

Second 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. 14-0662.01 Michael Dohr x4347

HOUSE BILL 14-1035

HOUSE SPONSORSHIP

Gardner,

SENATE SPONSORSHIP

Johnston,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING COLLECTION OF RESTITUTION ORDERED PURSUANT TO A**
102 **DEFERRED JUDGMENT.**

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>.)

The bill clarifies that an order of restitution that is part of a deferred judgment can be collected by the court after the deferred judgment is dismissed until the judgment is satisfied.

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
January 28, 2014

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 16-18.5-111 as
3 follows:

4 **16-18.5-111. Effect of termination of deferred judgment and**
5 **sentence or deferred adjudication.** THE PROVISIONS OF THIS ARTICLE
6 APPLY NOTWITHSTANDING THE TERMINATION OF A DEFERRED JUDGMENT
7 AND SENTENCE OR A DEFERRED ADJUDICATION.

8 **SECTION 2.** In Colorado Revised Statutes, 18-1.3-603, **amend**
9 (4) (a) as follows:

10 **18-1.3-603. Assessment of restitution - corrective orders.**

11 (4) (a) Any order for restitution entered pursuant to this section shall be
12 a final civil judgment in favor of the state and any victim.
13 Notwithstanding any other civil or criminal statute or rule, any such
14 judgment shall remain in force until the restitution is paid in full. THE
15 PROVISIONS OF ARTICLE 18.5 OF TITLE 16, C.R.S., APPLY
16 NOTWITHSTANDING THE TERMINATION OF A DEFERRED JUDGMENT AND
17 SENTENCE OR A DEFERRED ADJUDICATION.

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