

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0379.02 Conrad Imel x2313

**SENATE BILL 22-095**

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**SENATE SPONSORSHIP**

**Fields and Moreno,**

**HOUSE SPONSORSHIP**

**Gonzales-Gutierrez,**

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**Senate Committees**

Judiciary

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING IMPROVING MISSING PERSON INVESTIGATIONS.**

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**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 requires the division of criminal justice within the department of public safety (department) to annually report to the general assembly during the department's "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" hearings any significant data, including trends over time, regarding missing person cases in Colorado. The report must include specific information about missing person cases involving women from minority communities, which includes women from African-American, Black, Asian-American,

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

Pacific Islander, Indigenous and tribal, Hispanic, Latino, aging population, disabled, lesbian, gay, bisexual, and transgender communities.

Under existing law, a law enforcement agency is required to accept a missing person report submitted in person if the missing person resides in the agency's jurisdiction or was last believed to be in the agency's jurisdiction, and law enforcement agencies are encouraged to accept reports by telephone or other electronic media. The bill requires any law enforcement agency to accept a missing person report submitted in person if the missing person is a Colorado resident or was last believed to be in Colorado. The bill requires law enforcement agencies to accept a missing person report by telephone or other electronic media if accepting the report by those means is consistent with the agency's policies or practices.

Under existing law, a law enforcement agency that receives a report of a missing adult must enter relevant information into state and national databases and communicate with other law enforcement agencies after the person has been missing for 24 hours or more. In the case of a reported missing child, a law enforcement agency must notify the Colorado bureau of investigation within 24 hours. The bill reduces those times to within 8 hours in the case of a missing adult and within 2 hours in the case of a missing child, and requires the law enforcement agency to enter relevant information into the Colorado crime information center database.

The bill requires a state or local agency that has legal custody of a child who is missing to report the disappearance within 2 hours of learning of the disappearance.

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

2             **SECTION 1.** In Colorado Revised Statutes, **add** 24-33.5-525 as  
3 follows:

4             **24-33.5-525. Missing person investigation information - report**

5     **- definition.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
6     OTHERWISE REQUIRES, "MINORITY COMMUNITIES" MEANS  
7     AFRICAN-AMERICAN, BLACK, ASIAN-AMERICAN, PACIFIC ISLANDER,  
8     INDIGENOUS AND TRIBAL, HISPANIC, LATINO, AND AGING POPULATION  
9     COMMUNITIES.

10            (2) (a) AS PART OF THE DEPARTMENT'S ANNUAL REPORT TO THE  
11     COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203, THE DIVISION

1 SHALL PRESENT TO THE COMMITTEES INFORMATION ON MISSING PERSON  
2 CASES IN COLORADO. THE DIVISION SHALL REVIEW AVAILABLE  
3 INFORMATION ABOUT MISSING PERSON CASES, INCLUDING CASES IN THE  
4 COLD CASE DATABASE DESCRIBED IN SECTION 24-33.5-425 (2), AND  
5 REPORT ANY SIGNIFICANT DATA, INCLUDING TRENDS OVER TIME,  
6 REGARDING MISSING PERSON CASES. THE REPORT MUST INCLUDE SPECIFIC  
7 INFORMATION ABOUT MISSING PERSON CASES INVOLVING WOMEN FROM  
8 MINORITY COMMUNITIES. THE DIVISION SHALL PREPARE THE  
9 PRESENTATION WITHIN EXISTING APPROPRIATIONS.

10 (b) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136  
11 (11)(a)(I), THE REPORT REQUIRED IN THIS SUBSECTION (2) CONTINUES  
12 INDEFINITELY.

13 **SECTION 2.** In Colorado Revised Statutes, 16-2.7-102, **amend**  
14 (2)(a), (2)(b), (3), and (5) as follows:

15 **16-2.7-102. Missing person reports - acceptance.** (2) A law  
16 enforcement agency shall accept without delay a missing person report  
17 that is submitted in person if:

18 (a) The missing person resides, or was last known to reside, ~~within~~  
19 ~~the jurisdiction of the law enforcement agency and the missing person's~~  
20 ~~last-known location is the missing person's residence or his or her~~  
21 ~~location is unknown~~ IN COLORADO; or

22 (b) There is credible information indicating that the missing  
23 person was last believed to be ~~within the jurisdiction of the law~~  
24 ~~enforcement agency~~ IN COLORADO.

