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SENATE BILL 25-067

BY SENATOR(S) Simpson and Roberts, Amabile, Baisley, Bridges, Carson, Catlin, Cutter, Daugherty, Exum, Frizell, Jodeh, Kipp, Kirkmeyer, Liston, Lundeen, Marchman, Michaelson Jenet, Mullica, Pelton B., Pelton R., Rich, Rodriguez, Snyder, Weissman;
also REPRESENTATIVE(S) Martinez and Winter T., Bird, Clifford, Duran, Hamrick, Johnson, Lieder, Lindstedt, Lukens, Marshall, Mauro, Phillips, Smith, Stewart K., Story, McCluskie.

CONCERNING CHANGES TO THE PROSECUTION FELLOWSHIP PROGRAM.

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

SECTION 1. In Colorado Revised Statutes, 23-19.3-101, **amend** the introductory portion; and **add** (4) as follows:

23-19.3-101. Definitions. As used in this ~~article~~ ARTICLE 19.3, unless the context otherwise requires:

(4) "RURAL DISTRICT ATTORNEY'S OFFICE" MEANS A DISTRICT ATTORNEY'S OFFICE WITHIN THE THIRD, FIFTH, SIXTH, SEVENTH, NINTH, ELEVENTH, TWELFTH, THIRTEENTH, FOURTEENTH, FIFTEENTH, SIXTEENTH, OR TWENTY-SECOND JUDICIAL DISTRICT OF COLORADO.

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.

SECTION 2. In Colorado Revised Statutes, 23-19.3-102, **amend** (1)(a), (1)(b), (2)(a), (2)(b), (2)(d), (2)(e), (3), (4) introductory portion, and (4)(a) as follows:

23-19.3-102. Prosecution fellowship program - creation - committee - administration - conditions. (1) (a) ~~There is created~~ The prosecution fellowship program IS CREATED in the department to provide ~~moneys~~ MONEY to the Colorado district attorneys' council to fund RURAL DISTRICT ATTORNEY'S OFFICE fellowships for persons who have ~~recently~~ graduated from a REGIONALLY ACCREDITED law school in Colorado and allow them to pursue careers as prosecutors in rural Colorado. The general assembly may appropriate ~~moneys~~ MONEY to the department for distribution to the Colorado district attorneys' council to implement the provisions of this ~~article~~ ARTICLE 19.3 AND TO PROVIDE FELLOWSHIP FUNDING TO A RURAL DISTRICT ATTORNEY'S OFFICE SELECTED FOR THE FUNDING.

(b) ~~The program will match law school graduates for one-year fellowships with rural district attorneys' offices throughout Colorado. The initial fellowships will be awarded in fiscal year 2015-16. The program may fund the salary and benefits for up to six fellows each year. The fellows are independent contractors and not employees of the Colorado district attorneys' council. The program is limited to law school graduates from the university of Colorado school of law and the university of Denver Sturm college of law. Each law school shall contribute an equal amount toward twenty percent of the cost of the fellowship salaries if the school wants its students to be considered for the fellowship program~~ THE PROGRAM PROVIDES FELLOWSHIP FUNDING TO A RURAL DISTRICT ATTORNEY'S OFFICE IN AN AMOUNT DETERMINED APPROPRIATE BY THE FELLOWSHIP COMMITTEE THAT THE OFFICE SHALL USE TO RECRUIT, HIRE, AND RETAIN NEW DEPUTY DISTRICT ATTORNEYS.

(2) (a) ~~There is created~~ The prosecution fellowship committee IS CREATED, which ~~shall select~~ SELECTS the recipients of the fellowships. ~~and the fellowship locations.~~ The committee is comprised of ~~seven~~ FIVE members, ~~which include~~ INCLUDING:

(I) The executive director of the Colorado district attorneys' council, who ~~shall serve~~ SERVES as the chair of the committee; AND

~~(H) The dean of the university of Colorado school of law;~~

~~(HH) The dean of the university of Denver Sturm college of law; and~~

~~(IV)~~ (II) Four elected RURAL district attorneys or their designees appointed by the executive director of the Colorado district attorneys' council.

(b) The committee shall develop a fellow and A district attorneys' offices ATTORNEY'S OFFICE application process and determine the selection criteria for fellows and district attorneys' office locations FELLOWSHIPS.

(d) ~~The members~~ EACH ELECTED DISTRICT ATTORNEY MEMBER of the committee shall serve without compensation FOR A TERM OF TWO YEARS AS DETERMINED BY THE FISCAL YEAR CALENDAR.

(e) The committee shall review applications received by the program, select ~~up to six fellows for the particular fiscal year plus any back-up candidates as determined necessary by the committee, and select up to six~~ THE district attorneys' office locations for placement of fellows ~~each year~~ OFFICES THAT WILL RECEIVE PROGRAM FUNDING FOR THE ELIGIBLE TIME PERIOD, AND DETERMINE THE APPLICABLE AWARD AMOUNT FOR EACH SELECTED OFFICE. After ~~selecting the fellows and~~ THE COMMITTEE SELECTS the district attorneys' office locations, ~~the committee shall match the fellows with a particular district attorney's office~~ OFFICES THAT WILL RECEIVE PROGRAM FUNDING, THE COLORADO DISTRICT ATTORNEYS' COUNCIL SHALL PROVIDE THE FUNDS TO THE SELECTED OFFICES.

(3) ~~In the event that the~~ If A fellow who is receiving a fellowship FUNDING leaves the position ~~the Colorado district attorneys' council shall allocate any remaining awarded program moneys to funding a new fellow, if the position is filled immediately, or to fund another fellowship. If the position is not filled immediately or another vacant position does not exist~~ WITHIN THE AWARD PERIOD, THE RECIPIENT OFFICE SHALL RETURN ANY REMAINING FELLOWSHIP FUNDING TO THE COLORADO DISTRICT ATTORNEYS' COUNCIL. UPON RECEIPT OF ANY UNSPENT FUNDS, THE COMMITTEE MAY MEET AND AWARD THE FUNDING TO THE SAME OR ANOTHER DISTRICT ATTORNEY'S OFFICE. EACH OFFICE THAT RECEIVES FUNDING SHALL RETURN ANY UNEXPENDED PROGRAM FUNDING TO THE COLORADO DISTRICT ATTORNEYS' COUNCIL. The Colorado district attorneys' council shall return

any unexpended program ~~moneys~~ MONEY to the department AT THE END OF EACH FISCAL YEAR.

(4) ~~By January 1, 2019~~ ON OR BEFORE JANUARY 1, 2028, the Colorado district attorneys' council shall provide a report to the house of representatives and senate judiciary committees, or their successor committees, regarding the prosecution fellowship program. The report must include the following information regarding the placement of the fellows:

(a) ~~For each fellow placed, whether the fellow obtained deputy district employment with~~ FELLOWSHIP AWARDED, the DISTRICT ATTORNEY'S office ~~where he or she was placed, with a different rural district attorney's office, or an urban district attorney's office~~ RECEIVING THE AWARD; THE AMOUNT OF THE FELLOWSHIP FUNDING AWARDED; AND THE STATUS OF ANY FELLOW'S EMPLOYMENT WITH THE OFFICE, WITH ANY OTHER DISTRICT ATTORNEY'S OFFICE WITHIN COLORADO, OR OTHER EMPLOYMENT, IF KNOWN, AFTER THE FELLOWSHIP ENDS;

SECTION 3. 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.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO