

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-0380.01 Jerry Barry x4341

**HOUSE BILL 17-1040**

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**HOUSE SPONSORSHIP**

**Lundeen and Foote,**

**SENATE SPONSORSHIP**

**Priola and Jahn,** Cooke

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**House Committees**  
Judiciary

**Senate Committees**  
Judiciary

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**A BILL FOR AN ACT**

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

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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/>.)*

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.*

SENATE  
2nd Reading Unamended  
March 3, 2017

HOUSE  
3rd Reading Unamended  
February 7, 2017

HOUSE  
2nd Reading Unamended  
February 6, 2017

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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.