

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 23-1001.01 Zach Blaes x4348

SENATE BILL 23-257

SENATE SPONSORSHIP

Bridges and Gardner, Baisley, Buckner, Cutter, Ginal, Hansen, Hinrichsen, Kirkmeyer, Liston, Lundeen, Marchman, Mullica, Pelton B., Pelton R., Rich, Roberts, Van Winkle, Will, Winter F., Zenzinger

HOUSE SPONSORSHIP

Titone and Bockenfeld,

Senate Committees

Appropriations

House Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING FUNDING FOR AUTO THEFT PREVENTION PROGRAMS,**
102 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

The automobile theft prevention board (board) awards grants to eligible entities for programs for theft prevention, enforcement, prosecution, or offender rehabilitation. The bill specifies that the board may also award grants for programs to support victims of automobile theft and technology enhancement.

Money in the auto theft prevention cash fund (fund) is annually

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

HOUSE
2nd Reading Unamended
May 3, 2023

SENATE
3rd Reading Unamended
April 3, 2023

SENATE
Amended 2nd Reading
March 31, 2023

appropriated to the department of public safety (department) to implement the automobile theft prevention grant program. The fund consists of gifts, grants, and donations and any money credited to the fund from the collection of fees paid by certain automobile insurers to support the automobile theft prevention authority.

The bill specifies that the fund also consists of any money that the general assembly may appropriate or transfer to the fund. The bill authorizes the state to transfer \$5 million from the general fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-5-112, **amend**
3 (3)(a) introductory portion, (3)(a)(IV), (3)(a)(V), and (4); and **add**
4 (3)(a)(VI) and (3)(a)(VII) as follows:

5 **42-5-112. Automobile theft prevention authority - board -**
6 **creation - duties - rules - fund - repeal.** (3) (a) The board shall solicit
7 and review applications for grants pursuant to this section. The board may
8 award grants for one to three years. The board shall give priority to
9 applications representing multijurisdictional programs. Each application,
10 at a minimum, shall describe the type of theft prevention, enforcement,
11 prosecution, ~~or~~ offender rehabilitation program, VICTIM SUPPORT
12 PROGRAM, OR TECHNOLOGY ENHANCEMENT PROGRAM to be implemented.
13 Such programs may include, but need not be limited to:

14 (IV) Programs to provide for the support and maintenance of one
15 or more dedicated prosecutors who have the specific mission and
16 expertise to provide legal guidance and prosecutorial continuity to
17 complex criminal cases arising from the activities of a multi-agency law
18 enforcement program; ~~and~~

19 (V) Programs to prevent future criminal behavior by first time
20 offenders who have been charged, convicted, or adjudicated for motor
21 vehicle theft;

1 (VI) PROGRAMS TO SUPPORT VICTIMS OF AUTOMOBILE THEFT; AND

2 (VII) PROGRAMS TO SUPPORT TECHNOLOGY ENHANCEMENT.

3 (4) (a) The department of public safety is authorized to accept
4 gifts, grants, or donations from private or public sources for the purposes
5 of this section. All private and public ~~funds~~ MONEY received through
6 gifts, grants, or donations shall be transmitted to the state treasurer, who
7 shall credit the ~~same~~ MONEY to the Colorado auto theft prevention cash
8 fund, which fund is hereby created and referred to in this section as the
9 "fund". The fund ~~shall also include the moneys~~ CONSISTS OF ANY MONEY
10 THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE
11 FUND; ANY MONEY RECEIVED THROUGH GIFTS, GRANTS, AND DONATIONS;
12 AND ANY MONEY deposited in the fund pursuant to section 10-4-617.
13 ~~C.R.S.~~ The ~~moneys~~ MONEY in the fund ~~shall be~~ IS subject to annual
14 appropriation by the general assembly for the direct and indirect costs
15 associated with the implementation of this section. Any ~~moneys~~ MONEY
16 in the fund not expended for the purpose of this section may be invested
17 by the state treasurer as provided in section 24-36-113. ~~C.R.S.~~ All interest
18 and income derived from the investment and deposit of ~~moneys~~ MONEY
19 in the fund shall be credited to the fund. Any unexpended and
20 unencumbered ~~moneys~~ MONEY remaining in the fund at the end of any
21 fiscal year shall remain in the fund and shall not be credited or transferred
22 to the general fund or any other fund.

23 (b) It is the intent of the general assembly that the department of
24 public safety not be required to solicit gifts, grants, or donations from any
25 source for the purposes of this section. ~~and that no general fund moneys~~
26 ~~be used to pay for grants awarded pursuant to this section or for any~~
27 ~~expenses of the authority.~~

1 (c) ON JULY 1, 2023, THE STATE TREASURER SHALL TRANSFER FIVE
2 MILLION DOLLARS FROM THE GENERAL FUND TO THE FUND TO BE USED FOR
3 THE FOLLOWING PURPOSES:

4 (I) IMPLEMENTATION OF A STATEWIDE EDUCATION AND OUTREACH
5 PROGRAM TO INCREASE AWARENESS OF AUTOMOBILE THEFT
6 VICTIMIZATION;

7 (II) IMPLEMENTATION OF PROGRAMS TO SUPPORT VICTIMS OF
8 AUTOMOBILE THEFT;

9 (III) ADDITIONAL OVERTIME FOR LAW ENFORCEMENT AGENCIES;

10 (IV) IMPLEMENTATION OF A DEDICATED AUTOMOBILE THEFT
11 PROSECUTION PROGRAM;

12 (V) ENHANCING AND UPGRADING THE AUTOMOBILE THEFT
13 TRACKING AND REPORTING SYSTEM; OR

14 (VI) ANY OTHER DIRECT OR INDIRECT COSTS ASSOCIATED WITH
15 THE IMPLEMENTATION OF THIS SECTION.

16 **SECTION 2. Appropriation.** (1) For the 2023-24 state fiscal
17 year, \$5,000,000 is appropriated to the department of public safety for use
18 by the Colorado state patrol. This appropriation is from the Colorado auto
19 theft prevention cash fund created in section 42-5-112 (4)(a), C.R.S. To
20 implement this act, the department may use this appropriation for the
21 automobile theft prevention authority.

22 **SECTION 3. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, or safety.