

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-1040.01 Conrad Imel x2313

SENATE BILL 20-169

SENATE SPONSORSHIP

Gonzales,

HOUSE SPONSORSHIP

(None),

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING PERMITTING YOUTHFUL OFFENDERS TO BE HOUSED IN**
102 **THE SAME FACILITY AS INMATES THAT MENTOR YOUTHFUL**
103 **OFFENDERS.**

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>.)

Under existing law, offenders sentenced to the youthful offender system are housed and serve their sentences in a facility separate from, and are not brought into daily physical contact with, inmates older than 24 years of age who are sentenced to the department of corrections who have not been sentenced to the youthful offender system. The bill adds an

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.

exemption that permits youthful offenders to be housed in a youthful offender facility with inmates who are participating in a mentoring program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.3-407, **add**
3 (5)(d) as follows:

4 **18-1.3-407. Sentences - youthful offenders - powers and duties**
5 **of district court - authorization for youthful offender system - powers**
6 **and duties of department of corrections - legislative declaration -**
7 **definitions.** (5) (d) (I) EXCEPT AS PROVIDED IN SUBSECTION (5)(d)(II) OF
8 THIS SECTION, AN OFFENDER MAY BE HOUSED IN A YOUTHFUL OFFENDER
9 FACILITY THAT ALSO HOUSES INMATES OLDER THAN TWENTY-FOUR YEARS
10 OF AGE SENTENCED TO THE DEPARTMENT OF CORRECTIONS == WHO ARE OF
11 A LOWER THAN CLOSE CUSTODY LEVEL WHEN SUCH INMATES ARE HOUSED
12 IN THE YOUTHFUL OFFENDER FACILITY FOR THE PURPOSE OF
13 PARTICIPATING IN A PROGRAM TO MENTOR YOUTHFUL OFFENDERS THAT IS
14 AUTHORIZED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
15 CORRECTIONS.

16 (II) AN OFFENDER MAY NOT BE HOUSED IN A YOUTHFUL OFFENDER
17 FACILITY THAT ALSO HOUSES ANY INMATES OLDER THAN TWENTY-FOUR
18 YEARS OF AGE SENTENCED TO THE DEPARTMENT OF CORRECTIONS WHO
19 HAVE BEEN CONVICTED OF A SEX OFFENSE, AS DESCRIBED IN SECTION
20 16-11.7-102 (3).

21 **SECTION 2. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly (August
24 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2020 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.