

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0158.01 Owen Hatch x2698

HOUSE BILL 26-1108

HOUSE SPONSORSHIP

Lukens and Hartsook,

SENATE SPONSORSHIP

Michaelson Jenet and Rich,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZING THE COLORADO BUREAU OF**
102 **INVESTIGATION TO ACCESS THE FEDERAL BUREAU OF**
103 **INVESTIGATION'S FINGERPRINT SEARCH SERVICE ALLOWING**
104 **AUTHORIZED AGENCIES TO RECEIVE NOTIFICATION OF ACTIVITY**
105 **ON INDIVIDUALS WHO HAVE SUBMITTED TO A BACKGROUND**
106 **CHECK.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill authorizes the Colorado bureau of investigation to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

participate in the federal bureau of investigation's rap back service, which allows authorized agencies to receive notification of activity on individuals who have submitted to a fingerprint-based criminal history record check.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-412, **add**
3 **(7.5)** as follows:

4 **24-33.5-412. Functions of bureau - legislative review -**
5 **interagency cooperation with reporting functions - processing time**
6 **for criminal history record checks - computer crime - synthetic**
7 **cannabinoids enforcement - definition.**

8 (7.5) (a) THE BUREAU IS AUTHORIZED TO SUBMIT APPLICANT
9 FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION TO BE
10 RETAINED IN THE FEDERAL BUREAU OF INVESTIGATION'S RAP BACK
11 SERVICE. ALL APPLICANT FINGERPRINTS SUBMITTED BY THE BUREAU TO
12 THE FEDERAL BUREAU OF INVESTIGATION TO CONDUCT A CRIMINAL
13 HISTORY RECORD CHECK ARE RETAINED IN THE FEDERAL BUREAU OF
14 INVESTIGATION'S DATABASE FOR THE RAP BACK SERVICE. APPLICANT
15 FINGERPRINTS SUBMITTED TO THE FEDERAL BUREAU OF INVESTIGATION
16 MAY BE USED FOR FUTURE SEARCHES, INCLUDING LATENT SEARCHES.

17 (b) AS USED IN THIS SUBSECTION (7.5), "RAP BACK SERVICE"
18 MEANS THE FEDERAL BUREAU OF INVESTIGATION'S SERVICE THAT ALLOWS
19 AUTHORIZED AGENCIES TO RECEIVE NOTIFICATION OF ACTIVITY ON
20 INDIVIDUALS WHO HAVE SUBMITTED TO A CIVIL FINGERPRINT-BASED
21 CRIMINAL HISTORY RECORD CHECK THAT UTILIZES THE FEDERAL BUREAU
22 OF INVESTIGATION'S RECORDS.

23 **SECTION 2. Act subject to petition - effective date.** (1) This

1 act takes effect July 1, 2027; except that, if a referendum petition is filed
2 pursuant to section 1 (3) of article V of the state constitution against this
3 act or an item, section, or part of this act within the ninety-day period
4 after final adjournment of the general assembly, then the act, item,
5 section, or part will not take effect unless approved by the people at the
6 general election to be held in November 2026 and, in such case, will take
7 effect July 1, 2027.

8 (2) This act applies to fingerprints submitted to the Colorado
9 bureau of investigation on or after the applicable effective date of this act.