

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

INTRODUCED

LLS NO. 17-0363.01 Richard Sweetman x4333

HOUSE BILL 17-1138

HOUSE SPONSORSHIP

Salazar, Herod, Rosenthal, Esgar, Melton, Jackson, Pabon, Gray, Ginal, Mitsch Bush, Valdez, Hansen, Buckner, Coleman, Danielson, Exum, Hooton, Lontine, McLachlan, Michaelson Jenet, Pettersen, Winter

SENATE SPONSORSHIP

(None),

House Committees

Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REPORTING OF HATE CRIMES BY LAW ENFORCEMENT**
102 **AGENCIES.**

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/>.)

The bill requires the division of criminal justice within the department of public safety, on or before July 1, 2019, and on or before July 1 of each year thereafter, to:

- ! Review reports provided by each law enforcement agency in the state to the Colorado bureau of investigation;
- ! Determine whether each law enforcement agency is

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

accurately reporting hate crimes occurring within the agency's jurisdiction; and
! Report such information to the general assembly.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-33.5-520 as
3 follows:

4 **24-33.5-520. Hate crime reporting - definition.** (1) ON OR
5 BEFORE JULY 1, 2019, AND ON OR BEFORE JULY 1 OF EACH YEAR
6 THEREAFTER, THE DIVISION SHALL REVIEW THE REPORTS PROVIDED BY
7 EACH LAW ENFORCEMENT AGENCY IN THE STATE TO THE COLORADO
8 BUREAU OF INVESTIGATION, PURSUANT TO SECTION 24-33.5-412 (5),
9 DURING THE PREVIOUS YEAR AND DETERMINE WHETHER EACH LAW
10 ENFORCEMENT AGENCY IS ACCURATELY REPORTING HATE CRIMES
11 OCCURRING WITHIN THE AGENCY'S JURISDICTION. THE DEPARTMENT OF
12 PUBLIC SAFETY SHALL INCLUDE SUCH INFORMATION WITHIN ITS ANNUAL
13 PRESENTATION TO THE COMMITTEES OF REFERENCE PURSUANT TO SECTION
14 2-7-203.

15 (2) AS USED IN THIS SECTION, "HATE CRIME" MEANS A HATE CRIME,
16 AS DESCRIBED IN THE FEDERAL "HATE CRIMES STATISTICS ACT", 28
17 U.S.C. SEC. 534, AS AMENDED, OR A BIAS-MOTIVATED CRIME, AS
18 DESCRIBED IN SECTION 18-9-121.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2018 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.