

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-1155.01 Michael Dohr x4347

HOUSE BILL 24-1445

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HOUSE SPONSORSHIP

Bacon and Armagost,

SENATE SPONSORSHIP

Gardner and Gonzales,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING MEASURES RELATED TO SUPERVISION CONDITIONS.

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 requires the state court administrator to annually report on probation and parole supervision fees assessed in the previous year during its "SMART Act" hearing.

Unless inconsistent with another probation condition, the bill requires the court to allow an adult or juvenile on probation to meet with the probation officer through a telephone call or audio-visual communication technology. Furthermore, when scheduling probation meetings, the probation officer is required to schedule, in good faith, a

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.

mutually agreeable time for the meeting that does not conflict with the adult's or juvenile's essential obligations.

Unless inconsistent with another parole condition, the bill requires the parole board to allow an adult or juvenile on parole to report to the parole officer through a telephone call or audio-visual communication technology. Furthermore, when scheduling parole meetings, a parole officer is required to schedule, in good faith, a mutually agreeable time for the meeting that does not conflict with the adult's or juvenile's essential obligations.

The bill eliminates non-payment of probation or parole fees as a grounds for the revocation of probation or parole.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 13-1-141 as  
3 follows:

4 **13-1-141. Probation and parole supervision fee report.** THE  
5 STATE COURT ADMINISTRATOR SHALL ANNUALLY REPORT ON PROBATION  
6 AND PAROLE SUPERVISION FEES ASSESSED IN THE PREVIOUS YEAR DURING  
7 ITS "SMART ACT" HEARING, REQUIRED PURSUANT TO SECTION 2-7-203.  
8 THE REPORT MUST INCLUDE INFORMATION REGARDING PROBATION  
9 SUPERVISION FEES AND PAROLE SUPERVISION FEES SEPARATELY, THE  
10 AMOUNT OF THE FEE CHARGED PER MONTH, HOW MANY PEOPLE WERE  
11 ASSESSED THE FEE, AND THE TOTAL AMOUNT COLLECTED. PROBATION  
12 DEPARTMENTS AND THE DEPARTMENT OF CORRECTIONS SHALL PROVIDE  
13 THE STATE COURT ADMINISTRATOR WITH ANY INFORMATION REQUESTED  
14 BY THE STATE COURT ADMINISTRATOR TO COMPLY WITH THIS SECTION.

15 **SECTION 2.** In Colorado Revised Statutes, 16-11-209, **add** (1.3)  
16 as follows:

17 **16-11-209. Duties of probation officers.** (1.3) UNLESS  
18 INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY THE COURT, IN  
19 DIRECTING THAT A PERSON ON PROBATION MEET WITH A PROBATION

1 OFFICER, THE PROBATION OFFICER SHALL:

2 (a) SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE PERSON ON  
3 PROBATION AT MUTUALLY AGREEABLE TIMES THAT DO NOT CONFLICT  
4 WITH THE PERSON'S ESSENTIAL OBLIGATIONS, INCLUDING WORK,  
5 EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL APPOINTMENTS,  
6 AND OTHER PROBATION REQUIREMENTS; AND

7 (b) ALLOW A PERSON ON PROBATION TO MEET WITH THE  
8 PROBATION OFFICER THROUGH A TELEPHONE CALL OR AUDIO-VISUAL  
9 COMMUNICATION TECHNOLOGY.

10 **SECTION 3.** In Colorado Revised Statutes, 17-2-201, **amend**  
11 (5)(b), (5)(f)(I) introductory portion, and (5)(f)(I)(D); and **add** (4.5) and  
12 (5)(f)(I)(D.5) as follows:

13 **17-2-201. State board of parole - duties - definitions.** (4.5) THE  
14 BOARD MAY GRANT, DENY, DEFER, SUSPEND, REVOKE, OR SPECIFY OR  
15 MODIFY THE CONDITIONS OF ANY PAROLE FOR ANY DEFENDANT  
16 COMMITTED TO THE DEPARTMENT OF CORRECTIONS IN A MANNER THAT IS  
17 IN THE BEST INTERESTS OF THE DEFENDANT AND THE PUBLIC.

18 (5) (b) (I) Conditions imposed for parole may include, but are not  
19 limited to, ~~requiring that the offender pay reasonable costs of supervision~~  
20 ~~of parole or~~ placing the offender on home detention as defined in section  
21 18-1.3-106 (1.1). ~~C.R.S.~~

22 (II) THE BOARD SHALL NOT REVOKE PAROLE FOR LACK OF  
23 PAYMENT OF PAROLE SUPERVISION FEES.

