

SENATE COMMITTEE OF REFERENCE REPORT

	May 1, 2025
Chair of Committee	Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB25-304 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

- 1 Amend printed bill, page 2, strike lines 2 through 19.
- 2 Strike pages 3 through 7 and substitute:
- 3 "SECTION 1. In Colorado Revised Statutes, **add** part 14 to
- 4 article 31 of title 24 as follows:
- 5

PART 14
- 6

COLORADO SEXUAL ASSAULT
- 7

FORENSIC MEDICAL EVIDENCE REVIEW BOARD
- 8 **24-31-1401. Colorado sexual assault forensic medical evidence**
- 9 **review board - creation - membership - duties - report - definitions**
- 10 **- repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
- 11 REQUIRES:
- 12 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF LAW.
- 13 (b) "REVIEW BOARD" MEANS THE COLORADO SEXUAL ASSAULT
- 14 FORENSIC MEDICAL EVIDENCE REVIEW BOARD, ESTABLISHED IN
- 15 SUBSECTION (2) OF THIS SECTION.
- 16 (2) THE COLORADO SEXUAL ASSAULT FORENSIC MEDICAL
- 17 EVIDENCE REVIEW BOARD IS ESTABLISHED IN THE DEPARTMENT TO CARRY
- 18 OUT THE DUTIES DESCRIBED IN SUBSECTION (6) OF THIS SECTION AND
- 19 SUBMIT THE REPORT DESCRIBED IN SUBSECTION (7) OF THIS SECTION.
- 20 (3) THE BOARD CONSISTS OF:
- 21 (a) THE ATTORNEY GENERAL, OR THEIR DESIGNEE, WHO IS THE
- 22 CHAIR OF THE REVIEW BOARD;
- 23 (b) THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT
- 24 ATTORNEYS' COUNCIL OR THEIR DESIGNEE;
- 25 (c) THE FOLLOWING MEMBERS, APPOINTED BY THE ATTORNEY
- 26 GENERAL:

1 (I) A REPRESENTATIVE OF A STATEWIDE NONPROFIT ORGANIZATION
2 THAT OFFERS TRAINING AND EXPERT ADVICE TO SEXUAL ASSAULT
3 PROGRAMS;
4 (II) A REPRESENTATIVE OF A STATEWIDE NONPROFIT
5 ORGANIZATION THAT PROVIDES LEGAL ASSISTANCE TO VICTIMS OF SEXUAL
6 ASSAULT;
7 (III) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
8 PROVIDES TRAINING AND TECHNICAL ASSISTANCE FOR MEDICAL FORENSIC
9 EXAMS;
10 (IV) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF CHIEFS
11 OF POLICE;
12 (V) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF
13 SHERIFFS;
14 (VI) THREE REPRESENTATIVES FROM ORGANIZATIONS THAT
15 PROVIDE SERVICES OR ADVOCATE FOR COMMUNITIES THAT EXPERIENCE
16 DISPROPORTIONATE RATES OF SEXUAL ASSAULT; AND
17 (VII) UP TO THREE MEMBERS, AT THE DISCRETION OF THE
18 ATTORNEY GENERAL, WHOSE CONTRIBUTIONS THE ATTORNEY GENERAL
19 DETERMINES WOULD BE VALUABLE TO THE WORK OF THE REVIEW BOARD;
20 AND
21 (d) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:
22 (I) A REPRESENTATIVE OF THE DIVISION OF CRIMINAL JUSTICE IN
23 THE DEPARTMENT OF PUBLIC SAFETY WHO HAS OVERSIGHT OF THE
24 STATEWIDE SEXUAL ASSAULT EVIDENCE COLLECTION KIT TRACKING
25 SYSTEM CREATED IN SECTION 24-33.5-113.5; AND
26 (II) A REPRESENTATIVE OF THE DIVISION OF CRIMINAL JUSTICE IN
27 THE DEPARTMENT OF PUBLIC SAFETY WHO HAS OVERSIGHT OF FEDERAL
28 AND STATE VICTIM SERVICE FUNDING AND VICTIM RIGHTS COMPLIANCE.
29 (4) (a) THE ATTORNEY GENERAL AND GOVERNOR SHALL APPOINT
30 THE MEMBERS TO THE REVIEW BOARD ON OR BEFORE AUGUST 1, 2025.
31 (b) THE ATTORNEY GENERAL IS STRONGLY ENCOURAGED TO
32 APPOINT REVIEW BOARD MEMBERS WHO REPRESENT AS FULLY AS POSSIBLE
33 COLORADO'S DIVERSITY WITH REGARD TO RACE, ETHNICITY, DISABILITY
34 STATUS, SEXUAL ORIENTATION, AND GEOGRAPHY.
35 (c) EXCEPT FOR THE ATTORNEY GENERAL AND DIRECTOR OF THE
36 COLORADO DISTRICT ATTORNEYS' COUNCIL, OR THEIR DESIGNEES, REVIEW
37 BOARD MEMBERS SERVE FOUR-YEAR TERMS AND ARE ELIGIBLE FOR
38 REAPPOINTMENT NO MORE THAN TWO TIMES AT THE EXPIRATION OF A
39 FOUR-YEAR TERM.
40 (d) REVIEW BOARD MEMBERS SERVE WITHOUT COMPENSATION BUT
41 MAY RECEIVE PER DIEM AND REIMBURSEMENT FOR COSTS, SUBJECT TO THE
42 AVAILABILITY OF FUNDS.
43 (e) THE APPOINTING AUTHORITY SHALL APPOINT A MEMBER TO FILL

1 A VACANCY, AS NECESSARY.

2 (5) THE REVIEW BOARD SHALL CONVENE ON OR BEFORE AUGUST
3 1, 2025, AND SHALL MEET THEREAFTER AS DETERMINED NECESSARY BY
4 THE REVIEW BOARD.

5 (6) THE REVIEW BOARD SHALL:

6 (a) REVIEW AND MONITOR THE EFFECTIVENESS OF THE CURRENT
7 PROTOCOLS, STANDARDS, AND TRAINING PRACTICES FOR THE MEDICAL,
8 LAW ENFORCEMENT, AND CRIMINAL-LEGAL SYSTEM RESPONSE TO SEXUAL
9 ASSAULT;

10 (b) DEVELOP RECOMMENDATIONS TO IMPROVE SPECIFIC
11 PROTOCOLS, STANDARDS, AND TRAINING PRACTICES FOR THE MEDICAL,
12 LAW ENFORCEMENT, AND CRIMINAL-LEGAL SYSTEM RESPONSE TO SEXUAL
13 ASSAULT;

14 (c) ENSURE VICTIM-CENTERED IMPLEMENTATION OF PROVISIONS
15 REGARDING MEDICAL FORENSIC EXAMS FOR VICTIMS OF SEXUAL ASSAULT
16 IN THE FEDERAL "VIOLENCE AGAINST WOMEN ACT OF 1994", TITLE IV OF
17 PUB. L. 103-322, INCLUDING PROVISIONS IN REAUTHORIZATIONS OF THE
18 FEDERAL ACT, AND STATE LAW PROVISIONS FOR FORENSIC MEDICAL
19 EXAMS;

20 (d) PROVIDE ONGOING REVIEW OF DATA AND INFORMATION
21 REGARDING THE NEEDS, PRIORITIES, AND SERVICES FOR RESPONDING TO
22 SEXUAL ASSAULT THROUGHOUT THE STATE;

23 (e) MONITOR THE EFFECTIVENESS OF LAWS CONCERNING SEXUAL
24 ASSAULT AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO
25 IMPROVE THEIR EFFECTIVENESS; AND

26 (f) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY
27 CONCERNING THE RESPONSE TO SEXUAL ASSAULT, INCLUDING MEDICAL
28 FORENSIC EVIDENCE, LAW ENFORCEMENT REPORTING, AND VICTIM
29 EXPERIENCE.

30 (7)(a)(I) ON OR BEFORE DECEMBER 15, 2025, THE REVIEW BOARD
31 SHALL SUBMIT A PRELIMINARY REPORT TO THE GENERAL ASSEMBLY. THE
32 PRELIMINARY REPORT MUST INCLUDE THE REVIEW BOARD'S
33 RECOMMENDATIONS DESCRIBED IN SUBSECTION (6) OF THIS SECTION.

34 (II) THIS SUBSECTION (7)(a) IS REPEALED, EFFECTIVE JUNE 30,
35 2027.

36 (b)(I) ON OR BEFORE NOVEMBER 1, 2026, AND ON OR BEFORE
37 EACH NOVEMBER 1 THEREAFTER, THE REVIEW BOARD SHALL SUBMIT A
38 REPORT TO THE GENERAL ASSEMBLY. THE REPORT MUST INCLUDE THE
39 REVIEW BOARD'S RECOMMENDATIONS DESCRIBED IN SUBSECTION (6) OF
40 THIS SECTION.

41 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
42 REQUIREMENT TO SUBMIT THE REPORT DESCRIBED IN THIS SUBSECTION
43 (7)(b) CONTINUES INDEFINITELY."

- 1 Page 8, line 9, strike "case, upon request," and substitute "case ~~upon~~
2 ~~request,~~".
- 3 Page 8, line 12, strike "AT LEAST ONCE".
- 4 Page 8, line 13, strike "IF" and substitute "WHEN".
- 5 Page 8, line 14, after "NOT" insert "YET".
- 6 Page 8, line 15, strike "LABORATORY;" and substitute "LABORATORY. A
7 LAW ENFORCEMENT AGENCY COMPLIES WITH THIS SUBSECTION
8 (1)(b.8)(II.5) BY NOTIFYING ALL VICTIMS REQUIRED TO BE NOTIFIED AT
9 THE SAME TIME DURING THE FIRST WEEK OF EACH OF MARCH, JUNE,
10 SEPTEMBER, AND DECEMBER."
- 11 Page 8, line 21, strike "ENDEAVOR" and substitute "ENDEAVOR, SUBJECT
12 TO AVAILABLE CAPACITY, FUNDING, AND PERSONNEL,".
- 13 Page 9, strike lines 3 and 4 and substitute "**amend** (4)(a) introductory
14 portion as follows:".
- 15 Page 9, strike lines 14 through 19.
- 16 Page 9, strike lines 21 and 22 and substitute "**amend as added by Senate**
17 **Bill 25-170** (4)(c) and (4)(d) as follows:"
- 18 Page 9, strike lines 26 and 27.
- 19 Page 10, strike lines 1 through 7 and substitute:
20 "(c) (I) Design and implement, within ninety days after the
21 effective date of this section, a public-facing dashboard on the department
22 of public safety's website that provides reports on the forensic medical
23 evidence and ~~sexual assault kit~~ DNA EVIDENCE backlogs, including the:
24 ~~total caseload numbers subject to the backlog, total fiscal year caseload~~
25 ~~numbers subject to the backlog, the number of forensic medical evidence~~
26 ~~tests and sexual assault kit tests completed in the previous thirty days, the~~
27 ~~number of new cases received within the previous thirty days, and the~~
28 ~~current average turnaround times to conduct a forensic medical evidence~~
29 ~~test or a sexual assault kit test. The department shall update the dashboard~~
30 ~~at least every thirty days.~~
31 (A) TOTAL CASELOAD NUMBERS SUBJECT TO THE BACKLOG;
32 (B) TOTAL FISCAL YEAR CASELOAD NUMBERS SUBJECT TO THE
33 BACKLOG;

