

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0732.01 Alana Rosen x2606

HOUSE BILL 22-1373

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HOUSE SPONSORSHIP

Gonzales-Gutierrez,

SENATE SPONSORSHIP

(None),

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING PROHIBITING COURTS FROM ORDERING JUVENILES TO  
102 PAY RESTITUTION TO INSURANCE COMPANIES.

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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 prohibits a court from ordering a juvenile to pay restitution to insurance companies. A court may still order restitution for a victim's pecuniary loss for which the victim cannot be compensated under a policy of insurance, self-insurance, an indemnity agreement, or a risk management fund.

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.

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

2           **SECTION 1.** In Colorado Revised Statutes, 19-2.5-1104, **add** (3)  
3 and (4) as follows:

4           **19-2.5-1104. Sentencing - restitution by juvenile.**

5 (3) NOTWITHSTANDING SECTION 18-1.3-602 (4)(a)(III) OR ANY OTHER  
6 PROVISION OF LAW, A COURT SHALL NOT ORDER A JUVENILE TO PAY  
7 RESTITUTION TO AN INSURANCE COMPANY. A COURT MAY ORDER A  
8 JUVENILE TO PAY RESTITUTION TO A VICTIM FOR THE PORTION OF A  
9 VICTIM'S PECUNIARY LOSS FOR WHICH THE VICTIM CANNOT BE  
10 COMPENSATED UNDER A POLICY OF INSURANCE, SELF-INSURANCE, AN  
11 INDEMNITY AGREEMENT, OR A RISK MANAGEMENT FUND.

12           (4) AS USED IN THIS SECTION, "VICTIM" DOES NOT MEAN AN  
13 INSURANCE COMPANY, AS DEFINED IN SECTION 38-13-102 (13), FOR  
14 PURPOSES OF RESTITUTION IN JUVENILE CASES.

15           **SECTION 2. Safety clause.** The general assembly hereby finds,  
16 determines, and declares that this act is necessary for the immediate  
17 preservation of the public peace, health, or safety.