

CHAPTER 111

CRIMINAL LAW AND PROCEDURE

SENATE BILL 25-209

BY SENATOR(S) Amabile and Kirkmeyer, Bridges;
also REPRESENTATIVE(S) Sirota and Taggart, Bird.

AN ACT**CONCERNING THE AUTHORITY FOR AN OFFENDER TO REFUSE PLACEMENT IN A COMMUNITY
CORRECTIONS PROGRAM AFTER ACCEPTANCE IN THE PROGRAM.**

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

SECTION 1. In Colorado Revised Statutes, 18-1.3-301, **amend** (2)(b) introductory portion and (2)(c) as follows:

18-1.3-301. Authority to place offenders in community corrections programs. (2) (b) Unless the offender has an active felony warrant or detainer, ~~or has refused community placement,~~ the executive director of the department of corrections shall refer an offender who has displayed acceptable institutional behavior for placement in a community corrections program according to the following timeline:

(c) (I) Prior to placement of an offender in any community corrections program, the executive director of the department of corrections shall give the first right to refuse placement of such offender to the community corrections board and community corrections programs in the community where the offender intends to reside after release from custody of the department of corrections or parole by the state board of parole; except that the first right to refuse does not apply if the executive director seeks to place the offender in a specialized community corrections program or the offender requests a specific community corrections program placement, subject to acceptance by the community corrections board pursuant to section 17-27-103 and the community corrections program pursuant to section 17-27-104.

(II) AN OFFENDER MAY REFUSE PLACEMENT IN A COMMUNITY CORRECTIONS PROGRAM AFTER THE OFFENDER HAS BEEN ACCEPTED BY A COMMUNITY

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

CORRECTIONS BOARD PURSUANT TO SECTION 17-27-103 AND A COMMUNITY CORRECTIONS PROGRAM PURSUANT TO SECTION 17-27-104.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 25, 2025