

CHAPTER 237

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 15-1019

BY REPRESENTATIVE(S) Lundeen, Becker K., Brown, Carver, Conti, Court, DelGrosso, Dore, Duran, Esgar, Garnett, Ginal, Humphrey, Joshi, Kagan, Klingenschmitt, Kraft-Tharp, Lawrence, Lee, McCann, Melton, Navarro, Neville P., Nordberg, Pabon, Pettersen, Primavera, Ransom, Rosenthal, Roupe, Ryden, Saine, Salazar, Sias, Tate, Willett, Williams, Windholz, Winter; also SENATOR(S) Woods, Aguilar, Baumgardner, Cooke, Crowder, Grantham, Heath, Jahn, Kefalas, Lambert, Marble, Martinez Humenik, Merrifield, Newell, Roberts, Scott, Todd.

AN ACT

CONCERNING PROSTITUTION BY A MINOR, AND, IN CONNECTION THEREWITH, MINORS WHO ARE VICTIMS OF HUMAN TRAFFICKING.

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

SECTION 1. In Colorado Revised Statutes, 18-3-505, **amend** (4) (a); and **add** (4) (a.5) as follows:

18-3-505. Human trafficking council - created - duties - repeal. (4) The council shall hold its first meeting on or before November 1, 2014, at a time and place to be designated by the executive director of the department of public safety, or by his or her designee. The council shall meet at least four times each year and shall carry out the following duties:

(a) On or before January 1, 2016, make recommendations to the judiciary committees of the house of representatives and senate, or any successor committees, concerning:

(I) Whether the general assembly should establish standards and a process for the certification of organizations that provide services to victims of human trafficking; ~~and~~

(II) Whether the general assembly should establish a grant program ~~to which~~ ^{FOR} organizations that provide services to victims of human trafficking, ~~may apply for~~ ^{grant}; including consideration of how such a grant program may be funded; ~~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.

(III) WHETHER THE GENERAL ASSEMBLY SHOULD ENACT LEGISLATION CONCERNING:

(A) THE PROSECUTION OF OR GRANTING OF IMMUNITY TO A CHILD VICTIM OF COMMERCIAL SEXUAL EXPLOITATION FOR OFFENSES RELATED TO THAT EXPLOITATION;

(B) THE CREATION OF OTHER LEGAL PROTECTIONS, INCLUDING STATUTORY DEFENSES FOR CHILD VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION FOR OFFENSES RELATED TO THAT EXPLOITATION AND THE CREATION OF ANY NECESSARY CHANGES TO TITLE 19, C.R.S., TO IMPLEMENT THOSE LEGAL PROTECTIONS OR DEFENSES; OR

(C) STANDARDS, GUIDELINES, OR MANDATES REGARDING THE APPROPRIATE ASSESSMENT, PLACEMENT, AND TREATMENT OF CHILD VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION THROUGH TITLE 19, C.R.S., INCLUDING BUT NOT LIMITED TO THE USE OF LOCKED PLACEMENT.

(a.5) THE RECOMMENDATIONS SUBMITTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (4) MUST INCLUDE A FULL EXPLANATION OF EACH RECOMMENDATION WITH A DISCUSSION OF THE BENEFITS OF EACH RECOMMENDATION, ANY PROBLEMS THAT MIGHT BE ENCOUNTERED, AND HOW THOSE PROBLEMS, IF ANY, MIGHT BE MITIGATED.

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 29, 2015