24 (f) (I) As a condition of every parole, the parolee shall sign a  
25 written agreement that contains ~~such~~ THE parole conditions ~~as~~ deemed  
26 appropriate by the board. ~~which conditions shall~~ THE CONDITIONS MUST  
27 include, but ~~need not be~~ ARE NOT limited to, the following:

1 (D) That the parolee shall ~~make reports as directed by his or her~~  
2 ~~community parole officer~~, permit residential visits by the community  
3 parole officer and allow the community parole officer to make searches  
4 of ~~his or her~~ THE PAROLEE'S person, residence, or vehicle;

5 (D.5) THAT THE PAROLEE SHALL REPORT AS DIRECTED BY THE  
6 COMMUNITY PAROLE OFFICER. UNLESS INCONSISTENT WITH OTHER  
7 CONDITIONS IMPOSED BY THE BOARD, THE BOARD SHALL ALLOW A  
8 PAROLEE TO MEET WITH THE COMMUNITY PAROLE OFFICER THROUGH A  
9 TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY.  
10 UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY THE BOARD,  
11 IN DIRECTING THE PAROLEE TO REPORT TO THE COMMUNITY PAROLE  
12 OFFICER, THE COMMUNITY PAROLE OFFICER SHALL SCHEDULE, IN GOOD  
13 FAITH, THE MEETING AT MUTUALLY AGREEABLE TIMES WITH THE PAROLEE  
14 THAT DO NOT CONFLICT WITH THE PAROLEE'S ESSENTIAL OBLIGATIONS,  
15 INCLUDING WORK, EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL  
16 APPOINTMENTS, AND OTHER PAROLE REQUIREMENTS.

17 **SECTION 4.** In Colorado Revised Statutes, 18-1.3-204, **amend**  
18 (2)(a) introductory portion, (2)(a)(V), and (2)(a)(IX) as follows:

19 **18-1.3-204. Conditions of probation - interstate compact**  
20 **probation transfer cash fund - creation.** (2) (a) When granting  
21 probation, the court may, as a ~~condition of~~ probation CONDITION, require  
22 that the defendant:

23 (V) Pay reasonable costs of the court proceedings ~~or costs of~~  
24 ~~supervision of probation, or both.~~ The probation supervision fee shall be  
25 ~~fifty dollars per month for the length of ordered probation~~ IN NO MORE  
26 THAN ONE JURISDICTION PER CASE. Notwithstanding the amount specified  
27 in this ~~subparagraph (V)~~ SUBSECTION (2)(a)(V), the court may lower OR

1 WAIVE COURT COSTS AND the costs of supervision of probation ~~to an~~  
2 ~~amount the defendant will be able to pay~~ FOR AN INDIGENT DEFENDANT.  
3 The court shall fix the manner of performance for payment of the fee. If  
4 the defendant receives probation services from a private provider, the  
5 court shall order the defendant to pay the probation supervision fee  
6 directly to the provider. The fee shall be imposed for the length of ordered  
7 probation.

8 (IX) ~~Report to~~ MEET WITH a probation officer at reasonable times  
9 as directed by the court or the probation officer. UNLESS INCONSISTENT  
10 WITH OTHER CONDITIONS IMPOSED BY THE COURT, THE COURT SHALL  
11 ALLOW A PERSON ON PROBATION TO MEET WITH A PROBATION OFFICER AT  
12 REASONABLE TIMES THROUGH A TELEPHONE CALL OR AUDIO-VISUAL  
13 COMMUNICATION TECHNOLOGY. UNLESS INCONSISTENT WITH OTHER  
14 CONDITIONS IMPOSED BY THE COURT, IN DIRECTING THAT A PERSON ON  
15 PROBATION MEET WITH A PROBATION OFFICER AT REASONABLE TIMES, THE  
16 COURT OR THE PROBATION OFFICER SHALL SCHEDULE, IN GOOD FAITH, THE  
17 MEETING WITH THE PERSON ON PROBATION AT MUTUALLY AGREEABLE  
18 TIMES THAT DO NOT CONFLICT WITH THE PERSON'S ESSENTIAL  
19 OBLIGATIONS, INCLUDING WORK, EDUCATION, JOB TRAINING, DEPENDENT  
20 CARE, MEDICAL APPOINTMENTS, AND OTHER PROBATION REQUIREMENTS.

