

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 24-0814.02 Anna Petrini x5497

HOUSE BILL 24-1127

HOUSE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING PAROLE ELIGIBILITY FOR AN OFFENDER CONVICTED OF**
102 **CERTAIN VIOLENT CRIMES.**

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>.)

Under existing law, an offender convicted of certain violent offenses is eligible for parole after the person has served 75% of the sentence imposed upon the offender, less earned time granted by the department of corrections. The bill requires an offender sentenced for second degree murder; first degree assault; first degree kidnapping, unless the first degree kidnapping is a class 1 felony; sexual assault; first degree

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

arson; first degree burglary; or aggravated robbery committed on or after July 1, 2024, to serve at least 85% of the imposed sentence before the offender is eligible for parole. The bill requires an offender sentenced for the enumerated crimes committed on or after July 1, 2024, to serve 100% of the sentence imposed if the person has twice previously been convicted of a crime of violence.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Colorado's recidivism rate is consistently among the worst in
5 the country. According to a 2018 analysis by the Virginia department of
6 corrections, Colorado's overall recidivism rate was the fourth worst
7 nationwide. While the state begins to address recidivism, it must also
8 address an extensive problem with discrepancies between the sentences
9 imposed on offenders and the actual amount of time they serve in prison.
10 An analysis of Colorado department of corrections data indicates that
11 violent criminals in Colorado serve just 43% of their sentences, on
12 average, and re-offend at high rates. Despite heavy increases in crime
13 over the past decade, current laws have sent violent criminals back out
14 onto the streets and into Colorado communities.

15 (b) Truth in sentencing laws require offenders to serve a
16 substantial portion of their sentence, and truth in sentencing laws reduce
17 the discrepancies between the duration of a sentence and actual time
18 served. Addressing Colorado's concerns for truth in sentencing will work
19 to keep Coloradans safe. Therefore, it is in the best interest of the people
20 of Colorado to impose truth in sentencing requirements in statute.

21 **SECTION 2.** In Colorado Revised Statutes, 17-22.5-303.3,
22 **amend** (1) and (2); and **add** (1.5) and (2.5) as follows:

1 **17-22.5-303.3. Violent offenders - parole.** (1) ~~Any~~ A person
2 sentenced for second degree murder; first degree assault; first degree
3 kidnapping, unless the first degree kidnapping is a class 1 felony; first or
4 second degree sexual assault; first degree arson; first degree burglary; or
5 aggravated robbery, committed on or after July 1, 1987, BUT BEFORE JULY
6 1, 2024, who has previously been convicted of a crime of violence, ~~shall~~
7 ~~be~~ IS eligible for parole after ~~he~~ THE PERSON has served seventy-five
8 percent of the sentence imposed less any time authorized for earned time
9 pursuant to section 17-22.5-302. Thereafter, the provisions of section
10 17-22.5-303 (6) and (7) ~~shall~~ apply.

11 (1.5) A PERSON CONVICTED FOR SECOND DEGREE MURDER; FIRST
12 DEGREE ASSAULT; FIRST DEGREE KIDNAPPING, UNLESS THE FIRST DEGREE
13 KIDNAPPING IS A CLASS 1 FELONY; SEXUAL ASSAULT PURSUANT TO PART
14 4 OF ARTICLE 3 OF TITLE 18; FIRST DEGREE ARSON; FIRST DEGREE
15 BURGLARY; OR AGGRAVATED ROBBERY, COMMITTED ON OR AFTER JULY
16 1, 2024, IS ELIGIBLE FOR PAROLE AFTER THE PERSON HAS SERVED
17 EIGHTY-FIVE PERCENT OF THE SENTENCE IMPOSED. THEREAFTER, THE
18 PROVISIONS OF SECTION-17-22.5-303 (6) AND (7) APPLY.

19 (2) ~~Any~~ A person ~~sentenced~~ CONVICTED for ~~any~~ A crime
20 enumerated in subsection (1) of this section THAT WAS COMMITTED
21 BEFORE JULY 1, 2024, who has twice previously been convicted for a
22 crime of violence, ~~shall be~~ IS eligible for parole after ~~he~~ THE PERSON has
23 served the sentence imposed less any time authorized for earned time
24 pursuant to section 17-22.5-302. Thereafter, the provisions of section
25 17-22.5-303 (6) and (7) ~~shall~~ apply.

26 (2.5) A PERSON CONVICTED AND SENTENCED FOR A CRIME
27 ENUMERATED IN SUBSECTION (1.5) OF THIS SECTION THAT WAS

1 COMMITTED ON OR AFTER JULY 1, 2024, WHO HAS TWICE PREVIOUSLY
2 BEEN CONVICTED OF A CRIME OF VIOLENCE, SHALL BEGIN PAROLE AFTER
3 THE PERSON HAS SERVED ONE HUNDRED PERCENT OF THE SENTENCE
4 IMPOSED. THEREAFTER, THE PROVISIONS OF SECTION 17-22.5-303 (6) AND
5 (7) APPLY.

6 **SECTION 3.** In Colorado Revised Statutes, 17-22.5-403, **amend**
7 (2.5)(a) as follows:

8 **17-22.5-403. Parole eligibility.** (2.5) (a) Notwithstanding
9 subsection (1) of this section, ~~any~~ A person convicted and sentenced for
10 second degree murder; first degree assault; first degree kidnapping, unless
11 the first degree kidnapping is a class 1 felony; first degree arson; first
12 degree burglary; or aggravated robbery committed on or after July 1,
13 2004, ~~shall be~~ BUT BEFORE JULY 1, 2024, IS eligible for parole after ~~such~~
14 THE person has served seventy-five percent of the sentence imposed upon
15 ~~such~~ THE person, less any time authorized for earned time granted
16 pursuant to section 17-22.5-405.

17 **SECTION 4. Effective date.** This act takes effect July 1, 2024.

18 **SECTION 5. Safety clause.** The general assembly finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety or for appropriations for
21 the support and maintenance of the departments of the state and state
22 institutions.