

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

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.**

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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 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 SUPERVISION FEES ASSESSED IN THE PREVIOUS YEAR DURING ITS  
7 "SMART ACT" HEARING, REQUIRED PURSUANT TO SECTION 2-7-203. THE  
8 REPORT MUST INCLUDE INFORMATION REGARDING PROBATION  
9 SUPERVISION FEES, THE AMOUNT OF THE FEE CHARGED PER MONTH, HOW  
10 MANY PEOPLE WERE ASSESSED THE FEE, AND THE TOTAL AMOUNT  
11 COLLECTED. PROBATION DEPARTMENTS SHALL PROVIDE THE STATE  
12 COURT ADMINISTRATOR WITH ANY INFORMATION REQUESTED BY THE  
13 STATE COURT ADMINISTRATOR TO COMPLY WITH THIS SECTION. THE  
14 DEPARTMENT OF CORRECTIONS SHALL ANNUALLY REPORT ON PAROLE  
15 SUPERVISION FEES ASSESSED IN THE PREVIOUS YEAR DURING ITS "SMART  
16 ACT" HEARING REQUIRED PURSUANT TO SECTION 2-7-203. THE REPORT  
17 MUST INCLUDE INFORMATION REGARDING PAROLE SUPERVISION FEES, THE  
18 AMOUNT OF THE FEE CHARGED PER MONTH, HOW MANY PEOPLE WERE  
19 ASSESSED THE FEE, AND THE TOTAL AMOUNT COLLECTED.

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

3           **16-11-209. Duties of probation officers.** (1.3) UNLESS  
4 INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY THE COURT, IN  
5 DIRECTING THAT A PERSON ON PROBATION MEET WITH A PROBATION  
6 OFFICER, THE PROBATION OFFICER SHALL:

7           (a) SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE PERSON ON  
8 PROBATION AT MUTUALLY AGREEABLE TIMES THAT DO NOT CONFLICT  
9 WITH THE PERSON'S ESSENTIAL OBLIGATIONS, INCLUDING WORK,  
10 EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL APPOINTMENTS,  
11 AND OTHER PROBATION REQUIREMENTS; AND

12           (b) ALLOW A PERSON ON PROBATION TO MEET WITH THE  
13 PROBATION OFFICER THROUGH A TELEPHONE CALL OR AUDIO-VISUAL  
14 COMMUNICATION TECHNOLOGY.

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

18           **17-2-201. State board of parole - duties - definitions.** (4.5) THE  
19 BOARD MAY GRANT, DENY, DEFER, SUSPEND, REVOKE, OR SPECIFY OR  
20 MODIFY THE CONDITIONS OF ANY PAROLE FOR ANY DEFENDANT  
21 COMMITTED TO THE DEPARTMENT OF CORRECTIONS IN A MANNER THAT IS  
22 IN THE BEST INTERESTS OF THE DEFENDANT AND THE PUBLIC.

23           (5) (b) (I) Conditions imposed for parole may include, but are not  
24 limited to, ~~requiring that the offender pay reasonable costs of supervision~~  
25 ~~of parole or placing the offender on home detention as defined in section~~  
26 18-1.3-106 (1.1). ~~C.R.S.~~

27           (II) THE BOARD SHALL NOT REVOKE PAROLE FOR LACK OF

1 PAYMENT OF PAROLE SUPERVISION FEES.

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

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

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

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

24 **18-1.3-204. Conditions of probation - interstate compact**  
25 **probation transfer cash fund - creation.** (2) (a) When granting  
26 probation, the court may, as a ~~condition of~~ probation CONDITION, require  
27 that the defendant:

1 (V) Pay reasonable costs of the court proceedings or costs of  
2 supervision of probation, or both. SUPERVISION FEES SHALL NOT BE  
3 ASSESSED IN MORE THAN ONE JURISDICTION PER CONCURRENT CASE. The  
4 probation supervision fee ~~shall be~~ IS fifty dollars per month for the length  
5 of ordered probation. Notwithstanding the amount specified in this  
6 subparagraph ~~(V)~~ SUBSECTION (2)(a)(V), the court may lower OR WAIVE  
7 COURT COSTS AND the costs of supervision of probation to ~~an amount the~~  
8 ~~defendant will be able to pay~~ FOR AN INDIGENT DEFENDANT. The court  
9 shall fix the manner of performance for payment of the fee. If the  
10 defendant receives probation services from a private provider, the court  
11 shall order the defendant to pay the probation supervision fee directly to  
12 the provider. The fee shall be imposed for the length of ordered  
13 probation.

