

CHAPTER 306

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 09-1123

BY REPRESENTATIVE(S) Lambert, Kerr J., Balmer, Baumgardner, Gardner B., Gardner C., King S., Liston, Lundberg, Marostica, Massey, Priola, Roberts, Stephens, Swalm, Waller, Casso, Gerou, Green, Looper, Murray, Summers, Todd, Nikkel, Schafer S.;
also SENATOR(S) Schultheis, Harvey, Brophy, Hodge, King K., Penry, Renfroe, Scheffel.

AN ACT

CONCERNING CHANGES TO CRIMES RELATED TO UNLAWFUL TREATMENT OF PERSONS TO ALIGN WITH SIMILAR LAW PROVISIONS.

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

SECTION 1. 18-6-402 (2) and (3), Colorado Revised Statutes, are amended to read:

18-6-402. Trafficking in children. (2) As used in this section, "child" means a person under ~~the age of sixteen~~ EIGHTEEN years OF AGE.

(3) Trafficking in children is a ~~class 3~~ CLASS 2 felony.

SECTION 2. 18-13-127 (2), Colorado Revised Statutes, is amended to read:

18-13-127. Trafficking in adults. (2) As used in this section, "adult" means a person ~~sixteen~~ EIGHTEEN years of age or older.

SECTION 3. 18-13-129 (1), Colorado Revised Statutes, is amended to read:

18-13-129. Coercion of involuntary servitude. (1) A person commits coercion of involuntary servitude if he or she coerces another person to perform labor or services by:

(a) Withholding or threatening to destroy documents relating to a person's immigration status; ~~or~~

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

(b) Threatening to notify law enforcement officials that a person is present in the United States in violation of federal immigration laws;

(c) THREATS OF SERIOUS HARM OR PHYSICAL RESTRAINT AGAINST THAT PERSON OR ANOTHER PERSON;

(d) MEANS OF A SCHEME, PLAN, OR PATTERN INTENDED TO CAUSE THE PERSON TO BELIEVE THAT, IF THE PERSON DOES NOT PERFORM THE LABOR OR SERVICES, THAT THE PERSON OR ANOTHER PERSON WOULD SUFFER SERIOUS HARM OR PHYSICAL RESTRAINT; OR

(e) MEANS OF ABUSE OR THREATENED ABUSE OF LAW OR THE LEGAL PROCESS.

SECTION 4. 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 21, 2009