a FELONY OR
4 MISDEMEANOR crime, the parolee has no active felony warrant, felony
5 detainer, or pending felony criminal charge, and the parolee was on parole
6 for an offense that was a level 3 or level 4 drug felony or CLASS 3, class
7 4, class 5, or class 6 nonviolent felony OFFENSE as defined in section
8 17-22.5-405 (5)(b), except for menacing as defined in section 18-3-206;
9 STALKING AS DESCRIBED IN SECTION 18-9-111 (4), AS IT EXISTED PRIOR TO
10 AUGUST 11, 2010, OR SECTION 18-3-602; or any unlawful sexual behavior
11 contained in section 16-22-102 (9); or unless the parolee was subject to
12 article 6.5 of title 18, or section 18-6-801, the board may ~~revoke parole~~
13 ~~and request the sheriff of the county in which the hearing is held to~~
14 ~~transport the parolee to a place of confinement for a period not to exceed~~
15 ~~thirty days and order the parolee confined at a facility designated by the~~
16 ~~executive director~~ ORDER AS A CONDITION OF PAROLE PARTICIPATION IN
17 PROGRAMMING AT THE COLORADO TRANSITION CENTER AS DESCRIBED IN
18 SECTION 17-1-104.3, OR TREATMENT, IF APPROPRIATE, AS DESCRIBED IN
19 SECTION 17-2-103 (11)(c).

20 (III.5) ~~If the board determines that the parolee has violated any~~
21 ~~condition of parole that does not involve the commission of a crime, the~~
22 ~~parolee has no active felony warrant, felony detainer, or pending felony~~
23 ~~criminal charge, and the parolee was on parole for an offense that was a~~
24 ~~level 2 drug felony or a class 3 nonviolent felony as defined in section~~
25 ~~17-22.5-405 (5)(b), except for stalking as described in section 18-9-111~~
26 ~~(4), as it existed prior to August 11, 2010, or section 18-3-602, or any~~
27 ~~unlawful sexual behavior described in section 16-22-102 (9), or unless the~~

1 ~~parolee was subject to article 6.5 of title 18, or section 18-6-801, the~~
2 ~~board may revoke parole and request the sheriff of the county in which~~
3 ~~the hearing is held to transport the parolee to a place of confinement for~~
4 ~~up to ninety days and order the parolee confined at a facility designated~~
5 ~~by the executive director.~~

6 **SECTION 4.** In Colorado Revised Statutes, 17-2-201, **add** (19)
7 as follows:

8 **17-2-201. State board of parole - duties - definitions.**

9 (19) (a) EXCEPT AS PROVIDED IN SUBSECTION (19)(b) OF THIS SECTION, IF
10 A PERSON HAS AN APPROVED PAROLE PLAN, HAS BEEN ASSESSED TO BE
11 LOW OR VERY LOW RISK ON THE VALIDATED RISK ASSESSMENT SCALE
12 DEVELOPED PURSUANT TO SECTION 17-22.5-404 (2), AND THE PAROLE
13 RELEASE GUIDELINES RECOMMEND RELEASE, THE PAROLE BOARD MAY
14 DENY PAROLE ONLY BY A MAJORITY VOTE OF THE FULL PAROLE BOARD.

15 (b) AN INMATE IS NOT ELIGIBLE FOR RELEASE PURSUANT TO
16 SUBSECTION (19)(a) OF THIS SECTION IF HE OR SHE HAS HAD A CLASS I
17 CODE OF PENAL DISCIPLINE VIOLATION WITHIN THE PREVIOUS TWELVE
18 MONTHS FROM THE DATE OF CONSIDERATION BY THE PAROLE OR SINCE
19 INCARCERATION, WHICHEVER IS SHORTER; HAS BEEN TERMINATED FOR
20 LACK OF PROGRESS OR HAS DECLINED IN WRITING TO PARTICIPATE IN
21 PROGRAMS THAT HAVE BEEN RECOMMENDED AND MADE AVAILABLE TO
22 THE INMATE WITHIN THE PREVIOUS TWELVE MONTHS OR SINCE
23 INCARCERATION, WHICHEVER IS SHORTER; HAS BEEN REGRESSED FROM
24 COMMUNITY CORRECTIONS OR REVOKED FROM PAROLE WITHIN THE
25 PREVIOUS ONE HUNDRED EIGHTY DAYS; OR HAS A PENDING FELONY
26 CHARGE, DETAINER, OR AN EXTRADITABLE WARRANT.

27 (c) IF THE PAROLE BOARD DENIES PAROLE TO AN INMATE

1 PURSUANT TO SUBSECTION (19)(a) OF THIS SECTION, THE BOARD SHALL
2 SUBMIT TO THE DEPARTMENT THE BASIS FOR THE DENIAL IN WRITING.

