

**UPDATED SUMMARY  
SENATE BILL 16-181**

**Second Regular Session - Seventieth Colorado General Assembly**

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*This summary applies to the reengrossed version of this bill as introduced in the second house. It does not reflect any amendments that may be subsequently adopted. This summary reflects only the main points of the legislation.*

In *Miller v. Alabama* (2012), the United States supreme court held that imposing a mandatory life sentence without the possibility of parole on a juvenile is a cruel and unusual punishment prohibited by the eighth amendment to the United States constitution. In Colorado, a juvenile sentenced for a class 1 felony committed on or after July 1, 1990, and before July 1, 2006, was sentenced to a mandatory life sentence without the possibility of parole.

The bill provides a procedure for resentencing these offenders *as follows*: ~~A district court may resentence such an offender to:~~

- ! ~~A term of life imprisonment with the possibility of parole after serving 40 years, less any earned time granted; or~~
- ! ~~24 to 48 years in prison if, after considering certain factors, the district court finds extraordinary mitigating circumstances.~~

*If the felony for which the person was convicted is first-degree murder where the death of a person was caused in the course of or in furtherance of any one of several described offenses, then the district court, after holding a hearing, may sentence the person to a determinate sentence within the range of 30 to 50 years in prison, less any earned time granted, if, after considering certain factors, the district court finds extraordinary mitigating circumstances. Alternatively, the court may sentence the person to a term of life imprisonment with the possibility of parole after serving 40 years, less any earned time granted.*

*If the felony for which the person was convicted is not first-degree murder where the death of a person was caused in the course of or in furtherance of any one of several described offenses, then the district court shall sentence the person to a term of life imprisonment with the possibility of parole after serving 40 years, less any earned time granted.*

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Italicized words indicate new material added to the original summary; dashes through words indicate deletions from the original summary.

Prepared by the Office of Legislative Legal Services.