

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 19-1305

BY REPRESENTATIVE(S) McLachlan and Catlin, Bird, Buentello, Cutter, Duran, Esgar, Exum, Hooton, McCluskie, McKean, Michaelson Jenet, Snyder, Titone, Will, Becker;
also SENATOR(S) Gonzales and Coram, Crowder, Rankin, Tate.

CONCERNING THE AUTHORITY OF TRIBAL ENTITIES TO ADMINISTER
FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS RELATED
TO EMERGENCY CHILD WELFARE PLACEMENTS.

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

SECTION 1. In Colorado Revised Statutes, 19-3-406, **amend** (6) as follows:

19-3-406. Fingerprint-based criminal history record check - providers of emergency placement for children - use of criminal justice records - definitions - rules. (6) For purposes of this section, **UNLESS THE CONTEXT OTHERWISE REQUIRES: "initial criminal history record check" means a name-based state and federal criminal history record check performed by a local law enforcement agency utilizing the records of the Colorado bureau of investigation and the federal bureau of investigation.**

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.

(a) "COUNTY DEPARTMENT" INCLUDES A DEPARTMENT OR DIVISION OF HUMAN OR SOCIAL SERVICES OF AN INDIAN TRIBE.

(b) "INITIAL CRIMINAL HISTORY RECORD CHECK" MEANS A NAME-BASED STATE AND FEDERAL CRIMINAL HISTORY RECORD CHECK PERFORMED BY A LOCAL LAW ENFORCEMENT AGENCY UTILIZING THE RECORDS OF THE COLORADO BUREAU OF INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION.

(c) "LOCAL LAW ENFORCEMENT AGENCY" INCLUDES A LAW ENFORCEMENT AGENCY OF AN INDIAN TRIBE.

SECTION 2. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO