

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

INTRODUCED

LLS NO. 21-0997.01 Conrad Imel x2313

HOUSE BILL 21-1315

HOUSE SPONSORSHIP

Herod,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ELIMINATING CERTAIN MONETARY AMOUNTS A JUVENILE**
102 **IN THE JUSTICE SYSTEM IS REQUIRED TO PAY.**

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 current law, courts may assess administrative fees, costs, and surcharges in juvenile delinquency cases when juveniles have been charged with or adjudicated of certain crimes. The bill removes the following costs and fees that a juvenile or a juvenile's parent or legal guardian must pay:

- Cost of care for a juvenile sentenced to a placement out of

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 home or granted probation as a result of an adjudication, deferral of adjudication, or direct filing in or transfer to district court;

- Costs of prosecution, the amount of the cost of care, and any fine imposed upon a juvenile who is adjudicated a juvenile delinquent;
- Fees for applying for court-appointed counsel and costs of the representation when a juvenile's parent, guardian, or legal custodian is determined not to be indigent;
- Costs and surcharges levied on criminal actions and traffic offenses paid into the court district's crime victim compensation fund and the victims and witnesses assistance and law enforcement fund;
- Surcharges paid into the sex offender surcharge fund by juveniles adjudicated, or who receive a deferred adjudication, for commission of a sex offense;
- Cost of the juvenile's medical care in the youthful offender system;
- Cost of collecting and testing biological samples from juveniles sentenced to the youthful offender system;
- Time payment and late penalty fees assessed when a juvenile does not pay fines, fees, costs, surcharges, or other monetary assessments in criminal cases;
- Fees related to participating in restorative justice practices;
- Costs and surcharges related to impaired driving; and
- The fee assessed on persons required to perform community or useful public service.

Any outstanding balances of the fees, costs, and surcharges repealed in the bill are unenforceable and not collectable. Within 6 months after the bill goes into effect, the court is required to vacate the portion of a court order that imposes the costs.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Colorado law authorizes courts to charge youth and their
5 families a range of administrative fees in the juvenile system;

6 (b) Juvenile system fees disproportionately harm youth of color
7 and their families. In Colorado, youth of color are arrested more often

1 than White youth, detained at more than twice the rate of White youth,
2 and incarcerated at more than four times the rate of White youth.

3 (c) Fees and costs disproportionately harm rural youth and their
4 families. Colorado judicial branch data shows that courts in rural counties
5 assess higher amounts of fees per case than the statewide average.

6 (d) Fees serve no public safety function; they are intended only to
7 generate revenue for government. Research shows that fees may instead
8 undermine public safety by increasing the likelihood of recidivism among
9 youth.

10 (e) Youth and their families face harsh consequences for unpaid
11 fees, undermining rehabilitation and following youth well into adulthood;

12 (f) Colorado's judicial branch serves all Coloradans, and
13 administrative costs should not be borne by indigent youth of color and
14 their families;

15 (g) Fees should not follow a person who was a child at the time
16 of an alleged offense, even if the person is over the age of eighteen at the
17 time of adjudication, or if the case of the person is directly filed in district
18 court or transferred from the juvenile court to the district court; and

19 (h) To serve Colorado's juvenile system goals of community
20 safety, rehabilitation, and restorative justice, juvenile fees must be
21 repealed.

22 **SECTION 2.** In Colorado Revised Statutes, **repeal** 19-2-114 as
23 follows:

24 **19-2-114. Cost of care.** ~~(1)(a) Notwithstanding the provisions~~
25 ~~of section 19-1-115 (4)(d), where a juvenile is sentenced to a placement~~
26 ~~out of the home or is granted probation as a result of an adjudication,~~
27 ~~deferral of adjudication, or direct filing in or transfer to district court, the~~

1 court may order the juvenile or the juvenile's parent to make such
2 payments toward the cost of care as are appropriate under the
3 circumstances. In setting the amount of such payments, the court shall
4 take into consideration and make allowances for any restitution ordered
5 to the victim or victims of a crime, which shall take priority over any
6 payments ordered pursuant to this section, and for the maintenance and
7 support of the juvenile's spouse, dependent children, any other persons
8 having a legal right to support and maintenance out of the estate of the
9 juvenile, or any persons having a legal right to support and maintenance
10 out of the estate of the juvenile's parent. The court shall also consider the
11 financial needs of the juvenile for the six-month period immediately
12 following the juvenile's release, for the purpose of allowing said juvenile
13 to seek employment.

14 (b) For an adoptive family who receives an approved Title IV-E
15 adoption assistance subsidy pursuant to the federal "Social Security Act",
16 42 U.S.C. sec. 673 et seq., or an approved payment in subsidization of
17 adoption pursuant to article 7 of title 26, the cost of care, as defined in
18 section 19-1-103 (30), must not exceed the amount of the adoption
19 assistance payment.

20 (2) Any order for payment toward the cost of care entered by the
21 court pursuant to subsection (1) of this section shall constitute a judgment
22 which shall be enforceable by the state or the governmental agency that
23 would otherwise incur the cost of care for the juvenile in the same manner
24 as are civil judgments.

25 (3) In order to effectuate the provisions of this section, a juvenile
26 and such juvenile's parent shall be required to provide information to the
27 court regarding the juvenile's estate and the estate of such juvenile's

1 parent. Such financial information shall be submitted in writing and under
2 oath.

3 ~~(4) and (5) Repealed.~~

4 **SECTION 3.** In Colorado Revised Statutes, 18-1.3-701, **amend**
5 (1)(a), (2) introductory portion, and (2)(m) as follows:

6 **18-1.3-701. Judgment for costs and fines - definitions.**

7 (1) (a) ~~Where~~ WHEN any person, association, or corporation is convicted
8 of an offense, ~~or any juvenile is adjudicated a juvenile delinquent for the~~
9 ~~commission of an act that would have been a criminal offense if~~
10 ~~committed by an adult~~, the court shall give judgment in favor of the state
11 of Colorado, the appropriate prosecuting attorney, or the appropriate law
12 enforcement agency and against the offender ~~or juvenile~~ for the amount
13 of the costs of prosecution, the amount of the cost of care, and any fine
14 imposed. No fine shall be imposed for conviction of a felony except as
15 provided in section 18-1.3-401 or 18-7-203 (2)(a). Such judgments ~~shall~~
16 ~~be~~ ARE enforceable in the same manner as are civil judgments, and, in
17 addition, ~~the provisions of section~~ SECTIONS 16-11-101.6 ~~C.R.S.~~, and
18 ~~section~~ 18-1.3-702 apply. A county clerk and recorder may not charge a
19 fee for the recording of a transcript or satisfaction of a judgment entered
20 pursuant to this section.