21 **SECTION 5.** In Colorado Revised Statutes, 19-2.5-1107, **add**  
22 (3)(d) as follows:

23 **19-2.5-1107. Juvenile probation officers - powers and duties.**

24 (3) (d) UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY THE  
25 COURT, IN DIRECTING THAT A JUVENILE UNDER THE JUVENILE PROBATION  
26 OFFICER'S SUPERVISION MEET WITH THE JUVENILE PROBATION OFFICER,  
27 THE PROBATION OFFICER SHALL:

1 (I) SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE JUVENILE ON  
2 PROBATION AT MUTUALLY AGREEABLE TIMES THAT DO NOT CONFLICT  
3 WITH THE JUVENILE'S ESSENTIAL OBLIGATIONS, INCLUDING WORK,  
4 EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL APPOINTMENTS,  
5 AND OTHER PROBATION REQUIREMENTS; AND

6 (II) ALLOW A JUVENILE TO MEET WITH THE JUVENILE PROBATION  
7 OFFICER THROUGH A TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION  
8 TECHNOLOGY.

9 **SECTION 6.** In Colorado Revised Statutes, 19-2.5-1108, **amend**  
10 (2)(a)(III) as follows:

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

13 (2) (a) Conditions of probation must be customized to each juvenile  
14 based on the guidelines developed by the committee on juvenile justice  
15 reform pursuant to section 24-33.5-2402, as it existed prior to its repeal  
16 in 2022. The court shall, as minimum conditions of probation, order that  
17 the juvenile:

18 (III) ~~Report to~~ MEET WITH a probation officer at reasonable times  
19 as directed by the court or probation officer. UNLESS INCONSISTENT WITH  
20 OTHER CONDITIONS IMPOSED BY THE COURT, THE COURT SHALL ALLOW A  
21 JUVENILE UNDER THE PROBATION OFFICER'S SUPERVISION TO MEET WITH  
22 THE PROBATION OFFICER AT REASONABLE TIMES THROUGH A TELEPHONE  
23 CALL OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY. UNLESS  
24 INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY THE COURT, IN  
25 DIRECTING THAT A JUVENILE MEET WITH A PROBATION OFFICER AT  
26 REASONABLE TIMES, THE COURT OR THE PROBATION OFFICER SHALL  
27 SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE JUVENILE ON PROBATION

1 AT MUTUALLY AGREEABLE TIMES THAT DO NOT CONFLICT WITH THE  
2 JUVENILE'S ESSENTIAL OBLIGATIONS, INCLUDING WORK, EDUCATION, JOB  
3 TRAINING, DEPENDENT CARE, MEDICAL APPOINTMENTS, AND OTHER  
4 PROBATION REQUIREMENTS.

5 **SECTION 7.** In Colorado Revised Statutes, 19-2.5-1201, **amend**  
6 (7) as follows:

7 **19-2.5-1201. Juvenile parole board - creation - membership -**  
8 **authority - rules.** (7) (a) The board may grant, deny, defer, suspend,  
9 revoke, or specify or modify the conditions of any parole for any juvenile  
10 committed to the department of human services pursuant to section  
11 19-2.5-1103 or 19-2.5-1127 in a manner that is in the best interests of the  
12 juvenile and the public. In addition to any other conditions, the board may  
13 require, as a condition of parole, any adjudicated juvenile to attend school  
14 or an educational program or to work toward the attainment of a high  
15 school diploma or the successful completion of a high school equivalency  
16 examination, as that term is defined in section 22-33-102 (8.5); except  
17 that the board shall not require any such juvenile to attend a school from  
18 which the juvenile has been expelled without the prior approval of that  
19 school's local board of education. The board shall promulgate rules that  
20 establish criteria under which its parole decisions are made. The board  
21 has the duties and responsibilities specified in this part 12.

