

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
10.11.17

BILL 12

LLS NO. 18-0308.01 Michael Dohr x4347

INTERIM COMMITTEE BILL

Sentencing in the Criminal Justice System Interim Study Committee

**BILL TOPIC:** "Lowering Mandatory Parole From 5 Years To 3 Years"

**A BILL FOR AN ACT**

101 **CONCERNING LOWERING THE PERIOD OF MANDATORY PAROLE FROM**  
102 **FIVE YEARS TO THREE YEARS FOR CERTAIN FELONY OFFENSES.**

**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://leg.colorado.gov/>.)*

**Sentencing in the Criminal Justice System Interim Study Committee.** Under current law, the length of a mandatory parole sentence for a class 2 and 3 felony is 5 years. The bill lowers the length of mandatory parole for a class 2 and 3 felony to 3 years.

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.3-401, **amend**  
3 (1)(a)(V)(A); and **add** (1)(a)(V.5) as follows:

4 **18-1.3-401. Felonies classified - presumptive penalties.**

5 (1) (a) (V) (A) Except as otherwise provided in section 18-1.3-401.5 for  
6 offenses contained in article 18 of this ~~title~~ TITLE 18 committed on or after  
7 October 1, 2013, as to any person sentenced for a felony committed on or  
8 after July 1, 1993, AND BEFORE JULY 1, 2018, felonies are divided into six  
9 classes that are distinguished from one another by the following  
10 presumptive ranges of penalties that are authorized upon conviction:

11	<b>Class</b>	<b>Minimum</b>	<b>Maximum</b>	<b>Mandatory</b>
12		<b>Sentence</b>	<b>Sentence</b>	<b>Period of Parole</b>
13	1	Life imprisonment	Death	None
14	2	Eight years imprisonment	Twenty-four years imprisonment	Five Years
15				
16	3	Four years imprisonment	Twelve years imprisonment	Five years
17				
18	4	Two years imprisonment	Six years imprisonment	Three years
19				
20	5	One year imprisonment	Three years imprisonment	Two years
21				
22	6	One year imprisonment	Eighteen months imprisonment	One year
23				

24 (V.5) AS TO ANY PERSON SENTENCED FOR A FELONY COMMITTED  
25 ON OR AFTER JULY 1, 2018, FELONIES ARE DIVIDED INTO SIX CLASSES THAT  
26 ARE DISTINGUISHED FROM ONE ANOTHER BY THE FOLLOWING  
27 PRESUMPTIVE RANGES OF PENALTIES THAT ARE AUTHORIZED UPON

1 CONVICTION:

2	<b>CLASS</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>	<b>MANDATORY</b>
3		<b>SENTENCE</b>	<b>SENTENCE</b>	<b>PERIOD OF</b>
4				<b>PAROLE</b>
5	1	LIFE IMPRISONMENT	DEATH	NONE
6	2	EIGHT YEARS	TWENTY-FOUR YEARS	THREE YEARS
7		IMPRISONMENT	IMPRISONMENT	
8	3	FOUR YEARS	TWELVE YEARS	THREE YEARS
9		IMPRISONMENT	IMPRISONMENT	
10	4	TWO YEARS	SIX YEARS	THREE YEARS
11		IMPRISONMENT	IMPRISONMENT	
12	5	ONE YEAR	THREE YEARS	TWO YEARS
13		IMPRISONMENT	IMPRISONMENT	
14	6	ONE YEAR	EIGHTEEN MONTHS	ONE YEAR
15		IMPRISONMENT	IMPRISONMENT	

16           **SECTION 2. Safety clause.** The general assembly hereby finds,  
 17 determines, and declares that this act is necessary for the immediate  
 18 preservation of the public peace, health, and safety.