

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 15-0708.01 Richard Sweetman x4333

SENATE BILL 15-195

SENATE SPONSORSHIP

Steadman, Grantham, Lambert

HOUSE SPONSORSHIP

Hamner, Young, Rankin

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING APPROPRIATING TO THE DEPARTMENT OF CORRECTIONS**
102 **MONEYS GENERATED AS SAVINGS FROM THE AWARDING OF**
103 **ACHIEVEMENT EARNED TIME TO INMATES, AND, IN CONNECTION**
104 **THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**

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>.)

Joint Budget Committee. Under current law, an offender who successfully completes a milestone or phase of an educational, vocational,

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
3rd Reading Unamended
April 30, 2015

HOUSE
2nd Reading Unamended
April 29, 2015

SENATE
3rd Reading Unamended
April 16, 2015

SENATE
Amended 2nd Reading
April 15, 2015

therapeutic, or reentry program, or who demonstrates exceptional conduct that promotes the safety of correctional staff, volunteers, contractors, or other persons under the supervision of the department of corrections (department), may be awarded as many as 60 days of achievement earned time per program milestone or phase or per instance of exceptional conduct, in addition to earned time that is otherwise authorized. The bill states that the general assembly shall appropriate any savings generated from the awarding of such achievement earned time to:

! The education subprogram, for academic and vocational programs to offenders; and

! The parole subprogram, for parole wrap-around services.

The appropriation must not exceed \$5 million in any fiscal year. In allocating the appropriated moneys to the parole subprogram, for parole wrap-around services, the department shall give priority to parole wrap-around services that are administered based on evidence-based practices.

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-22.5-405, **add** (9)

3 (a.5) as follows:

4 **17-22.5-405. Earned time - earned release time - achievement**

5 **earned time.** (9) (a.5) (I) PURSUANT TO THE INTENT OF THE GENERAL

6 ASSEMBLY IN ENACTING HOUSE BILL 12-1223 DURING THE 2012 REGULAR

7 SESSION, THE GENERAL ASSEMBLY SHALL APPROPRIATE SAVINGS

8 GENERATED FROM THE ENACTMENT OF THIS SUBSECTION (9) TO:

9 (A) THE EDUCATION SUBPROGRAM, FOR ACADEMIC AND
10 VOCATIONAL PROGRAMS TO OFFENDERS; AND

11 (B) THE PAROLE SUBPROGRAM, FOR PAROLE WRAP-AROUND
12 SERVICES.

13 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF

14 THIS PARAGRAPH (a.5), THE APPROPRIATION DESCRIBED IN SAID

15 SUBPARAGRAPH (I) MUST NOT EXCEED SIX MILLION FIVE HUNDRED

16 THOUSAND DOLLARS IN ANY FISCAL YEAR.

1 (III) IN ALLOCATING THE MONEYS APPROPRIATED PURSUANT TO
2 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a.5),
3 THE DEPARTMENT SHALL GIVE PRIORITY TO PAROLE WRAP-AROUND
4 SERVICES THAT ARE ADMINISTERED BASED ON EVIDENCE-BASED
5 PRACTICES.

6 **SECTION 2. In Colorado Revised Statutes, add 17-42-103 as**
7 **follows:**

8 **17-42-103. Policies concerning inmates' use of telephones -**
9 **excessive rates prohibited. IN ADMINISTERING THE USE OF TELEPHONES**
10 **BY INMATES IN ANY STATE OR PRIVATE PRISON FACILITY, THE**
11 **DEPARTMENT SHALL NOT RECEIVE ANY COMMISSION FROM THE PHONE**
12 **PROVIDER EXCEPT AS MUCH AS IS NECESSARY TO PAY FOR CALLING COSTS**
13 **AND THE DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT IN**
14 **MANAGING THE CALLING SYSTEM. FOR THE PURPOSES OF THIS PROVISION,**
15 **"DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT IN**
16 **MANAGING THE CALLING SYSTEM" INCLUDES COSTS RELATED TO THE**
17 **PROVISION OF SECURITY AND MONITORING SYSTEMS BY EITHER THE**
18 **DEPARTMENT OR THE PHONE PROVIDER.**

19 **SECTION 3. Appropriation - adjustments to 2015 long bill.**

20 **(1) To implement this act, appropriations made in the annual general**
21 **appropriation act for the 2015-16 state fiscal year to the department of**
22 **corrections are adjusted as follows:**

23 **(a) The appropriation to the volunteers subprogram for personal**
24 **services from the general fund is increased by \$618,417 and the**
25 **appropriation from cash funds from sales revenues earned by the canteen**
26 **operation is decreased by \$618,417;**

27 **(b) The appropriation to the volunteers subprogram for operating**

1 expenses from the general fund is increased by \$17,912 and the
2 appropriation from cash funds from sales revenues earned by the canteen
3 operation is decreased by \$17,912; and

4 (c) The appropriation to the education subprogram for operating
5 expenses from cash funds from sales revenues earned by the canteen
6 operation is increased by \$636,329 and the appropriation from the general
7 fund is decreased by \$636,329.

8 (2) To implement this act, appropriations made in the annual
9 general appropriation act for the 2015-16 state fiscal year to the
10 department of corrections are adjusted as follows:

11 (a) The appropriation to the education subprogram for personal
12 services from the general fund is increased by \$1,017,989 and the
13 appropriation from cash funds from sales revenues earned by the canteen
14 operation is decreased by \$1,017,989; and

15 (b) The appropriation to the education subprogram for operating
16 expenses from the general fund is increased by \$482,011 and the
17 appropriation from cash funds from sales revenues earned by the canteen
18 operation is decreased by \$482,011.

19 **SECTION 4. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2016 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.