

CHAPTER 97

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 04-1149

BY REPRESENTATIVE(S) Jahn, Boyd, Carroll, Clapp, Cloer, Frangas, Hefley, Lee, McGihon, Williams S., Borodkin, Coleman, McFadyen, Rose, Stafford, Tochtrop, White, and Wiens;
also SENATOR(S) Johnson S., Arnold, Groff, and Grossman.

AN ACT**CONCERNING THE USE OF CRIMINAL HISTORY RECORDS INFORMATION IN ADOPTION PROCEEDINGS.**

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

SECTION 1. 19-5-208 (5), Colorado Revised Statutes, is amended to read:

19-5-208. Petition for adoption. (5) In all stepparent, custodial, and kinship adoptions, the petition shall contain a statement informing the court whether the prospective adoptive parent was convicted at any time by a court of competent jurisdiction of a felony OR MISDEMEANOR in one of the following areas: Child abuse or neglect; spousal abuse; any crime against a child; ~~or~~ ANY CRIME, THE UNDERLYING FACTUAL BASIS OF WHICH HAS BEEN FOUND BY THE COURT ON THE RECORD TO INCLUDE AN ACT OF DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3, C.R.S.; VIOLATION OF A PROTECTION ORDER, AS DESCRIBED IN SECTION 18-6-803.5, C.R.S.; any crime involving violence, rape, sexual assault, or homicide; ~~or other~~ ANY FELONY physical assault or battery. In addition, the petitioner shall attach to the petition a current criminal HISTORY records check, paid for by the petitioner.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 2004, and shall apply to petitions for adoption filed on or after said date.

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: April 7, 2004

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