

CHAPTER 56

CRIMINAL LAW AND PROCEDURE

SENATE BILL 19-049

BY SENATOR(S) Fields, Cooke, Court, Danielson, Gardner, Hisey, Pettersen, Priola, Story, Williams A., Winter;
also REPRESENTATIVE(S) Michaelson Jenet, Bird, Buentello, Caraveo, Carver, Cutter, Duran, Exum, Galindo,
Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Mullica, Roberts, Saine, Snyder, Soper, Titone,
Valdez D., Van Winkle, Becker.

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

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

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

19-3-304. Persons required to report child abuse or neglect. (5) NO PERSON SHALL BE PROSECUTED, TRIED, OR PUNISHED FOR AN OFFENSE THAT PERTAINS TO A REPORT OF UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9) AND UNDER CIRCUMSTANCES WHEN A MANDATORY REPORTER HAS REASONABLE CAUSE TO KNOW OR SUSPECT THAT A CHILD HAS BEEN SUBJECTED TO UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9) OR OBSERVED THE CHILD BEING SUBJECTED TO CIRCUMSTANCES OR CONDITIONS THAT WOULD REASONABLY RESULT IN UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9) UNLESS THE INDICTMENT, INFORMATION, COMPLAINT, OR ACTION FOR THE SAME IS FOUND OR INSTITUTED WITHIN THREE YEARS AFTER THE COMMISSION OF THE OFFENSE. THE LIMITATION FOR COMMENCING CRIMINAL PROCEEDINGS CONCERNING ACTS OF FAILURE TO REPORT CHILD ABUSE OTHER THAN THOSE INVOLVING ACTS DESCRIBED IN THIS SUBSECTION (5) ARE GOVERNED BY SECTION 16-5-401.

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

Approved: March 28, 2019