

CHAPTER 59

CORRECTIONS

SENATE BILL 04-030

BY SENATOR(S) Arnold, Chlouber, Jones, and Kester;
also REPRESENTATIVE(S) Mitchell, Butcher, Hall, McFadyen, Stengel, and Weddig.

AN ACT

**CONCERNING CRIMES THAT MAKE AN INMATE INELIGIBLE FOR PARTICIPATION IN THE REGIMENTED
INMATE TRAINING PROGRAM.**

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

SECTION 1. 17-27.7-103 (1), Colorado Revised Statutes, is amended to read:

17-27.7-103. Regimented inmate training program - eligibility of offenders.

(1) The executive director may assign an inmate to a regimented inmate training program pursuant to section 17-40-102 (2). The executive director shall assign to a regimented inmate training program only those inmates who are nonviolent offenders thirty years of age or younger who are not serving a sentence, and have not served a previous sentence, in a correctional facility for ~~a violent~~ AN UNLAWFUL SEXUAL BEHAVIOR offense ~~as~~ described in SECTION 16-22-102 (9), A CRIME OF VIOLENCE DESCRIBED IN SECTION 18-1.3-406, AN ASSAULT OFFENSE DESCRIBED IN PART 2 OF ARTICLE 3 OF TITLE 18, C.R.S., or who are not presently serving a sentence for a nonviolent offense ~~which~~ THAT WAS REDUCED FROM ~~a violent~~ AN UNLAWFUL SEXUAL BEHAVIOR offense DESCRIBED IN SECTION 16-22-102 (9), A CRIME OF VIOLENCE DESCRIBED IN SECTION 18-1.3-406, AN ASSAULT OFFENSE DESCRIBED IN PART 2 OF ARTICLE 3 OF TITLE 18, OR A CHILD ABUSE OFFENSE DESCRIBED IN PART 4 OF ARTICLE 6 OF TITLE 18, C.R.S., as a result of a plea agreement OR WHO ARE NOT ALIENS SUBJECT TO A REMOVAL ORDER. Any offender assigned to the program shall be free of any physical or mental defect which could jeopardize his or her ability to complete the program. The department may eliminate any offender from the program upon a determination by the department that a physical or mental defect will prevent full participation in the program by such offender. The department is absolved of liability for participation in the program.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

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

Approved: April 1, 2004