21 (2) The costs assessed pursuant to subsection (1) of this section
22 or section 16-18-101 MAY ONLY BE IMPOSED AGAINST A PERSON
23 CONVICTED OF A CRIME COMMITTED WHEN THE PERSON WAS EIGHTEEN
24 YEARS OF AGE OR OLDER AND may include:

25 (m) Any costs of participation in a diversion program if the
26 offender ~~or juvenile~~ unsuccessfully participated in a diversion program
27 prior to the conviction. ~~or adjudication.~~

1 **SECTION 4.** In Colorado Revised Statutes, 21-1-103, **amend** (3)
2 as follows:

3 **21-1-103. Representation of indigent persons.** (3) THE STATE
4 PUBLIC DEFENDER SHALL MAKE the determination of indigency, ~~shall be~~
5 ~~made by the state public defender~~, subject to review by the court. When
6 a defendant or, if applicable, the defendant's parent or legal guardian
7 requests representation by a public defender, such person shall submit an
8 appropriate application, the form of which ~~shall state~~ STATES that ~~such~~
9 THE application is signed under oath and under the penalty of perjury and
10 that a false statement may be prosecuted as such. THE APPLICANT SHALL
11 PAY a nonrefundable processing fee of twenty-five dollars ~~shall be paid~~
12 ~~by the applicant~~ if the court-appointed counsel enters an appearance based
13 upon the application; EXCEPT THAT A PERSON UNDER THE JURISDICTION OF
14 THE JUVENILE COURT, AS DEFINED IN SECTION 19-1-103, OR THE PERSON'S
15 PARENT, GUARDIAN, OR LEGAL CUSTODIAN IS NOT REQUIRED TO PAY THE
16 PROCESSING FEE. The fee ~~shall be~~ IS assessed at the time of sentencing, ~~or~~
17 ~~adjudication~~, if sentencing ~~or adjudication~~ occurs, or upon other final
18 disposition of the case; except that the court may, at sentencing
19 ~~adjudication~~, or other final disposition, waive the fee if the court
20 determines, based upon the financial information submitted by the party
21 being represented by the court-appointed counsel, that the person does not
22 have the financial resources to pay the fee. Before the court appoints a
23 public defender based on said application, the court shall advise the
24 defendant or, if applicable, the defendant's parent or legal guardian that
25 the application is signed under oath and under the penalty of perjury. A
26 copy of the application ~~shall~~ MUST be sent to the prosecuting attorney for
27 review, and, upon request, the court shall hold a hearing on the issue of

1 the eligibility for appointment of the public defender's office. Processing
2 fees collected pursuant to this subsection (3) ~~shall be~~ ARE transmitted to
3 the state treasurer, who shall credit the same to the general fund.

4 **SECTION 5.** In Colorado Revised Statutes, 19-2-706, **repeal**
5 (2)(b) as follows:

6 **19-2-706. Advisement - right to counsel - waiver of right to**
7 **counsel.** (2) (b) ~~(f)~~ If the court appoints counsel for the juvenile because
8 of the refusal of the parents, guardian, or other legal custodian to retain
9 counsel for the juvenile, the parents, guardian, or legal custodian, other
10 than a county department of human or social services or the state
11 department of human services, shall be advised by the court that if the
12 juvenile's parent, guardian, or legal custodian is determined not to be
13 indigent pursuant to section 21-1-103 (3), then the court will order the
14 juvenile's parent, guardian, or legal custodian, other than a county
15 department of human or social services or the state department of human
16 services, to reimburse the court for the cost of the representation unless
17 the court, for good cause, waives the reimbursement requirement. The
18 amount of the reimbursement will be a predetermined amount that:

19 ~~(A)~~ Shall be set by the supreme court, in consultation with the
20 office of the state public defender and the office of alternate defense
21 counsel;

22 ~~(B)~~ Shall be included in the chief justice directive concerning the
23 appointment of state-funded counsel in criminal and juvenile delinquency
24 cases; and

25 ~~(C)~~ May be based partly or entirely upon the stage a proceeding
26 has reached when counsel is appointed, the stage a proceeding has
27 reached when representation is terminated, or both.

1 ~~(H) Notwithstanding any provision of subparagraph (I) of this~~
2 ~~paragraph (b) to the contrary, if the court finds that there exists a conflict~~
3 ~~of interest between the juvenile and the juvenile's parent, guardian, or~~
4 ~~legal custodian such that the income and assets of the parent, guardian, or~~
5 ~~legal custodian are unavailable to the juvenile, then the court shall~~
6 ~~consider only the juvenile's own income and assets for the purpose of~~
7 ~~determining whether to issue an order for reimbursement pursuant to this~~
8 ~~paragraph (b).~~

9 **SECTION 6.** In Colorado Revised Statutes, 24-4.1-119, **amend**
10 **(1)(a); and repeal (1)(d) as follows:**

11 **24-4.1-119. Costs and surcharges levied on criminal actions**
12 **and traffic offenses.** (1) (a) Except as provided in ~~paragraphs (c) and (d)~~
13 ~~of this subsection (1)~~ SUBSECTION (1)(c) OF THIS SECTION, a cost of one
14 hundred sixty-three dollars for felonies, seventy-eight dollars for
15 misdemeanors, forty-six dollars for class 1 misdemeanor traffic offenses,
16 and thirty-three dollars for class 2 misdemeanor traffic offenses is ~~hereby~~
17 levied on each criminal action resulting in a conviction or in a deferred
18 judgment and sentence, as provided for in section 18-1.3-102, ~~C.R.S.~~;
19 which criminal action is charged pursuant to state statute. THE
20 DEFENDANT SHALL PAY these costs ~~shall be paid~~ to the clerk of the court.
21 ~~by the defendant.~~ Each clerk shall transmit the costs ~~so~~ received to the
22 court administrator of the judicial district in which the offense occurred
23 for credit to the crime victim compensation fund established in that
24 judicial district.

