

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 11, 2026
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB26-1123 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, lines 2 and 3, strike "(1) and (2);" and
2 substitute "(1), (2), (4), and (6);".
- 3 Page 2, line 8, after "reasonable belief" insert "INDEPENDENTLY
4 DETERMINED AND DOCUMENTED BY TWO AUTHORIZED PERSONNEL".
- 5 Page 3, line 2, strike "PEACE OFFICERS" and substitute "PERSONNEL".
- 6 Page 3, line 3, after "REASONABLE BELIEF" insert "INDEPENDENTLY
7 DETERMINED AND DOCUMENTED BY TWO PERSONNEL AS".
- 8 Page 3, strike lines 4 through 7 and substitute "SECTION IN ORDER FOR A
9 PERSON TO BE STRIP SEARCHED IN A LOCAL DETENTION FACILITY.
10 (1.7) PERSONNEL CONDUCTING A STRIP SEARCH SHALL".
- 11 Page 3, strike lines 12 and 13 and substitute:
12 "(a) "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL OR A
13 FACILITY OPERATED BY A CITY OR TOWN FOR THE PURPOSES OF CONFINING
14 PERSONS CHARGED WITH OR CONVICTED OF VIOLATIONS OF MUNICIPAL
15 ORDINANCES.
16 (b) "PERSONNEL" MEANS A PEACE OFFICER, NONCERTIFIED DEPUTY
17 SHERIFF, EMPLOYEE, OR CONTRACTOR AUTHORIZED BY AGENCY POLICY TO
18 PERFORM STRIP SEARCHES."
- 19 Page 3, line 14, strike "(b)" and substitute "(c)".
- 20 Page 3, line 18, strike "PEACE OFFICER" and substitute "PERSONNEL".

1 Page 3, strike lines 20 and 21 and substitute "ACTIVATED."

2 Page 3, after line 21 insert:

3 ~~"(4) Every peace officer or employee of a police department or~~
4 ~~sheriff's department~~ ALL PERSONNEL conducting a strip search shall
5 obtain the written permission of the police commander or an agent thereof
6 or a sheriff or an agent thereof designated for the purposes of authorizing
7 a strip search in accordance with this section.

8 (6) Any ~~peace officer or employee of a police department or a~~
9 ~~sheriff's department~~ PERSONNEL who knowingly or intentionally fails to
10 comply with any provision of this section commits second degree official
11 misconduct, as defined in section 18-8-405. ~~C.R.S.~~ Nothing contained in
12 this section ~~shall preclude~~ PRECLUDES prosecution of a peace officer or
13 employee of a police department or sheriff's department under any other
14 provision of the law."

15 Page 4, line 4, after "THE REASON FOR" insert "AND RESULT OF".

16 Page 4, strike lines 7 through 27.

17 Page 5, strike lines 1 through 6.

18 Renumber succeeding sections accordingly.

19 Page 5, line 10, strike "**authorized.**" and substitute "**authorized -**
20 **definitions.**".

21 Page 5, strike lines 11 through 23 and substitute:

22 "(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
23 REQUIRES:

24 (a) "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL OR A
25 FACILITY OPERATED BY A CITY OR TOWN FOR THE PURPOSE OF CONFINING
26 PERSONS CHARGED WITH OR CONVICTED OF VIOLATIONS OF MUNICIPAL
27 ORDINANCES.

28 (b) "STRIP SEARCH" MEANS HAVING AN ARRESTED PERSON REMOVE
29 OR ARRANGE SOME OR ALL OF THE PERSON'S CLOTHING SO AS TO PERMIT
30 A VISUAL INSPECTION OF THE GENITALS, BUTTOCKS, ANUS, OR FEMALE
31 BREASTS OF THE PERSON.

32 (2) A PEACE OFFICER MAY ONLY VIEW A VIDEO RECORDING OF A
33 STRIP SEARCH CONDUCTED IN A LOCAL DETENTION FACILITY FOR A

1 LEGITIMATE LAW ENFORCEMENT PURPOSE. A PEACE OFFICER WHO VIEWS
2 A VIDEO RECORDING OF A STRIP SEARCH CONDUCTED IN A LOCAL
3 DETENTION FACILITY SHALL DOCUMENT IN A REPORT THE PEACE OFFICER'S
4 PURPOSE FOR VIEWING THE VIDEO RECORDING OF A STRIP SEARCH
5 CONDUCTED IN A LOCAL DETENTION FACILITY.

6 (3) VIDEO RECORDINGS OF STRIP SEARCHES CONDUCTED IN A
7 LOCAL DETENTION FACILITY:

8 (a) MUST NOT BE UPLOADED TO A CLOUD-BASED ELECTRONIC
9 SERVICE; AND

10 (b) MUST NOT BE VIEWED REMOTELY.

11 (4) THIS SECTION IS NOT APPLICABLE TO DISCOVERY OF VIDEO
12 RECORDINGS OR THE USE OF VIDEO RECORDINGS BY PARTIES IN A CIVIL,
13 CRIMINAL, OR ADMINISTRATIVE COURT CASE, OR AN INTERNAL
14 INVESTIGATION OR IN RESPONSE TO REQUESTS MADE PURSUANT TO
15 SECTION 24-72-303."

16 Page 9, line 14, strike "(9)" and substitute "(10)".

17 Page 10, after line 16 insert:

18 "(6) AN ACTION BROUGHT PURSUANT TO THIS SECTION IS NOT
19 SUBJECT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE
20 10 OF TITLE 24."

21 Renumber succeeding subsections accordingly.

22 Page 11, line 3, strike "(9)" and substitute "(10)".

23 Page 11, line 16, strike "FACILITY" and substitute "FACILITY, TO THE
24 EXTENT THE PROCEDURES EXIST AND ARE PROVIDED TO THE EMPLOYEE IN
25 WRITING,".

26 Page 11, line 23, strike "(7)" and substitute "(8)".

27 Page 12, line 4, strike "(9)" and substitute "(10)".

28 Page 12, strike lines 18 and 19 and substitute:

29 "(a) "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL OR A
30 FACILITY OPERATED BY A CITY OR TOWN FOR THE PURPOSES OF CONFINING
31 PERSONS CHARGED WITH OR CONVICTED OF VIOLATIONS OF MUNICIPAL
32 ORDINANCES."

1 Page 12, line 27, after "PERSON" insert "ASSIGNED TO OR".

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