

## CHAPTER 177

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**CRIMINAL LAW AND PROCEDURE**


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**HOUSE BILL 07-1317**

BY REPRESENTATIVE(S) Primavera, Balmer, Borodkin, Buescher, Carroll M., Carroll T., Casso, Frangas, Gagliardi, Gardner B., Gibbs, Green, Hicks, Kerr A., Kerr J., King, Labuda, Lambert, Liston, Lundberg, Massey, Merrifield, Romanoff, Stephens, Summers, Swalm, Todd, and Witwer;  
also SENATOR(S) Tupa, Boyd, Morse, Shaffer, and Williams.

**AN ACT****CONCERNING POSTING SEX OFFENDER REGISTRATION INFORMATION ON A LOCAL LAW ENFORCEMENT AGENCY WEBSITE.**

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

**SECTION 1.** 16-22-112 (3) (b) and (3) (e), Colorado Revised Statutes, are amended, and the said 16-22-112 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**16-22-112. Release of information - law enforcement agencies.** (3) (b) At its discretion, a local law enforcement agency may release information regarding any person registered with the local law enforcement agency pursuant to this article to any person who does not reside within the local law enforcement agency's jurisdiction or may post the information specified in ~~paragraph (c) of this subsection~~ ~~(3) PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION~~ on the law enforcement agency's website. If a local law enforcement agency does not elect to release information regarding any person registered with the local law enforcement agency to a person not residing within the local law enforcement agency's jurisdiction, the local law enforcement agency may submit a request from the person to the CBI.

~~(e) A local law enforcement agency may post on its website sex offender registration information of a person from its registration list only if the person is:~~

~~(i) An adult convicted of a felony requiring the adult to register pursuant to section 16-22-103;~~

~~(ii) An adult convicted of a second or subsequent offense of any of the following~~

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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.*

~~misdemeanors:~~

- ~~(A) Sexual assault as described in section 18-3-402 (1) (c), C.R.S.;~~
  - ~~(B) Unlawful sexual contact as described in section 18-3-404, C.R.S.;~~
  - ~~(C) Sexual assault on a client as described in section 18-3-405.5 (2), C.R.S.;~~
  - ~~(D) Sexual exploitation of a child by possession of sexually exploitive material as described in section 18-6-403 (3) (b.5), C.R.S.;~~
  - ~~(E) Indecent exposure as described in section 18-7-302, C.R.S.; or~~
  - ~~(F) Sexual conduct in a penal institution as described in section 18-7-701, C.R.S.;~~
  - ~~(H) A juvenile with a second or subsequent adjudication involving unlawful sexual behavior or for a crime of violence as defined in section 18-1.3-406, C.R.S.;~~
- ~~or~~
- ~~(IV) A juvenile who is required to register pursuant to section 16-22-103 because he or she was adjudicated for an offense that would have been a felony if committed by an adult and has failed to register as required by section 16-22-103.~~

(3.5) TO ASSIST MEMBERS OF THE PUBLIC IN PROTECTING THEMSELVES FROM PERSONS WHO COMMIT OFFENSES INVOLVING UNLAWFUL SEXUAL BEHAVIOR, A LOCAL LAW ENFORCEMENT AGENCY THAT CHOOSES TO POST SEX OFFENDER REGISTRATION INFORMATION ON ITS WEBSITE SHALL EITHER POST EDUCATIONAL INFORMATION CONCERNING PROTECTION FROM SEX OFFENDERS ON ITS WEBSITE OR PROVIDE A LINK TO THE EDUCATIONAL INFORMATION INCLUDED ON THE CBI WEBSITE MAINTAINED PURSUANT TO SECTION 16-22-111. A LOCAL LAW ENFORCEMENT AGENCY THAT POSTS THE EDUCATIONAL INFORMATION SHALL WORK WITH THE SEX OFFENDER MANAGEMENT BOARD CREATED PURSUANT TO SECTION 16-11.7-103 AND SEXUAL ASSAULT VICTIMS' ADVOCACY GROUPS IN PREPARING THE EDUCATIONAL INFORMATION.

**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 26, 2007