

**Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 08-0390.01 Michael Dohr

HOUSE BILL 08-1219

HOUSE SPONSORSHIP

Gardner B., King, Liston, Lundberg, and McNulty

SENATE SPONSORSHIP

Cadman,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING GLOBAL POSITION MONITORING FOR CERTAIN SEX**
102 **OFFENDERS RELEASED INTO THE COMMUNITY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires certain sex offenders who are released on parole or sentenced to probation to be subject to global position monitoring.

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

2 **SECTION 1.** 17-22.5-404, Colorado Revised Statutes, is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 amended BY THE ADDITION OF A NEW SUBSECTION to read:

2 **17-22.5-404. Parole guidelines.** (4.3) IF THE PAROLE BOARD
3 RELEASES A SEXUALLY VIOLENT PREDATOR AS DETERMINED BY SECTION
4 18-3-414.5, [REDACTED] C.R.S., THE PAROLE BOARD SHALL ORDER, AS A
5 CONDITION OF RELEASE ON PAROLE, THAT THE SEXUALLY VIOLENT
6 PREDATOR BE SUBJECT TO GLOBAL POSITION MONITORING FOR THE LENGTH
7 OF THE SEXUALLY VIOLENT PREDATOR'S TERM OF PAROLE. THE SEXUALLY
8 VIOLENT PREDATOR SHALL BEAR THE COST OF THE GLOBAL POSITION
9 MONITORING.

10 **SECTION 2.** 18-1.3-204, Colorado Revised Statutes, is amended
11 BY THE ADDITION OF A NEW SUBSECTION to read:

12 **18-1.3-204. Conditions of probation.** (1.3) IF THE COURT
13 SENTENCES A SEXUALLY VIOLENT PREDATOR AS DETERMINED BY SECTION
14 18-3-414.5, TO PROBATION, IN ADDITION TO THE CONDITIONS IMPOSED BY
15 THE COURT PURSUANT TO THIS SECTION, THE COURT SHALL REQUIRE, AS
16 A CONDITION OF PROBATION, THAT THE [REDACTED] SEXUALLY VIOLENT PREDATOR
17 BE SUBJECT TO GLOBAL POSITION MONITORING FOR THE LENGTH OF THE
18 SEXUALLY VIOLENT PREDATOR'S TERM OF PROBATION. THE SEXUALLY
19 VIOLENT PREDATOR SHALL BEAR THE COST OF THE GLOBAL POSITION
20 MONITORING.

21 **SECTION 3.** 18-1.3-1006, Colorado Revised Statutes, is
22 amended BY THE ADDITION OF A NEW SUBSECTION to read:

23 **18-1.3-1006. Release from incarceration - parole - conditions.**
24 (2.5) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF THIS
25 SECTION, IF THE PAROLE BOARD RELEASES A SEXUALLY VIOLENT
26 PREDATOR AS DETERMINED BY SECTION 18-3-414.5 ON PAROLE PURSUANT
27 TO THIS SECTION, THE PAROLE [REDACTED] BOARD SHALL ORDER, AS A CONDITION

1 OF RELEASE ON PAROLE, THAT THE SEXUALLY VIOLENT PREDATOR BE
2 SUBJECT TO GLOBAL POSITION MONITORING FOR THE LENGTH OF THE
3 SEXUALLY VIOLENT PREDATOR'S TERM OF PAROLE. THE SEXUALLY
4 VIOLENT PREDATOR SHALL BEAR THE COST OF THE GLOBAL POSITION
5 MONITORING.

6 **SECTION 4.** 18-1.3-1008, Colorado Revised Statutes, is
7 amended BY THE ADDITION OF A NEW SUBSECTION to read:

8 **18-1.3-1008. Probation - conditions - release.**

9 (1.3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS
10 SECTION, IF THE COURT SENTENCES A SEXUALLY VIOLENT PREDATOR AS
11 DETERMINED BY SECTION 18-3-414.5, ██████████ TO PROBATION, IN
12 ADDITION TO THE CONDITIONS IMPOSED PURSUANT TO SECTION
13 18-1.3-204, THE COURT SHALL REQUIRE, AS A CONDITION OF PROBATION,
14 THAT THE SEXUALLY VIOLENT PREDATOR BE SUBJECT TO GLOBAL POSITION
15 MONITORING FOR THE LENGTH OF THE SEXUALLY VIOLENT PREDATOR'S
16 TERM OF PROBATION. THE SEXUALLY VIOLENT PREDATOR SHALL BEAR
17 THE COST OF THE GLOBAL POSITION MONITORING.

18 **SECTION 5. Effective date - applicability.** This act shall take
19 effect July 1, 2008, and shall apply to offenses committed on or after said
20 date.

21 **SECTION 6. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.