

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 23-0312.01 Amber Paoloemilio x5497

SENATE BILL 23-157

SENATE SPONSORSHIP

Coleman and Baisley, Gonzales, Roberts, Bridges, Buckner, Cutter, Exum, Fenberg, Fields, Ginal, Hansen, Moreno, Priola, Winter F., Zenzinger

HOUSE SPONSORSHIP

Martinez and Sharbini,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE OFFENDER REENTRY GRANT**
102 **PROGRAM, AND, IN CONNECTION THEREWITH, IMPLEMENTING**
103 **THE RECOMMENDATIONS IN THE DEPARTMENT OF REGULATORY**
104 **AGENCIES' 2022 SUNSET REPORT.**

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/>.)

Sunset Process - Senate Judiciary Committee. The bill implements the recommendations of the department of regulatory agencies to:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
April 3, 2023

SENATE
Amended 2nd Reading
March 31, 2023

- Continue the offender reentry and education programs (programs);
- Direct the department of corrections to promulgate rules requiring incarcerated persons be informed of reentry services and programs; and
- Require the department of corrections to track the long-term recidivism rates of persons who were formerly incarcerated who participated in the programs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-33-101, **amend**
 3 (3) and (7)(g); and **add** (9) as follows:

4 **17-33-101. Reentry planning and programs for adult parole**
 5 **- grant program - rules - reports - repeal.** (3) On and after July 1,
 6 2014:

7 (a) The department shall develop and implement initiatives within
 8 the department specifically designed to decrease recidivism, enhance
 9 public safety, and increase each ~~offender's~~ INCARCERATED PERSON'S
 10 chances of achieving success upon ~~his or her~~ THE INCARCERATED
 11 PERSON'S release ~~to~~ INTO the community.

12 (b) THE DEPARTMENT SHALL TRACK THE LONG-TERM RECIDIVISM
 13 RATES OF PERSONS WHO WERE FORMERLY INCARCERATED WHO
 14 PARTICIPATED IN REENTRY SERVICES AND PROGRAMS. THE DEPARTMENT
 15 SHALL PROVIDE DATA ON ALL INDIVIDUALS WHO PARTICIPATE IN REENTRY
 16 SERVICES AND PROGRAMS REGARDING:

17 (I) THE TYPE AND LEVEL OF OFFENSE OF THE CONTROLLING
 18 SENTENCE;

19 (II) LENGTH OF THE CONTROLLING SENTENCE;

20 (III) RISK OF REOFFENSE BASED ON A RISK ASSESSMENT
 21 INSTRUMENT VALIDATED FOR INDIVIDUALS ON PAROLE;

1 (IV) NUMBER OF INDIVIDUALS IN PRISON PAST THE INDIVIDUAL'S
2 PAROLE ELIGIBILITY DATE;

3 (V) NUMBER OF INDIVIDUALS GRANTED DISCRETIONARY PAROLE
4 AT THE INDIVIDUAL'S FIRST PAROLE APPLICATION HEARING;

5 (VI) NUMBER OF INDIVIDUALS GRANTED DISCRETIONARY PAROLE
6 AT ANY SUBSEQUENT PAROLE APPLICATION HEARING;

7 (VII) NUMBER OF INDIVIDUALS RELEASED AT MANDATORY
8 RELEASE DATE;

9 (VIII) RECIDIVISM AT SIX MONTHS, ONE YEAR, TWO YEARS, AND
10 THREE YEARS FOLLOWING RELEASE, DISAGGREGATED BY WHETHER THE
11 RETURN TO PRISON WAS THE RESULT OF A NEW CONVICTION, INCLUDING
12 THE TYPE AND LEVEL OF OFFENSE, OR ONLY FOR A VIOLATION OF A
13 CONDITION OF RELEASE; AND

14 (IX) FOR SECTIONS (I) THROUGH (X), THE DATA MUST BE
15 DISAGGREGATED BY RACE AND GENDER.

16 (c) BEGINNING IN JANUARY 2024, AND EVERY YEAR THEREAFTER,
17 THE DEPARTMENT SHALL PROVIDE TO THE JUDICIARY COMMITTEES OF THE
18 SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
19 COMMITTEES, A REPORT WITH THE INFORMATION IN SUBSECTION (3)(b) OF
20 THIS SECTION, DURING THE DEPARTMENT'S PRESENTATION AT HEARINGS
21 HELD PURSUANT TO THE "SMART ACT".

22 (7) (g) This subsection (7) is repealed, effective September 1,
23 ~~2023~~ 2028. Before its repeal, the department of regulatory agencies shall
24 review the grant program in accordance with section 24-34-104.

25 (9) FOR PURPOSES OF THIS SECTION, "RECIDIVISM" MEANS A
26 RETURN TO PRISON IN COLORADO FOR EITHER NEW CRIMINAL ACTIVITY OR
27 A TECHNICAL VIOLATION OF PAROLE, PROBATION OR NON-DEPARTMENTAL

1 COMMUNITY PLACEMENT WITHIN THREE YEARS OF RELEASE.

2 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (24)(a)(VII); and **add** (29)(a)(IV) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (24) (a) The following agencies, functions, or both,
7 are scheduled for repeal on September 1, 2023:

8 (VII) ~~The grant program to provide funding to eligible~~
9 ~~community-based organizations that provide reentry services to people on~~
10 ~~parole or inmates transitioning through community corrections described~~
11 ~~in section 17-33-101 (7);~~

12 (29) (a) The following agencies, functions, or both, are scheduled
13 for repeal on September 1, 2028:

14 (IV) THE GRANT PROGRAM TO PROVIDE FUNDING TO ELIGIBLE
15 COMMUNITY-BASED ORGANIZATIONS THAT PROVIDE REENTRY SERVICES
16 TO PEOPLE ON PAROLE OR INMATES TRANSITIONING THROUGH COMMUNITY
17 CORRECTIONS DESCRIBED IN SECTION 17-33-101 (7);

18 **SECTION 3. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly; except
21 that, if a referendum petition is filed pursuant to section 1 (3) of article V
22 of the state constitution against this act or an item, section, or part of this
23 act within such period, then the act, item, section, or part will not take
24 effect unless approved by the people at the general election to be held in
25 November 2024 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.