

CHAPTER 155

COURTS

HOUSE BILL 15-1218

BY REPRESENTATIVE(S) Fields, Becker K., Landgraf, Pabon, Priola, Van Winkle, Young, Duran, Pettersen, Hullinghorst;
also SENATOR(S) Johnston, Cooke, Guzman, Heath, Hill, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Todd.

AN ACT**CONCERNING REQUIRING CERTAIN DISCLOSURES BY DEFENSE-INITIATED VICTIM OUTREACH SPECIALISTS.**

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

SECTION 1. In Colorado Revised Statutes, **add** 24-4.1-305 as follows:

24-4.1-305. Disclosure by agent of defense-initiated victim outreach required - definition. (1) WHEN ANY PERSON ATTEMPTING DEFENSE-INITIATED VICTIM OUTREACH CONTACTS ANY VICTIM OF ANY CRIME, THE PERSON SHALL IMMEDIATELY PROVIDE FULL AND UNAMBIGUOUS DISCLOSURE OF:

(a) THE PERSON'S LEGAL NAME; AND

(b) THE FACT THAT THE PERSON IS ACTING AS AN AGENT FOR THE PERSON ACCUSED OF THE CRIME OR FOR THE DEFENSE TEAM OF SUCH PERSON.

(2) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT REQUIRES OTHERWISE, "DEFENSE-INITIATED VICTIM OUTREACH" MEANS ANY EFFORT BY THE DEFENSE TEAM, INCLUDING BUT NOT LIMITED TO A VICTIM LIAISON, VICTIM OUTREACH SPECIALIST, SOCIAL WORKER, INVESTIGATOR, OR OTHER INDIVIDUAL, TO DIRECTLY OR INDIRECTLY CONTACT A VICTIM OR A VICTIM'S FAMILY MEMBER ON BEHALF OF THE DEFENDANT OR DEFENSE COUNSEL.

(b) THE DEFINITION IN PARAGRAPH (a) OF THIS SUBSECTION (2) DOES NOT REQUIRE THE IDENTIFIED MEMBERS OF A DEFENSE TEAM TO COMPLY WITH ANY GUIDELINES OR STANDARDS PROMULGATED BY ANY PROFESSIONAL DEFENSE-INITIATED VICTIM OUTREACH ORGANIZATION.

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

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 4, 2015