

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB21-1250 be amended as follows:

1 Amend printed bill, page 25, line 19, after "**amend**" insert "(2), (3.5)
2 introductory portion,".

3 Page 25, strike lines 21 through 26 and substitute:

4 **"24-31-309. Profiling - officer identification - training.**

5 **(2) Definitions.** For purposes of this section:

6 (a) "LEGAL BASIS" MEANS ANY BASIS AUTHORIZED BY STATUTE OR
7 THAT THE COLORADO SUPREME COURT OR UNITED STATES SUPREME
8 COURT HAS DETERMINED IS LAWFUL PURSUANT TO SECTION 7 OF ARTICLE
9 II OF THE STATE CONSTITUTION OR THE FOURTH AMENDMENT TO THE
10 UNITED STATES CONSTITUTION.

11 (b) "Profiling" means the practice of relying solely on race,
12 ethnicity, gender, national origin, language, religion, sexual orientation,
13 gender identity, age, or disability in:

14 (a) (I) Determining the existence of probable cause to place in
15 custody or arrest an individual or in constituting a reasonable and
16 articulable suspicion that an offense has been or is being committed so as
17 to justify the detention of an individual or the investigatory stop of a
18 vehicle; or

19 ~~(b)~~ (II) Determining the scope, substance, or duration of an
20 investigation or law enforcement activity to which a person will be
21 subjected.

22 (3.5) A peace officer, AS DEFINED IN SECTION 24-31-901 (3), shall
23 have a legal basis for making a contact, ~~whether consensual or~~
24 ~~nonconsensual, for the purpose of enforcing the law or investigating~~
25 ~~possible violations of the law. After making a contact, a peace officer, as~~
26 ~~defined in section 24-31-901 (3),~~ AS DEFINED IN SECTION 24-31-901 (1),
27 AND shall report to the peace officer's employing agency:".

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