1 (C) TOTAL NUMBER OF CASES WITH PENDING DNA EVIDENCE
2 TESTS;
3 (D) TOTAL NUMBER OF SEXUAL ASSAULT CASES;
4 (E) TOTAL NUMBER OF CASES WITH A PENDING DNA EVIDENCE
5 SAMPLE COLLECTED WITH ATTACHED OR INDEPENDENTLY SUBMITTED
6 FORENSIC MEDICAL EVIDENCE;
7 (F) TOTAL OF NUMBER OF CASES WITH A PENDING DNA EVIDENCE
8 SAMPLE COLLECTED FROM A CRIME SCENE INVOLVING SEXUAL ASSAULT
9 FOR WHICH NO FORENSIC MEDICAL EVIDENCE HAS BEEN SUBMITTED;
10 (G) CURRENT AVERAGE TURNAROUND TIME FOR A DNA EVIDENCE
11 TEST;
12 (H) CURRENT AVERAGE TURNAROUND TIME FOR A FORENSIC
13 MEDICAL EVIDENCE TEST;
14 (I) TOTAL NUMBER OF TESTS THAT THE COLORADO BUREAU OF
15 INVESTIGATION HAS COMPLETED IN THE PREVIOUS THIRTY DAYS;
16 (J) TOTAL NUMBER OF TESTS THAT LABORATORIES WITH WHICH
17 THE COLORADO BUREAU OF INVESTIGATION HAS CONTRACTED HAVE
18 COMPLETED IN THE PREVIOUS THIRTY DAYS;
19 (K) TOTAL NUMBER OF NEW DNA TESTS AND FORENSIC MEDICAL
20 EVIDENCE TESTS RECEIVED WITHIN THE PREVIOUS THIRTY DAYS;
21 (L) ANTICIPATED TIMELINE FOR THE COLORADO BUREAU OF
22 INVESTIGATION TO ACHIEVE AN AVERAGE NINETY-DAY TURNAROUND TIME
23 FOR FORENSIC MEDICAL EVIDENCE TESTS;
24 (M) INFORMATION CONCERNING THE COLORADO BUREAU OF
25 INVESTIGATION'S LAB ANALYST STAFFING LEVELS; AND
26 (N) THE INFORMATION REQUIRED PURSUANT TO SECTION
27 24-33.5-113.5 (4).
28 (II) THE DEPARTMENT SHALL UPDATE THE DASHBOARD AT LEAST
29 EVERY THIRTY DAYS.
30 (d) Provide email updates every thirty days beginning March 10,
31 2025, through June 30, 2026, to the general assembly regarding the
32 forensic medical evidence and sexual assault kit backlogs, which include:
33 (I) ~~The total number of cases with pending forensic medical~~
34 ~~evidence tests~~; THE INFORMATION REQUIRED PURSUANT TO SUBSECTION
35 (4)(c) OF THIS SECTION; AND
36 (II) ~~The total number of cases with pending sexual assault kit~~
37 ~~tests~~; INFORMATION OR UPDATES ON DIFFICULTIES CONTRACTING WITH
38 EXTERNAL LABS THAT MAY AFFECT THE BUREAU'S ANTICIPATED TESTING
39 CAPACITY, VOLUME, TURNAROUND EXPECTATIONS, OR OTHER
40 INFORMATION EXPLAINING WHY THE RESULTS VARY FROM THE PROJECTED
41 CASELOAD TIMELINE REFLECTED IN THE FEBRUARY 10, 2025, BUREAU
42 WHITEPAPER DOCUMENT PROVIDED TO THE GENERAL ASSEMBLY.
43 (III) ~~The current average turnaround time for a forensic medical~~

1 test;
2 (IV) ~~The current average turnaround time for a sexual assault kit~~
3 ~~test;~~
4 (V) ~~The number of tests the bureau's internal lab has completed~~
5 ~~in the previous thirty days;~~
6 (VI) ~~The number of tests external contracted labs have completed~~
7 ~~in the previous thirty days;~~
8 (VII) ~~The anticipated timeline for the bureau to achieve an~~
9 ~~average ninety-day turnaround time for sexual assault kit tests;~~
10 (VIII) ~~Updates on the bureau's lab analyst staffing levels; and~~
11 (IX) ~~Information or updates on difficulties contracting with~~
12 ~~external labs that may affect the bureau's anticipated testing capacity;~~
13 ~~volume, turnaround expectations, or other information explaining why the~~
14 ~~results vary from the projected caseload timeline reflected in the February~~
15 ~~10, 2025, bureau whitepaper document provided to the general assembly.~~
16 **SECTION 6. Appropriation.** For the 2025-26 state fiscal year,
17 \$39,938 is appropriated to the department of law for use by the
18 administration division. This appropriation is from the general fund and
19 is based on an assumption that the division will require an additional 0.5
20 FTE. To implement this act, the division may use this appropriation for
21 personal services.".

22 Renumber succeeding section accordingly.

23 Page 1, line 102, strike "BACKLOG." and substitute "BACKLOG, AND, IN
24 CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

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