25 ~~(d) A cost, in an amount determined pursuant to paragraph (a) of~~
26 ~~this subsection (1), is hereby levied on every action upon the filing of a~~
27 ~~petition alleging a child is delinquent which results in a finding of guilty~~

1 pursuant to ~~part 8 of article 2 of title 19, C.R.S., or a deferral of~~
2 ~~adjudication pursuant to section 19-2-709, C.R.S.~~ This cost shall be paid
3 ~~to the clerk of the court, who shall deposit the same in the fund~~
4 ~~established in section 24-4.1-117.~~

5 **SECTION 7.** In Colorado Revised Statutes, 24-4.2-104, **amend**
6 (1)(a)(I) as follows:

7 **24-4.2-104. Surcharges levied on criminal actions and traffic**
8 **offenses.** (1) (a) (I) A surcharge equal to thirty-seven percent of the fine
9 imposed for each felony, misdemeanor, or class 1 or class 2 misdemeanor
10 traffic offense, or a surcharge of one hundred sixty-three dollars for
11 felonies, seventy-eight dollars for misdemeanors, forty-six dollars for
12 class 1 misdemeanor traffic offenses, and thirty-three dollars for class 2
13 misdemeanor traffic offenses, whichever amount is greater, except as
14 otherwise provided in ~~paragraph (b) of this subsection (1)~~ SUBSECTION
15 (1)(b) OF THIS SECTION, is ~~hereby~~ levied on each criminal action resulting
16 in a conviction or in a deferred judgment and sentence, as provided in
17 section 18-1.3-102, ~~C.R.S.~~, which criminal action is charged pursuant to
18 state statute. ~~or upon each petition alleging that a child is delinquent that~~
19 ~~results in a finding of guilty pursuant to part 8 of article 2 of title 19~~
20 ~~C.R.S., or a deferral of adjudication pursuant to section 19-2-709, C.R.S.~~
21 THE DEFENDANT SHALL PAY these surcharges ~~shall be paid~~ to the clerk of
22 the court. ~~by the defendant.~~ Each clerk shall transmit the ~~moneys~~ MONEY
23 to the court administrator of the judicial district in which the offense
24 occurred for credit to the victims and witnesses assistance and law
25 enforcement fund established in that judicial district.

26 **SECTION 8.** In Colorado Revised Statutes, 18-21-103, **repeal**
27 (1.5) as follows:

1 **18-21-103. Source of revenues - allocation of money - sex**
2 **offender surcharge fund - creation.** (1.5) ~~On and after July 1, 2000,~~
3 ~~each juvenile who is adjudicated for commission of an offense that would~~
4 ~~constitute a sex offense if committed by an adult or who receives for such~~
5 ~~offense a deferred adjudication shall be required to pay a surcharge to the~~
6 ~~clerk of the court in which the adjudication occurs or in which the~~
7 ~~deferred adjudication is entered. The amount of such surcharge shall be~~
8 ~~half the amount that would have been assessed against an adult offender~~
9 ~~pursuant to subsection (1) of this section for commission of the offense.~~

10 **SECTION 9.** In Colorado Revised Statutes, 18-1.3-407, **amend**
11 **(4.5) and (11.5)(a)(I); and repeal (11.5)(c) as follows:**

12 **18-1.3-407. Sentences - youthful offenders - powers and duties**
13 **of district court - authorization for youthful offender system - powers**
14 **and duties of department of corrections - legislative declaration -**
15 **definitions.** (4.5) The consent of the parent, parents, or legal guardian of
16 an offender under the age of eighteen years who has been sentenced to the
17 youthful offender system pursuant to this section ~~shall~~ **IS NOT** be necessary
18 in order to authorize hospital, medical, mental health, dental, emergency
19 health, or emergency surgical care. In addition, neither the department nor
20 any hospital, physician, surgeon, mental health-care provider, dentist,
21 trained emergency health-care provider, or agent or employee thereof
22 who, in good faith, relies on such a minor offender's consent ~~shall be~~ **IS**
23 liable for civil damages for failure to secure the consent of such an
24 offender's parent, parents, or legal guardian prior to rendering such care.
25 ~~However,~~ The parent, parents, or legal guardian of a minor offender
26 described in this subsection (4.5) ~~may be~~ **ARE NOT** liable ~~as provided by~~
27 ~~law,~~ to pay the charges for the care provided the minor on said minor's

1 consent.

2 (11.5) (a) (I) An offender who is sentenced to the youthful
3 offender system shall submit to ~~and pay for~~ collection and a chemical
4 testing of a biological substance sample from the offender to determine
5 the genetic markers thereof.

6 (c) ~~Any moneys received from offenders pursuant to paragraph (a)~~
7 ~~of this subsection (11.5) shall be deposited in the offender identification~~
8 ~~fund created in section 24-33.5-415.6, C.R.S.~~

9 **SECTION 10.** In Colorado Revised Statutes, 19-2-925.6, **amend**
10 (1) introductory portion and (3)(a); **repeal** (4); and **add** (6) as follows:

11 **19-2-925.6. Genetic testing of adjudicated offenders -**
12 **definitions.** (1) Beginning July 1, 2007, each of the following
13 adjudicated offenders shall submit to ~~and pay for~~ collection and a
14 chemical testing of the offender's biological substance sample to
15 determine the genetic markers thereof, unless the offender has already
16 provided a biological substance sample for such testing pursuant to a
17 statute of this state:

18 (3) The judicial department, the department of human services, a
19 sheriff, or a contractor may:

20 (a) Use reasonable force to obtain biological substance samples
21 in accordance with this section using medically recognized procedures.
22 In addition, an offender's refusal to comply with this section may be
23 grounds for revocation or denial of parole, probation, or deferred
24 adjudication. ~~Failure to pay for collection and a chemical testing of a~~
25 ~~biological substance sample shall be considered a refusal to comply if the~~
26 ~~offender has the present ability to pay.~~

27 (4) ~~Any moneys received from an offender pursuant to this section~~

1 ~~shall be deposited in the offender identification fund created in section~~
2 ~~24-33.5-415.6, C.R.S.~~

3 (6) A JUVENILE MUST NOT BE CHARGED A PROCESSING FEE FOR THE
4 PROCUREMENT AND ANALYSIS OF SAMPLES DESCRIBED IN THIS SECTION.