22 (b) UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY  
23 THE BOARD, THE BOARD SHALL ALLOW A JUVENILE TO HAVE PERIODIC  
24 MEETINGS WITH THE JUVENILE PAROLE OFFICER AT REASONABLE TIMES  
25 THROUGH A TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION  
26 TECHNOLOGY. UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED  
27 BY THE BOARD, IN DIRECTING THE JUVENILE TO HAVE PERIODIC MEETINGS

1 WITH A JUVENILE PAROLE OFFICER AT REASONABLE TIMES, THE JUVENILE  
2 PAROLE OFFICER SHALL SCHEDULE, IN GOOD FAITH, THE MEETINGS WITH  
3 THE JUVENILE ON PROBATION AT MUTUALLY AGREEABLE TIMES THAT DO  
4 NOT CONFLICT WITH THE JUVENILE'S ESSENTIAL OBLIGATIONS, INCLUDING  
5 WORK, EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL  
6 APPOINTMENTS, AND OTHER PAROLE REQUIREMENTS.

7 **SECTION 8.** In Colorado Revised Statutes, 19-2.5-1203, **amend**  
8 (1) as follows:

9 **19-2.5-1203. Juvenile parole - hearing panels - definition.**

10 (1) **Juvenile parole board - hearing panels authority.** (a) The juvenile  
11 parole board, established pursuant to section 19-2.5-1201, may grant,  
12 deny, defer, suspend, revoke, or specify or modify the conditions of any  
13 parole for any juvenile committed to the department of human services  
14 pursuant to sections 19-2.5-1103 and 19-2.5-1127. In addition to any  
15 other conditions, the board may require, as a condition of parole, any  
16 adjudicated juvenile to attend school or an educational program or to  
17 work toward the attainment of a high school diploma or the successful  
18 completion of a high school equivalency examination, as that term is  
19 defined in section 22-33-102 (8.5); except that the board shall not require  
20 any juvenile to attend a school from which the juvenile has been expelled  
21 without the prior approval of that school's local board of education. The  
22 board may modify any of its decisions, or those of the hearing panel,  
23 except an order of discharge.

24 (b) UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY  
25 THE BOARD, THE BOARD SHALL ALLOW A JUVENILE TO HAVE PERIODIC  
26 MEETINGS WITH A JUVENILE PAROLE OFFICER AT REASONABLE TIMES  
27 THROUGH A TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION



1 TECHNOLOGY. UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED  
2 BY THE BOARD, IN DIRECTING THE JUVENILE TO HAVE PERIODIC MEETINGS  
3 WITH A JUVENILE PAROLE OFFICER AT REASONABLE TIMES, THE JUVENILE  
4 PAROLE OFFICER SHALL SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE  
5 JUVENILE ON PAROLE AT MUTUALLY AGREEABLE TIMES THAT DO NOT  
6 CONFLICT WITH THE JUVENILE'S ESSENTIAL OBLIGATIONS, INCLUDING  
7 WORK, EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL  
8 APPOINTMENTS, AND OTHER PAROLE REQUIREMENTS.

9 **SECTION 9.** In Colorado Revised Statutes, 19-2.5-1204, **amend**  
10 (2) as follows:

11 **19-2.5-1204. Parole officers - powers - duties.** (2) (a) The  
12 juvenile parole officer shall give to each juvenile granted parole a written  
13 statement of the conditions of the juvenile's parole, ~~shall~~ explain such  
14 conditions fully, and ~~shall~~ aid the juvenile to observe them. The juvenile  
15 parole officer shall have periodic ~~conferences~~ MEETINGS with ~~and reports~~  
16 ~~from~~ the juvenile. The juvenile parole officer may conduct ~~such~~  
17 investigations or other activities as necessary to determine whether the  
18 conditions of parole are being met and to accomplish the juvenile's  
19 rehabilitation.

20 (b) UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY  
21 THE BOARD, IN DIRECTING THAT A JUVENILE ON PROBATION HAVE A  
22 PERIODIC MEETING WITH A JUVENILE PAROLE OFFICER, THE JUVENILE  
23 PAROLE OFFICER SHALL:

24 (I) SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE JUVENILE ON  
25 PAROLE AT MUTUALLY AGREEABLE TIMES THAT DO NOT CONFLICT WITH  
26 THE JUVENILE'S ESSENTIAL OBLIGATIONS INCLUDING WORK, EDUCATION,  
27 JOB TRAINING, DEPENDENT CARE, MEDICAL APPOINTMENTS, AND OTHER

1 PAROLE REQUIREMENTS; AND

2 (II) ALLOW A JUVENILE TO MEET WITH A PAROLE OFFICER  
3 THROUGH A TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION  
4 TECHNOLOGY.

5 **SECTION 10. Safety clause.** The general assembly finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, or safety or for appropriations for  
8 the support and maintenance of the departments of the state and state  
9 institutions.