

CHAPTER 219

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 06-1153

BY REPRESENTATIVE(S) Berens, Hefley, Balmer, Cloer, Crane, Frangas, Gardner, Hall, Harvey, Kerr J., King, Knoedler, Lindstrom, Liston, Lundberg, Massey, May M., McFadyen, Penry, Rose, Schultheis, Soper, Stafford, Sullivan, Todd, Welker, White, Witwer, Garcia, Jahn, McCluskey, Paccione, and Romanoff;
also SENATOR(S) Mitchell, Bacon, Dyer, Johnson, Jones, Lamborn, May R., Shaffer, Spence, Boyd, Evans, Kester, Owen, Taylor, Teck, Traylor, and Williams.

AN ACT

CONCERNING CHANGES TO COLORADO'S SEX OFFENDER REGISTRATION LAWS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. Part 1 of article 22 of title 16, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

16-22-115. CBI assistance in apprehending sex offenders who fail to register.
IN AN EFFORT TO ENSURE THAT A SEXUAL OFFENDER WHO FAILS TO RESPOND TO ADDRESS-VERIFICATION ATTEMPTS OR WHO OTHERWISE ABSCONDS FROM REGISTRATION IS LOCATED IN A TIMELY MANNER, THE COLORADO BUREAU OF INVESTIGATION SHALL SHARE INFORMATION WITH LOCAL LAW ENFORCEMENT AGENCIES. THE COLORADO BUREAU OF INVESTIGATION SHALL USE ANALYTICAL RESOURCES TO ASSIST LOCAL LAW ENFORCEMENT AGENCIES TO DETERMINE THE POTENTIAL WHEREABOUTS OF SEX OFFENDERS WHO FAIL TO RESPOND TO ADDRESS-VERIFICATION ATTEMPTS OR WHO OTHERWISE ABSCOND FROM REGISTRATION. THE COLORADO BUREAU OF INVESTIGATION SHALL REVIEW AND ANALYZE ALL AVAILABLE INFORMATION CONCERNING A SEX OFFENDER WHO FAILS TO RESPOND TO ADDRESS-VERIFICATION ATTEMPTS OR OTHERWISE ABSCONDS FROM REGISTRATION AND PROVIDE THE INFORMATION TO LOCAL LAW ENFORCEMENT AGENCIES IN ORDER TO ASSIST IN LOCATING AND APPREHENDING THE SEX OFFENDER.

SECTION 2. 16-22-109 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

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

16-22-109. Registration forms - local law enforcement agencies - duties.

(1) The director of the CBI shall prescribe standardized forms to be used to comply with this article, and the CBI shall provide copies of such standardized forms to the courts, probation departments, community corrections programs, the department of corrections, the department of human services, and local law enforcement agencies. Such standardized forms may be provided in electronic form. Such standardized forms shall be used to register persons pursuant to this article and to enable persons to cancel registration, as necessary. The standardized forms shall provide that the persons required to register pursuant to section 16-22-103 disclose such information as is required on the standardized forms. The information required on the standardized forms shall include, but need not be limited to:

(a.3) IF THE PERSON'S PLACE OF RESIDENCE IS A MOTOR VEHICLE, TRAILER, OR MOTOR HOME, THE VEHICLE IDENTIFICATION NUMBER, LICENSE TAG NUMBER, REGISTRATION NUMBER, AND DESCRIPTION, INCLUDING COLOR SCHEME, OF THE MOTOR VEHICLE AND TRAILER.

SECTION 3. 16-22-102 (5.7), Colorado Revised Statutes, is amended to read:

16-22-102. Definitions. As used in this article, unless the context otherwise requires:

(5.7) "Residence" means a place or dwelling that is used, intended to be used, or usually used FOR HABITATION by a person ~~for habitation~~ WHO IS REQUIRED TO REGISTER PURSUANT TO SECTION 16-22-103. "RESIDENCE" MAY INCLUDE, BUT IS NOT LIMITED TO, A TEMPORARY SHELTER OR INSTITUTION, IF THE OWNER OF THE SHELTER OR INSTITUTION CONSENTS TO THE PERSON UTILIZING THE SHELTER OR INSTITUTION AS HIS OR HER REGISTERED ADDRESS AS REQUIRED BY SECTION 16-22-106 (4) OR 16-22-107 (4) (a) AND IF THE RESIDENCE OF THE PERSON AT THE SHELTER OR INSTITUTION IS CAPABLE OF VERIFICATION AS REQUIRED BY 16-22-109 (3.5). A person may establish multiple residences by residing in more than one place or dwelling.

SECTION 4. Appropriation. 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 allocation to the Colorado bureau of investigation, for the fiscal year beginning July 1, 2006, the sum of fifty-eight thousand eight hundred thirty-five dollars (\$58,835) and 1.2 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 5. Effective date - applicability. This act shall take effect July 1, 2006, and shall apply to offenses committed on or after said date.

SECTION 6. 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 25, 2006