

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

January 23, 2020

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB20-1079 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, line 4, strike "(5)(a); and **add** (7) and (8)" and
2 substitute "(5)(a)".

3 Page 5, line 26, strike "the" and substitute "~~the~~".

4 Page 5, strike line 27 and substitute "~~registration requirement specified in~~
5 ~~this section would be unfairly~~".

6 Page 6, line 1, strike "punitive and that" and substitute "~~punitive and~~
7 ~~that~~".

8 Page 7, strike lines 8 through 27.

9 Page 8, strike lines 1 through 10 and substitute:

10 **"SECTION 3.** In Colorado Revised Statutes, 16-22-103, **amend**
11 (1) introductory portion and (1)(a) as follows:

12 **16-22-103. Sex offender registration - required - applicability**
13 **- exception.** (1) Effective July 1, 1998, the following persons ~~shall be~~
14 ARE required to register pursuant to the provisions of section 16-22-108
15 and ~~shall be~~ ARE subject to the requirements and other provisions
16 specified in this ~~article~~ ARTICLE 22:

17 (a) Any person who was convicted on or after July 1, 1991, in the
18 state of Colorado, of an unlawful sexual offense, as defined in section

1 18-3-411 (1), ~~C.R.S.~~, enticement of a child, as described in section
2 18-3-305, ~~C.R.S.~~, or internet luring of a child, as described in section
3 ~~18-3-306, C.R.S.~~ SECTION 18-3-306 (3);

4 **SECTION 4.** In Colorado Revised Statutes, 16-22-108, **amend**
5 (1)(d)(I.5)(A) and (1)(d)(I.5)(B) as follows:

6 **16-22-108. Registration - procedure - frequency - place -**
7 **change of address - fee.** (1) (d) (I.5) (A) A person convicted AS AN
8 ADULT of an offense in another state or jurisdiction, including but not
9 limited to a military or federal jurisdiction, who, as a result of the
10 conviction, is required to register quarterly as a sex offender in the state
11 or jurisdiction of conviction is required to register as provided in
12 ~~subparagraph (f) of this paragraph (d)~~ SUBSECTION (1)(d)(I) OF THIS
13 SECTION, so long as the person is a temporary or permanent resident of
14 Colorado.

15 (B) A person convicted AS AN ADULT of an offense in another
16 state or jurisdiction, including but not limited to a military or federal
17 jurisdiction, which conviction would require the person to register as
18 provided in ~~subparagraph (f) of this paragraph (d)~~ SUBSECTION (1)(d)(I)
19 OF THIS SECTION if the conviction occurred in Colorado, is required to
20 register as provided in ~~said subparagraph (f)~~ SUBSECTION (1)(d)(I) OF THIS
21 SECTION, so long as the person is a temporary or permanent resident of
22 Colorado.".

23 Renumber succeeding sections accordingly.

24 Page 11, strike lines 13 through 17.

25 Reletter succeeding paragraph accordingly.

26 Page 15, lines 14 and 15, strike "at least sixty-three days before
27 ~~discharging~~ PRIOR TO" and substitute "~~at least sixty-three days before~~
28 ~~discharging~~ WITHIN FOURTEEN DAYS OF".

29 Page 15, line 26, strike "THIRTY-FIVE" and substitute "SIXTY-THREE".

30 Page 15, strike line 27 and substitute "THE COURT SHALL, ON THE
31 SIXTY-FOURTH DAY OR THE NEXT DAY THE COURT IS IN SESSION IF THE
32 SIXTY-FOURTH DAY FALLS ON A SATURDAY, SUNDAY, OR COURT
33 HOLIDAY,".

34 Page 16, line 1, strike "JUVENILE'S SENTENCE,".

1 Page 17, after line 3 insert:

2 "SECTION 10. In Colorado Revised Statutes, **add** 18-9-310.5 as
3 follows:

4 **18-9-310.5. False statement to CBI for sex offender registry**
5 **information.** A PERSON WHO VIOLATES THE PROVISIONS OF SECTION
6 16-22-110 (6) OR WHO SUBMITS A FALSE STATEMENT TO THE COLORADO
7 BUREAU OF INVESTIGATION TO OBTAIN INFORMATION FROM THE SEX
8 OFFENDER REGISTRY PURSUANT TO THE PROVISIONS OF SECTION 16-22-110
9 (6)(g) OR (6)(h), COMMITS AN UNCLASSIFIED MISDEMEANOR AND SHALL
10 BE PUNISHED BY A FINE OF UP TO ONE THOUSAND DOLLARS FOR EACH
11 VIOLATION."

12 Renumber succeeding sections accordingly.

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