

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 5, 2023  
Date

Committee on Judiciary.

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

HB23-1249 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 17, line 7, strike "DESIGNEE." and substitute  
2 "DESIGNEE, AND INFORM EACH VICTIM AS TO THE AVAILABILITY OF  
3 APPLICABLE SERVICES AND INFORMATION AS DESCRIBED IN SECTIONS  
4 24-4.1-303 (9) AND (10).".

5 Page 19, line 20, strike "~~ten~~ THIRTEEN" and substitute "ten".

6 Page 22, line 1, after "(2)(c)," insert "(2)(d).".

7 Page 23, after line 24 insert:

8       "**(d) Creation of an oversight group.** The memorandum of  
9 understanding ~~shall~~ MUST create a local-level interagency oversight group  
10 and identify the oversight group's membership requirements, procedures  
11 for selection of officers, procedures for resolving disputes by a majority  
12 vote of those members authorized to vote, and procedures for establishing  
13 any necessary subcommittees of the interagency oversight group. Each  
14 interagency oversight group ~~shall~~ MUST include a local representative of  
15 each party to the memorandum of understanding specified in ~~paragraphs~~  
16 ~~(a) and (a.5) of subsection (1)~~ SUBSECTIONS (1)(a) AND (1)(a.5) of this  
17 section, each of whom ~~shall be~~ IS a voting member of the interagency  
18 oversight group. In addition, the interagency oversight group may include,  
19 but is not limited to, the following advisory nonvoting members:

20       (I) Representatives of interested local private sector entities; ~~and~~  
21       (II) Family members or caregivers of children who would benefit  
22 from integrated multi-agency services or current or previous consumers  
23 of integrated multi-agency services; AND

24       (III) REPRESENTATIVES FROM RESTORATIVE JUSTICE PROGRAMS  
25 AND FROM THE COLORADO RESTORATIVE JUSTICE COUNCIL.".

1 Page 25, after line 7, insert:

2 "(B) LANGUAGE ESTABLISHING WHICH POSITION, OR POSITIONS,  
3 WILL HAVE DECISION MAKING AUTHORITY OVER INITIAL PLANS."

4 Reletter succeeding sub-paragraphs accordingly.

5 Page 25, line 20, strike "SERVICES" and substitute "SCREENINGS AND  
6 CARE".

7 Page 28, after line 25 insert:

8 "(6) IF A LAW ENFORCEMENT OFFICER INFORMS THE  
9 INDIVIDUALIZED SERVICE AND SUPPORT TEAM THAT THERE IS PROBABLE  
10 CAUSE TO BELIEVE THAT A CHILD WHO IS TEN YEARS OF AGE OR OLDER BUT  
11 UNDER THIRTEEN YEARS OF AGE COMMITTED AN ACT THAT WOULD BE  
12 FELONY SEXUAL ASSAULT PURSUANT TO SECTION 18-3-402 OR FELONY  
13 UNLAWFUL SEXUAL CONTACT PURSUANT TO SECTION 18-3-404 (2)(b) IF  
14 COMMITTED BY AN ADULT, AND THE CHILD USED FORCE, INTIMIDATION, OR  
15 THREAT AS SPECIFIED IN SECTION 18-3-402 (4)(a), (4)(b), OR (4)(c), THE  
16 INDIVIDUALIZED SERVICE AND SUPPORT TEAM SHALL REFER THAT CHILD  
17 FOR AN EVALUATION CONDUCTED BY A TREATMENT PROVIDER WHO  
18 SPECIALIZES IN CHILDREN WHO DISPLAY PROBLEMATIC SEXUAL  
19 BEHAVIOR."

20 Renumber succeeding subsections accordingly.

21 Page 30, line 1, strike "(8)(a)" and substitute "(9)(a)".

22 Page 30, line 10, strike "(8)(b)" and substitute "(9)(b)".

23 Page 32, lines 12 and 13, strike "(8)(c) TO (8)(f)" and substitute "(9)(c) TO  
24 (9)(f)".

25 Page 32, lines 20 and 21, strike "TEN YEARS OF AGE OR OLDER BUT".

26 Page 34, line 23, strike "(10)(e)" and substitute "(11)(e)".

27 Page 36, line 11, strike "ENFORCEMENT." and substitute "ENFORCEMENT,  
28 AND THE NEEDS OF CHILDREN WHO ARE VICTIMIZED, INCLUDING  
29 UNDERSTANDING HARM TO A VICTIM AND EFFECTIVE TREATMENT AND  
30 SERVICES TO SUPPORT A VICTIM'S SAFETY, HEALING, AND RECOVERY. IN  
31 DEVELOPING THE TRAINING AND STRATEGIES TO INTEGRATE RESTORATIVE  
32 JUSTICE SERVICES AND PRINCIPLES, THE DEPARTMENT OF HUMAN SERVICES

1 SHALL CONSULT WITH THE COLORADO RESTORATIVE JUSTICE  
2 COORDINATING COUNCIL, CREATED IN SECTION 19-2-213."

3 Page 37, strike lines 15 through 19 and substitute:

4 "(d) A SPACE FOR LAW ENFORCEMENT TO INDICATE WHETHER THE  
5 ALLEGED CONDUCT OF THE CHILD CONSTITUTES:

6 (I) A CRIME OF VIOLENCE, AS DEFINED IN SECTION 18-1.3-406;

7 (II) UNLAWFUL SEXUAL BEHAVIOR, AS DEFINED IN SECTION  
8 16-22-102, THAT WOULD CONSTITUTE A FELONY OFFENSE IF COMMITTED  
9 BY AN ADULT;

10 (III) FELONY SEXUAL ASSAULT, PURSUANT TO SECTION 18-3-402;

11 OR

12 (IV) FELONY UNLAWFUL SEXUAL CONTACT, PURSUANT TO SECTION  
13 18-3-404 (2)(b), AND THE CHILD USED FORCE, INTIMIDATION, OR  
14 THREAT."

15 Page 38, lines 2 and 3, strike "TEN YEARS OF AGE OR OLDER BUT UNDER  
16 THE AGE OF THIRTEEN" and substitute "UNDER THIRTEEN YEARS OF AGE".

17 Page 39, line 3 strike "NUMBER AND AGE" and substitute "NUMBER, AGE,  
18 RACE, AND GENDER".

19 Page 39, line 14, strike "AND".

20 Page 39, line 15, strike "SERVICES;" and substitute "SERVICES, AND THE  
21 AGE, RACE, AND GENDER OF THE CHILDREN;".

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