

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

**INTRODUCED**

LLS NO. 23-0513.01 Conrad Imel x2313

**HOUSE BILL 23-1037**

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**HOUSE SPONSORSHIP**

**Martinez,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING AWARDING EARNED TIME TO NONVIOLENT OFFENDERS**  
102              **WHO COMPLETE AN ACCREDITED HIGHER EDUCATION**  
103              **PROGRAM.**

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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>.)*

Under existing law, an inmate in the custody of the department of corrections (department) may have earned time deducted from the inmate's sentence for meeting certain statutory requirements. The bill permits an inmate sentenced for a nonviolent felony offense to have earned time deducted from the inmate's sentence for each accredited

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.

degree or other credential awarded by an accredited institution of higher education to the inmate while the inmate is incarcerated, in the following amounts:

- One year of earned time for receiving an associate, baccalaureate, or graduate degree; and
- 6 months of earned time for receiving a certificate or other credential.

The bill requires the general assembly to annually appropriate the savings incurred during the prior state fiscal year as a result of the release of inmates from correctional facilities because of earned time granted for completion of a higher education degree or credential, as follows:

- 50% of the savings to the department of corrections to facilitate inmates enrolling in and completing accredited higher education programs; and
- 50% of the savings to the department of higher education for allocation to institutions of higher education that offer accredited programs in correctional facilities.

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-22.5-405, **add**  
3 (3.7) as follows:

4 **17-22.5-405. Earned time - earned release time - achievement**  
5 **earned time - definition.** (3.7) FOR AN INMATE SENTENCED FOR A  
6 NONVIOLENT FELONY OFFENSE AS DESCRIBED IN SUBSECTION (5) OF THIS  
7 SECTION, IN ADDITION TO THE EARNED TIME DEDUCTED PURSUANT TO  
8 SUBSECTION (1) OF THIS SECTION, EARNED TIME SHALL BE DEDUCTED  
9 FROM THE INMATE'S SENTENCE FOR EACH ACCREDITED DEGREE OR OTHER  
10 CREDENTIAL AWARDED BY AN ACCREDITED INSTITUTION OF HIGHER  
11 EDUCATION TO THE INMATE WHILE THE INMATE IS INCARCERATED, AS  
12 FOLLOWS:

13 (a) ONE YEAR OF EARNED TIME FOR AN ASSOCIATE,  
14 BACCALAUREATE, OR GRADUATE DEGREE; AND

15 (b) SIX MONTHS OF EARNED TIME FOR A CERTIFICATE OR OTHER  
16 CREDENTIAL.

1           **SECTION 2.** In Colorado Revised Statutes, **add** 17-22.5-108 as  
2 follows:

3           **17-22.5-108. Appropriation of savings from earned time**  
4 **awarded for completing an accredited higher education program -**  
5 **budget request requirement.** (1) FOR STATE FISCAL YEAR 2024-25, AND  
6 FOR EACH STATE FISCAL YEAR THEREAFTER, THE GENERAL ASSEMBLY  
7 SHALL ANNUALLY APPROPRIATE THE SAVINGS INCURRED DURING THE  
8 PRIOR STATE FISCAL YEAR RESULTING FROM THE DEDUCTION OF EARNED  
9 TIME PURSUANT TO SECTION 17-22.5-405 (3.7) FOR COMPLETION OF AN  
10 ACCREDITED DEGREE, CERTIFICATE, OR OTHER CREDENTIAL PROGRAM AS  
11 FOLLOWS:

12           (a) AN AMOUNT EQUAL TO FIFTY PERCENT OF THE SAVINGS TO THE  
13 DEPARTMENT OF CORRECTIONS TO FACILITATE INMATES ENROLLING IN  
14 AND COMPLETING ACCREDITED HIGHER EDUCATION PROGRAMS; AND

15           (b) AN AMOUNT EQUAL TO FIFTY PERCENT OF THE SAVINGS TO THE  
16 DEPARTMENT OF HIGHER EDUCATION CREATED PURSUANT TO SECTION  
17 24-1-114 FOR ALLOCATION TO INSTITUTIONS OF HIGHER EDUCATION THAT  
18 OFFER ACCREDITED DEGREE, CERTIFICATE, OR OTHER CREDENTIAL  
19 PROGRAMS IN A CORRECTIONAL FACILITY.

20           (2) BEGINNING WITH ITS ANNUAL BUDGET REQUEST TO THE JOINT  
21 BUDGET COMMITTEE FOR STATE FISCAL YEAR 2024-25, AND FOR EACH  
22 STATE FISCAL YEAR THEREAFTER, THE DEPARTMENT SHALL INCLUDE IN ITS  
23 BUDGET REQUEST AN ESTIMATE OF THE SAVINGS ACCRUED DURING THE  
24 PRIOR STATE FISCAL YEAR RESULTING FROM THE DEDUCTION OF EARNED  
25 TIME PURSUANT TO SECTION 17-22.5-405 (3.7) FOR COMPLETION OF AN  
26 ACCREDITED DEGREE, CERTIFICATE, OR OTHER CREDENTIAL PROGRAM.

27           **SECTION 3. Applicability.** This act applies to a degree,

1 certificate, or other credential awarded on or after the effective date of  
2 this act.

3           **SECTION 4. Safety clause.** The general assembly hereby finds,  
4 determines, and declares that this act is necessary for the immediate  
5 preservation of the public peace, health, or safety.