

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0695.01 Michael Dohr x4347

HOUSE BILL 16-1115

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HOUSE SPONSORSHIP

Van Winkle, Lundeen, Landgraf, Lawrence, Nordberg

SENATE SPONSORSHIP

(None),

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House Committees

State, Veterans, & Military Affairs

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE PROHIBITION OF SEALING MUNICIPAL DOMESTIC  
102 VIOLENCE CONVICTIONS.

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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://www.leg.state.co.us/billsummaries>.)*

Under current law, conviction records related to municipal offenses are eligible for record sealing. The bill prohibits sealing a municipal assault or battery conviction or any other municipal conviction, if the conviction involves the underlying factual basis of domestic violence.

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

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-72-708, **amend**  
3 (1) (a) (III) as follows:

4           **24-72-708. Sealing of criminal conviction records information**  
5 **for petty offenses and municipal offenses for convictions. (1) Sealing**  
6 **of conviction records.** (a) A defendant may petition the district court of  
7 the district in which any conviction records pertaining to the defendant  
8 for a petty offense or municipal violation are located for the sealing of the  
9 conviction records, except basic identifying information, if:

10           (III) (A) The conviction records to be sealed are not for a  
11 misdemeanor traffic offense committed either by a holder of a  
12 commercial learner's permit or a commercial driver's license, as defined  
13 in section 42-2-402, C.R.S., or by the operator of a commercial motor  
14 vehicle, as defined in section 42-2-402, C.R.S.; OR

15           (B) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION,  
16 THE CONVICTION RECORDS TO BE SEALED ARE NOT FOR A MUNICIPAL  
17 ASSAULT OR BATTERY OFFENSE IN WHICH THE UNDERLYING FACTUAL  
18 BASIS INVOLVES DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3  
19 (1), C.R.S., OR ANY OTHER MUNICIPAL OFFENSE IN WHICH THE  
20 UNDERLYING FACTUAL BASIS INVOLVES DOMESTIC VIOLENCE, AS DEFINED  
21 IN SECTION 18-6-800.3 (1), C.R.S.

22           **SECTION 2. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.