

## CHAPTER 91

---

**GOVERNMENT - STATE**

---

## HOUSE BILL 17-1059

BY REPRESENTATIVE(S) Thurlow, Arndt, Hooton, Lontine, Rankin, Valdez, Duran, Danielson;  
also SENATOR(S) Tate, Kerr, Moreno, Martinez Humenik, Grantham.

**AN ACT**

**CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE DEPARTMENT OF PUBLIC SAFETY TO THE GENERAL ASSEMBLY.**

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

**SECTION 1.** In Colorado Revised Statutes, 16-11.7-109, **amend** (2) as follows:

**16-11.7-109. Reporting requirements - legislative declaration.**

(2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before January 31, 2012, and on or before January 31 each year thereafter, the board shall prepare and present to the judiciary committees of the senate and the house of representatives, or any successor committees, a written report concerning best practices for the treatment and management of adult sex offenders and juveniles who have committed sexual offenses, including any evidence-based analysis of treatment standards and programs as well as information concerning any new federal legislation relating to the treatment and management of adult sex offenders and juveniles who have committed sexual offenses. The report may include the board's recommendations for legislation to carry out the purpose and duties of the board to protect the community.

**SECTION 2.** In Colorado Revised Statutes, 18-1.3-407, **amend** (10)(b) as follows:

**18-1.3-407. Sentences - youthful offenders - legislative declaration - powers and duties of district court - authorization for youthful offender system - powers and duties of department of corrections - definitions.**

(10) (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the division of criminal justice shall independently monitor and evaluate, or contract with a public or private entity to independently monitor and evaluate, the youthful offender system. On or

---

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

before November 1, 2002, and on or before November 1 every two years thereafter, the division of criminal justice shall report its findings, or the findings of the contract entity, to the judiciary committees of the senate and the house of representatives. The department of corrections shall cooperate in providing the necessary data to the division of criminal justice or an entity designated by the division of criminal justice to complete the evaluation required in this section.

**SECTION 3.** In Colorado Revised Statutes, **amend** 18-1.3-1011 (1) introductory portion as follows:

**18-1.3-1011. Annual report.** (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before November 1, 2000, and on or before each November 1 thereafter, the department of corrections, the department of public safety, and the judicial department shall submit a report to the judiciary committees of the house of representatives and the senate, or any successor committees, and to the joint budget committee of the general assembly specifying, at a minimum:

**SECTION 4.** In Colorado Revised Statutes, **amend** 18-6-803.9 as follows:

**18-6-803.9. Assaults and deaths related to domestic violence - report.** NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the Colorado bureau of investigation shall prepare a report by November 1, 1995, and by November 1 of each year thereafter, ~~to FOR the governor the president of the senate, and the speaker of the house of representatives~~ AND THE MEMBERS OF THE GENERAL ASSEMBLY on the number of assaults related to and the number of deaths caused directly by domestic violence, including, but not limited to, homicides of victims, self-defense killings of alleged perpetrators, and incidental killings of children, peace officers, persons at work, neighbors, and bystanders in the course of episodes of domestic violence.

**SECTION 5.** In Colorado Revised Statutes, **amend** 24-33.5-415.2 as follows:

**24-33.5-415.2. Receipt of proceeds from forfeited property.** NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the division of the Colorado bureau of investigation is authorized to accept, receive, and expend proceeds allocated to the division after sale of forfeited property pursuant to part 3 or 5 of article 13 of title 16 ~~C.R.S.~~; or article 17 of title 18, ~~C.R.S.~~; and such funds shall be in addition to the ~~moneys~~ MONEY appropriated to the division by the general assembly. The executive director shall submit an annual report to the joint budget committee at the time the annual budget request is submitted providing information on the amounts received under this section, if any, and the uses made thereof.

**SECTION 6.** In Colorado Revised Statutes, 24-33.5-424, **amend** (3.5)(f) introductory portion as follows:

**24-33.5-424. National instant criminal background check system - state point of contact - fee - grounds for denial of firearm transfer - appeal - rule-making - unlawful acts - instant criminal background check cash fund - creation.** (3.5)(f) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on January 15, 2014, and on January 15 of each calendar year thereafter, the bureau shall report to the joint budget committee concerning:

**SECTION 7.** In Colorado Revised Statutes, 24-33.5-503, **amend** (1)(v) and (2)(a)(II); and **repeal** (1)(s) as follows:

**24-33.5-503. Duties of division.** (1) The division has the following duties:

(s) ~~To report, on or before January 15, 2011, and every five years thereafter, in consultation with the state economist, to the judiciary committees of the senate and the house of representatives, or any successor committees, recommendations for changes to value-based crimes based upon inflationary changes during the previous five years;~~

(v) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), to provide to the judiciary committees of the senate and the house of representatives, or any successor committees, a status report on the effect on parole outcomes and use of any ~~moneys~~ MONEY allocated pursuant to House Bill 10-1360, enacted in 2010;

(2) (a) (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the division shall submit the report to the education and judiciary committees of the house of representatives and the senate, or any successor committees. The division shall provide the report to any member of the public upon request, in a manner that does not include any identifying information regarding any student. If the division provides the information to a member of the public upon request pursuant to this paragraph (a) SUBSECTION (2)(a), the division may charge a fee to the person, which fee shall not exceed the direct and indirect costs incurred by the division in providing the information. ~~Provided that~~ IF the division adheres to all state and federal privacy and confidentiality laws concerning student information, the division may provide the aggregate data gathered by a law enforcement agency to any independent research or community-based organization working to analyze school-based criminal behavior and the response to that behavior by the juvenile and criminal justice systems. The data provided must not include any information that would identify any individual student.

**SECTION 8. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 30, 2017