

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

March 23, 2022

Committee on Appropriations.

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

HB22-1217 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Judiciary Committee Report, dated February 22, 2022, page
2 1, line 4, strike "(9)(d.5)" and substitute "(8) introductory portion,
3 (8)(a.5), (11), and (12)".

4 Page 1 of the report, strike lines 5 through 15 and substitute:

5 **"18-13-111. Purchases of commodity metals - violations -**
6 **commodity metals theft task force - creation - composition - reports**
7 **- legislative declaration - definitions - repeal. (8) For the purposes of**
8 **AS USED IN this section, unless the context otherwise requires:**

9 (a.5) "APPLICABLE FACILITY" MEANS DEALERS, OWNERS, KEEPERS,
10 OR PROPRIETORS OF A JUNK SHOP, JUNK STORE, SALVAGE YARD, OR OTHER
11 SECONDHAND PROPERTY.

12 (11) (a) THE COLORADO STATE PATROL SHALL DEVELOP AN
13 ASSESSMENT REPORT FOR APPLICABLE FACILITIES TO IDENTIFY THE LEVEL
14 OF CONFORMANCE WITH THE PROVISIONS OF SUBSECTIONS (1) TO (4) OF
15 THIS SECTION.

16 (b) ON OR BEFORE JULY 1, 2023, AND EACH JULY 1 THEREAFTER,
17 THE COLORADO STATE PATROL SHALL DISTRIBUTE AND MAKE AVAILABLE
18 AN ASSESSMENT REPORT FOR ALL APPLICABLE FACILITIES. THE
19 ASSESSMENT REPORT MUST ENCOURAGE VOLUNTARY COMPLIANCE AND
20 PROVIDE EDUCATION TO APPLICABLE FACILITIES ON THE REQUIREMENTS
21 OF THIS SECTION. IF AN APPLICABLE FACILITY DOES NOT COMPLY WITH THE
22 ASSESSMENT REPORTING REQUIREMENTS DESCRIBED IN THIS SECTION, THE
23 COLORADO STATE PATROL MAY PROMPT A LAW ENFORCEMENT
24 INSPECTION. THE ASSESSMENT REPORT MUST INCLUDE, AT A MINIMUM:

25 (I) APPLICABLE FACILITY INFORMATION, SUCH AS THE TYPE OF
26 FACILITY, NAME, PHYSICAL ADDRESS, MAILING ADDRESS, BUSINESS
27 CONTACT NAME, AND CONTACT INFORMATION;

28 (II) PURCHASES OF COMMODITY METALS INFORMATION, TO
29 INCLUDE THE TYPE OF BOOK OR REGISTER USED, FORMS OF SELLER

1 IDENTITY VERIFICATION, SELLER DOCUMENTATION USED IN THE BOOK OR
2 REGISTER, WHETHER THE BOOK OR REGISTER PROVIDES FOR THE DATE AND
3 PLACE OF PURCHASE, DESCRIPTION AND QUANTITY AND AVAILABILITY OR
4 ACTUAL INSPECTION BY A PEACE OFFICER; AND

5 (III) APPLICABLE FACILITY RECORDING OF COMMODITY METAL
6 TRANSACTIONS, TO INCLUDE THE TYPE OF METAL COMMODITY
7 TRANSACTION, USE OF AND EMPLOYEE TRAINING ON THE SCRAP THEFT
8 ALERT SYSTEM, MAINTENANCE OF SCRAP THEFT ALERTS, PAYMENT FORMS
9 TO SELLER, AND FORM OF RECORDS KEPT, INCLUDING DIGITAL,
10 PHOTOGRAPHIC, VIDEO, OR OTHER RECORDS;

11 (c) ON OR BEFORE AUGUST 1, 2023, AND EACH AUGUST 1
12 THEREAFTER, EVERY APPLICABLE FACILITY SHALL COMPLETE AND SUBMIT
13 THE ASSESSMENT REPORT TO THE COLORADO STATE PATROL.

14 (d) ON OR BEFORE DECEMBER 1, 2023, AND EACH DECEMBER 1
15 THEREAFTER, THE COLORADO STATE PATROL SHALL PROVIDE A SUMMARY
16 OF THE ASSESSMENT REPORTS TO THE TASK FORCE AND THE TASK FORCE
17 SHALL CONSIDER THE REPORT AT A MEETING REQUIRED BY SUBSECTION
18 (9)(c) OF THIS SECTION.

