

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0388.03 Owen Hatch x2698

HOUSE BILL 25-1304

HOUSE SPONSORSHIP

Froelich and Soper,

SENATE SPONSORSHIP

Snyder and Bright,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE EXTENSION OF THE RESTITUTION DEADLINE FOR A**
102 **TRIAL COURT AFTER AN ORDER OF CONVICTION ENTERS IN A**
103 **CRIMINAL CASE.**

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>.)

Currently, the law gives a trial court judge 91 days from the day a conviction enters in a criminal case to order restitution, which is the monetary loss a victim suffers due to a defendant's criminal conduct. The bill extends the amount of time that a trial court judge has to rule on restitution requests in criminal cases from 91 days total to 91 days after

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.

the prosecuting attorney submits restitution material, or 182 days following the entry of conviction, whichever is earlier.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1.3-603, **amend**
3 (1) introductory portion, (1)(b), and (2)(a) as follows:

4 **18-1.3-603. Assessment of restitution - corrective orders.**

5 (1) Every order of conviction of a felony, misdemeanor, petty offense, or
6 traffic misdemeanor offense, except any order of conviction for a state
7 traffic misdemeanor offense issued by a municipal or county court in
8 which the prosecuting attorney is acting as a special deputy district
9 attorney pursuant to an agreement with the district attorney's office, ~~shall~~
10 MUST include consideration of restitution. Each ~~such~~ order ~~shall~~ MUST
11 include one or more of the following:

12 (b) An order that the defendant is obligated to pay restitution,
13 but that the specific amount of restitution ~~shall be~~ IS determined within
14 ~~the ninety-one~~ SIXTY-THREE days FOLLOWING THE PROSECUTING
15 ATTORNEY'S SUBMISSION OF RESTITUTION INFORMATION PRESENTED TO
16 THE COURT AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION, OR
17 WITHIN THE SIXTY-THREE DAYS immediately following the order of
18 conviction, WHICHEVER IS LATER, unless good cause is shown for
19 extending the time period by which the restitution amount ~~shall be~~ IS
20 determined;

21 (2) (a) The court shall base its order for restitution upon
22 information presented to the court by the prosecuting attorney, who shall
23 compile such information through victim impact statements or other
24 means to determine the amount of restitution and the identities of the
25 victims. Further, the prosecuting attorney shall present this information

1 to the court prior to the order of conviction or within ~~ninety-one~~
2 SIXTY-THREE days, if it is not available prior to the order of conviction.
3 The court may extend this date if it finds that there are extenuating
4 circumstances affecting the prosecuting attorney's ability to determine
5 restitution.

6 **SECTION 2. Safety clause.** The general assembly finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety or for appropriations for
9 the support and maintenance of the departments of the state and state
10 institutions.