

HB1069_L.002

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB21-1069 be amended as follows:

1 Amend reengrossed bill, page 2, after line 1 insert:

2 "SECTION 1. **Legislative declaration.** (1) The general
3 assembly finds that for the purpose of performing a post-enactment
4 review of the implementation of HB 21-1069, it is necessary to review the
5 following statewide data for the three years prior and subsequent to the
6 passage of HB 21-1069 in order to assess its impact on sentencing and the
7 filing of counts based on the number of images in violation of section
8 18-6-403 (3)(b.5):

9 (a) The number of cases filed that include a violation of section
10 18-6-403 (3)(b.5) and the number of counts in each case for violation of
11 18-6-403 (3)(b.5);

12 (b) The number of convictions for violation of section 18-6-403
13 (3)(b.5) resulting in a sentence to the department of corrections and the
14 lengths of those sentences; and

15 (c) The number of convictions for violation of section 18-6-403
16 (3)(b.5) resulting in a sentence to probation or a community-based
17 sentence."

18 Renumber succeeding sections accordingly.

19 Page 2, lines 3 and 4, strike "(2)(i.5), (5)(c), and (5.5)" and substitute
20 "(2)(i.5), (5.5), and (5.7)".

21 Page 4, strike lines 11 through 13.

22 Page 4, after line 22 insert:

23 "(5.7) NOTWITHSTANDING SECTION 16-22-113 (3)(c) TO THE
24 CONTRARY, AN ADULT WHO HAS MORE THAN ONE CONVICTION OF
25 18-6-403 (3)(b.5) IN A SINGLE CRIMINAL CASE IS ELIGIBLE TO PETITION FOR
26 REMOVAL FROM THE REGISTRY PURSUANT TO SECTION 16-22-113.

27 **SECTION 3.** In Colorado Revised Statutes, 16-22-113, **amend**
28 (3)(c) as follows:

29 **16-22-113. Petition for removal from registry.** (3) The
30 following persons are not eligible for relief pursuant to this section, but
31 shall be subject for the remainder of their natural lives to the registration
32 requirements specified in this article 22 or to the comparable
33 requirements of any other jurisdictions in which they may reside:

34 (c) Any adult who has more than one conviction or adjudication
35 for unlawful sexual behavior in this state or any other jurisdiction,
36 EXCEPT AS PROVIDED IN SECTION 18-6-403 (5.7)."

1 Renumber succeeding sections accordingly.

2 Page 8, after line 25 insert:

3 "SECTION 7. **Accountability.** Notwithstanding the requirement
4 to conduct a review of the implementation of this act either two or five
5 years after the enactment of the act, three years after this act becomes law
6 and in accordance with section 2-2-1201, Colorado Revised Statutes, the
7 legislative service agencies of the Colorado general assembly shall
8 conduct a post-enactment review of the implementation of this act
9 utilizing the information contained in the legislative declaration set forth
10 in section 1 of this act."

11 Renumber succeeding sections accordingly.

12 Page 1, strike line 103 and substitute "**REQUIRING A POST-ENACTMENT**
13 **REVIEW OF THE IMPLEMENTATION OF THIS ACT AND MAKING AN**
14 **APPROPRIATION.**".

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