25 (3) Each law enforcement agency ~~is encouraged to~~ SHALL accept  
26 a missing person report submitted by telephone or by electronic or other  
27 media ~~to the extent that~~ IF:

6                   (5) Notwithstanding the provisions of THE REQUIREMENTS IN  
7                   subsections (2) and (3) of this section, a law enforcement agency is not  
8                   required to accept a missing person report if:

9                   (a) The person is the subject of a missing person report under  
10                   investigation by another law enforcement agency within this state OR  
11                   ANOTHER LAW ENFORCEMENT AGENCY HAS INDICATED THAT IT INTENDS  
12                   TO ACCEPT A MISSING PERSON REPORT FOR THE PERSON;

1                   **SECTION 3.** In Colorado Revised Statutes, 16-2.7-103, **amend**  
2                   (2) as follows:

3                   **16-2.7-103. Missing person reports - response.** (2) (a) If the  
4                   missing person is eighteen years of age or older, ~~and has allegedly been~~  
5                   missing for twenty-four hours or more, the appropriate course of action  
6                   includes entry of THE LAW ENFORCEMENT AGENCY SHALL, WITHIN EIGHT  
7                   HOURS AFTER RECEIVING THE REPORT, ENTER ANY relevant information  
8                   into ~~state and national databases~~ THE COLORADO CRIME INFORMATION  
9                   CENTER and, AS appropriate, ~~communications with~~ CONTACT other law  
10                  enforcement agencies that may assist in locating the missing person.

11                  (b) (I) If the missing person is under eighteen years of age, the law  
12                  enforcement agency shall, within ~~twenty-four~~ TWO hours after receiving  
13                  the report, notify the Colorado bureau of investigation pursuant to section  
14                  24-33.5-415.1 (3) ~~C.R.S.~~; AND ENTER ANY RELEVANT INFORMATION INTO  
15                  THE COLORADO CRIME INFORMATION CENTER DATABASE; or

16                  (II) If the missing person is under eighteen years of age and under  
17                  the legal custody of the state department of human services or a county  
18                  department of human or social services, the law enforcement agency  
19                  shall, within ~~twenty-four~~ TWO hours after receiving notification pursuant  
20                  to section 19-1-115.3, ~~C.R.S.~~, notify the Colorado bureau of investigation  
21                  for transmission to the federal bureau of investigation for entry into the  
22                  national AND ENTER ANY RELEVANT INFORMATION INTO THE COLORADO  
23                  crime information center database.

24                  **SECTION 4.** In Colorado Revised Statutes, **amend** 19-1-115.3  
25                  as follows:

26                  **19-1-115.3. Missing children and youth from out-of-home**  
27                  **placement - required reporting to law enforcement.** If a child or youth

1 for whom the department of human services or a county department of  
2 human or social services has legal custody pursuant to the provisions of  
3 this title 19 is determined by the agency to be missing, the agency having  
4 legal custody of the child or youth shall report the disappearance  
5 immediately, and in no case later than twenty-four hours after learning of  
6 the disappearance, to the National Center for Missing and Exploited  
7 Children and to law enforcement. Law enforcement authorities shall  
8 notify the Colorado bureau of investigation ~~for transmission to the federal~~  
9 ~~bureau of investigation for entry into the national~~ AND ENTER ANY  
10 RELEVANT INFORMATION INTO THE COLORADO crime information center  
11 database pursuant to section 16-2.7-103. The reporting requirements set  
12 forth for foster parents and out-of-home placement facilities in section  
13 19-2.5-1508 apply.

14                   **SECTION 5.** In Colorado Revised Statutes, 24-33.5-415.1,  
15 **amend** (3) as follows:

16                   **24-33.5-415.1. List of missing children.** (3) To assist the bureau  
17 in compiling the list of missing children, every law enforcement agency  
18 in this state shall, upon receipt of information that a child is believed to  
19 be missing, send a missing child report containing identifying and  
20 descriptive information about the child to the bureau as soon as possible  
21 but no later than twenty-four TWO hours after obtaining ~~such~~ THE  
22 information. If, at a later time, the law enforcement agency determines  
23 that the missing child has been located, the agency shall send notification  
24 to the bureau no later than twenty-four hours after making ~~such~~ THAT  
25 determination.

26                   **SECTION 6. Safety clause.** The general assembly hereby finds,

1      determines, and declares that this act is necessary for the immediate  
2      preservation of the public peace, health, or safety.