

## CHAPTER 5

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**CRIMINAL LAW AND PROCEDURE**

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**SENATE BILL 06S-005**

BY SENATOR(S) Williams, Boyd, Evans, Fitz-Gerald, Gordon, Groff, Keller, Shaffer, Tochtrop, Windels, and Tapia;  
also REPRESENTATIVE(S) Hodge, Carroll M., Green, Kerr A., Paccione, Ragsdale, Romanoff, Solano, and Todd.

**AN ACT**

**CONCERNING A PROHIBITION AGAINST COERCION OF IMMIGRANTS, AND MAKING AN APPROPRIATION  
IN CONNECTION.**

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

**SECTION 1.** Article 13 of title 18, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**18-13-129. Coercion of involuntary servitude.** (1) A PERSON COMMITS COERCION OF INVOLUNTARY SERVITUDE IF HE OR SHE COERCES ANOTHER PERSON TO PERFORM LABOR OR SERVICES BY:

(a) WITHHOLDING OR THREATENING TO DESTROY DOCUMENTS RELATING TO A PERSON'S IMMIGRATION STATUS; OR

(b) THREATENING TO NOTIFY LAW ENFORCEMENT OFFICIALS THAT A PERSON IS PRESENT IN THE UNITED STATES IN VIOLATION OF FEDERAL IMMIGRATION LAWS.

(2) A PERSON MAY COMMIT COERCION OF INVOLUNTARY SERVITUDE REGARDLESS OF WHETHER THE PERSON PROVIDES COMPENSATION TO THE PERSON WHO IS COERCED.

(3) COERCION OF INVOLUNTARY SERVITUDE IS A CLASS 6 FELONY.

**SECTION 2.** Part 1 of article 1 of title 17, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**17-1-161. Appropriation to comply with section 2-2-703 - SB 06S-005.**  
(1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY

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

APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT S.B. 06S-005, ENACTED AT THE FIRST EXTRAORDINARY SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF ONE HUNDRED SEVENTY-FOUR THOUSAND THREE HUNDRED EIGHTY-EIGHT DOLLARS (\$174,388).

(b) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116, THE SUM OF SEVENTEEN THOUSAND FOUR HUNDRED THIRTY-NINE DOLLARS (\$17,439).

(II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FIFTY-THREE THOUSAND SIX HUNDRED TWENTY-SIX DOLLARS (\$53,626).

(c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FIFTY-EIGHT THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS (\$58,989).

(d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FIFTY-EIGHT THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS (\$58,989).

(e) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FIFTY-EIGHT THOUSAND NINE HUNDRED EIGHTY-NINE DOLLARS (\$58,989).

**SECTION 3.** 24-75-302 (2) (s) and (2) (t), Colorado Revised Statutes, are amended to read:

**24-75-302. Capital construction fund - capital assessment fees - calculation.**

(2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 2010, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to

the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(s) On July 1, 2006, forty-six million nine hundred forty-four thousand six hundred eighty-seven dollars, plus twenty-two thousand nine hundred twenty-four dollars pursuant to section 3 of H.B. 02S-1006, enacted at the third extraordinary session of the sixty-third general assembly; plus two hundred ninety-one thousand seven hundred sixty-one dollars pursuant to H.B. 03-1004, enacted at the first regular session of the sixty-fourth general assembly; plus one hundred twenty-five thousand forty-one dollars pursuant to H.B. 03-1138, enacted at the first regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 03-1213, enacted at the first regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 03-1317, enacted at the first regular session of the sixty-fourth general assembly; plus ninety thousand three hundred seven dollars pursuant to H.B. 04-1021, enacted at the second regular session of the sixty-fourth general assembly; plus sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B. 04-1016, enacted at the second regular session of the sixty-fourth general assembly; plus fifteen million dollars pursuant to H.B. 06-1373, enacted at the second regular session of the sixty-fifth general assembly; plus one hundred seventy-four thousand three hundred eighty-eight dollars pursuant to S.B. 06-206, enacted at the second regular session of the sixty-fifth general assembly; plus one hundred seventy-four thousand three hundred eighty-eight dollars pursuant to S.B. 06-207, enacted at the second regular session of the sixty-fifth general assembly; plus six hundred ten thousand three hundred fifty-eight dollars pursuant to H.B. 06-1326, enacted at the second regular session of the sixty-fifth general assembly; plus eighty-seven thousand one hundred ninety-four dollars pursuant to H.B. 06-1145, enacted at the second regular session of the sixty-fifth general assembly; plus four hundred thirty-five thousand nine hundred seventy dollars pursuant to H.B. 06-1092, enacted at the second regular session of the sixty-fifth general assembly; plus eighty-seven thousand one hundred ninety-four dollars pursuant to H.B. 06-1151, enacted at the second regular session of the sixty-fifth general assembly; plus five hundred twenty-three thousand one hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the second regular session of the sixty-fifth general assembly; PLUS ONE HUNDRED SEVENTY-FOUR THOUSAND THREE HUNDRED EIGHTY-EIGHT DOLLARS PURSUANT TO S.B. 06S-005, ENACTED AT THE FIRST EXTRAORDINARY SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY;

(t) On July 1, 2007, four hundred sixteen thousand eight hundred two dollars pursuant to H.B. 03-1004, enacted at the first regular session of the sixty-fourth general assembly; plus fifty-five thousand five hundred seventy-four dollars pursuant to H.B. 03-1317, enacted at the first regular session of the sixty-fourth general assembly; plus thirteen thousand eight hundred ninety-three dollars pursuant to H.B. 04-1021, enacted at the second regular session of the sixty-fourth general assembly; plus twenty-two million eight hundred eighty-five thousand three hundred eighty-six dollars pursuant to H.B. 06-1373, enacted at the second regular session of the sixty-fifth general assembly; plus two hundred nine thousand two hundred sixty-six dollars pursuant to S.B. 06-206, enacted at the second regular session of the sixty-fifth general assembly; plus two hundred nine thousand two hundred sixty-six dollars pursuant to S.B. 06-207, enacted at the second regular session of the sixty-fifth general assembly; plus six hundred ten thousand three hundred

fifty-eight dollars pursuant to H.B. 06-1326, enacted at the second regular session of the sixty-fifth general assembly; plus sixty-nine thousand seven hundred fifty-five dollars pursuant to H.B. 06-1151, enacted at the second regular session of the sixty-fifth general assembly; plus five hundred twenty-three thousand one hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the second regular session of the sixty-fifth general assembly; PLUS SEVENTEEN THOUSAND FOUR HUNDRED THIRTY-NINE DOLLARS PURSUANT TO S.B. 06S-005, ENACTED AT THE FIRST EXTRAORDINARY SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY;

**SECTION 4. Effective date - applicability.** This act shall take effect upon passage and shall apply to offenses committee on or after said date.

**SECTION 5. 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: July 31, 2006