



Colorado  
Legislative  
Council  
Staff

SB17-115

FISCAL NOTE

FISCAL IMPACT:  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

Drafting Number: LLS 17-0682

Date: February 2, 2017

Prime Sponsor(s): Sen. Cooke  
Rep. Willett; Foote

Bill Status: Senate Judiciary

Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: EXPAND LAW ENFORCEMENT EXCEPTION SEXUAL MATERIAL

Summary of Legislation

This bill creates an exception from prosecution for the crime of sexual exploitation of a child for certain law enforcement and defense counsel personnel who possess sexually exploitative material in the performance of their official duties. The bill defines law enforcement personnel to include any peace officer, prosecutor, criminal investigator, crime analyst, or other individual employed by a law enforcement agency or district attorney's office who performs or assists in investigative duties that may involve sexually exploitative materials.

Background

The exception created by the bill current applies to peace officers; court personnel; or physicians, psychologists, therapists, or social workers, so long as these persons are licensed in Colorado and possess materials in the course of a legitimate treatment or evaluation program. The crime of sexual exploitation of a child by possession of sexually exploitative material is either a class 4 or a class 5 felony, depending on the circumstances.

Assessment

The fiscal note assumes that parties named in the bill are not currently prosecuted for sexual exploitation of a child and, therefore, the bill is assessed as having no fiscal impact.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to offenses committed on or after this date.

State and Local Government Contacts

Corrections

Higher Education

Municipalities

Revenue

Counties

Information Technology

Natural Resources

Sheriffs

District Attorneys

Law

Public Safety