

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0545.01 Richard Sweetman x4333

HOUSE BILL 13-1109

HOUSE SPONSORSHIP

Buck, DelGrosso

SENATE SPONSORSHIP

Renfroe,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE APPLICATION OF MANDATORY PROTECTION ORDERS
102 TO PAROLEES.

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/billssummaries>.)

Under current law, a mandatory protection order is created against any person charged with a criminal offense. The order restrains the person charged from harassing, molesting, intimidating, retaliating against, or tampering with any witness to or victim of the acts charged. The protection order remains in effect until final disposition of the action.

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.

For the purposes of these provisions, the bill amends the definition of "until final disposition of the action" to clarify that a defendant shall not be deemed to have been released from incarceration until the defendant has also been discharged from any period of parole supervision that follows such incarceration.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1-1001, **amend**
3 (8) (b) as follows:

4 **18-1-1001. Protection order against defendant.** (8) For
5 purposes of this section:

6 (b) "Until final disposition of the action" means until the case is
7 dismissed, until the defendant is acquitted, or until the defendant
8 completes his or her sentence. Any defendant sentenced to probation ~~or~~
9 ~~incarceration shall be~~ IS deemed to have completed his or her sentence
10 upon discharge from probation. ~~or incarceration, as the case may be.~~ A
11 DEFENDANT SENTENCED TO INCARCERATION IS DEEMED TO HAVE
12 COMPLETED HIS OR HER SENTENCE UPON RELEASE FROM INCARCERATION
13 AND DISCHARGE FROM PAROLE SUPERVISION.

14 **SECTION 2. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in

1 November 2014 and, in such case, will take effect on the date of the
2 official declaration of the vote thereon by the governor.