

HB1072\_L.006

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.HB17-1072 be amended as follows:

1 Amend printed bill, page 3, after line 3 insert:

2 "SECTION 3. In Colorado Revised Statutes, 16-22-113, add  
3 (1)(a.5) as follows:4 **16-22-113. Petition for removal from registry.** (1) Except as  
5 otherwise provided in subsection (3) of this section, any person required  
6 to register pursuant to section 16-22-103 or whose information is required  
7 to be posted on the internet pursuant to section 16-22-111 may file a  
8 petition with the court that issued the order of judgment for the conviction  
9 that requires the person to register for an order to discontinue the  
10 requirement for such registration or internet posting, or both, as follows:11 (a.5) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (1)(d),  
12 (1)(e), AND (1)(f) OF THIS SECTION, IF THE OFFENSE THAT REQUIRED THE  
13 PERSON TO REGISTER CONSTITUTED HUMAN TRAFFICKING FOR SEXUAL  
14 SERVITUDE PURSUANT TO SECTION 18-3-504 (1)(a), UPON COMPLETION OF  
15 THE PERSON'S SENTENCE AND HIS OR HER DISCHARGE FROM THE  
16 DEPARTMENT OF CORRECTIONS, IF HE OR SHE WAS SENTENCED TO  
17 INCARCERATION, OR DISCHARGE FROM THE DEPARTMENT OF HUMAN  
18 SERVICES, IF HE OR SHE WAS COMMITTED TO SUCH DEPARTMENT, OR FINAL  
19 RELEASE FROM THE JURISDICTION OF THE COURT FOR THE OFFENSE, IF THE  
20 PERSON HAS NOT SUBSEQUENTLY BEEN CONVICTED OF UNLAWFUL SEXUAL  
21 BEHAVIOR OR OF ANY OTHER OFFENSE, THE UNDERLYING FACTUAL BASIS  
22 OF WHICH INVOLVED UNLAWFUL SEXUAL BEHAVIOR, THE PERSON MAY FILE  
23 A PETITION WITH THE COURT PURSUANT TO SUBSECTION (2) OF THIS  
24 SECTION. NOTWITHSTANDING ANY OTHER INFORMATION OBTAINED BY THE  
25 COURT DURING THE HEARING OF THE PETITION, A COURT SHALL NOT ISSUE  
26 AN ORDER DISCONTINUING THE PETITIONER'S DUTY TO REGISTER UNLESS  
27 THE PETITIONER HAS AT LEAST ESTABLISHED BY A PREPONDERANCE OF THE  
28 EVIDENCE THAT AT THE TIME HE OR SHE COMMITTED THE OFFENSE OF  
29 HUMAN TRAFFICKING FOR SEXUAL SERVITUDE, HE OR SHE HAD BEEN  
30 TRAFFICKED BY ANOTHER PERSON, AS DESCRIBED IN SECTION 18-3-503 OR  
31 18-3-504, FOR THE PURPOSE OF COMMITTING THE OFFENSE. FAILURE TO  
32 MAKE THE REQUIRED SHOWING PURSUANT TO THIS SUBSECTION (1)(a.5)  
33 REQUIRES THE PERSON TO COMPLY WITH THE PROVISIONS OF SUBSECTION  
34 (1)(a) OF THIS SECTION FOR ANY SUBSEQUENT PETITION TO DISCONTINUE  
35 THE PERSON'S DUTY TO REGISTER."

36 Renumber succeeding sections accordingly.

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