5 **SECTION 11.** In Colorado Revised Statutes, 16-11-101.6,
6 **amend** (1) as follows:

7 **16-11-101.6. Collection of fines and fees - methods - charges**
8 **- judicial collection enhancement fund - definition.** (1) If the
9 defendant is assessed any fines, fees, costs, surcharges, or other monetary
10 assessments with regard to the sentencing OR OTHER disposition ~~or~~
11 ~~adjudication~~ of a felony, misdemeanor, ~~juvenile delinquency petition,~~
12 petty offense, traffic offense, or traffic infraction and does not pay all
13 amounts assessed in full on the date of the assessment, the defendant shall
14 pay to the clerk of the court an additional time payment fee of twenty-five
15 dollars. The time payment fee may be assessed once per case; except that,
16 if amounts owed in the case have still not been paid in full one year after
17 the date of the assessment, ~~said~~ THE fee ~~shall~~ MAY be assessed annually
18 until the defendant has fully satisfied his or her financial obligation in the
19 case. In addition, there may be assessed against a defendant a late penalty
20 fee of ten dollars each time a payment toward the fines, fees, costs,
21 surcharges, or other amounts owed is not received on or before the date
22 due. If the court determines that the defendant does not have the financial
23 resources to pay a time payment fee or a late penalty fee, the court may
24 waive or suspend a time payment fee or a late penalty fee. Amounts
25 collected ~~shall be~~ ARE credited first against the time payment and any late
26 penalty fees assessed under this subsection (1), then against any fines, and
27 finally against any costs. THE TIME PAYMENT FEE AND LATE PENALTY FEE

1 DESCRIBED IN THIS SUBSECTION (1) DO NOT APPLY TO A PERSON UNDER
2 THE JURISDICTION OF THE JUVENILE COURT OR THE PERSON'S PARENT,
3 GUARDIAN, OR LEGAL CUSTODIAN.

4 **SECTION 12.** In Colorado Revised Statutes, 18-25-101, **amend**
5 (1) and (4) as follows:

6 **18-25-101. Restorative justice surcharge - definitions.**

7 (1) (a) Each person who is convicted of a crime ~~and each juvenile~~
8 ~~adjudicated of a crime shall be~~ IS required to pay a ten-dollar surcharge
9 to the clerk of the court for the judicial district in which the conviction
10 occurs.

11 (b) THE SURCHARGE DESCRIBED IN THIS SECTION DOES NOT APPLY
12 TO A PERSON UNDER THE JURISDICTION OF THE JUVENILE COURT OR THE
13 PERSON'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN.

14 (4) The court may waive all or any portion of the surcharge
15 required by subsection (1) of this section if the court finds that a person
16 ~~or juvenile~~ is indigent or financially unable to pay all or any portion of the
17 surcharge. The court may waive only that portion of the surcharge that the
18 court finds that the person ~~or juvenile~~ is financially unable to pay.

19 **SECTION 13.** In Colorado Revised Statutes, 19-2-905, **amend**
20 (4) as follows:

21 **19-2-905. Presentence investigation.** (4) Prior to sentencing a
22 juvenile who was adjudicated for an offense that would be a felony or
23 misdemeanor not contained in title 42, ~~C.R.S.~~, if committed by an adult,
24 the court may order the juvenile to participate in an assessment to
25 determine whether the juvenile would be suitable for participation in
26 restorative justice practices that would be a part of the juvenile's sentence;
27 except that the court may not order participation in a restorative justice

1 practice if the juvenile was adjudicated a delinquent for unlawful sexual
2 behavior, as defined in section 16-22-102 (9); ~~C.R.S.~~, a crime in which
3 the underlying factual basis involves domestic violence, as defined in
4 section 18-6-800.3 (1); ~~C.R.S.~~, stalking, as defined in section 18-3-602;
5 ~~C.R.S.~~, or violation of a protection order, as defined in section
6 18-6-803.5. ~~C.R.S. If the court orders a suitability assessment, the~~
7 ~~assessor shall provide the services for a fee of no more than forty dollars~~
8 ~~based on a sliding scale; however, the fee may be reduced by the court~~
9 ~~based on a sliding scale consistent with guidelines used to determine~~
10 ~~eligibility for appointment of counsel.~~ If a juvenile wants to participate in
11 restorative justice practices, the juvenile must make the request to the
12 district attorney or the law enforcement agency administering the program
13 and may not make the request to the victim. If requested by the juvenile
14 or law enforcement agency, a victim-offender conference may only be
15 conducted after the victim is consulted by the district attorney and offered
16 an opportunity to participate or submit a victim impact statement. If a
17 victim elects not to attend, a victim-offender conference may be held with
18 a suitable victim surrogate or victim advocate, and the victim may submit
19 a victim impact statement. ~~If the juvenile participates in a restorative~~
20 ~~justice practices victim-offender conference, the facilitator shall provide~~
21 ~~these services for a fee of no more than one hundred twenty-five dollars~~
22 ~~based on a sliding scale; however, the fee may be waived by the court.~~

23 **SECTION 14.** In Colorado Revised Statutes, 19-2-907, **amend**
24 (1)(1); and **repeal** (6) as follows:

25 **19-2-907. Sentencing schedule - options.** (1) Upon completion
26 of the sentencing hearing pursuant to section 19-2-906, the court shall
27 enter a decree of sentence or commitment imposing any of the following

1 sentences or combination of sentences, as appropriate:

2 (l) Participation in an evaluation to determine whether the juvenile
3 would be suitable for restorative justice practices that would be a part of
4 the juvenile's sentence; except that the court may not order participation
5 in restorative justice practices if the juvenile was adjudicated a delinquent
6 for unlawful sexual behavior, as defined in section 16-22-102 (9); ~~C.R.S.~~;
7 a crime in which the underlying factual basis involves domestic violence,
8 as defined in section 18-6-800.3 (1); ~~C.R.S.~~; stalking, as defined in
9 section 18-3-602; ~~C.R.S.~~; or violation of a protection order, as defined in
10 section 18-6-803.5. ~~C.R.S.~~ If the court orders participation in restorative
11 justice practices, the facilitator shall provide these services ~~for a fee of no~~
12 ~~more than one hundred twenty-five dollars based on a sliding scale;~~
13 ~~however, the fee may be waived by the court~~ WITHOUT A FEE. Nothing in
14 this ~~paragraph (l) shall be construed to require~~ SUBSECTION (1)(l)
15 REQUIRES a victim to participate in a restorative justice victim-offender
16 conference.

