

CHAPTER 310

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 23-257

BY SENATOR(S) 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; also REPRESENTATIVE(S) Titone and Bockenfeld, Armagost, Bird, Bradley, deGruy Kennedy, Evans, Frizell, Lindstedt, Snyder, Soper, Winter T., McCluskie.

AN ACT

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

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

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

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

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

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

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

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.

(VII) PROGRAMS TO SUPPORT TECHNOLOGY ENHANCEMENT.

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

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

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

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

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

(III) ADDITIONAL OVERTIME FOR LAW ENFORCEMENT AGENCIES;

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

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

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

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

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

Approved: June 2, 2023