

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 13-0813.01 Michael Dohr x4347

HOUSE BILL 13-1242

HOUSE SPONSORSHIP

Pettersen, Hullinghorst, Kagan, Pabon

SENATE SPONSORSHIP

King,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REPEAL OF THE MANDATORY SENTENCING**
102 **REQUIREMENT FOR VIOLATION OF BAIL BOND CONDITIONS FOR**
103 **CERTAIN OFFENDERS.**

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://www.leg.state.co.us/billsummaries>.)

Under current law, a person who commits the offense of violation of bail bond conditions is subject to mandatory incarceration in prison for a felony and jail for a misdemeanor. The offense also requires mandatory consecutive sentencing. This bill repeals the mandatory sentencing

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.

HOUSE
Amended 2nd Reading
April 25, 2013

provisions but does not change the sentencing range.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-8-212, **amend** (3)
3 **and add** (3.5) as follows:

4 **18-8-212. Violation of bail bond conditions.** (3) A person
5 ~~convicted under this section~~ WHO FAILS TO APPEAR FOR A COURT
6 PROCEEDING WITH THE INTENT TO AVOID PROSECUTION OR SENTENCE OR
7 A PERSON WHO IS CONVICTED OF COMMITTING A MISDEMEANOR OR
8 FELONY CRIMINAL OFFENSE COMMITTED WHILE ON BOND shall not be
9 eligible for probation or a suspended sentence and shall be sentenced to
10 imprisonment of not less than one year for violation of subsection (1) of
11 this section and not less than six months for violation of subsection (2) of
12 this section. Any such sentence shall be served consecutively with any
13 sentence for the offense on which the person is on bail.

14 (3.5) A PERSON WHO IS ON BOND FOR A SEX OFFENSE AS DEFINED
15 IN SECTION 18-1.3-1003 WHO IS CONVICTED UNDER THIS SECTION FOR A
16 BOND VIOLATION SHALL NOT BE ELIGIBLE FOR PROBATION OR A
17 SUSPENDED SENTENCE AND SHALL BE SENTENCED TO IMPRISONMENT OF
18 NOT LESS THAN ONE YEAR. ANY SUCH SENTENCE SHALL BE SERVED
19 CONSECUTIVELY WITH ANY SENTENCE FOR THE OFFENSE ON WHICH THE
20 PERSON IS ON BAIL.

21 **SECTION 2. Effective date - applicability.** This act takes effect
22 July 1, 2013, and applies to offenses committed on or after said date.

23 **SECTION 3. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, and safety.