

2017

Regulatory Agenda



COLORADO

Department of Corrections

Overview

The Colorado Department of Corrections submits the following 2017-18 Regulatory Agenda in fulfillment of the statutory requirements set forth in Colorado Revised Statute 2-7-203(4). Pursuant to state law, annually on November 1 executive branch agencies must file a Departmental Regulatory Agenda containing:

- A list of new rules or amendments that the department or its divisions expect to propose in the next calendar year;
- The statutory or other basis for adoption of the proposed rules;
- The purpose of the proposed rules;
- The contemplated schedule for adoption of the rules;
- An identification and listing of persons or parties that may be affected positively or negatively by the rules; and
- A list and brief summary of all permanent and temporary rules adopted since the previous Departmental Regulatory Agenda was filed.

The Departmental Regulatory Agenda also includes, pursuant to Colorado Revised Statute 24-4-103.3, rules to be reviewed as part of the Department “Regulatory Efficiency Reviews” during 2017-18 (which are denoted in the “purpose” column). The Departmental Regulatory Agenda is to be filed with the Legislative Council staff for distribution to committee(s) of reference, posted on the department’s website, and submitted to the Secretary of State for publication in the Colorado Register. Each department must also present its Departmental Regulatory Agenda as a part of its “Smart Act” hearing and presentation pursuant to Colorado Revised Statute 2-7-203(2)(a)(III)(A).

The following constitutes Colorado Department of Correction’s Departmental Regulatory Agenda for 2017-18 and is provided in accordance with Colorado Revised Statute 24-7-203(2)(a)(IV):

Schedule Month, Year	Rule Number and Title or Brief Description	Division/ Board/ Program	New Rule, Revision, or Repeal	Statutory or other basis for adoption of the rule	Stake holders
December 2017	700-15, Pharmacy Services	Division of Clinical and Correctional Services	SB 19 Medication Mental Illness in the Justice System	DHS, in consultation with DOC, is required to develop an agreed upon formulary; DOC is required to share certain patient-specific information with other entities	Offenders, Staff, Division of Adult Parole, Community
October 2017	250-04, Indigent Parolee Emergency Assistance	Division of Parole	SB 21 Assistance to Released Mentally Ill Offenders	Additional housing assistance resources are provided by DOLA, which DOC can utilize for releasing offenders suffering from mental health or co-occurring behavioral health disorders.	Offenders, Staff, Division of Adult Parole, Community
February 2018	550-11, Offender Release				
January 2018	250-55RD, Fugitive Operations for Adult Parole and Community Corrections	Division of Parole	SB 48 Require Arrests of ISP Escapees from the DOC	Division of Adult Parole is required to immediately seek a warrant if there is probable	Offenders, Staff, Division of

				cause the offender has removed or tampered with their electronic monitoring device.	Adult Parole, Community
May 2018	1350-02, Victim Notification Program	Executive Director's Office	SB 51 Victims Rights' Act	DOC will add 3 new offenses to the crimes list and update list of notification requirements to include 3 new stages. The bill allows DOC inmate victims to provide testimony for a direct sentence or transitional referral to a community corrections program via phone.	Offenders, Staff, Community
August 2017	250-37, Parole Directives and Modifications of Parole Conditions	Division of Parole	HB 1308 Concerning Allowing Individualized Conditions of Parole	Eliminates certain mandatory conditions of parole while preserving the discretion of the state board of parole and community parole officers to impose such conditions or directives.	Offenders, Staff, Division of Adult Parole, Community
Completed August 2017	250-08, Community Referral for Revoked Parolee to Community Corrections Programs 250-21, Investigations - Community ISP and Domestic Pre-Parole 250-37, Parole Directives and Modification of Parole Conditions 250-52, Five Day Rule 550-08, Pre-Parole Planning, Parole Board Presentation/Parole Release 550-11, Offender Release	Division of Parole, Division of Prison Operations	HB 1326 Creation of the Justice Reinvestment Crime Prevention Initiative	Shortens the length of time for which a parolee may be revoked on a technical parole violation and requires parole plan investigations now be completed prior to the parole application hearing versus after a parole release decision has been made.	Offenders, Staff, Division of Adult Parole, Division of Prison Operations, Community

February 2017	200-09, Vehicle Fleet Planning, Assignment, and Management	Division of Finance and Administration	HB 1296 Concerning the Assignment of State-Owned Motor Vehicles	Updates the Colorado Procurement Code to modernize procedures	Staff
June 2018	200-18, Grants Management	Division of Finance and Administration	HB 1051 Concerning modernization of the Colorado 'Procurement Code'.	Updates the Colorado Procurement Code to modernize procedures	Staff