

CHAPTER 33

COURTS

HOUSE BILL 25-1081

BY REPRESENTATIVE(S) Martinez and Soper, Duran;
also SENATOR(S) Weissman, Ball, Cutter, Exum, Hinrichsen, Jodeh, Kipp, Kolker, Michaelson Jenet, Winter F., Coleman.

AN ACT

CONCERNING REPORTING STATISTICS ON RESTITUTION PAYMENTS.

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

SECTION 1. In Colorado Revised Statutes, 13-3-101, **add** (13.5) as follows:

13-3-101. State court administrator - duties - report - definitions - repeal.
(13.5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), DURING THE 2026 REGULAR SESSION AND EACH REGULAR SESSION THEREAFTER, THE STATE COURT ADMINISTRATOR OR THE ADMINISTRATOR'S DESIGNEE SHALL PRESENT AT THE JUDICIAL DEPARTMENT'S "SMART ACT" HEARING PURSUANT TO SECTION 2-7-203 THE FOLLOWING STATISTICS CONCERNING RESTITUTION FOR EACH OF THE PREVIOUS FIVE STATE FISCAL YEARS:

- (a) FOR CASES THAT WERE ELIGIBLE FOR A RESTITUTION ORDER:
 - (I) THE NUMBER OF CASES;
 - (II) THE NUMBER OF CASES IN WHICH RESTITUTION WAS REQUESTED;
 - (III) THE NUMBER OF CASES IN WHICH RESTITUTION WAS ORDERED; AND
 - (IV) THE NUMBER OF CASES IN WHICH RESTITUTION WAS NOT REQUESTED;
- (b) THE AMOUNT OF RESTITUTION PAID TO:
 - (I) INDIVIDUALS; AND
 - (II) INSURANCE COMPANIES;

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.

(c) THE PERCENTAGE OF INDIVIDUALS OWING RESTITUTION WHO ARE:

(I) ASIAN;

(II) BLACK;

(III) AMERICAN INDIAN;

(IV) CAUCASIAN;

(V) OTHER RACE;

(VI) UNKNOWN RACE;

(VII) HISPANIC;

(VIII) MALE;

(IX) FEMALE;

(X) UNDER TWENTY- FIVE YEARS OF AGE;

(XI) AT LEAST TWENTY-FIVE YEARS OF AGE BUT UNDER FORTY YEARS OF AGE;

(XII) AT LEAST FORTY YEARS OF AGE BUT UNDER SIXTY YEARS OF AGE; AND

(XIII) SIXTY YEARS OF AGE OR OLDER;

(d) FOR INDIVIDUALS WHO OWE RESTITUTION, THE PERCENTAGE OF INDIVIDUALS WHO OWE RESTITUTION IN EACH COUNTY;

(e) FOR INDIVIDUALS WHO ARE IN DEFAULT ON RESTITUTION PAYMENTS FOR MORE THAN THIRTY DAYS:

(I) THE NUMBER OF INDIVIDUALS IN DEFAULT;

(II) THE PERCENTAGE OF INDIVIDUALS IN DEFAULT WHO ARE:

(A) ASIAN;

(B) BLACK;

(C) AMERICAN INDIAN;

(D) CAUCASIAN;

(E) OTHER RACE;

(F) UNKNOWN RACE;

(G) HISPANIC;

(H) MALE;

(I) FEMALE;

(J) UNDER TWENTY-FIVE YEARS OF AGE;

(K) AT LEAST TWENTY-FIVE YEARS OF AGE BUT UNDER FORTY YEARS OF AGE;

(L) AT LEAST FORTY YEARS OF AGE BUT UNDER SIXTY YEARS OF AGE; AND

(M) SIXTY YEARS OF AGE OR OLDER;

(III) THE TOTAL PRINCIPAL AMOUNT AND THE TOTAL INTEREST OWED BY THE INDIVIDUALS IN DEFAULT;

(IV) THE AVERAGE LENGTH OF TIME THAT THE INDIVIDUALS HAVE BEEN IN DEFAULT; AND

(f) FOR INDIVIDUALS WHO ARE IN DEFAULT ON RESTITUTION PAYMENTS, THE PERCENTAGE OF INDIVIDUALS WHO ARE IN DEFAULT IN EACH COUNTY.

SECTION 2. 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.

Approved: March 26, 2025