

**First Regular Session
Sixty-third General Assembly
STATE OF COLORADO**

REREVISED

LLS NO. R01-0924.01 Michael Dohr

HJR01-1027

HOUSE SPONSORSHIP

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House Committees

Criminal Justice

Senate Committees

Judiciary

HOUSE JOINT RESOLUTION 01-1027

101 **CONCERNING CREATION OF AN INTERIM COMMITTEE TO STUDY THE**
102 **CRIMINAL SENTENCING STATUTES.**

1 WHEREAS, Colorado's criminal sentencing statutes are complex
2 and this complexity may result in misinterpretation of the statutory
3 sentencing provisions; and

4 WHEREAS, Colorado's criminal sentencing statutes in their totality
5 have not been examined by the Colorado General Assembly in several
6 years; and

7 WHEREAS, There is a need to harmonize and clarify Colorado's
8 criminal sentencing laws; and

9 WHEREAS, There is therefore a need to examine the criminal
10 sentencing structure in Colorado; now, therefore,

11 *Be It Resolved by the House of Representatives of the Sixty-third*
12 *General Assembly of the State of Colorado, the Senate concurring herein:*

13 (1) That there is hereby created a legislative committee to study

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
Final Reading
May 2, 2001

1 the criminal sentencing statutes, hereinafter referred to as the
2 "committee", which shall meet in the interim after the 2001 regular
3 session of the Sixty-third General Assembly.

4 (2) (a) That the committee shall consist of twelve members as
5 follows:

6 (I) The chair of the House Criminal Justice committee, or her
7 designee, the chair of the House Civil Justice and Judiciary committee, or
8 his designee, and the chair of the Senate Judiciary committee, or his
9 designee; and

10 (II) Four members of the House of Representatives appointed by
11 the Speaker of the House of Representatives and chosen from among the
12 members of the Criminal Justice committee and the Civil Justice and
13 Judiciary committee; and

14 (III) Five members of the Senate appointed by the President of the
15 Senate and chosen from among the members of the Senate Judiciary
16 committee.

17 (b) No more than four members from the House of Representatives
18 shall be from the same political party. No more than four members from
19 the Senate shall be from the same political party.

20 (3) That the committee shall have, at a minimum, the following
21 duties, which it shall perform with the goal of preserving and protecting
22 the public peace and safety:

23 (a) To identify and attempt to clarify areas in which the criminal
24 sentencing statutes conflict or are unclear or unduly confusing; and

25 (b) To make recommendations to the General Assembly regarding
26 the mechanisms and language necessary to provide legal clarity in the
27 criminal sentencing statutes; and

28 (c) To consider and recommend, if appropriate, changes to the
29 criminal sentencing statutes and the Colorado criminal code, title 18,
30 Colorado Revised Statutes, that would be designed to keep criminals who
31 are a danger to the public safety separated from the community; and

32 (d) To consider correctional and sentencing alternatives to prison
33 when appropriate and consistent with public safety; and

34 (e) To examine the criminal sentencing statutes of Colorado to
35 devise the most fair, effective, and economic criminal justice system
36 possible.

37 (4) That the committee shall meet no more than six times
38 beginning in June, 2001. The committee may form subcommittees to
39 accomplish its goals and may invite additional members of the
40 community, such as representatives of the judiciary, law enforcement
41 agencies, prosecuting attorneys, criminal defense attorneys, [redacted]
42 community treatment providers, and community interest groups, to

1 participate in such subcommittees. Each meeting of the committee shall
2 include an opportunity for public comment on items related to the
3 committee's agenda.

4 (5) That the legislative members of the committee shall be
5 compensated as provided in section 2-2-307, Colorado Revised Statutes,
6 for attendance at meetings of the committee.

7 (6) That the Legislative Council staff, the Office of Legislative
8 Legal Services, the Department of Corrections, the Department of Public
9 Safety, the Colorado District Attorneys' Council, the Department of Law,
10 and the Judicial Department shall be available to assist the committee in
11 carrying out its duties.

12 (7) That all expenditures incurred while conducting this study
13 shall be approved by the chair of the Legislative Council and paid by
14 vouchers and warrants drawn as provided by law from moneys allocated
15 to the Legislative Council for legislative studies from appropriations made
16 by the General Assembly.

17 (8) That the committee shall make a report to the General
18 Assembly by no later than November 15, 2001. Such report may include
19 recommendations for legislation, including but not limited to legislation
20 continuing the committee, and an outline of further time and process
21 which may be necessary to achieve the committee's study goals.
22 Legislation recommended by the committee shall be treated as legislation
23 recommended by any other interim committee for purposes of any
24 introduction deadlines or bill limitations imposed by the Joint Rules of the
25 Senate and House of Representatives.