

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

May 4, 2011
Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

SB11-256 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, strike line 22 and substitute "18-1-901
2 (3) (o.5), OR IN THE CASE OF A JUVENILE OFFENDER, TO IMPOSE
3 RESTORATIVE JUSTICE, AS DEFINED IN SECTION 19-1-103 (94.1), C.R.S."

4 Page 3, after line 27 insert:

5 "(II) IN SENTENCING A JUVENILE WHO VIOLATES THIS SECTION, THE
6 COURT HAS DISCRETION TO IMPOSE RESTORATIVE JUSTICE, AS DEFINED IN
7 SECTION 19-1-103 (94.1), C.R.S.

8 (III) THE COURT MAY SUSPEND ALL OR PART OF THE MANDATORY
9 MINIMUM FINE ASSOCIATED WITH A CONVICTION UNDER THIS SECTION
10 UPON THE OFFENDER'S SUCCESSFUL COMPLETION OF ANY RESTORATIVE
11 JUSTICE REQUIREMENTS IMPOSED BY THE COURT PURSUANT TO
12 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a)."

13 Page 4, line 1, strike "(II)" and substitute "(IV)".

14 Page 4, after line 9 insert:

15 "SECTION 3. 18-4-509 (1) (c) (II), Colorado Revised Statutes,
16 is amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH
17 to read:

18 **18-4-509. Defacing property - definitions.** (1) (c) (II) For
19 purposes of this section:

1 (B.5) "JUVENILE" SHALL HAVE THE SAME MEANING AS SET FORTH
2 IN SECTION 19-1-103 (68), C.R.S."

3 Renumber succeeding sections accordingly.

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