

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 19-1080.01 Conrad Imel x2313

HOUSE BILL 19-1305

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A BILL FOR AN ACT

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

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>.)

Under existing law, a county department of human or social services and a local law enforcement agency are authorized to conduct certain fingerprint-based criminal history record checks related to emergency child welfare placements and receive records related to those record checks. The bill includes a department or division of human or

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

HOUSE
3rd Reading Unamended
April 17, 2019

HOUSE
2nd Reading Unamended
April 16, 2019

social services of an Indian tribe in the definition of county department and includes a law enforcement agency of an Indian tribe in the definition of local law enforcement agency for the purpose of conducting, and receiving records related to, fingerprint-based criminal history record checks related to emergency child welfare placements.

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

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

4 **19-3-406. Fingerprint-based criminal history record check -**
5 **providers of emergency placement for children - use of criminal**
6 **justice records - definitions - rules.** (6) For purposes of this section,
7 UNLESS THE CONTEXT OTHERWISE REQUIRES: ~~"initial criminal history~~
8 ~~record check" means a name-based state and federal criminal history~~
9 ~~record check performed by a local law enforcement agency utilizing the~~
10 ~~records of the Colorado bureau of investigation and the federal bureau of~~
11 ~~investigation.~~

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

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

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

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

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