

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

**PREAMENDED**

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

LLS NO. 15-0708.01 Richard Sweetman x4333

**SENATE BILL 15-195**

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**SENATE SPONSORSHIP**

**Steadman**, Grantham, Lambert

**HOUSE SPONSORSHIP**

**Hamner**, Young, Rankin

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**Senate Committees**

Judiciary  
Appropriations

**House Committees**

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**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.**

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**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/bills summaries>.)*

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

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.*

(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.

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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.

17 (III) IN ALLOCATING THE MONEYS APPROPRIATED PURSUANT TO

18 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a.5),

1 THE DEPARTMENT SHALL GIVE PRIORITY TO PAROLE WRAP-AROUND  
2 SERVICES THAT ARE ADMINISTERED BASED ON EVIDENCE-BASED  
3 PRACTICES.

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

6 **17-42-103. Policies concerning inmates' use of telephones -**  
7 **excessive rates prohibited.** IN ADMINISTERING THE USE OF TELEPHONES  
8 BY INMATES IN ANY STATE OR PRIVATE PRISON FACILITY, THE  
9 DEPARTMENT SHALL NOT RECEIVE ANY COMMISSION FROM THE PHONE  
10 PROVIDER EXCEPT AS MUCH AS IS NECESSARY TO PAY FOR CALLING COSTS  
11 AND THE DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT IN  
12 MANAGING THE CALLING SYSTEM. FOR THE PURPOSES OF THIS PROVISION,  
13 "DIRECT AND INDIRECT COSTS INCURRED BY THE DEPARTMENT IN  
14 MANAGING THE CALLING SYSTEM" INCLUDES COSTS RELATED TO THE  
15 PROVISION OF SECURITY AND MONITORING SYSTEMS BY EITHER THE  
16 DEPARTMENT OR THE PHONE PROVIDER.

17 **SECTION 3.** **Act subject to petition - effective date.** This act  
18 takes effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly (August  
20 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a  
21 referendum petition is filed pursuant to section 1 (3) of article V of the  
22 state constitution against this act or an item, section, or part of this act  
23 within such period, then the act, item, section, or part will not take effect  
24 unless approved by the people at the general election to be held in  
25 November 2016 and, in such case, will take effect on the date of the  
26 official declaration of the vote thereon by the governor.