

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 20-0508.02 Jerry Barry x4341

HOUSE BILL 20-1404

HOUSE SPONSORSHIP

Weissman and Soper, Roberts

SENATE SPONSORSHIP

Lee and Cooke,

House Committees

State, Veterans, & Military Affairs

Senate Committees

State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE SEX OFFENDER**
102 **MANAGEMENT BOARD, AND, IN CONNECTION THEREWITH,**
103 **DELAYING CONSIDERATION OF THE RECOMMENDATIONS OF THE**
104 **2019 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY**
105 **AGENCIES UNTIL THE 2021 REGULAR SESSION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Sunset Process - House Judiciary Committee. Due to the COVID-19 virus, the judiciary committee of the house of representatives

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
June 9, 2020

HOUSE
3rd Reading Unamended
June 5, 2020

HOUSE
2nd Reading Unamended
June 4, 2020

(judiciary committee) was unable to hold a full hearing on the sunset report on the sex offender management board (SOMB report) prepared by the department of regulatory agencies (DORA) during the 2020 regular session. The bill continues the sex offender management board for one year and directs the judiciary committee to hold a hearing on the SOMB report during the 2021 regular session. DORA is not required to prepare an additional report prior to the 2021 session.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds:

4 (a) The department of regulatory agencies reviewed the sex
5 offender management board pursuant to section 24-34-104, C.R.S., and
6 in 2019 prepared and submitted a report to the general assembly
7 containing its recommendations, but no hearing was held on the report
8 prior to March 14, 2020;

9 (b) Due to the spread of the COVID-19 virus and the governor's
10 emergency orders, the general assembly adjourned on March 14, 2020,
11 and did not come back until May 26, 2020, limiting the amount of time
12 that the judiciary committee of the house of representatives could spend
13 on the hearing required by section 24-34-104 (6)(a), C.R.S., on the report
14 of the sex offender management board;

15 (c) The judiciary committee held a hearing on the report pursuant
16 to section 24-34-104 (6)(a), C.R.S., during the 2020 regular session;

17 (d) However, due to the continued threat posed by the COVID-19
18 virus, it is likely that a number of people who would have liked to testify
19 at the hearing were not able to attend the hearing;

20 (e) In order to fully evaluate the factors in section 24-34-104
21 (6)(b), C.R.S., the judiciary committee must have an opportunity to
22 receive public comment from all interested parties; and

1 (f) It would be best for the general assembly to consider whether
2 the sex offender management board should be repealed, continued, or
3 reestablished and whether its functions should be revised after a hearing
4 during the 2021 regular session, during which the public has a full
5 opportunity to testify.

6 **SECTION 2.** In Colorado Revised Statutes, 16-11.7-103, **amend**
7 (6)(a); and **add** (6)(c) as follows:

8 **16-11.7-103. Sex offender management board - creation -**
9 **duties - repeal.** (6) **Repeal.** (a) This section is repealed, effective
10 September 1, ~~2020~~ 2021.

11 (c) (I) PRIOR TO THE REPEAL OF THIS SECTION IN 2021, THE HOUSE
12 JUDICIARY COMMITTEE, OR ITS SUCCESSOR COMMITTEE, SHALL HOLD AN
13 ADDITIONAL HEARING ON THE REPORT PREPARED BY THE DEPARTMENT OF
14 REGULATORY AGENCIES IN 2019 PURSUANT TO THE PROVISIONS OF
15 SECTION 24-34-104 (6)(a). ANY BILL RECOMMENDED BY THE JUDICIARY
16 COMMITTEE PURSUANT TO THIS SUBSECTION (6)(c)(I) DOES NOT COUNT
17 AGAINST THE NUMBER OF BILLS TO WHICH MEMBERS OF THE GENERAL
18 ASSEMBLY ARE LIMITED BY LAW OR JOINT RULE OF THE SENATE AND
19 HOUSE OF REPRESENTATIVES. THE DEPARTMENT OF REGULATORY
20 AGENCIES IS NOT REQUIRED TO CONDUCT AN ADDITIONAL REVIEW OR
21 PREPARE AN ADDITIONAL REPORT PRIOR THE HEARING IN 2021.

22 (II) THIS SUBSECTION (6)(c) IS REPEALED, EFFECTIVE SEPTEMBER
23 1, 2021.

24 **SECTION 3.** In Colorado Revised Statutes, 24-34-104, **repeal**
25 (19)(a)(XI) as follows:

26 **24-34-104. General assembly review of regulatory agencies**
27 **and functions for repeal, continuation, or reestablishment - legislative**

1 **declaration - repeal.** (19) (a) The following agencies, functions, or both,
2 are scheduled for repeal on September 1, 2020:

3 (XI) ~~The sex offender management board created in section~~
4 ~~16-11.7-103, C.R.S.;~~

5 **SECTION 4. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety.