

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

INTRODUCED

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

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 SEX OFFENDER ON PAROLE WHO WAS CONVICTED OF
4 UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9),
5 C.R.S., THE PAROLE BOARD SHALL ORDER, AS A CONDITION OF RELEASE ON
6 PAROLE, THAT THE SEX OFFENDER BE SUBJECT TO GLOBAL POSITION
7 MONITORING FOR THE LENGTH OF THE SEX OFFENDER'S TERM OF PAROLE.
8 THE SEX OFFENDER 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 SEX OFFENDER CONVICTED OF UNLAWFUL SEXUAL BEHAVIOR
14 AS DEFINED IN SECTION 16-22-102 (9), C.R.S., TO PROBATION, IN ADDITION
15 TO THE CONDITIONS IMPOSED BY THE COURT PURSUANT TO THIS SECTION,
16 THE COURT SHALL REQUIRE, AS A CONDITION OF PROBATION, THAT THE SEX
17 OFFENDER BE SUBJECT TO GLOBAL POSITION MONITORING FOR THE LENGTH
18 OF THE SEX OFFENDER'S TERM OF PROBATION. THE SEX OFFENDER SHALL
19 BEAR THE COST OF THE GLOBAL POSITION MONITORING.

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

22 **18-1.3-1006. Release from incarceration - parole - conditions.**
23 (2.5) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF THIS
24 SECTION, IF THE PAROLE BOARD RELEASES A SEX OFFENDER ON PAROLE
25 PURSUANT TO THIS SECTION WHO WAS CONVICTED OF UNLAWFUL SEXUAL
26 BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9), C.R.S., THE PAROLE
27 BOARD SHALL ORDER, AS A CONDITION OF RELEASE ON PAROLE, THAT THE

1 SEX OFFENDER BE SUBJECT TO GLOBAL POSITION MONITORING FOR THE
2 LENGTH OF THE SEX OFFENDER'S TERM OF PAROLE. THE SEX OFFENDER
3 SHALL BEAR THE COST OF THE GLOBAL POSITION MONITORING.

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

6 **18-1.3-1008. Probation - conditions - release.**

7 (1.3) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS
8 SECTION, IF THE COURT SENTENCES A SEX OFFENDER CONVICTED OF
9 UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9),
10 C.R.S., TO PROBATION, IN ADDITION TO THE CONDITIONS IMPOSED
11 PURSUANT TO SECTION 18-1.3-204, THE COURT SHALL REQUIRE, AS A
12 CONDITION OF PROBATION, THAT THE SEX OFFENDER BE SUBJECT TO
13 GLOBAL POSITION MONITORING FOR THE LENGTH OF THE SEX OFFENDER'S
14 TERM OF PROBATION. THE SEX OFFENDER SHALL BEAR THE COST OF THE
15 GLOBAL POSITION MONITORING.

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

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