

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

ENGROSSED

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

LLS NO. 24-1182.01 Conrad Imel x2313

HOUSE BILL 24-1461

HOUSE SPONSORSHIP

Martinez and Pugliese,

SENATE SPONSORSHIP

Gonzales,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN EXEMPTION FROM THE LIMIT ON EARNED TIME FOR**
102 **EARNED TIME AWARDED TO NONVIOLENT OFFENDERS WHO**
103 **COMPLETE AN ACCREDITED HIGHER EDUCATION PROGRAM.**

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, the department of corrections may, for an inmate who was sentenced for a nonviolent felony offense, deduct earned time from the inmate's sentence for each accredited degree or other credential awarded by an institution of higher education to the inmate while the inmate is incarcerated or on parole (degree or credential earned

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.

HOUSE
2nd Reading Unamended
April 25, 2024

time). The bill exempts degree or credential earned time from the statutory limit on earned time.

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-22.5-405, **amend**
3 (4)(a); and **add** (3.7)(c) as follows:

4 **17-22.5-405. Earned time - earned release time - achievement**
5 **earned time - definition.** (3.7) (c) THE LIMITATION DESCRIBED IN
6 SUBSECTION (4)(a) OF THIS SECTION DOES NOT APPLY TO EARNED TIME
7 AWARDED PURSUANT TO THIS SUBSECTION (3.7).

8 (4) (a) Except as described in subsection ~~(3.7)~~, ~~(4)(b)~~, (6), or (9)
9 of this section, ~~or in paragraph (b) of this subsection (4)~~, and
10 notwithstanding any other provision of this section, earned time may not
11 reduce the sentence of an inmate as defined in section 17-22.5-402 (1) by
12 a period of time that is more than thirty percent of the sentence.

13 **SECTION 2. Act subject to petition - effective date -**
14 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
15 the expiration of the ninety-day period after final adjournment of the
16 general assembly; except that, if a referendum petition is filed pursuant
17 to section 1 (3) of article V of the state constitution against this act or an
18 item, section, or part of this act within such period, then the act, item,
19 section, or part will not take effect unless approved by the people at the
20 general election to be held in November 2024 and, in such case, will take
21 effect on the date of the official declaration of the vote thereon by the
22 governor.

23 (2) This act applies to earned time awarded on or after the
24 applicable effective date of this act.