

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0298.02 Conrad Imel x2313

HOUSE BILL 25-1013

HOUSE SPONSORSHIP

English and Bacon, Carter, Joseph, Ricks

SENATE SPONSORSHIP

Coleman and Exum,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING SOCIAL VISITATION RIGHTS FOR A PERSON CONFINED IN**
102 **A CORRECTIONAL FACILITY.**

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 establishes social visitation as a right for a person confined in a correctional facility. The department of corrections (department) may adopt rules to govern the administration of social visitation but shall not restrict social visitation beyond what is necessary for routine facility operations or for the safety of the facility and public. The bill requires the department to permit a person to file a grievance

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.

HOUSE
Amended 2nd Reading
March 25, 2025

with the department if the person is not being allowed social visitation.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 17-20-130 as
3 follows:

4 **17-20-130. Visitation in correctional facilities - rules -**
5 **definition.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
6 OTHERWISE REQUIRES, "VISITATION" MEANS ALL TYPES OF SOCIAL VISITS
7 WITH A PERSON CONFINED IN A CORRECTIONAL FACILITY, INCLUDING
8 CONTACT VISITS, NON-CONTACT VISITS, FAMILY TIME VISITS, PHONE
9 CALLS, AND VIDEO VISITATION. "VISITATION" DOES NOT INCLUDE VISITS
10 THAT ARE NOT SOCIAL VISITS, SUCH AS VISITS FROM A QUALIFIED
11 HEALTH-CARE PROFESSIONAL OR FROM A PERSON'S ATTORNEY.

12 (2)(a) A PERSON CONFINED IN A CORRECTIONAL FACILITY HAS THE
13 RIGHT TO VISITATION. THE DEPARTMENT SHALL NOT DEPRIVE A PERSON OF
14 THE RIGHT TO VISITATION, INCLUDING WHILE THE PERSON IS IN
15 RESTRICTIVE HOUSING OR IS SUBJECT TO RESTRICTED PRIVILEGES OR AS A
16 SANCTION FOR VIOLATING THE DEPARTMENT'S CODE OF PENAL DISCIPLINE.
17 VIDEO VISITS AND PHONE CALLS MAY SUPPLEMENT, BUT MUST NOT TAKE
18 THE PLACE OF, IN-PERSON VISITS.

19 (b) (I) THE DEPARTMENT MAY ADOPT RULES TO GOVERN THE
20 ADMINISTRATION OF VISITATION. THE DEPARTMENT SHALL NOT:

21 (A) RESTRICT VISITATION FOR ANY REASON BEYOND WHAT IS
22 NECESSARY FOR ROUTINE FACILITY OPERATIONS OR FOR THE SAFETY OF
23 THE FACILITY AND GENERAL PUBLIC; AND

24 (B) RESTRICT A VISITOR'S ABILITY TO VISIT A PERSON CONFINED IN
25 A CORRECTIONAL FACILITY SO LONG AS THE PERSON AGREES TO THE VISIT

1 AND THE VISITOR AND PERSON COMPLY WITH THE DEPARTMENT'S
2 VISITATION RULES.

3 (II) THE RULES ADOPTED PURSUANT TO THIS SUBSECTION (2)(b)
4 MUST INCLUDE SPECIFIC CRITERIA DETAILING WHEN VISITS MAY BE
5 CANCELED FOR ROUTINE FACILITY OPERATIONS AND THE SAFETY OF THE
6 FACILITY AND GENERAL PUBLIC.

7 (III) BEFORE ADOPTING, AMENDING, OR REPEALING RULES
8 DESCRIBED IN THIS SUBSECTION (2)(b), THE DEPARTMENT SHALL CONSULT
9 WITH THE CERTIFIED EMPLOYEE ORGANIZATION THAT REPRESENTS
10 DEPARTMENT EMPLOYEES PURSUANT TO PART 11 OF ARTICLE 50 OF TITLE
11 24.

12 (c) THIS SECTION DOES NOT:

13 (I) ALTER THE REQUIREMENTS FOR VISITORS IN SECTION 17-19-101
14 RELATED TO VISITOR SEARCHES; OR

15 (II) AFFECT FAMILY TIME POLICIES ADOPTED PURSUANT TO
16 SECTION 17-42-105 (6)(a) THAT DO NOT CONFLICT WITH THIS SECTION.

17 (3) IF A PERSON CONFINED IN A CORRECTIONAL FACILITY PROVIDES
18 THE DEPARTMENT WITH REASONABLE NOTICE THAT A REQUESTED
19 VISITATION IS FOR VIRTUAL ATTENDANCE AT A FUNERAL OR DURING OR
20 IMMEDIATELY FOLLOWING THE BIRTH OF A CHILD, THE DEPARTMENT
21 SHALL MAKE ALL EFFORTS CONSISTENT WITH THE SAFETY OF THE FACILITY
22 AND GENERAL PUBLIC TO ALLOW THE PERSON TO PARTICIPATE IN THE
23 VISITATION.

24 (4) (a) THE DEPARTMENT SHALL PERMIT A PERSON CONFINED IN A
25 CORRECTIONAL FACILITY TO FILE A GRIEVANCE WITH THE DEPARTMENT IF
26 THE PERSON IS NOT BEING ALLOWED VISITATION IN ACCORDANCE WITH
27 THIS SECTION. THE DEPARTMENT SHALL NOT DENY A PERSON THE ABILITY

1 TO FILE A GRIEVANCE BECAUSE THE PERSON IS IN RESTRICTIVE HOUSING OR
2 IS SUBJECT TO RESTRICTED PRIVILEGES.

3 (b) BEGINNING IN JANUARY 2026, AND IN JANUARY EVERY YEAR
4 THEREAFTER, THE DEPARTMENT SHALL INCLUDE, AS PART OF ITS
5 PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY SECTION
6 2-7-203, INFORMATION CONCERNING THE TOTAL NUMBER OF GRIEVANCES
7 FILED DURING THE PRIOR YEAR RELATED TO VISITATION.

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