

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0363.01 Richard Sweetman x4333

HOUSE BILL 17-1138

HOUSE SPONSORSHIP

Salazar, Herod, Rosenthal, Esgar, Melton, Jackson, Pabon, Gray, Ginal, Mitsch Bush, Valdez, Hansen, Buckner, Coleman, Danielson, Exum, Hooton, Lontine, McLachlan, Michaelson Jenet, Pettersen, Winter

SENATE SPONSORSHIP

(None),

House Committees

Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REPORTING OF HATE CRIMES BY LAW ENFORCEMENT**
102 **AGENCIES.**

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/>.)

The bill requires the division of criminal justice within the department of public safety, on or before July 1, 2019, and on or before July 1 of each year thereafter, to:

- ! Review reports provided by each law enforcement agency in the state to the Colorado bureau of investigation;
- ! Determine whether each law enforcement agency is

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.*

accurately reporting hate crimes occurring within the agency's jurisdiction; and
! Report such information to the general assembly.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-412, **amend**
3 **(5)** as follows:

4 **24-33.5-412. Functions of bureau - legislative review -**
5 **interagency cooperation with reporting functions - processing time**
6 **for criminal history record checks - computer crime - synthetic**
7 **cannabinoids enforcement.** (5) (a) To assist the bureau in its operation
8 of the uniform crime reporting program, every law enforcement agency
9 in this state shall furnish such information to the bureau concerning
10 crimes, arrests, and stolen and recovered property as is necessary for
11 uniform compilation of statewide reported crime, arrest, and recovered
12 property statistics. In cases involving child abuse or sexual assault on a
13 child and in all other cases involving murder, sexual assault, or robbery,
14 the law enforcement agency shall furnish information to the bureau
15 concerning the modus operandi of such crimes in order to facilitate the
16 identification of cross-jurisdictional offenders. Information required to be
17 submitted pursuant to this section shall be submitted in a form specified
18 by the bureau; except that the bureau shall adopt a form and reporting
19 standards consistent with the development of the strategic plan for an
20 integrated criminal justice information system, in accordance with article
21 20.5 of title 16, C.R.S.; that shall be consistent with applicable federal
22 and state laws and regulations such as the national criminal justice
23 information system standards. The cost to the law enforcement agency of
24 furnishing such information shall be reimbursed out of appropriations

1 made therefor by the general assembly; except that the general assembly
2 shall make no such reimbursement if said cost was incurred in a fiscal
3 year during which the Colorado crime information center was funded
4 exclusively by state or federal funds.

5 (b) BEGINNING IN 2018, AND EVERY YEAR THEREAFTER, THE
6 DEPARTMENT SHALL INCLUDE AS PART OF ITS "STATE MEASUREMENT FOR
7 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
8 GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203
9 INFORMATION CONCERNING THE REPORTS SUBMITTED BY LAW
10 ENFORCEMENT AGENCIES PURSUANT TO SUBSECTION (5)(a) OF THIS
11 SECTION, INCLUDING BUT NOT LIMITED TO INFORMATION CONCERNING
12 REPORTS OF BIAS-MOTIVATED CRIMES, AS DESCRIBED IN SECTION
13 18-9-121.

14 **SECTION 2. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.