

CHAPTER 161

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 00-1235

BY REPRESENTATIVES Lee, Dean, Fairbank, George, King, Larson, McKay, McPherson, Mitchell, Scott, Spence, Spradley, Witwer, Young, Chavez, Gordon, Stengel, Swenson, and S. Williams;
also SENATOR Arnold.

AN ACT

CONCERNING THE FINGERPRINTING OF JUVENILES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. Part 5 of article 2 of title 19, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

19-2-503.5. Fingerprinting - juvenile under arrest - ordered by court.

(1) FOR PURPOSES OF THIS SECTION, "JUVENILE" MEANS ANY JUVENILE WHO IS CHARGED WITH COMMITTING, SUMMONED, OR HELD IN DETENTION FOR COMMITTING A DELINQUENT ACT THAT CONSTITUTES A FELONY, A CLASS 1 MISDEMEANOR, OR A MISDEMEANOR PURSUANT TO SECTION 42-4-1301, C.R.S., OR A CRIME, THE UNDERLYING FACTUAL BASIS OF WHICH INCLUDED AN ACT OF DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), C.R.S., AS IF COMMITTED BY AN ADULT.

(2) ANY JUVENILE DETAINED PURSUANT TO THE PROVISIONS OF THIS ARTICLE SHALL BE FINGERPRINTED BY THE ENTITY AUTHORIZED BY THE COURT OR THE LOCAL LAW ENFORCEMENT AGENCY TO OBTAIN FINGERPRINTS, EXCEPT FOR JUVENILE DETENTION CENTERS AND ALTERNATIVE SERVICE PROGRAMS, OTHERWISE KNOWN AS "SB 91-94 PROGRAMS", DESCRIBED IN SECTION 19-2-302. SUCH ENTITY OR LOCAL AGENCY SHALL FORWARD A SET OF THE JUVENILE'S FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION IN THE FORM AND MANNER PRESCRIBED BY THE BUREAU.

(3) IF A JUVENILE HAS NOT BEEN FINGERPRINTED PRIOR TO THE FIRST APPEARANCE OF THE JUVENILE BEFORE THE COURT, THE COURT SHALL ORDER THE JUVENILE TO REPORT TO AN ENTITY AUTHORIZED BY THE COURT OR THE LOCAL LAW ENFORCEMENT AGENCY FOR FINGERPRINTING, EXCEPT FOR JUVENILE DETENTION CENTERS AND

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

ALTERNATIVE SERVICE PROGRAMS, OTHERWISE KNOWN AS "SB 91-94 PROGRAMS", DESCRIBED IN SECTION 19-2-302. THE AUTHORIZED ENTITY OR LOCAL LAW ENFORCEMENT AGENCY SHALL ENDORSE UPON A COPY OF THE ORDER THE COMPLETION OF THE FINGERPRINTING AND RETURN THE SAME TO THE COURT. THE AUTHORIZED ENTITY OR LOCAL LAW ENFORCEMENT AGENCY SHALL FORWARD A SET OF FINGERPRINTS ORDERED PURSUANT TO THIS SUBSECTION (3) TO THE COLORADO BUREAU OF INVESTIGATION IN THE FORM AND MANNER PRESCRIBED BY THE BUREAU.

(4) ANY FINGERPRINTS REQUIRED BY THIS SECTION TO BE FORWARDED TO THE COLORADO BUREAU OF INVESTIGATION SHALL BE FORWARDED WITHIN TWENTY-FOUR HOURS AFTER COMPLETION OF THE FINGERPRINTING; EXCEPT THAT SUCH TIME PERIOD SHALL NOT INCLUDE SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS.

SECTION 2. Appropriation - adjustment in 2000 long bill. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2000, the sum of eighteen thousand four hundred eighty-one dollars (\$18,481) and 0.5 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2000, shall be adjusted as follows:

(a) The general fund appropriation to the capital construction fund outlined in section 3 (1) (f) is reduced by eighteen thousand four hundred eighty-one dollars (\$18,481).

(b) The capital construction fund exempt appropriation to the department of transportation, construction projects, is reduced by eighteen thousand four hundred eighty-one dollars (\$18,481).

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 19, 2000