



**Justice & Public Safety Steering Committee**  
**Thursday, February 23, 2023**  
 Agenda updated 02/21/2023

**Welcome/Introductions**

Chair: Commissioner Tamara Pogue, Summit County  
 Vice Chair: Commissioner Longinos Gonzalez, El Paso County  
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**New Legislation for Discussion**

<b><u>HB23-1100, Restrict Government Involvement in Immigration Detention</u></b>			
<b>H-Spon</b>	Rep. L. Garcia & Rep. N. Ricks	<b>S-Spon</b>	Sen. J. Gonzales & Sen. S. Jaquez Lewis
<b>Summary</b>	<p>The United States immigration and customs enforcement, the federal agency responsible for overseeing and implementing policies related to immigration detention, contracts out a portion of its detention capacity to state and local governments. State and local governments may then subcontract with prisons or immigration detention facilities that are owned, managed, or operated by private entities to house or detain individuals for federal civil immigration purposes. Beginning on January 1, 2024, the bill prohibits the state and any local government in the state (governmental entity) from:</p> <ul style="list-style-type: none"> <li>• Entering into an agreement for the detention of individuals in an immigration detention facility that is owned, managed, or operated by a private entity;</li> <li>• Selling any government-owned property for the purpose of establishing an immigration detention facility that is or will be owned, managed, or operated by a private entity;</li> <li>• Paying any costs related to the sale, purchase, construction, development, ownership, management, or operation of an immigration detention facility that is or will be owned, managed, or operated by a private entity;</li> <li>• Receiving any payment related to the detention of individuals in an immigration detention facility that is owned, managed, or operated by a private entity; or</li> <li>• Giving financial incentives or benefits to a private entity in connection with the sale, purchase, construction, development, ownership, management, or operation of an immigration detention facility that is or will be owned, managed, or operated by a private entity.</li> </ul> <p>In addition, beginning on January 1, 2024, the bill prohibits a governmental entity from entering into or renewing an agreement for payment to house or detain individuals for federal civil immigration purposes (immigration detention agreement). The bill also requires a governmental entity with an existing immigration detention agreement to exercise the termination provision contained in the agreement by a specified date.</p>		
<b>Status</b>	House Second Reading Laid Over Daily – No Amendment		
<b>Position</b>	Pending		

<b><u>HB23-1151, Clarifications to 48-hour Bond Hearing Requirement</u></b>			
<b>H-Spon</b>	Rep. R. Bockenfeld & Rep. S. Woodrow	<b>S-Spon</b>	Sen. B. Gardner & Sen. R. Rodriguez
<b>Summary</b>	<p>Current law requires an individual who is in jail to be brought before a judge for a bond hearing within 48 hours of arriving at the jail. The bill clarifies the circumstances when the 48-hour requirement does not apply when the individual is unable to attend court. The bill also clarifies that the 48-hour requirement applies regardless of whether:</p> <ul style="list-style-type: none"> <li>• The individual is held in custody in a jurisdiction other than the one that issues the arrest warrant; or</li> <li>• Money bond was previously set ex parte.</li> </ul>		
<b>Status</b>	House Committee on Judiciary Refer Amend to House Committee of the Whole		
<b>Position</b>	Pending		

<b><u>HB23-1153, Pathways to Behavioral Health Care</u></b>			
<b>H-Spon</b>	Rep. J. Amabile & Rep. R. Armagost	<b>S-Spon</b>	Sen. B. Pelton & Sen. R. Rodriguez
<b>Summary</b>	<p>The bill requires the state department of human services (state department) to contract with an independent third party to conduct a feasibility study to determine the feasibility of creating a system to support individuals with serious mental illness through a collaboration between Colorado's behavioral health and judicial systems.</p> <p>The bill requires the state department to work with the behavioral health administration, department of local affairs, department of public safety, department of health care policy and financing, judicial department, and other state agencies to determine the eligibility requirements and application process for selecting the independent third party.</p> <p>The bill requires the state department to submit a report detailing the findings and recommendations from the feasibility study to the general assembly, the governor's office, and impacted state agencies by December 31, 2023.</p>		
<b>Status</b>	House Committee on Public & Behavioral Health & Human Services Refer Amended to Appropriations		
<b>Position</b>	Pending		

