

CHAPTER 54

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 07-1067

BY REPRESENTATIVE(S) Benefield, Balmer, Gibbs, Kerr J., King, Levy, Merrifield, Rice, Summers, Swalm, Todd, Borodkin, Buescher, Frangas, Gardner B., Green, Primavera, Romanoff, and Stephens;
also SENATOR(S) Boyd, Kester, Schultheis, Tochtrop, Ward, and Williams.

AN ACT

CONCERNING REGISTRATION REQUIREMENTS FOR A SEX OFFENDER WHOSE PLACE OF RESIDENCE IS MOBILE.

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

SECTION 1. The introductory portion to 16-22-109 (1) and 16-22-109 (1) (a.3), Colorado Revised Statutes, are amended, and the said 16-22-109 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

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~~ THE 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~~ THE standardized forms may be provided in electronic form. ~~Such~~ THE 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 ADDRESS AT WHICH THE TRAILER OR MOTOR HOME IS LAWFULLY LOCATED AND the vehicle identification number, license tag number, registration number, and description, including color scheme, of the ~~motor vehicle and~~ trailer OR MOTOR HOME.

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

(f) THE VEHICLE IDENTIFICATION NUMBER, LICENSE TAG NUMBER, REGISTRATION NUMBER, AND DESCRIPTION, INCLUDING COLOR SCHEME, OF ANY MOTOR VEHICLE OWNED OR LEASED BY THE PERSON.

SECTION 2. 16-22-108 (1) (c), Colorado Revised Statutes, is amended to read:

16-22-108. Registration - procedure - frequency - place - change of address - fee. (1) (c) Each person who is required to register pursuant to section 16-22-103 and who establishes an additional residence shall, within five business days after establishing an additional residence in any city, town, county, or city and county within Colorado, register with the local law enforcement agency of the jurisdiction in which he or she establishes the additional residence. ~~Such~~ THE person shall register in said jurisdiction in the manner provided in paragraph (a) of this subsection (1) and shall reregister as provided in paragraph (b) of this subsection (1) or paragraph (d) of this subsection (1), whichever is applicable, in said jurisdiction so long as the person resides in said jurisdiction. FOR PURPOSES OF THIS PARAGRAPH (c), "ADDITIONAL RESIDENCE" SHALL INCLUDE, WHEN THE PERSON'S RESIDENCE IS A TRAILER OR MOTOR HOME, AN ADDRESS AT WHICH THE PERSON'S TRAILER OR MOTOR HOME IS LAWFULLY LOCATED.

SECTION 3. 16-22-108 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

16-22-108. Registration - procedure - frequency - place - change of address - fee. (3) Any person who is required to register pursuant to section 16-22-103 shall be required to register each time such person:

(a.5) CHANGES THE ADDRESS AT WHICH A TRAILER OR MOTOR HOME IS LOCATED, IF THE TRAILER OR MOTOR HOME IS THE PERSON'S PLACE OF RESIDENCE, REGARDLESS OF WHETHER THE NEW ADDRESS IS WITHIN THE JURISDICTION OF THE LAW ENFORCEMENT AGENCY WITH WHICH SUCH PERSON PREVIOUSLY REGISTERED;

SECTION 4. The introductory portion to 18-3-412.5 (1), Colorado Revised Statutes, is amended, and the said 18-3-412.5 is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

18-3-412.5. Failure to register as a sex offender. (1) ~~Any~~ A person who is required to register pursuant to article 22 of title 16, C.R.S., and who fails to comply with any of the requirements placed on registrants by said article, including but not limited to committing any of the acts specified in this subsection (1), commits the offense of failure to register as a sex offender:

(j) WHEN THE PERSON'S PLACE OF RESIDENCE IS A TRAILER OR MOTOR HOME, FAILURE TO REGISTER AN ADDRESS AT WHICH THE TRAILER OR MOTOR HOME IS LAWFULLY LOCATED PURSUANT TO SECTION 16-22-109 (1) (a.3), C.R.S.;

SECTION 5. 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: March 26, 2007