

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

INTRODUCED

LLS NO. 23-0761.01 Jane Ritter x4342

HOUSE BILL 23-1145

HOUSE SPONSORSHIP

Sharbini and English,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING JUVENILES ORDERED BY A COURT TO BE DETAINED IN AN**
102 **ADULT FACILITY WHILE AWAITING TRIAL.**

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>.)

The bill aligns the timelines for hearings in Colorado law for a juvenile already ordered to be held in an adult facility while awaiting trial with the timelines in the federal "Juvenile Justice and Delinquency Prevention Act".

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.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-2.5-305, **amend**
3 (3)(c)(VI) as follows:

4 **19-2.5-305. Detention and shelter - hearing - time limits -**
5 **findings - review - confinement with adult offenders - restrictions.**

6 (3) (c) (VI) If, AFTER THE INITIAL HEARING, the district court determines
7 that an adult jail is the appropriate place of confinement for the juvenile,
8 ~~the juvenile may petition the court for a review hearing. The juvenile may~~
9 ~~not petition for a review hearing within thirty-five days after the initial~~
10 ~~confinement decision or within thirty-five days after any subsequent~~
11 ~~review hearing. Upon receipt of the petition, the court may set the matter~~
12 ~~for a hearing if the juvenile has alleged facts or circumstances that, if true,~~
13 ~~would warrant reconsideration of the juvenile's placement in an adult jail~~
14 ~~based upon the factors set forth in subsection (3)(c)(III) of this section~~
15 ~~and the factors previously relied upon by the court~~ THE COURT SHALL,
16 UPON PETITION OF THE JUVENILE, HOLD A HEARING TO REVIEW WHETHER
17 CONTINUING TO PERMIT THE JUVENILE TO BE HELD IN AN ADULT JAIL OR TO
18 HAVE SIGHT OR SOUND RESTRICTION SERVES THE INTEREST OF JUSTICE.
19 THE JUVENILE SHALL NOT BE HELD IN ANY ADULT JAIL OR LOCKUP, OR BE
20 PERMITTED TO HAVE SIGHT OR SOUND CONTACT WITH ADULT INMATES,
21 FOR MORE THAN ONE HUNDRED EIGHTY CONSECUTIVE DAYS, UNLESS THE
22 COURT, IN WRITING, DETERMINES THERE IS GOOD CAUSE FOR AN
23 EXTENSION OR THE JUVENILE EXPRESSLY WAIVES THIS LIMITATION.

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