<b><u>HB23-1165, County Authority to Prohibit Firearms Discharge</u></b>			
<b>H-Spon</b>	Rep. J. Amabile & Rep. K. McCormick	<b>S-Spon</b>	Sen. S. Jaquez Lewis & Sen. D. Roberts
<b>Summary</b>	<p>Under existing law, a board of county commissioners (board) may designate unincorporated areas of a county where it is unlawful to discharge firearms (designated area) , except the board may not prohibit discharge of firearms in shooting galleries, on private grounds, or in residences under circumstances that do not endanger persons or property. A designated area must have an average population density of 100 persons or more per square mile.</p> <p>The bill repeals the exception for private property, repeals the minimum population density requirement, and instead requires that the designated area have 35 dwellings or more per square mile. A board is not allowed to prohibit discharge of a firearm in a designated area by a peace officer, in an indoor shooting gallery located in a private residence, at a shooting range , pursuant to a wildlife management activity, or by a person engaged in a lawful hunting activity or livestock</p>		

	management. Under existing law, certain state laws concerning the state's liability for damages done to property by wild animals protected by the game laws of the state do not apply to a designated area. The bill repeals this exception.
<b>Status</b>	House Third Reading Passed – No Amendments
<b>Position</b>	Pending

<b><u>SB23-166, Establishment Of A Wildfire Resiliency Code Board</u></b>			
H-Spon	Rep. M. Froelich & Rep. E. Velasco	S-Spon	Sen. L. Cutter & Sen. T. Exum
<b>Summary</b>	<p>The bill establishes a wildfire resiliency code board (board) in the division of fire prevention and control (division) within the department of public safety (department) for the purposes of ensuring community safety from and more resiliency to wildfires by reducing the risk of wildfires to people and property through the adoption of statewide codes and standards. The board consists of 21 appointed voting members with specific government or industry qualifications and 3 non-voting members. The board is required to promulgate rules concerning the adoption and administration of codes and standards for the hardening of structures and parcels in the wildland-urban interface in Colorado, including rules that:</p> <ul style="list-style-type: none"> <li>• Define the wildland-urban interface and identify areas of the state that are within it;</li> <li>• Adopt minimum codes and standards based on best practices to reduce the risk to life and property from the effects of wildfires;</li> <li>• Identify hazards and types of buildings, entities, and defensible space around structures to which the codes apply; and</li> <li>• Establish a process for a governing body to petition the board for a modification to the codes and establish the criteria and process for the board to grant or deny an appeal from a decision of the board on a petition for modification.</li> </ul> <p>The bill also creates the wildfire resiliency code board cash fund and continuously appropriates the money in the fund to the department to implement the provisions of the bill.</p> <p>The bill requires a governing body with jurisdiction in an area within the wildland-urban interface to adopt and enforce a code that meets or exceeds the minimum standards of the codes adopted by the board. Enforcement of the codes is done in accordance with the rules and regulations for code enforcement adopted by the governing body. If the governing body does not have rules and regulations for code enforcement, the governing body may request support from the division to enforce the code.</p>		
<b>Status</b>	Introduced In Senate - Assigned to Local Government & Housing		
<b>Position</b>	Pending		

**Legislation for Reference / No Anticipated Action**

<b><u>HB23-1075 – Wildfire Evacuation and Clearance Time Modeling</u></b>			
H-Spon	Rep. M. Snyder	S-Spon	
<b>Summary</b>	<p><b>Section 1</b> of the bill directs the office of emergency management (office) to provide resources and technical assistance to an eligible entity to conduct evacuation and clearance time modeling and to publish the results to an interactive website. An eligible entity includes a fire department, governing body of a political subdivision, local or interjurisdictional emergency management agency, or homeowners' association that is located in or provides services to a wildfire risk area. The office is required to conduct an outreach and education campaign to advise eligible agencies of the program. On and after July 1, 2026, each local and interjurisdictional emergency management</p>		

	<p>agency that has jurisdiction in a wildfire risk area must perform evacuation and clearance time modeling and include the information in the emergency management plan for its area.</p> <p><b>Section 2</b> requires that, beginning on January 1, 2024, for proposed developments of a certain size, a developer must perform evacuation and clearance time modeling for the proposed development and submit the information to the local government that will consider the application for a development permit for approval. A local government cannot approve an application for a development permit submitted on or after that date unless the application includes the evacuation and clearance time modeling and the local government determines that it is adequate for the proposed development.</p>
<b>Status</b>	Introduced in House – Assigned to Agriculture, Water, & Natural Resources
<b>Position</b>	Amend

<b>HB23-1096, Wildfire Resilient Homes</b>			
<b>H-Spon</b>	Rep. M. Snyder	<b>S-Spon</b>	
<b>Summary</b>	The bill expands the wildfire mitigation resources and best practices grant program to allow grant recipients to expend grant money on programs, education, and resources for ways in which houses located in areas of the state at high risk of wildfires may be built, rebuilt, or improved to make such houses more resilient to the risks posed by wildfires and requires the Colorado state forest service to promote the benefits of adopting the ways in which houses can be made more wildfire resilient.		
<b>Status</b>	Introduced In House - Assigned to Agriculture, Water & Natural Resources		
<b>Position</b>	Oppose		

Adjourn