

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

Date

March 16, 2017

Committee on Judiciary.

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

HB17-1072 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, before line 2 insert:

2 "SECTION 1. In Colorado Revised Statutes, 18-3-502, add
3 (11.5) as follows:

4 **18-3-502. Definitions.** As used in this part 5, unless the context
5 otherwise requires:

6 (11.5) "TRAVEL SERVICES" INCLUDES, BUT IS NOT LIMITED TO, THE
7 FOLLOWING SERVICES, OFFERED EITHER ON A WHOLESALE OR RETAIL
8 BASIS:

- 9 (a) TRANSPORTATION BY AIR, SEA, ROAD, OR RAIL;
- 10 (b) RELATED GROUND TRANSPORTATION;
- 11 (c) HOTEL ACCOMMODATIONS; OR
- 12 (d) PACKAGE TOURS.

13 Renumber succeeding sections accordingly.

14 Page 2, strike line 3 and substitute "(2)(a) as follows:".

15 Page 2, strike lines 5 through 10 and substitute: "**trafficking of a minor**
16 **for sexual servitude.** (2) (a) (I) A person who knowingly sells,
17 recruits,".

18 Page 2, strike lines 15 through 20 and substitute:

19 "(II) A PERSON WHO KNOWINGLY ADVERTISES, OFFERS TO SELL, OR
20 SELLS TRAVEL SERVICES THAT FACILITATE AN ACTIVITY PROHIBITED

1 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION COMMITS HUMAN
2 TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE."

3 Page 3, after line 3 insert:

4 "SECTION 4. In Colorado Revised Statutes, 16-22-113, add
5 (1)(a.5) as follows:

6 **16-22-113. Petition for removal from registry.** (1) Except as
7 otherwise provided in subsection (3) of this section, any person required
8 to register pursuant to section 16-22-103 or whose information is required
9 to be posted on the internet pursuant to section 16-22-111 may file a
10 petition with the court that issued the order of judgment for the conviction
11 that requires the person to register for an order to discontinue the
12 requirement for such registration or internet posting, or both, as follows:

13 (a.5) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (1)(d),
14 (1)(e), AND (1)(f) OF THIS SECTION, IF THE OFFENSE THAT REQUIRED THE
15 PERSON TO REGISTER CONSTITUTED HUMAN TRAFFICKING FOR SEXUAL
16 SERVITUDE PURSUANT TO SECTION 18-3-504 (1)(a), UPON COMPLETION OF
17 THE PERSON'S SENTENCE AND HIS OR HER DISCHARGE FROM THE
18 DEPARTMENT OF CORRECTIONS, IF HE OR SHE WAS SENTENCED TO
19 INCARCERATION, OR DISCHARGE FROM THE DEPARTMENT OF HUMAN
20 SERVICES, IF HE OR SHE WAS COMMITTED TO SUCH DEPARTMENT, OR FINAL
21 RELEASE FROM THE JURISDICTION OF THE COURT FOR THE OFFENSE, IF THE
22 PERSON HAS NOT SUBSEQUENTLY BEEN CONVICTED OF UNLAWFUL SEXUAL
23 BEHAVIOR OR OF ANY OTHER OFFENSE, THE UNDERLYING FACTUAL BASIS
24 OF WHICH INVOLVED UNLAWFUL SEXUAL BEHAVIOR, THE PERSON MAY FILE
25 A PETITION WITH THE COURT PURSUANT TO SUBSECTION (2) OF THIS
26 SECTION. NOTWITHSTANDING ANY OTHER INFORMATION OBTAINED BY THE
27 COURT DURING THE HEARING OF THE PETITION, A COURT SHALL NOT ISSUE
28 AN ORDER DISCONTINUING THE PETITIONER'S DUTY TO REGISTER UNLESS
29 THE PETITIONER HAS AT LEAST ESTABLISHED BY A PREPONDERANCE OF THE
30 EVIDENCE THAT AT THE TIME HE OR SHE COMMITTED THE OFFENSE OF
31 HUMAN TRAFFICKING FOR SEXUAL SERVITUDE, HE OR SHE HAD BEEN
32 TRAFFICKED BY ANOTHER PERSON, AS DESCRIBED IN SECTION 18-3-503 OR
33 18-3-504, FOR THE PURPOSE OF COMMITTING THE OFFENSE. FAILURE TO
34 MAKE THE REQUIRED SHOWING PURSUANT TO THIS SUBSECTION (1)(a.5)
35 REQUIRES THE PERSON TO COMPLY WITH THE PROVISIONS OF SUBSECTION
36 (1)(a) OF THIS SECTION FOR ANY SUBSEQUENT PETITION TO DISCONTINUE
37 THE PERSON'S DUTY TO REGISTER."

38 Renumber succeeding sections accordingly.

** ** ** ** **