

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

PREAMENDED

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

LLS NO. 19-0084.01 Michael Dohr x4347

SENATE BILL 19-049

SENATE SPONSORSHIP

Fields, Cooke, Court, Danielson, Gardner, Hisey, Pettersen, Priola, Story, Williams A.,
Winter

HOUSE SPONSORSHIP

Michaelson Jenet,

Senate Committees
Judiciary

House Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING INCREASING THE STATUTE OF LIMITATIONS FOR CERTAIN**
102 **FAILURE TO REPORT CHILD SEXUAL ABUSE CRIMES.**

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 makes the statute of limitations 5 years for failure to report child abuse when a child makes a verbal or written allegation of unlawful sexual behavior to a mandatory reporter.

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

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

SENATE
3rd Reading Unamended
February 12, 2019

SENATE
Amended 2nd Reading
February 11, 2019

1 **SECTION 1.** In Colorado Revised Statutes, 19-3-304, **add** (5) as
2 follows:

3 **19-3-304. Persons required to report child abuse or neglect.**

4 (5) NO PERSON SHALL BE PROSECUTED, TRIED, OR PUNISHED FOR AN
5 OFFENSE THAT PERTAINS TO A REPORT OF UNLAWFUL SEXUAL BEHAVIOR
6 AS DEFINED IN SECTION 16-22-102 (9) AND UNDER CIRCUMSTANCES WHEN
7 A MANDATORY REPORTER HAS REASONABLE CAUSE TO KNOW OR SUSPECT
8 THAT A CHILD HAS BEEN SUBJECTED TO UNLAWFUL SEXUAL BEHAVIOR AS
9 DEFINED IN SECTION 16-22-102 (9) OR OBSERVED THE CHILD BEING
10 SUBJECTED TO CIRCUMSTANCES OR CONDITIONS THAT WOULD
11 REASONABLY RESULT IN UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN
12 SECTION 16-22-102 (9) UNLESS THE INDICTMENT, INFORMATION,
13 COMPLAINT, OR ACTION FOR THE SAME IS FOUND OR INSTITUTED WITHIN
14 THREE YEARS AFTER THE COMMISSION OF THE OFFENSE. THE LIMITATION
15 FOR COMMENCING CRIMINAL PROCEEDINGS CONCERNING ACTS OF FAILURE
16 TO REPORT CHILD ABUSE OTHER THAN THOSE INVOLVING ACTS DESCRIBED
17 IN THIS SUBSECTION (5) ARE GOVERNED BY SECTION 16-5-401.

18 **SECTION 2. Applicability.** This act applies to offenses
19 committed on or after the effective date of this act.

20 **SECTION 3. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.