19 (12) (a) THE COLORADO STATE PATROL SHALL DEVELOP AN
20 INSPECTION FORM FOR USE BY STATE, COUNTY, AND LOCAL AUTHORITIES
21 TO USE WHEN INSPECTING APPLICABLE FACILITIES TO PROVIDE STATEWIDE
22 DOCUMENTATION, CONSISTENT WITH THE PROVISIONS IN SUBSECTIONS (1)
23 TO (4) OF THIS SECTION. THE INSPECTION FORM MUST INCLUDE ELEMENTS
24 CONTAINED IN THE ASSESSMENT REPORT, BUT MAY FURTHER PROVIDE
25 INFORMATION TO BE USED IN CRIMINAL INVESTIGATIONS.

26 (b) THE COLORADO STATE PATROL SHALL PROVIDE STANDARDIZED
27 TRAINING FOR USE BY LAW ENFORCEMENT AGENCIES IN CONDUCTING
28 INSPECTIONS. THIS TRAINING MAY BE IN PERSON, VIA VIDEO, OR USING A
29 WRITTEN MANUAL.

30 (c) UPON COMPLETION OF A LAW ENFORCEMENT INSPECTION, THE
31 LAW ENFORCEMENT AGENCY SHALL SUBMIT A COPY OF THE INSPECTION
32 FORM TO THE COLORADO STATE PATROL WITHIN TWO WEEKS AFTER
33 COMPLETING THE INSPECTION.

34 (d) THE COLORADO STATE PATROL SHALL PROVIDE A SUMMARY
35 REPORT OF ALL STATEWIDE INSPECTIONS TO THE TASK FORCE AND THE
36 TASK FORCE SHALL CONSIDER THE REPORT AT A MEETING REQUIRED BY
37 SUBSECTION (9)(c) OF THIS SECTION.

38 Page 4, line 7, strike "AND".

39 Page 4, strike line 9 and substitute "RECIPIENTS; AND".

40 Page 4, after line 25 insert:

1 "(c) TO ENSURE FULL BENEFITS AND ACCESS, THE DEPARTMENT
2 SHALL MAKE GRANTS ON A CRITERIA-BASED APPORTIONMENT BASIS TO
3 TARGETED INITIATIVES, INCLUDING TWENTY PERCENT TO VICTIMS,
4 TWENTY PERCENT TO PREVENTION, TWENTY-FIVE PERCENT TO BUSINESS
5 IMPACTS, TWENTY-FIVE PERCENT TO ENFORCEMENT AND THE REMAINING
6 TEN PERCENT FOR ADMINISTRATIVE COSTS. THESE APPORTIONMENTS MAY
7 BE SUBJECT TO MODIFICATION BASED ON THE LIMITED NUMBER OF
8 APPLICANTS OR QUALIFIED OR APPROVED APPLICATIONS IN SPECIFIC
9 INITIATIVES."."

10 Page 1 of the report, strike lines 17 through 22 and substitute:

11 "**SECTION 3. Appropriation.** For the 2022-23 state fiscal year,
12 \$300,000 is appropriated to the department of public safety for use by the
13 Colorado state patrol. This appropriation is from the general fund. To
14 implement this act, the division may use this appropriation for the
15 automobile theft prevention authority.

16 **SECTION 4. Appropriation.** (1) For the 2022-23 state fiscal
17 year, \$105,871 is appropriated to the department of public safety for use
18 by the executive director's office. This appropriation is from the highway
19 users tax fund created in section 43-4-201 (1)(a), C.R.S., and appropriated
20 pursuant to section 43-4-201 (3)(a)(I)(C), C.R.S. To implement this act,
21 the division may use this appropriation for the purchase of information
22 technology services.

23 (2) For the 2022-23 state fiscal year, \$105,871 is appropriated to
24 the office of the governor for use by the office of information technology.
25 This appropriation is from reappropriated funds received from the
26 department of public safety under subsection (1) of this section. To
27 implement this act, the office may use this appropriation to provide
28 information technology services for the department of public safety.

29 **SECTION 5. Effective date.** This act takes effect upon passage
30 except that section 1 of this act only takes effect if Senate Bill 22-009
31 takes effect and becomes law. If section 1 of this act takes effect it is
32 effective upon the effective date of this section or the effective date of
33 Senate Bill 22-009 whichever is later."

34 Renumber succeeding section accordingly.

35 Page 1, line 101, strike "THEFT." and substitute "THEFT, AND, IN
36 CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

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