

Initiative 2023-24 #30: Concerning Eligibility for Parole

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*Be it Enacted by the People of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **repeal and reenact, with amendments**, section 17-22.5-303.3 as follows:

**17-22.5-303.3. Violent offenders – parole.**

(1) ANY PERSON SENTENCED FOR SECOND DEGREE MURDER, FIRST DEGREE ASSAULT, FIRST DEGREE KIDNAPPING, UNLESS THE FIRST DEGREE KIDNAPPING IS A CLASS 1 FELONY, FIRST OR SECOND DEGREE SEXUAL ASSAULT, FIRST DEGREE ARSON, FIRST DEGREE BURGLARY, OR AGGRAVATED ROBBERY, COMMITTED ON OR AFTER JULY 1, 1987, BUT BEFORE JANUARY 1, 2025, WHO HAS PREVIOUSLY BEEN CONVICTED OF A CRIME OF VIOLENCE, SHALL BE ELIGIBLE FOR PAROLE AFTER HE HAS SERVED SEVENTY-FIVE PERCENT OF THE SENTENCE IMPOSED LESS ANY TIME AUTHORIZED FOR EARNED TIME PURSUANT TO SECTION 17-22.5-302. THEREAFTER, THE PROVISIONS OF SECTION 17-22.5-303 (6) AND (7) APPLY.

(2) ANY PERSON CONVICTED AND SENTENCED FOR SECOND DEGREE MURDER; FIRST DEGREE ASSAULT; CLASS 2 FELONY KIDNAPPING; SEXUAL ASSAULT UNDER PART 4, ARTICLE 3 OF TITLE 18; FIRST DEGREE ARSON; FIRST DEGREE BURGLARY; OR AGGRAVATED ROBBERY, COMMITTED ON OR AFTER JANUARY 1, 2025, SHALL BE ELIGIBLE FOR PAROLE AFTER SUCH PERSON HAS SERVED EIGHTY-FIVE PERCENT OF THE SENTENCE IMPOSED UPON SUCH PERSON. THEREAFTER, THE PROVISIONS OF SECTION 17-22.5-303 (6) AND (7) APPLY.

(3) ANY PERSON CONVICTED AND SENTENCED BEFORE JANUARY 1, 2025, FOR ANY CRIME ENUMERATED IN SUBSECTION (1) OF THIS SECTION, WHO HAS TWICE PREVIOUSLY BEEN CONVICTED FOR A CRIME OF VIOLENCE, SHALL BE ELIGIBLE FOR PAROLE AFTER HE HAS SERVED THE SENTENCE IMPOSED LESS ANY TIME AUTHORIZED FOR EARNED TIME PURSUANT TO SECTION 17-22.5-302. THEREAFTER, THE PROVISIONS OF SECTION 17-22.5-303 (6) AND (7) APPLY.

(4) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS TITLE 17, ANY PERSON CONVICTED AND SENTENCED ON OR AFTER JANUARY 1, 2025, FOR ANY CRIME ENUMERATED IN SUBSECTION (2) OF THIS SECTION, WHO HAS TWICE PREVIOUSLY BEEN CONVICTED FOR A CRIME OF VIOLENCE, SHALL BEGIN PAROLE AFTER HE HAS SERVED THE FULL SENTENCE IMPOSED. THEREAFTER, THE PROVISIONS OF SECTION 17-22.5-303 (6) AND (7) APPLY.

(5) THE GOVERNOR MAY GRANT PAROLE TO AN OFFENDER TO WHOM THIS SECTION APPLIES BEFORE SUCH OFFENDER'S PAROLE ELIGIBILITY DATE IF, IN THE GOVERNOR'S OPINION, EXTRAORDINARY MITIGATING CIRCUMSTANCES EXIST AND SUCH OFFENDER'S RELEASE FROM INSTITUTIONAL CUSTODY IS COMPATIBLE WITH THE SAFETY AND WELFARE OF SOCIETY.

**SECTION 2.** In Colorado Revised Statutes, 17-22.5-403, **repeal and reenact, with amendments**, (2.5)(a) as follows:

**17-22.5-403. Parole Eligibility.**

(2.5)(a) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, ANY PERSON CONVICTED AND SENTENCED FOR SECOND DEGREE MURDER, FIRST DEGREE ASSAULT, FIRST DEGREE KIDNAPPING

UNLESS THE FIRST DEGREE KIDNAPPING IS A CLASS 1 FELONY, FIRST DEGREE ARSON, FIRST DEGREE BURGLARY, OR AGGRAVATED ROBBERY, COMMITTED ON OR AFTER JULY 1, 2004, BUT BEFORE JANUARY 1, 2025, SHALL BE ELIGIBLE FOR PAROLE AFTER SUCH PERSON HAS SERVED SEVENTY-FIVE PERCENT OF THE SENTENCE IMPOSED UPON SUCH PERSON, LESS ANY TIME AUTHORIZED FOR EARNED TIME GRANTED PURSUANT TO SECTION 17-22.5-405.

**SECTION 3. Effective Date.**

This act takes effect on the date of the proclamation of the Governor announcing the approval, by the registered electors of the state, of the proposed initiative.