

CHAPTER 104

CHILDREN AND DOMESTIC MATTERS

HOUSE BILL 06-1123

BY REPRESENTATIVE(S) Harvey, Berens, Borodkin, Clapp, Decker, Jahn, Rose, Schultheis, and Todd;
also SENATOR(S) Wiens.

AN ACT

CONCERNING SITUATIONS IN WHICH A LAW ENFORCEMENT OFFICER SHALL TAKE A RUNAWAY CHILD INTO CUSTODY.

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

SECTION 1. 19-3-401 (1) (b), Colorado Revised Statutes, is amended, and the said 19-3-401 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

19-3-401. Taking children into custody. (1) A child may be taken into temporary custody by a law enforcement officer without order of the court:

(b) When there are reasonable grounds to believe that such child has run away or escaped from such child's parents, guardian, or legal custodian AND THE CHILD'S PARENTS, GUARDIAN, OR LEGAL CUSTODIAN HAS NOT MADE A REPORT TO A LAW ENFORCEMENT AGENCY THAT THE CHILD HAS RUN AWAY FROM HOME; or

(1.3) A CHILD SHALL BE TAKEN INTO TEMPORARY CUSTODY BY A LAW ENFORCEMENT OFFICER WITHOUT ORDER OF THE COURT WHEN THERE ARE REASONABLE GROUNDS TO BELIEVE THE CHILD HAS RUN AWAY FROM THE CHILD'S PARENTS, GUARDIAN, OR LEGAL CUSTODIAN AND THE CHILD'S PARENTS, GUARDIAN, OR LEGAL CUSTODIAN HAS MADE A REPORT TO A LAW ENFORCEMENT AGENCY THAT THE CHILD HAS RUN AWAY FROM HOME.

SECTION 2. 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 5, 2006

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