

CHAPTER 258

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 99-1253

BY REPRESENTATIVES Mitchell and George;
also SENATORS Lamborn, Arnold, Epps, and Powers.

AN ACT

CONCERNING STATEMENTS MADE BY JUVENILES DURING CUSTODIAL INTERROGATIONS.

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

SECTION 1. 19-2-511, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

19-2-511. Statements. (6) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, STATEMENTS OR ADMISSIONS OF A JUVENILE SHALL NOT BE INADMISSIBLE INTO EVIDENCE BY REASON OF THE ABSENCE OF A PARENT, GUARDIAN, OR LEGAL OR PHYSICAL CUSTODIAN, IF THE JUVENILE MAKES ANY DELIBERATE MISREPRESENTATIONS AFFECTING THE APPLICABILITY OR REQUIREMENTS OF THIS SECTION AND A LAW ENFORCEMENT OFFICIAL, ACTING IN GOOD FAITH AND IN REASONABLE RELIANCE ON SUCH DELIBERATE MISREPRESENTATION, CONDUCTS A CUSTODIAL INTERROGATION OF THE JUVENILE THAT DOES NOT COMPLY WITH THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION.

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to offenses committed on or after the applicable effective date of this act.

Approved: May 29, 1999

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.