

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 17-0380.01 Jerry Barry x4341

HOUSE BILL 17-1040

HOUSE SPONSORSHIP

Lundeen and Foote,

SENATE SPONSORSHIP

Priola and Jahn, Cooke

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZING THE INTERCEPTION OF COMMUNICATION**
102 **RELATING TO A CRIME OF HUMAN TRAFFICKING.**

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/>.)

Under current law, a judge may issue an ex parte order authorizing the interception of certain communications if there is probable cause to believe that evidence of a crime that is on the statutory list will be obtained. The bill adds to the list of crimes human trafficking for involuntary servitude and for sexual servitude.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-15-102, **amend**
3 (1)(a)(IX); and **add** (1)(a)(X) as follows:

4 **16-15-102. Ex parte order authorizing the interception of wire,**
5 **oral, or electronic communications.** (1) (a) An ex parte order
6 authorizing or approving the interception of any wire, oral, or electronic
7 communication may be issued by any judge of competent jurisdiction of
8 the state of Colorado upon application of the attorney general or a district
9 attorney, or his or her designee if the attorney general or district attorney
10 is absent from his or her jurisdiction, showing by affidavit that there is
11 probable cause to believe that evidence will be obtained of the
12 commission of any one of the crimes enumerated in this subsection (1) or
13 that one of said enumerated crimes will be committed:

14 (IX) Limited gaming as defined in article 47.1 of title 12 ~~C.R.S.~~,
15 or in violation of article 20 of title 18; ~~C.R.S.~~ OR

16 (X) HUMAN TRAFFICKING AS DESCRIBED IN SECTION 18-3-503 OR
17 18-3-504.

18 **SECTION 2. Act subject to petition - effective date -**
19 **applicability.** (1) This act takes effect September 1, 2017; except that,
20 if a referendum petition is filed pursuant to section 1 (3) of article V of
21 the state constitution against this act or an item, section, or part of this act
22 within the ninety-day period after final adjournment of the general
23 assembly, then the act, item, section, or part will not take effect unless
24 approved by the people at the general election to be held in November
25 2018 and, in such case, will take effect on the date of the official
26 declaration of the vote thereon by the governor.

1 (2) This act applies to orders applied for on or after the applicable
2 effective date of this act.