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

27 **SECTION 5.** In Colorado Revised Statutes, 19-2.5-1107, **add**

1 (3)(d) as follows:

2 **19-2.5-1107. Juvenile probation officers - powers and duties.**

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

7 (I) SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE JUVENILE ON  
8 PROBATION AT MUTUALLY AGREEABLE TIMES THAT DO NOT CONFLICT  
9 WITH THE JUVENILE'S ESSENTIAL OBLIGATIONS, INCLUDING WORK,  
10 EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL APPOINTMENTS,  
11 AND OTHER PROBATION REQUIREMENTS; AND

12 (II) ALLOW A JUVENILE TO MEET WITH THE JUVENILE PROBATION  
13 OFFICER THROUGH A TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION  
14 TECHNOLOGY.

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

17 **19-2.5-1108. Probation - terms - release - revocation -**  
18 **graduated responses system - rules - report - definition.**

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

24 (III) ~~Report to~~ MEET WITH a probation officer at reasonable times  
25 as directed by the court or probation officer. UNLESS INCONSISTENT WITH  
26 OTHER CONDITIONS IMPOSED BY THE COURT, THE COURT SHALL ALLOW A  
27 JUVENILE UNDER THE PROBATION OFFICER'S SUPERVISION TO MEET WITH

1 THE PROBATION OFFICER AT REASONABLE TIMES THROUGH A TELEPHONE  
2 CALL OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY. UNLESS  
3 INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY THE COURT, IN  
4 DIRECTING THAT A JUVENILE MEET WITH A PROBATION OFFICER AT  
5 REASONABLE TIMES, THE COURT OR THE PROBATION OFFICER SHALL  
6 SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE JUVENILE ON PROBATION  
7 AT MUTUALLY AGREEABLE TIMES THAT DO NOT CONFLICT WITH THE  
8 JUVENILE'S ESSENTIAL OBLIGATIONS, INCLUDING WORK, EDUCATION, JOB  
9 TRAINING, DEPENDENT CARE, MEDICAL APPOINTMENTS, AND OTHER  
10 PROBATION REQUIREMENTS.

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

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

1 (b) UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY  
2 THE BOARD, THE BOARD SHALL ALLOW A JUVENILE TO HAVE PERIODIC  
3 MEETINGS WITH THE JUVENILE PAROLE OFFICER AT REASONABLE TIMES  
4 THROUGH A TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION  
5 TECHNOLOGY. UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED  
6 BY THE BOARD, IN DIRECTING THE JUVENILE TO HAVE PERIODIC MEETINGS  
7 WITH A JUVENILE PAROLE OFFICER AT REASONABLE TIMES, THE JUVENILE  
8 PAROLE OFFICER SHALL SCHEDULE, IN GOOD FAITH, THE MEETINGS WITH  
9 THE JUVENILE ON PAROLE AT MUTUALLY AGREEABLE TIMES THAT DO NOT  
10 CONFLICT WITH THE JUVENILE'S ESSENTIAL OBLIGATIONS, INCLUDING  
11 WORK, EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL  
12 APPOINTMENTS, AND OTHER PAROLE REQUIREMENTS.

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

15 **19-2.5-1203. Juvenile parole - hearing panels - definition.**

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



1 board may modify any of its decisions, or those of the hearing panel,  
2 except an order of discharge.

3 (b) UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY  
4 THE BOARD, THE BOARD SHALL ALLOW A JUVENILE TO HAVE PERIODIC  
5 MEETINGS WITH A JUVENILE PAROLE OFFICER AT REASONABLE TIMES  
6 THROUGH A TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION  
7 TECHNOLOGY. UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED  
8 BY THE BOARD, IN DIRECTING THE JUVENILE TO HAVE PERIODIC MEETINGS  
9 WITH A JUVENILE PAROLE OFFICER AT REASONABLE TIMES, THE JUVENILE  
10 PAROLE OFFICER SHALL SCHEDULE, IN GOOD FAITH, MEETINGS WITH THE  
11 JUVENILE ON PAROLE AT MUTUALLY AGREEABLE TIMES THAT DO NOT  
12 CONFLICT WITH THE JUVENILE'S ESSENTIAL OBLIGATIONS, INCLUDING  
13 WORK, EDUCATION, JOB TRAINING, DEPENDENT CARE, MEDICAL  
14 APPOINTMENTS, AND OTHER PAROLE REQUIREMENTS.

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

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

26 (b) UNLESS INCONSISTENT WITH OTHER CONDITIONS IMPOSED BY  
27 THE BOARD, IN DIRECTING THAT A JUVENILE ON PAROLE HAVE A PERIODIC

1 MEETING WITH A JUVENILE PAROLE OFFICER, THE JUVENILE PAROLE  
2 OFFICER SHALL:

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

8 (II) ALLOW A JUVENILE TO MEET WITH A PAROLE OFFICER  
9 THROUGH A TELEPHONE CALL OR AUDIO-VISUAL COMMUNICATION  
10 TECHNOLOGY.

11 **SECTION 10. Safety clause.** The general assembly finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, or safety or for appropriations for  
14 the support and maintenance of the departments of the state and state  
15 institutions.