17 (6) ~~On and after July 1, 2000, each juvenile who is adjudicated for~~
18 ~~commission of an offense that would constitute a sex offense if~~
19 ~~committed by an adult or who receives for such offense a deferred~~
20 ~~adjudication shall be required to pay a surcharge to the sex offender~~
21 ~~surcharge fund, as provided in section 18-21-103, C.R.S.; except that the~~
22 ~~judge may waive payment of all or any portion of such surcharge as~~
23 ~~provided in section 18-21-103 (4), C.R.S.~~

24 **SECTION 15.** In Colorado Revised Statutes, 24-33.5-415.6,
25 **amend** (1) as follows:

26 **24-33.5-415.6. Offender identification - fund.** (1) There is
27 **hereby** created in the state treasury the offender identification fund,

1 referred to in this section as the "fund". ~~Moneys in the fund shall consist~~
2 THE FUND CONSISTS of costs and surcharges levied pursuant to this
3 section and payments for genetic testing received from offenders pursuant
4 to ~~sections 16-11-102.4, 18-1.3-407, and 19-2-925.6., C.R.S.~~ SECTION
5 16-11-102.4. Subject to annual appropriations by the general assembly,
6 the executive director and the state court administrator are authorized to
7 expend ~~moneys~~ MONEY in the fund to pay for genetic testing of offenders
8 pursuant to sections 16-11-102.4 and 18-1.3-407. ~~C.R.S.~~ At the end of
9 any fiscal year, all unexpended and unencumbered ~~moneys~~ MONEY
10 REMAINS in the fund ~~shall remain therein~~ and shall not be credited or
11 transferred to the general fund or any other fund.

12 **SECTION 16.** In Colorado Revised Statutes, 42-4-1307, **add**
13 (10.5) as follows:

14 **42-4-1307. Penalties for traffic offenses involving alcohol and**
15 **drugs - legislative declaration - definitions - repeal.** (10.5) THE COSTS
16 AND SURCHARGES DESCRIBED IN SUBSECTION (10) OF THIS SECTION DO
17 NOT APPLY TO A PERSON UNDER THE JURISDICTION OF THE JUVENILE
18 COURT, AS DEFINED IN SECTION 19-1-103, OR THE PERSON'S PARENT,
19 GUARDIAN, OR LEGAL CUSTODIAN.

20 **SECTION 17.** In Colorado Revised Statutes, 16-11-214, **amend**
21 (1)(a) as follows:

22 **16-11-214. Fund created - probation services.** (1) (a) There is
23 ~~hereby~~ created in the state treasury the offender services fund, ~~to~~ which
24 ~~shall~~ MUST be credited WITH one hundred percent of any cost of care
25 payments or probation supervision fees paid to the state pursuant to
26 section 18-1.3-204 (2)(a)(V) ~~or 19-2-114 (1), C.R.S.,~~ and from which the
27 general assembly shall make annual appropriations for administrative and

1 personnel costs for adult and juvenile probation services as well as for
2 adjunct adult and juvenile probation services in the judicial department,
3 including treatment services, contract services, drug and alcohol treatment
4 services, and program development, and for associated administrative and
5 personnel costs. Any ~~moneys~~ MONEY remaining in ~~said~~ THE fund at the
6 end of any fiscal year ~~shall~~ DOES not revert to the general fund.

7 **SECTION 18.** In Colorado Revised Statutes, 19-1-103, **repeal**
8 (47) as follows:

9 **19-1-103. Definitions.** As used in this title 19 or in the specified
10 portion of this title 19, unless the context otherwise requires:

11 (47) (a) ~~"Estate", as used in section 19-2-114, means any tangible~~
12 ~~or intangible properties, real or personal, belonging to or due to a person,~~
13 ~~including income or payments to such person from previously earned~~
14 ~~salary or wages, bonuses, annuities, pensions, or retirement benefits, or~~
15 ~~any source whatsoever except federal benefits of any kind.~~

16 (b) (I) ~~Real property that is held in joint ownership or ownership~~
17 ~~in common with the juvenile's spouse, while being used and occupied by~~
18 ~~the spouse as a place of residence, shall not be considered a part of the~~
19 ~~estate of the juvenile for the purposes of section 19-2-114.~~

20 (II) ~~Real property that is held by the juvenile's parent, while being~~
21 ~~used and occupied by such parent as a place of residence, shall not be~~
22 ~~considered a part of the estate of the parent for the purposes of section~~
23 ~~19-2-114.~~

24 **SECTION 19.** In Colorado Revised Statutes, 19-2-103, **repeal** (7)
25 as follows:

26 **19-2-103. Definitions.** For purposes of this article 2:

27 (7) ~~"Estate" is defined in section 19-1-103 (47).~~

1 **SECTION 20.** In Colorado Revised Statutes, 19-2-925, **amend**
2 (2)(a) introductory portion and (2)(a)(VII); and **repeal** (2)(a)(VIII) and
3 (2)(a)(IX) as follows:

4 **19-2-925. Probation - terms - release - revocation - graduated**
5 **responses system - report.** (2) (a) Conditions of probation ~~shall~~ **MUST**
6 be customized to each juvenile based on the guidelines developed by the
7 committee on juvenile justice reform pursuant to section 24-33.5-2402.
8 The court shall, as minimum conditions of probation, order that the
9 juvenile:

- 10 (VII) Make restitution as ordered by the court; AND
- 11 (VIII) ~~Pay the victim compensation fee as ordered by the court;~~
- 12 (IX) ~~Pay the surcharge levied pursuant to section 24-4.2-104~~
- 13 ~~(1)(a)(I); and~~

14 **SECTION 21.** In Colorado Revised Statutes, 18-1.3-507, **amend**
15 (6)(a) as follows:

16 **18-1.3-507. Community or useful public service -**
17 **misdemeanors.** (6) (a) The court shall assess a fee, not to exceed one
18 hundred twenty dollars, upon every person required to perform
19 community or useful public service pursuant to section 18-1.3-501 (2),
20 18-18-432, or 42-4-1301.4. The amount of the fee must be commensurate
21 with the costs of administering the person's community or useful public
22 service program. The court may waive this fee if the court determines the
23 defendant to be indigent. In counties where the judicial department
24 operates the local useful public service program, the court shall transfer
25 each such fee to the state treasurer, who shall credit the fee to the fund
26 created in section 18-1.3-507.5. **THE COURT SHALL NOT IMPOSE THE FEE**
27 **DESCRIBED IN THIS SUBSECTION (6)(a) ON A PERSON UNDER THE**

1 JURISDICTION OF THE JUVENILE COURT, AS DEFINED IN SECTION 19-1-103,
2 OR THE PERSON'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN.

