

CHAPTER 279

CRIMINAL LAW AND PROCEDURE

SENATE BILL 13-198

BY SENATOR(S) Jahn, Aguilar, Carroll, Giron, Guzman, Jones, Kefalas, King, Newell, Roberts, Schwartz, Tochtrop, Morse;
also REPRESENTATIVE(S) Gardner, Court, Fields, Foote, Gerou, Ginal, Hamner, Labuda, Lebsock, May, Mitsch Bush, Moreno,
Pabon, Pettersen, Primavera, Priola, Rosenthal, Salazar, Schafer, Singer, Stephens, Swalm, Szabo, Vigil, Young.

AN ACT

**CONCERNING CLOSING A COURT TO THE PUBLIC WHEN SEXUALLY EXPLOITATIVE MATERIAL
RELATED TO A SPECIFIC CHILD IS BEING PRESENTED AS EVIDENCE.**

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

SECTION 1. In Colorado Revised Statutes, **add** 16-10-403 as follows:

16-10-403. Option to close court. THE COURT MAY, IF IT DETERMINES THAT THE BEST INTEREST OF A CHILD IN A CLOSED PROCEEDING OVERRIDES THE PUBLIC INTEREST IN AN OPEN CRIMINAL PROCEEDING AND THE DEFENDANT'S RIGHT TO A PUBLIC TRIAL, CLOSE THE COURT TO THE PUBLIC WHEN IMAGES OF SEXUALLY EXPLOITATIVE MATERIALS OR FORENSIC INTERVIEWS DIRECTLY RELATED TO SAID CHILD ARE BEING PRESENTED AS EVIDENCE IN COURT AND THE CHILD OR THE FORENSIC INTERVIEWER IS ON THE WITNESS STAND.

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: May 24, 2013

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