



Colorado Legislative Council Staff Fiscal Note
NO FISCAL IMPACT

Drafting Number: LLS 11-0018**Date:** January 28, 2011**Prime Sponsor(s):** Rep. Schafer S.
Sen. Jahn**Bill Status:** House Judiciary**Fiscal Analyst:** Jessika Shipley (303-866-3528)

TITLE: CONCERNING REFERRAL OF OFFENDERS TO COMMUNITY CORRECTIONS.**Summary of Legislation**

This bill clarifies that the executive director of the Department of Corrections (DOC) may refer only offenders who have displayed acceptable institutional behavior for placement in community corrections programs according to the following timeline:

- an offender who successfully completes a regimented inmate discipline program may be referred no more than 28 months prior to his or her parole eligibility date;
- an offender who is not serving a sentence for a crime of violence may be referred no more than 16 months prior to his or her parole eligibility date;
- all other offenders may be referred no more than 180 days prior to their parole eligibility date; and
- an offender who is serving a sentence for a crime of violence, does not have an active felony warrant or detainer, has not refused community placement, and has been denied parole may be referred no more than 12 months prior to his or her second or subsequent parole hearing date.

Current law is silent on the subject of referrals to community corrections for individuals who have been denied parole.

The bill takes effect August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed.

Assessment

The bill makes clarifications to existing law and codifies department practice. The process and frequency with which the DOC refers offenders for community corrections placement is not expected to change. Eligible offenders will reach community corrections at the same time as they do now. The bill will not affect state or local revenue or expenditures and, as such, is assessed as having no fiscal impact.

Departments Contacted

Corrections

Public Safety