

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

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.

SENATE
3rd Reading Unamended
April 27, 2019

SENATE
2nd Reading Unamended
April 26, 2019

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.