3 **SECTION 5.** In Colorado Revised Statutes, 17-22.5-202, **add** (5)
4 as follows:

5 **17-22.5-202. Ticket to leave - discharge - clothes, money,**
6 **transportation - reentry services.** (5) A PERSON DISCHARGED FROM A
7 CORRECTIONAL FACILITY WITHOUT SUPERVISION IS ELIGIBLE TO RECEIVE
8 REENTRY SUPPORT SERVICES FROM THE DEPARTMENT OR
9 COMMUNITY-BASED ORGANIZATIONS THAT RECEIVE FUNDING FROM THE
10 DEPARTMENT TO PROVIDE REENTRY SERVICES FOR UP TO ONE YEAR AFTER
11 THE PERSON'S DATE OF DISCHARGE.

12 **SECTION 6.** In Colorado Revised Statutes, 17-22.5-403, **amend**
13 (5) introductory portion; and **add** (7)(c) as follows:

14 **17-22.5-403. Parole eligibility.** (5) For any offender who is
15 incarcerated for an offense committed prior to July 1, 1993, upon
16 application for parole, the state board of parole, working in conjunction
17 with the department and using the guidelines established pursuant to
18 section 17-22.5-404, shall determine whether or not to grant parole and,
19 if granted, the length of the period of parole. Prior to the parole release
20 hearing, the division of adult parole shall conduct a parole plan
21 investigation and inform the state board of parole of the results of the
22 investigation. If the state board of parole finds an inmate's parole plan
23 inadequate, it ~~may~~ SHALL table the parole release decision and ~~require the~~
24 ~~department to submit a revised parole plan developed in conjunction with~~
25 ~~the inmate within thirty days after the parole board's request~~ INFORM THE
26 DIRECTOR OF THE DIVISION OF ADULT PAROLE THAT THE PAROLE PLAN IS
27 INADEQUATE. THE DIRECTOR OF THE DIVISION OF ADULT PAROLE SHALL

1 ENSURE THAT A REVISED PAROLE PLAN THAT ADDRESSES THE
2 DEFICIENCIES IN THE ORIGINAL PAROLE PLAN IS SUBMITTED TO THE PAROLE
3 BOARD WITHIN THIRTY DAYS AFTER THE NOTIFICATION. THE PAROLE
4 BOARD IS RESPONSIBLE FOR MONITORING THE DEPARTMENT'S COMPLIANCE
5 WITH THIS PROVISION AND SHALL NOTIFY THE DIRECTOR OF THE DIVISION
6 OF ADULT PAROLE IF A REVISED PAROLE PLAN IS NOT SUBMITTED TO THE
7 PAROLE BOARD WITHIN THIRTY DAYS. The state board of parole may set
8 the length of the period of parole for any time period up to the date of
9 final discharge as determined in accordance with section 17-22.5-402. If
10 an application for parole is refused by the state board of parole, the state
11 board of parole shall reconsider within one year thereafter whether such
12 inmate should be granted parole. The state board of parole shall continue
13 such reconsideration each year thereafter until such inmate is granted
14 parole or until such inmate is discharged pursuant to law; except that:

15 (7) (c) IF THE STATE BOARD OF PAROLE DOES NOT GRANT PAROLE
16 PURSUANT TO SUBSECTION (7)(a) OR (7)(b) OF THIS SECTION BECAUSE IT
17 FINDS AN INMATE'S PAROLE PLAN INADEQUATE, IT SHALL TABLE THE
18 PAROLE RELEASE DECISION AND INFORM THE DIRECTOR OF THE DIVISION
19 OF ADULT PAROLE THAT THE PAROLE PLAN IS INADEQUATE. THE DIRECTOR
20 OF THE DIVISION OF ADULT PAROLE SHALL ENSURE THAT A REVISED
21 PAROLE PLAN THAT ADDRESSES THE DEFICIENCIES IN THE ORIGINAL
22 PAROLE PLAN IS SUBMITTED TO THE PAROLE BOARD WITHIN THIRTY DAYS
23 AFTER THE NOTIFICATION. THE PAROLE BOARD IS RESPONSIBLE FOR
24 MONITORING THE DEPARTMENT'S COMPLIANCE WITH THIS PROVISION AND
25 SHALL NOTIFY THE DIRECTOR OF THE DIVISION OF ADULT PAROLE IF A
26 REVISED PAROLE PLAN IS NOT SUBMITTED TO THE PAROLE BOARD WITHIN
27 THIRTY DAYS.

1 **SECTION 7.** In Colorado Revised Statutes, 17-1-206.5, **amend**
2 (1) as follows:

3 **17-1-206.5. Preparole release and revocation facility -**
4 **community return-to-custody facility.** (1) On or before December 1,
5 2001, the department shall issue a request for proposal for the
6 construction and operation of a private contract prison to serve as a
7 parole and revocation center, that shall be a level III facility, as
8 described in ~~section 17-1-104.3 (1)(a)(III)~~ SECTION 17-1-104.3
9 (1)(a)(I)(D).

10 **SECTION 8. Effective date.** This act takes effect upon passage;
11 except that section 1 of this act takes effect September 1, 2019.

12 **SECTION 9. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.