3 **SECTION 22.** In Colorado Revised Statutes, 24-4.1-117, **repeal**
4 (1.5) as follows:

5 **24-4.1-117. Fund created - control of fund.** (1.5) ~~In any judicial~~
6 ~~district where a separate juvenile court exists, all moneys collected by~~
7 ~~such juvenile court shall be deposited in the fund and administered by the~~
8 ~~district court administrator.~~

9 **SECTION 23.** In Colorado Revised Statutes, **add** 18-1.3-704 as
10 follows:

11 **18-1.3-704. Outstanding balances owed by juveniles - report**
12 **- repeal.** (1) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE
13 BALANCE OF ANY COURT-ASSESSED OR COURT-ORDERED COSTS IMPOSED
14 PURSUANT TO SECTION 16-11-101.6 (1), 18-1.3-407 (4.5) OR (11.5),
15 18-1.3-507 (6)(a), 18-1.3-701 (1) OR (2)(m), 18-21-103 (1.5), 18-25-101
16 (1), 21-1-103 (3), 24-4.1-119 (1)(a) OR (1)(d), 24-4.2-104 (1)(a)(I), OR
17 42-4-1307 (10) AGAINST A JUVENILE, AS DEFINED IN SECTION 18-1.3-407,
18 THE PARENT OR GUARDIAN OF A JUVENILE, OR OTHER PERSON WHO IS
19 LIABLE FOR THE SUPPORT OF A JUVENILE, OR AN ADULT WHO, AT THE TIME
20 OF IMPOSITION OF THE COSTS, WAS NOT OVER TWENTY-ONE YEARS OF AGE,
21 ARE UNENFORCEABLE AND NOT COLLECTABLE.

22 (2) (a) WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS
23 SECTION, THE COURT SHALL VACATE THE PORTION OF A COURT ORDER
24 IMPOSING THE COSTS DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

25 (b) IF THE JUDICIAL DEPARTMENT HAS REFERRED THE
26 OUTSTANDING BALANCE OF THE COSTS TO A PRIVATE COLLECTION AGENCY
27 FOR COLLECTION, THE DEPARTMENT SHALL INFORM THE AGENCY THAT THE

1 BALANCE HAS BEEN VACATED AND THE BALANCE IS NOT COLLECTABLE.

2 (c) ON OR BEFORE JULY 1, 2022, THE STATE COURT
3 ADMINISTRATOR SHALL REPORT TO THE HOUSE OF REPRESENTATIVES
4 JUDICIARY COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR
5 SUCCESSOR COMMITTEES, THE NUMBER OF ORDERS VACATED OR
6 PARTIALLY VACATED PURSUANT TO THIS SECTION IN EACH JUDICIAL
7 DISTRICT AND THE AMOUNT OF THE BALANCES VACATED IN EACH JUDICIAL
8 DISTRICT.

9 (3) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2025.

10 **SECTION 24.** In Colorado Revised Statutes, **add** 19-2-115 as
11 follows:

12 **19-2-115. Outstanding balances owed by juveniles - report -**
13 **repeal.** (1) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE
14 BALANCE OF ANY COURT-ASSESSED OR COURT-ORDERED COSTS IMPOSED
15 PURSUANT TO SECTION 19-2-114, 19-2-706 (2)(b), 19-2-905 (4), 19-2-907
16 (1)(I) OR (6), 19-2-925 (2)(a)(VII) and (2)(a)(IX), OR 19-2-925.6 (1)
17 AGAINST A JUVENILE, THE PARENT OR GUARDIAN OF A JUVENILE, OR OTHER
18 PERSON WHO IS LIABLE FOR THE SUPPORT OF A JUVENILE WHO WAS
19 ADJUDGED A WARD OF THE JUVENILE COURT ARE UNENFORCEABLE AND
20 NOT COLLECTABLE.

21 (2) (a) WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS
22 SECTION, THE COURT SHALL VACATE THE PORTION OF A COURT ORDER
23 IMPOSING THE COSTS DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

24 (b) IF THE JUDICIAL DEPARTMENT HAS REFERRED THE
25 OUTSTANDING BALANCE OF THE COSTS TO A PRIVATE COLLECTION AGENCY
26 FOR COLLECTION, THE DEPARTMENT SHALL INFORM THE AGENCY THAT THE
27 BALANCE HAS BEEN VACATED AND THE BALANCE IS NOT COLLECTABLE.

1 (c) ON OR BEFORE JULY 1, 2022, THE STATE COURT
2 ADMINISTRATOR SHALL REPORT TO THE HOUSE OF REPRESENTATIVES
3 JUDICIARY COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR
4 SUCCESSOR COMMITTEES, THE NUMBER OF ORDERS VACATED OR
5 PARTIALLY VACATED PURSUANT TO THIS SECTION IN EACH JUDICIAL
6 DISTRICT AND THE AMOUNT OF THE BALANCES VACATED IN EACH JUDICIAL
7 DISTRICT.

8 (3) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2025.

9 **SECTION 25.** In Colorado Revised Statutes, **repeal as added by**
10 **Senate Bill 21-059** 19-2.5-1120.

