

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0784.01 Michael Dohr x4347

HOUSE BILL 15-1203

HOUSE SPONSORSHIP

Rosenthal,

SENATE SPONSORSHIP

Steadman,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING EARNED TIME FOR CERTAIN OFFENDERS SERVING LIFE**
102 **SENTENCES AS HABITUAL 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, an offender who was sentenced to a habitual offender 40-calendar-year life sentence before July 1, 1993, is not accruing earned time. The bill permits those sentenced under those circumstances to accrue earned time.

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-22.5-104, **amend**
3 (2) (c) and (2) (d) (I) as follows:

4 **17-22.5-104. Parole - regulations.** (2) (c) (I) No inmate
5 imprisoned under a life sentence for a crime committed on or after July
6 1, 1985, shall be paroled until such inmate has served at least forty
7 calendar years, and no application for parole shall be made or considered
8 during such period of forty years.

9 (II) SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) DOES NOT APPLY
10 TO AN INMATE SENTENCED PURSUANT SECTION 16-13-101 (2), C.R.S., AS
11 IT EXISTED PRIOR TO JULY 1, 1993, FOR ANY CRIME COMMITTED ON OR
12 AFTER JULY 1, 1985, AND THE INMATE SHALL BE ELIGIBLE FOR PAROLE
13 AFTER THE INMATE HAS SERVED FORTY CALENDAR YEARS LESS ANY TIME
14 AUTHORIZED PURSUANT TO SECTION 17-22.5-405.

15 (d) (I) No inmate imprisoned under a life sentence for a class 1
16 felony committed on or after July 1, 1990, shall be eligible for parole. ~~No~~
17 ~~inmate imprisoned under a life sentence pursuant to section 16-13-101~~
18 ~~(2), C.R.S., as it existed prior to July 1, 1993, for a crime committed on~~
19 ~~or after July 1, 1990, shall be paroled until such inmate has served at least~~
20 ~~forty calendar years, and no application for parole shall be made or~~
21 ~~considered during such period of forty years.~~

22 **SECTION 2. Applicability.** This act applies to an inmate
23 sentenced pursuant to section 16-13-101 (2), C.R.S., as it existed prior to
24 July 1, 1993, for any crime committed on or after July 1, 1985.

25 **SECTION 3. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly (August

1 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part will not take effect
5 unless approved by the people at the general election to be held in
6 November 2016 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.