

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

**ENGROSSED**

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

LLS NO. 19-1080.01 Conrad Imel x2313

**HOUSE BILL 19-1305**

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**HOUSE SPONSORSHIP**

**McLachlan and Catlin,**

**SENATE SPONSORSHIP**

**Gonzales and Coram,**

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**House Committees**  
Rural Affairs & Agriculture

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE AUTHORITY OF TRIBAL ENTITIES TO ADMINISTER**  
102                    **FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECKS**  
103                    **RELATED TO EMERGENCY CHILD WELFARE PLACEMENTS.**

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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 existing law, a county department of human or social services and a local law enforcement agency are authorized to conduct certain fingerprint-based criminal history record checks related to emergency child welfare placements and receive records related to those record checks. The bill includes a department or division of human or

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.*

HOUSE  
2nd Reading Unamended  
April 16, 2019

social services of an Indian tribe in the definition of county department and includes a law enforcement agency of an Indian tribe in the definition of local law enforcement agency for the purpose of conducting, and receiving records related to, fingerprint-based criminal history record checks related to emergency child welfare placements.

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

2           **SECTION 1.** In Colorado Revised Statutes, 19-3-406, **amend** (6)  
3 as follows:

4           **19-3-406. Fingerprint-based criminal history record check -**  
5 **providers of emergency placement for children - use of criminal**  
6 **justice records - definitions - rules.** (6) For purposes of this section,  
7 UNLESS THE CONTEXT OTHERWISE REQUIRES: ~~"initial criminal history~~  
8 ~~record check" means a name-based state and federal criminal history~~  
9 ~~record check performed by a local law enforcement agency utilizing the~~  
10 ~~records of the Colorado bureau of investigation and the federal bureau of~~  
11 ~~investigation.~~

12           (a) "COUNTY DEPARTMENT" INCLUDES A DEPARTMENT OR DIVISION  
13 OF HUMAN OR SOCIAL SERVICES OF AN INDIAN TRIBE.

14           (b) "INITIAL CRIMINAL HISTORY RECORD CHECK" MEANS A  
15 NAME-BASED STATE AND FEDERAL CRIMINAL HISTORY RECORD CHECK  
16 PERFORMED BY A LOCAL LAW ENFORCEMENT AGENCY UTILIZING THE  
17 RECORDS OF THE COLORADO BUREAU OF INVESTIGATION AND THE  
18 FEDERAL BUREAU OF INVESTIGATION.

19           (c) "LOCAL LAW ENFORCEMENT AGENCY" INCLUDES A LAW  
20 ENFORCEMENT AGENCY OF AN INDIAN TRIBE.

21           **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.