11 **SECTION 26.** In Colorado Revised Statutes, 19-2.5-605, **repeal**
12 **as added by Senate Bill 21-059** (2)(b) as follows:

13 **19-2.5-605. Advisement - right to counsel - waiver of right to**
14 **counsel - definition.** (2) (b) ~~(f) If the court appoints counsel for the~~
15 ~~juvenile because of the refusal of the parents, guardian, or other legal~~
16 ~~custodian to retain counsel for the juvenile, the court shall advise the~~
17 ~~parents, guardian, or legal custodian, other than a county department of~~
18 ~~human or social services or the state department of human services, that~~
19 ~~if the juvenile's parent, guardian, or legal custodian is determined not to~~
20 ~~be indigent pursuant to section 21-1-103 (3), then the court will order the~~
21 ~~juvenile's parent, guardian, or legal custodian, other than a county~~
22 ~~department of human or social services or the state department of human~~
23 ~~services, to reimburse the court for the cost of the representation unless~~
24 ~~the court, for good cause, waives the reimbursement requirement. The~~
25 ~~amount of the reimbursement is a predetermined amount that:~~

26 ~~(A) Is set by the supreme court, in consultation with the office of~~
27 ~~the state public defender and the office of alternate defense counsel;~~

1 ~~(B) Is included in the chief justice directive concerning the~~
2 ~~appointment of state-funded counsel in criminal and juvenile delinquency~~
3 ~~cases; and~~

4 ~~(C) May be based partly or entirely upon the stage a proceeding~~
5 ~~has reached when counsel is appointed, the stage a proceeding has~~
6 ~~reached when representation is terminated, or both.~~

7 ~~(H) Notwithstanding subsection (2)(b)(I) of this section to the~~
8 ~~contrary, if the court finds that a conflict of interest exists between the~~
9 ~~juvenile and the juvenile's parent, guardian, or legal custodian such that~~
10 ~~the income and assets of the parent, guardian, or legal custodian are~~
11 ~~unavailable to the juvenile, then the court shall consider only the~~
12 ~~juvenile's own income and assets for the purpose of determining whether~~
13 ~~to issue an order for reimbursement pursuant to this subsection (2)(b).~~

14 **SECTION 27.** In Colorado Revised Statutes, 19-2.5-1119, **as**
15 **added by Senate Bill 21-059, amend** (1) introductory portion and (3)(a);
16 **repeal** (4); and **add** (6) as follows:

17 **19-2.5-1119. Genetic testing of adjudicated offenders -**
18 **definitions.** (1) Beginning July 1, 2007, each of the following
19 adjudicated offenders shall submit to ~~and pay for~~ collection and a
20 chemical testing of the offender's biological substance sample to
21 determine the offender's genetic markers, unless the offender has already
22 provided a biological substance sample for such testing pursuant to a
23 statute of this state:

24 (3) The judicial department, the department of human services, a
25 sheriff, or a contractor may:

26 (a) Use reasonable force to obtain biological substance samples
27 in accordance with this section using medically recognized procedures.

1 In addition, an offender's refusal to comply with this section may be
2 grounds for revocation or denial of parole, probation, or deferred
3 adjudication. ~~Failure to pay for collection and a chemical testing of a~~
4 ~~biological substance sample is considered a refusal to comply if the~~
5 ~~offender has the present ability to pay.~~

6 (4) ~~Any money received from an offender pursuant to this section~~
7 ~~must be deposited in the offender identification fund created in section~~
8 ~~24-33.5-415.6.~~

9 (6) A JUVENILE MUST NOT BE CHARGED A PROCESSING FEE FOR THE
10 PROCUREMENT AND ANALYSIS OF SAMPLES DESCRIBED IN THIS SECTION.

11 **SECTION 28.** In Colorado Revised Statutes, 19-2.5-1101,
12 **amend as added by Senate Bill 21-059** (4) as follows:

13 **19-2.5-1101. Presentence investigation.** (4) Prior to sentencing
14 a juvenile who was adjudicated for an offense that would be a felony or
15 misdemeanor not contained in title 42 if committed by an adult, the court
16 may order the juvenile to participate in an assessment to determine
17 whether the juvenile would be suitable for participation in restorative
18 justice practices that would be a part of the juvenile's sentence; except
19 that the court may not order participation in a restorative justice practice
20 if the juvenile was adjudicated a delinquent for unlawful sexual behavior,
21 as defined in section 16-22-102 (9); a crime in which the underlying
22 factual basis involves domestic violence, as defined in section 18-6-800.3
23 (1); stalking, as defined in section 18-3-602; or violation of a protection
24 order, as defined in section 18-6-803.5. ~~If the court orders a suitability~~
25 ~~assessment, the assessor shall provide the services for a fee of no more~~
26 ~~than forty dollars based on a sliding scale; however, the fee may be~~
27 ~~reduced by the court based on a sliding scale consistent with guidelines~~

1 ~~used to determine eligibility for appointment of counsel.~~ If a juvenile
2 wants to participate in restorative justice practices, the juvenile must
3 make the request to the district attorney or the law enforcement agency
4 administering the program and may not make the request to the victim. If
5 requested by the juvenile or law enforcement agency, a victim-offender
6 conference may only be conducted after the victim is consulted by the
7 district attorney and offered an opportunity to participate or submit a
8 victim impact statement. If a victim elects not to attend, a victim-offender
9 conference may be held with a suitable victim surrogate or victim
10 advocate, and the victim may submit a victim impact statement. ~~If the~~
11 ~~juvenile participates in a restorative justice practices victim-offender~~
12 ~~conference, the facilitator shall provide these services for a fee of no~~
13 ~~more than one hundred twenty-five dollars based on a sliding scale;~~
14 ~~however, the fee may be waived by the court.~~

15 **SECTION 29.** In Colorado Revised Statutes, 19-2.5-1103, **as**
16 **added by Senate Bill 21-059, amend** (1)(1); and **repeal** (6) as follows:

17 **19-2.5-1103. Sentencing schedule - options.** (1) Upon
18 completion of the sentencing hearing pursuant to section 19-2.5-1102, the
19 court shall enter a decree of sentence or commitment imposing any of the
20 following sentences or combination of sentences, as appropriate:

21 (1) Participation in an evaluation to determine whether the juvenile
22 would be suitable for restorative justice practices that would be a part of
23 the juvenile's sentence; except that the court may not order participation
24 in restorative justice practices if the juvenile was adjudicated a delinquent
25 for unlawful sexual behavior, as defined in section 16-22-102 (9); a crime
26 in which the underlying factual basis involves domestic violence, as
27 defined in section 18-6-800.3 (1); stalking, as defined in section

1 18-3-602; or violation of a protection order, as defined in section
2 18-6-803.5. If the court orders participation in restorative justice
3 practices, the facilitator shall provide these services ~~for a fee of no more~~
4 ~~than one hundred twenty-five dollars based on a sliding scale; however,~~
5 ~~the fee may be waived by the court~~ WITHOUT A FEE. Nothing in this
6 subsection (1)(l) requires a victim to participate in a restorative justice
7 victim-offender conference.

8 (6) ~~On and after July 1, 2000, each juvenile who is adjudicated for~~
9 ~~commission of an offense that would constitute a sex offense if~~
10 ~~committed by an adult or who receives for such offense a deferred~~
11 ~~adjudication is required to pay a surcharge to the sex offender surcharge~~
12 ~~fund, as provided in section 18-21-103; except that the judge may waive~~
13 ~~payment of all or any portion of the surcharge pursuant to section~~
14 ~~18-21-103 (4).~~

15 **SECTION 30.** In Colorado Revised Statutes, 19-2.5-102, **repeal**
16 **as added by Senate Bill 21-059** (20) as follows:

17 **19-2.5-102. Definitions.** In addition to the terms defined in
18 section 19-1-103, for the purposes of this article 2.5, unless the context
19 otherwise requires:

20 (20) (a) ~~"Estate", is defined in section 19-1-103 (47) as used in~~
21 ~~section 19-2.5-1120, means any tangible or intangible properties, real or~~
22 ~~personal, belonging to or due to a person, including income or payments~~
23 ~~to such person from previously earned salary or wages, bonuses,~~
24 ~~annuities, pensions, or retirement benefits, or any source whatsoever~~
25 ~~except federal benefits of any kind.~~

26 (b) (I) ~~Real property that is held in joint ownership or ownership~~
27 ~~in common with the juvenile's spouse, while being used and occupied by~~

1 the spouse as a place of residence, is not considered a part of the estate of
2 the juvenile for the purposes of section 19-2.5-1120.

3 ~~(H) Real property that is held by the juvenile's parent, while being~~
4 ~~used and occupied by such parent as a place of residence, is not~~
5 ~~considered a part of the estate of the parent for the purposes of section~~
6 ~~19-2.5-1120.~~

7 **SECTION 31.** In Colorado Revised Statutes, 19-2.5-1108, as
8 **added by Senate Bill 21-059, amend (2)(a)(VII); and repeal (2)(a)(VIII)**
9 **and (2)(a)(IX) as follows:**

10 **19-2.5-1108. Probation - terms - release - revocation -**
11 **graduated responses system - rules - report - definition.**

12 (2) (a) Conditions of probation must be customized to each juvenile
13 based on the guidelines developed by the committee on juvenile justice
14 reform pursuant to section 24-33.5-2402. The court shall, as minimum
15 conditions of probation, order that the juvenile:

16 (VII) Make restitution as ordered by the court; AND

17 (VIII) ~~Pay the victim compensation fee as ordered by the court;~~

18 (IX) ~~Pay the surcharge levied pursuant to section 24-4.2-104~~
19 ~~(1)(a)(I); and~~

20 **SECTION 32.** In Colorado Revised Statutes, **add** 19-2.5-110 as
21 follows:

22 **19-2.5-110. Outstanding balances owed by juveniles - report**

23 **- repeal. (1) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, THE**
24 **BALANCE OF ANY COURT-ASSESSED OR COURT-ORDERED COSTS IMPOSED**
25 **PURSUANT TO SECTION 19-2.5-605 (2)(b), 19-2.5-1101 (4), 19-2.5-1103**
26 **(1)(I) OR (6), 19-2.5-1108 (2)(a)(VIII) OR (2)(a)(IX), 19-2.5-1119 (1), OR**
27 **19-2.5-1120 AGAINST A JUVENILE, THE PARENT OR GUARDIAN OF A**

1 JUVENILE, OR OTHER PERSON WHO IS LIABLE FOR THE SUPPORT OF A
2 JUVENILE WHO WAS ADJUDGED A WARD OF THE JUVENILE COURT ARE
3 UNENFORCEABLE AND NOT COLLECTABLE.

4 (2) (a) WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF
5 SECTION 19-2-115, AS ENACTED BY HOUSE BILL 21-___, THE COURT SHALL
6 VACATE THE PORTION OF A COURT ORDER IMPOSING THE COSTS DESCRIBED
7 IN SUBSECTION (1) OF THIS SECTION.

8 (b) IF THE JUDICIAL DEPARTMENT HAS REFERRED THE
9 OUTSTANDING BALANCE OF THE COSTS TO A PRIVATE COLLECTION AGENCY
10 FOR COLLECTION, THE DEPARTMENT SHALL INFORM THE AGENCY THAT THE
11 BALANCE HAS BEEN VACATED AND THE BALANCE IS NOT COLLECTABLE.

12 (c) ON OR BEFORE JULY 1, 2022, THE STATE COURT
13 ADMINISTRATOR SHALL REPORT TO THE HOUSE OF REPRESENTATIVES
14 JUDICIARY COMMITTEE AND THE SENATE JUDICIARY COMMITTEE, OR THEIR
15 SUCCESSOR COMMITTEES, THE NUMBER OF ORDERS VACATED OR
16 PARTIALLY VACATED PURSUANT TO THIS SECTION, OR SECTION 19-2-115
17 PRIOR TO ITS REPEAL IN 2021, IN EACH JUDICIAL DISTRICT AND THE
18 AMOUNT OF THE BALANCES VACATED IN EACH JUDICIAL DISTRICT.

19 (3) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2025.

20 **SECTION 33.** In Colorado Revised Statutes, 16-11-214, **amend**
21 **as amended by Senate Bill 21-059** (1)(a) as follows:

22 **16-11-214. Fund created - probation services.** (1) (a) There is
23 created in the state treasury the offender services fund to which must be
24 credited one hundred percent of any cost of care payments or probation
25 supervision fees paid to the state pursuant to section 18-1.3-204 (2)(a)(V)
26 ~~or 19-2.5-1120~~ and from which the general assembly shall make annual
27 appropriations for administrative and personnel costs for adult and

1 juvenile probation services as well as for adjunct adult and juvenile
2 probation services in the judicial department, including treatment
3 services, contract services, drug and alcohol treatment services, and
4 program development, and for associated administrative and personnel
5 costs. Any money remaining in the fund at the end of any fiscal year does
6 not revert to the general fund.

7 **SECTION 34. Effective date.** This act takes effect upon passage;
8 except that sections 25 to 33 take effect only if Senate Bill 21-059
9 becomes law, in which case sections 25 to 33 take effect on the effective
10 date of this act or Senate Bill 21-059, whichever is later.

11 **SECTION 35. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety.