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**Colorado Coalition Against Domestic Violence**  
**End of Session Report**

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**HB14-1017**

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**Expand Availability Of Affordable Housing**

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**Short Title:** Expand Availability Of Affordable Housing

**Sponsors:** DURAN / ULIBARRI

**Summary:** In connection with the existing housing investment trust fund, the bill: Changes the name of the fund from the home investment trust fund to the housing investment trust fund (trust fund); Expands the sources of moneys that may be used to support the trust fund to include any moneys made available by the general assembly, all moneys collected by the division of housing (division) for the purpose of the trust fund from federal grants and from contributions, other grants, gifts, bequests, and donations received from any other organization, entity, or individual, public or private, and any fees or interest earned on such moneys; Clarifies that the division is authorized and directed to solicit, accept, expend, and disburse all moneys collected for the trust fund from the various public and private sources identified in the bill for the purpose of making, not just loans as under existing law, but also loan guarantees, and for program administration. The bill specifies that any moneys in the trust fund at the end of any fiscal year do not revert to the general fund and that moneys in the trust fund are continuously appropriated to the division for the purposes specified in statute. For any given state fiscal year, no more than 3% of the moneys appropriated from the trust fund may be expended for the administrative costs of the division in administering the trust fund. Under current law, upon the approval of the state housing board, the division is authorized to make a loan from moneys in the trust fund to any local housing authority, public nonprofit corporation, or private nonprofit corporation for development or redevelopment costs incurred prior to the completion or occupancy of low- or moderate-income housing or for the rehabilitation of such housing. The bill deletes the enumeration of the entities entitled to borrow such moneys and also eliminates the requirement that such loan moneys may be used for development or redevelopment costs incurred prior to the occupancy of low- or moderate-income housing. Requires the division, in making loans of moneys from the trust fund, to give priority to owners of property that was either destroyed or incurred substantial damage as a result of one or more state or federally declared natural disasters; Permits the division to charge the borrower an origination fee for loans made from the trust fund. The fee must be used for direct and indirect costs associated with the administration of the trust fund.

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Prohibits the division from guaranteeing any loan made to a for-profit organization or entity unless the loan is secured on a recourse basis; and Specifies that the total amount of loan guarantees that may be made by the division against the trust fund shall not exceed either \$2 million for any one project or up to \$5 million for all such projects at any one time. In connection with the existing housing development grant fund (fund), the bill: Expands the permissible uses of moneys in the fund to include program administration; Strikes existing language authorizing the division to make a grant or loan from the fund to finance foreclosure prevention activities, which has been repealed effective June 30, 2011; Requires the division, in making loans of moneys from the fund, to give priority to owners of property that was either destroyed or incurred substantial damage as a result of one or more state or federally declared natural disasters where the property owner has received the maximum insurance proceeds and public disaster assistance; Eliminates the requirement that the borrower is required to seek replacement loans or funding no later than 180 days from the date of the loan; and Deletes a requirement in existing law that not more than \$250,000 may be appropriated from the general fund in any one state fiscal year for any uses not related to construction grants or loans. The bill permits the division in its discretion to transfer 20% of the balance of moneys in the fund into the trust fund, which balance is calculated as of July 1 of the state fiscal year in which the money is transferred. For any given state fiscal year, no more than 3% of the moneys appropriated from the trust fund may be expended for the administrative costs of the division in administering the fund. The bill also deletes obsolete language in existing statutory provisions governing the 2 funds. In connection with the existing state low-income housing tax credit, the bill: Amends the definition of "qualified taxpayer" to permit the ownership interest in the qualified development to be direct or indirect; Permits the aggregate sum of credits allocated annually to be exceeded in the case of qualified development that is located in a county that is designated by the qualified allocation plan as having been impacted by a natural disaster; Permits any amount of credit that exceeds the tax due for a taxable year to be carried forward as a tax credit against subsequent years' income tax liability up to 11 tax years following the tax year in which the allocation was made; Changes the period during which the Colorado housing and finance authority (authority) is permitted to allocate tax credits from each calendar year of the 2-year period beginning January 1, 2001, and ending December 31, 2002, to each calendar year of the 2-year period beginning January 1, 2015, and ending December 31, 2016; Creates an exception to the aggregate amount of all credits allocated by the authority in each

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calendar year of the 2-year period beginning January 1, 2015, and ending December 31, 2016, for an allocation made to a qualified development that is located in a county that is designated by the qualified allocation plan as having been impacted by a natural disaster; Credits shall be allocated in accordance with the accessibility and adaptability requirements of the Federal Tax Credits and Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Amendments Act of 1988 For each allocation year, requires the authority, by December 31 of that year, to provide a written report to the general assembly concerning the use of the tax credit. The bill specifies the contents of the report. The bill appropriates to the department of revenue, for the fiscal year beginning July 1, 2014, the sum of \$28,840, or so much thereof as may be necessary, for allocation to the taxation business group for annual maintenance and support of the Colorado integrated tax architecture system related to the bill's implementation.

**Position:** **Actively Support**  
**Status:** 04/30/2014 Sent to the Governor  
**Fiscal Notes:** [Fiscal Note](#)

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### **[HB14-1035](#)**      **Restitution Collection Deferred Judgment**

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**Short Title:** Restitution Collection Deferred Judgment  
**Sponsors:** GARDNER / JOHNSTON  
**Summary:** The bill clarifies that an order of restitution that is part of a deferred judgment or deferred adjudication can be collected by the court after the deferred judgment or deferred adjudication is dismissed until the judgment is satisfied.  
**Position:** **Passive Support**  
**Status:** 03/07/2014 Governor Signed  
**Fiscal Notes:** [Fiscal Note](#)

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| <b><u><a href="#">HB14-1041</a></u></b> | <b>Concealed Handgun Carry Without Permit</b>   |
| <b>Short Title:</b>                     | Concealed Handgun Carry Without Permit  |
| <b>Sponsors:</b>                        | WRIGHT / GRANTHAM   |
| <b>Summary:</b>                         | <p>The bill allows a person who legally possesses a handgun under state and federal law to carry a concealed handgun in Colorado. A person who carries a concealed handgun under the authority created in the bill has the same carrying rights and is subject to the same limitations that apply to a person who holds a permit to carry a concealed handgun under current law, including the prohibition on the carrying of a concealed handgun on the grounds of a public elementary, middle, junior high, or high school.</p> |
| <b>Position:</b>                        | <b>Actively Oppose</b>  |
| <b>Status:</b>                          | 02/04/2014 House Committee on Judiciary Postpone Indefinitely   |
| <b>Fiscal Notes:</b>                    | <a href="#">Fiscal Note</a>   |

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| <b><u><a href="#">HB14-1042</a></u></b> | <b>Birth Parent Access To Relinquishment Records</b>   |
| <b>Short Title:</b>                     | Birth Parent Access To Relinquishment Records  |
| <b>Sponsors:</b>                        | SAINE / TOCHTROP   |
| <b>Summary:</b>                         | <p>The bill as amended requires custodians to provide certain records to a relinquishing birth parent that relate to the relinquishment of a child on which the parent is named or has signed. These records must be provided at the time of relinquishment or when the document is created. The bill does not apply to cases where parental rights are terminated due to a dependency and neglect action. These documents include:</p> <ul style="list-style-type: none"><li>• the original birth certificate of the child being relinquished;</li><li>• the petition to relinquish;</li><li>• the final order of relinquishment;</li><li>• the affidavit of counseling, excluding any attachments or pre-relinquishment counseling documents;</li><li>• the temporary waiver of custody;</li><li>• expedited relinquishment documents, if applicable;</li><li>• a relinquishment interrogatory from a birth parent;</li><li>• the order for publication of relinquishment;</li></ul> |

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- the notice to terminate the parent-child legal relationship; and
- the medical records of a birth mother related to the pregnancy and birth, which may only be released by the hospital or maternity home that created the records.

Custodians of records include courts, state agencies, licensed child placement agencies, and maternity homes, or the legal agent or representative of such a person or entity. The bill limits the liability of licensed child placement agencies in cases where the birth parent fails to request a document or if a document listed above cannot be produced because it was not required at the time of relinquishment. If records were not provided at the time of relinquishment or when they were created, a birth parent may submit a written request for the records along with proof of identification. The record custodian must provide access to and copies of the records listed above to the birth parent, as well as any other document signed by or including the name of the birth parent. Records may be released to a birth parent who was a minor at the time of relinquishment when records were signed by a parent, guardian, legal custodian, or legal representative on behalf of the relinquishing parent.

**Position:** **Actively Monitor**  
**Status:** 04/28/2014 Sent to the Governor  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1044](#) Parolee Tamper With Electronic Monitoring Device**

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**Short Title:** Parolee Tamper With Electronic Monitoring Device  
**Sponsors:** DORE/TOCHTROP  
**Summary:** A parolee who violates the conditions of his or her parole by removing or tampering with an electronic monitoring device that the parolee is required to wear as a condition of his or her parole is subject to an immediate warrantless arrest. If a community parole officer has probable cause to believe that a parolee who is under the supervision of the parole officer has removed or tampered with an electronic monitoring device that the parolee is required to wear as a condition of his or her parole, the parole officer shall either: Immediately make a warrantless arrest of the parolee; or except that, before making such an arrest, the community parole officer shall first determine that the notification of removal or tampering was not merely the result of an equipment malfunction. Not later than 12 hours after acquiring such probable cause, notify a law

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enforcement agency with jurisdiction over the parolee's last-known address that the parolee is subject to an immediate warrantless arrest. A parole officer shall file a complaint seeking revocation of the parole of any parolee who has removed or tampered with an electronic monitoring device; except that, before making such an arrest, the community parole officer shall first determine that the notification of removal or tampering was not merely the result of an equipment malfunction. If the state board of parole determines that a parolee has violated the conditions of his or her parole by removing or tampering with an electronic monitoring device, the board shall may revoke the parolee's parole.

**Position:** **Passive Support**

**Status:** Governor Signed

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1047](#) Remove Booking Photographs From Internet**

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**Short Title:** Remove Booking Photographs From Internet

**Sponsors:** BECKER/GUZMAN

**Summary:** As amended makes it unlawful to use a booking photograph for financial gain or ask it to be removed from the internet for financial gain.

**Position:** **Passive Support**

**Status:** 04/11/2014 Governor Signed

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1061](#) Eliminate Prison For Inability To Pay Fines**

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**Short Title:** Eliminate Prison For Inability To Pay Fines

**Sponsors:** SALAZAR / GUZMAN

**Summary:** Current law provides that part of a criminal sentence must include a sentence to prison if an individual criminal defendant fails to pay a fine. The bill changes this requirement so that the sentence must include notice that if a defendant willfully fails to pay a fine, cost, restitution, or other monetary payment (monetary payment), the court may hold the person in contempt of court and sentence the person to prison. The bill provides that when the court imposes a monetary payment as part of the sentence,

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the court must notify the defendant that if he or she is unable to pay the amount ordered, the defendant may ask the court for a waiver or change in the payment. The bill establishes procedures for when a criminal defendant may be held in contempt of court for willful failure to make a monetary payment. As amended clarified that victim surcharges and offender treatment charges could not be completely waived but were eligible for long term payment plans.

**Position:** **Active Oppose prior to Amendments, Active Monitor as amended**

**Status:** Governor Signed

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1063](#)      **Deadly Force Against Intruders At Businesses****

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**Short Title:** Deadly Force Against Intruders At Businesses

**Sponsors:** EVERETT / GRANTHAM

**Summary:** The bill extends the right to use deadly force against an intruder under certain conditions to include owners, managers, and employees of businesses.

**Position:** **Active Oppose**

**Status:** 02/17/2014 House Committee on State, Veterans, & Military Affairs  
Postpone Indefinitely

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1104](#)      **Revenge Internet Posting Intimate Photos****

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**Short Title:** Revenge Internet Posting Intimate Photos

**Sponsors:** STEPHENS

**Summary:** The bill makes it a crime for a person to:  
\* Post or publish a photograph of a person who was under 18 years of age at the time of the photograph showing that person's uncovered genitals, buttocks, anus, or female breasts;  
\* Obtain the photograph during a relationship or sexual encounter with the victim; and  
\* Intend to embarrass, coerce, bully, annoy, harm, or cause emotional

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distress to the victim. The crime is a class 5 felony with a mandatory minimum fine of \$10,000, and, upon conviction, the court must order the defendant or the entity where the photos are posted or published to remove the photographs from the internet.

**Position:** **Active monitor**  
**Status:** 02/27/2014 House Committee on Judiciary Postpone Indefinitely  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1114](#)      **Earned Time In Corrections****

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**Short Title:** Earned Time In Corrections  
**Sponsors:** WALLER  
**Summary:** Under current law, certain earned time that is awarded to an inmate or a parolee by the state department of corrections vests and may not be later revoked or withdrawn. On and after the effective date of the bill, any such earned time that is awarded does not vest and may be withdrawn. On and after the effective date of the bill, if an administrative hearing within the department determines that an inmate or parolee engaged in a crime of violence during the time period for which any earned time was granted to the inmate or parolee, the department shall withdraw such earned time from the inmate or parolee.

**Position:** **Passive Support**  
**Status:** 03/12/2014 Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1131](#)      **Cyber Bullying****

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**Short Title:** Cyber Bullying  
**Sponsors:** FIELDS  
**Summary:** The bill adds to the crime of harassment the use of interactive computer service to engage in a course of conduct that inflicts serious emotional distress on a minor or places the minor in reasonable fear of death or serious bodily injury with intent to cause the fear of death or serious



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bodily injury or with the intent to cause death or serious bodily injury. The crime is a class 2 misdemeanor. If the intent was to harass the person because of the person's race, color, religion, ancestry, or national origin, then it is a class 1 misdemeanor.

**Position:** **Actively Monitor**  
**Status:** 04/09/2014 Senate Committee on Judiciary Postpone Indefinitely  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1148](#)      **Victims' Rights Act Cleanup****

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**Short Title:** Victims' Rights Act Cleanup  
**Sponsors:** FIELDS / JAHN  
**Summary:** The definition of crime determines when the victims' rights act applies. The bill adds , coercion of involuntary servitude and all child prostitution offenses to the definition of crime. The bill clarifies when a modification of sentence including probation is a critical stage. Currently, a crime victim has the right to be informed about receiving a copy of the initial incident report. The bill creates a specific right to receive the copy of the initial incident report, but the release of a document associated with the investigation is at the discretion of the law enforcement agency based on the status of the case or security and safety concerns in a correctional facility, local jail, or private contract prison. Under current law, a crime victim who is in the department of corrections has a right to be heard. The bill adds that right to crime victims who are in the division of youth corrections. The bill creates a right to be notified of a hearing on a petition for record sealing in a case involving a crime under the victim's rights act and directs the district attorney to make the notification using the last known contact information for the victim. Current law allows a victim of a crime committed prior to 1993 that was previously unsolved to request victim notification. The bill makes victim notification automatic.

**Position:** **Actively Support**  
**Status:** 04/04/2014 Governor Signed  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1149](#)**

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**Advertising Children To Transfer Care Trafficking**

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**Short Title:**

Advertising Children To Transfer Care Trafficking

**Sponsors:**

CONTI

**Summary:**

The bill amends the crime of trafficking in children to include a person who advertises a child through any public medium that originates within this state when the person advertises to:

- \* Find a child to adopt or to otherwise take a child into his or her permanent physical custody;
- \* Find an adoptive home or any other permanent physical placement for a child or to arrange for or assist in the adoption, adoptive placement, or any other permanent physical placement of a child; or
- \* Offer to place a child for adoption or in any other permanent physical placement with another person; or when the person receives a child as a result of such an advertisement. Trafficking in children through such advertisements is punishable as a class 6 felony, and receiving a child as a result of such advertisements is punishable as a class 2 felony. The bill defines advertising through a public medium to include advertising by newspaper, telephone book listing, outdoor advertising sign, radio, television, or by any computerized communication system, including by electronic mail, internet site, internet profile, or any similar medium of communication provided via the internet. This prohibition does not apply to:
  - \* An employee of the state department of human services, a county department of social services, or a child placement agency that is licensed to place children for adoption or in foster care who is acting within the scope of his or her employment in placing a child for adoption or in foster care;
  - \* An individual or agency who provides adoption information through the statewide adoption resource registry;
  - \* An adoption exchange whose membership includes county departments and licensed child placement agencies;
  - \* An individual who contacts the state department of human services, a county department of social services, or a child placement agency about placing his or her child for adoption;
  - \* An individual who has received a favorable recommendation regarding his or her fitness to be an adoptive parent from the state department of human services, a county department of social services, or a child placement agency licensed in this state or in another jurisdiction;

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\* An attorney who is licensed to practice in this state who advertises his or her availability to practice or provide services relating to the adoption of children; or

\* An individual who has obtained approval through one of these exempted agencies or entities or from a court of record.

**Position:** **Monitor**

**Status:** 04/17/2014 House Considered Senate Amendments - Result was to Laid Over to 05/09/2014 (effectively killed and some portions of this were transferred to human trafficking bill)

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1151](#)      **Repeal Ammunition Magazine Prohibition****

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**Short Title:** Repeal Ammunition Magazine Prohibition

**Sponsors:** HOLBERT / MARBLE

**Summary:** The bill repeals the prohibition upon the sale, transfer, and possession of large-capacity ammunition magazines. The bill also repeals the requirement that a large-capacity magazine made in Colorado must include a permanent stamp or marking indicating that the magazine was manufactured after July 1, 2013.

**Position:** **Actively Monitor**

**Status:** 02/10/2014 House Committee on State, Veterans, & Military Affairs  
Postpone Indefinitely

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1153](#)      **Attorney Fees For All Motions To Dismiss****

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**Short Title:** Attorney Fees For All Motions To Dismiss

**Sponsors:** PRIOLA / TOCHTROP

**Summary:** In any tort action filed as a result of death or injury to person or property, current law requires a court to award a defendant attorney fees if the case is dismissed on a motion to dismiss under Rule 12 (b) of the Colorado rules of civil procedure. The bill extends the requirement to pay attorney fees to all civil actions.

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**Position:** **Actively Oppose**  
**Status:** 02/18/2014 House Committee on Judiciary Postpone Indefinitely  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1157](#)**      **Policies Allowing Concealed Carry In Public School**

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**Short Title:** Policies Allowing Concealed Carry In Public School  
**Sponsors:** HUMPHREY / RENFROE  
**Summary:** The bill authorizes a school district board of education and the governing board of a charter school to adopt a written policy to allow an employee of the school district or charter school to carry a concealed handgun on school grounds if the person holds a valid permit to carry a concealed handgun.

**Position:** **Actively Monitor**  
**Status:** 02/13/2014 House Committee on Judiciary Postpone Indefinitely  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1162](#)**      **Protect Rape Victim Where Child Conceived**

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**Short Title:** Protect Rape Victim Where Child Conceived  
**Sponsors:** LANDGRAF/CARROLL  
**Summary:** Last session, the general assembly passed a bill that allows the victim of a sexual assault in which a child was conceived and in which the person who committed the sexual assault was convicted to file for the termination of the parent-child legal relationship of the person who committed the sexual assault. In that same bill, the general assembly created a task force on children conceived by rape to study whether changes should be made to that statute and to study issues associated with parental rights in cases where a child was conceived as a result of the sexual assault but a conviction did not occur. This bill makes legislative changes in response to the study and report prepared by the task force. The bill makes the following changes to provisions passed last year for cases involving convictions: Adding more due process protections, such as specifying the notice to the respondent, setting a date for hearing the petition, and notifying the Indian tribe if the child is an Indian child in

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accordance with the federal "Indian Child Welfare Act"; Adding more protections for the victim and the child, including protecting the identity of the victim and the child in the summons, ordering protective measures for the victim in the courtroom, treating child support payments as confidential, and requiring the appointment of a guardian ad litem for the child; Providing legal counsel for indigent petitioners and respondents and waiving filing fees for indigent petitioners; Providing additional protections for parties who have a disability; Providing for admission of parentage and for genetic testing to confirm paternity and allowing the court to order the parent against whom the petition has been filed to pay for genetic testing; Authorizing the court, with the consent of both parties, to order relinquishment without a finding or admission of the factors necessary for such an order; Stating that the court shall not presume that having only one remaining parent is contrary to the child's best interests; Creating a process for the parent whose parent-child legal relationship is terminated to provide medical and family information to be shared with the child and the victim in a way that protects the child from knowing the name of the person; Clarifying what happens if the court denies the petition to terminate the parent-child legal relationship, including that the juvenile court has continuing jurisdiction of the matter and has the authority to enter an order allocating parental responsibilities between the parties, including an order to not allocate parental responsibilities to the parent against whom the petition was filed. The bill repeals the statutes enacted last year that provided for a stay of a civil domestic relations proceeding or a paternity action while criminal charges of sexual assault brought against the alleged perpetrator are resolved. The bill creates a process to allow the victim of a sexual assault in cases where a child was conceived and in which a conviction did not occur to file a petition in juvenile court to prevent future contact with and to terminate the parent-child legal relationship of the parent who allegedly committed the sexual assault. This process is similar to the process for petitions involving convictions but does not include a rebuttable presumption that it is in best interests of the child to terminate the parent-child legal relationship. If the court denies the petition to terminate the parent-child legal relationship, the juvenile court has continuing jurisdiction and the authority to enter orders on allocation of parental rights, including an order to not allocate parental rights to the other parent. The juvenile court may order the parent to submit to a sex offense-specific evaluation and parental risk assessment that may factor in the allocation of parental rights and responsibilities and parenting time. The court shall order the parent who is found to have committed the sexual assault to pay for the costs of the evaluation and the assessment.

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All of the changes made in this bill to the process for petitions involving convictions are also included in the process for petitions for nonconvictions. Since some issues involving the child conceived by a sexual assault might start in the domestic relations arena instead of in a juvenile proceeding, the bill gives the domestic relations courts the authority to allocate parental rights and responsibilities, to address decision-making between the victim and the other parent in these cases, and to issue protective orders. The provisions are similar to the considerations that the court uses to address cases involving domestic violence. If the court finds by a preponderance of the evidence that one of the parties has committed sexual assault and the child was conceived as a result of the sexual assault, then it shall not be in the best interests of the child to allocate sole or split decision-making to the person who was found to have committed sexual assault or to allocate mutual decision-making with respect to any issue over the objection of the party or the guardian ad litem. If the court finds by a preponderance of the evidence that one of the parties has committed sexual assault and the child was conceived as a result of the sexual assault, the court shall consider whether it is in the best interests of the child to prohibit or limit the parenting time of that party with the child. Prior to entering an order relating to parenting time or parental contact, the court may order that party to submit to a sex offense-specific evaluation and a parental risk assessment in Colorado. The court shall order the parent who is found to have committed the sexual assault to pay the costs of the evaluation and parental risk assessment. In addition, in cases where the court has found that the child was conceived as a result of sexual assault, a domestic relations court may not modify a prior order regarding allocation of decision-making or modify a prior order regarding parenting time, unless it finds that the child's present environment endangers the child's physical health or significantly impairs the child's emotional development. Under existing law, when a parent voluntarily relinquishes a child so that the child may be adopted, there is a private action filed to terminate the parent-child legal relationship of the other parent. A victim of sexual assault might want to voluntarily relinquish the child conceived from the sexual assault for adoption and terminate the other parent's rights.

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This bill amends the statute on termination in voluntary relinquishment cases so that the court may order the termination based on a finding that the other parent is unfit due to a history of violent behavior, which may include an incidence of sexual assault that resulted in the conception of the child.

**Position:** **Actively Support**

**Status:** Governor Signed

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1171](#)      **Medical Evidence In Sexual Assault Cases Rules****

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**Short Title:** Medical Evidence In Sexual Assault Cases Rules

**Sponsors:** MCNULTY / ROBERTS

**Summary:** Current law requires rules of the executive director of the department of public safety to include consent forms related to the collection, testing, and release of test results of forensic medical evidence in sexual assault cases. The bill changes the requirement to information to be contained in the consent forms rather than the forms themselves.

**Position:** **Passive Support**

**Status:** 03/27/2014 Governor Signed

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1206](#)      **Modify Charitable Solicitations Act****

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**Short Title:** Modify Charitable Solicitations Act

**Sponsors:** CONTI/ULIBARRI

**Summary:** The bill amends the "Colorado Charitable Solicitations Act" (act) as follows: Modifies the required content of charitable organization registration statements to eliminate unnecessary content; Prohibits a charitable organization from aiding, abetting, or permitting a paid solicitor to solicit contributions on its behalf unless the paid solicitor has complied with the requirements of the act; Specifies that while information filed with the Secretary of State's office by a charitable

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organization, professional fundraising consultant, or paid solicitor in connection with the person or organization's registration is a public record, account numbers at banks or other financial institutions are not a public record; Eliminates the fine amounts specified in the act for soliciting while unregistered, thereby allowing the secretary of state to set those fine amounts by rule; Requires registered individuals and organizations to appoint a registered agent to receive notices, process, and other materials for the individual or organization; and Modifies the fines that may be imposed for failing to timely file required documents with the secretary of state.

**Position:** **Actively Monitor**  
**Status:** 04/11/2014 Governor Signed  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1220](#)**

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**Discovery Requirements In Criminal Cases**

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**Short Title:** Discovery Requirements In Criminal Cases

**Sponsors:** LAWRENCE

**Summary:** Not later than 35 days before trial except for good cause shown, the defense in a criminal case shall make available to the prosecutor:

- \* Any books, papers, documents, photographs, images, electronically stored information, tangible objects, audio and visual tapes, films, and recordings, or copies or portions thereof, that the defense intends to introduce as evidence;
- \* A written list of names, addresses, and birth dates of any witnesses whom the defense intends to call at trial;
- \* Written statements made by any witnesses whom the state may call as a witness at trial;
- \* A written list of names, addresses, and qualifications of any experts the defense intends to call at trial; and
- \* Any reports or statements of experts made in connection with the case, including the results of any physical or mental examinations and any scientific tests, experiments, or comparisons that the defendant intends to introduce into evidence. The defense shall disclose to the prosecution the nature of any defense that the defense intends to use at trial. In no case shall such disclosure be less than 35 days before trial in the case of a felony trial, or less than 7 days before trial in the case of a non-felony trial. If the defense intends to introduce evidence that the defendant was

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intoxicated during the commission of the offense, the defense shall notify the prosecuting attorney as soon as practicable but not later than 35 days before trial. In this notice, the defense shall identify all substances that caused or contributed to the intoxication, indicate whether the intoxication was self-induced, and provide the names and addresses of any witnesses the defense will call to support the defense of intoxication. If the defense intends to present evidence that the defendant was at a place other than the location of the offense, the defense shall serve upon the prosecution as soon as practicable but not later than 35 days before trial a statement in writing specifying the place where the defendant claims to have been and the names and addresses of the witnesses the defense will call to support the defense of alibi. Upon receiving this statement, the prosecution shall advise the defense of the names and addresses of any witnesses who may be called to refute the alibi. At trial, neither the prosecution nor the defense may introduce evidence inconsistent with the specification unless the court, for good cause and upon just terms, permits the specification to be amended. Not later than 45 days before trial except for good cause shown, the prosecutor and the defense attorney shall confer and attempt to reach agreement on any discovery issues. No motion for discovery of any materials that are required to be disclosed shall be filed unless the moving party certifies that the prosecutor and defense counsel have satisfied this requirement.

**Position:** **Monitor**

**Status:** 02/18/2014 House Committee on Judiciary Postpone Indefinitely

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1230](#)**

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**Restoration Of Firearm Carry Right For Some Felons**

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**Short Title:** Restoration Of Firearm Carry Right For Some Felons

**Sponsors:** BUCK / STEADMAN

**Summary:** Under current law, a person who was convicted of a felony is prohibited from using, possessing, or carrying a firearm. The bill creates a process to allow a person convicted of a certain nonviolent felony to have his or her right to carry a firearm restored. To restore the right, the person must file a petition with the district court after a 5-year waiting period and provide a lawful purpose for restoration. The court may issue a certificate of restoration if, after review of the petition, the criminal history of the person and any submission to the court by the district attorney or any

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victim in the case and any other relevant evidence, the court finds, by a preponderance of the evidence, that:

- \* The person is engaged in or seeking to be engaged in a lawful occupation or activity, including employment, training, education, or rehabilitative programs, or the person has a lawful source of income;
- \* The person has not had any criminal convictions since the completion of his or her sentence, excluding minor traffic violations, and criminal charges are not pending against the person;
- \* The person has presented, in the petition, lawful and substantial reasons for restoration of the right to possess a firearm or any other weapon; and
- \* Granting the petition would not impose an unreasonable risk to the safety or welfare of the public or any person.

**Position:** **Actively Monitor**

**Status:** 02/20/2014 House Committee on Judiciary Postpone Indefinitely

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1260](#) Penalties For Sex Offenses Against A Child Under 12**

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**Short Title:** Penalties For Sex Offenses Against A Child Under 12

**Sponsors:** FOOTE / JOHNSTON

**Summary:** The bill requires a court to impose a sentence within an indeterminate minimum presumptive range to a maximum of the offender's life upon an adult offender if he or she commits a class 2, class 3, or class 4 felony sexual assault that includes intrusion or penetration against a child who is under 12 years of age at the time of the offense and the offender is at least 10 years older than the child. For a class 2 felony the presumptive range is 24 to 48 years, for a class 3 felony it is 18 to 32 years, and for a class 4 felony it is 10 to 16 years.

**Position:** **Monitor**

**Status:** 05/09/2014 Sent to the Governor

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1261](#)**

**Improvements To Pretrial Release**

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**Short Title:** Improvements To Pretrial Release

**Sponsors:** WRIGHT

**Summary:** Current law allows listed entities electronic read-only access to the name index and register of actions of public case types. The bill adds bonding agents to the list. The bill limits a court's authority to determining the amount of the bond and gives the defendant the ability to choose how to satisfy the bond. The bill limits the court's authority to release a person on personal recognizance bond (PR bond). The court may not issue a PR bond if the person failed to appear on a felony or class 1 misdemeanor in the last 5 years or fails to appear while on bond for a felony or class 1 misdemeanor or if the court does not have sufficient information to make an intelligent decision regarding issuing a PR bond. The bill sets the following specific bond amounts for the following crimes:  
\* \$10,000 for driving under restraint with a prior DUI;  
\* \$50,000 for vehicular eluding while driving under the influence; and  
\* \$50,000 for felony drug distribution. A pretrial supervision program that supervises a defendant who has also been released on a bond with a bond posted by a compensated surety shall notify the surety, within 2 business days, of any violations or potential violations of bond or supervision conditions discovered by the pretrial supervision program or if the pretrial supervision program intends to request bond revocation. The bill requires the court to order the compensated surety who posted a bond to return all premiums paid by the defendant, and the county or agency to refund all pretrial supervision costs or fees, if, within 14 days of posting the bond for the defendant, all charges related to the bond are dismissed by the court or no charges are filed against the defendant. Under current law, a defendant's bond deposit may be used to cover the court costs. The bill repeals this provision. The bill directs the Colorado commission on criminal and juvenile justice to complete a comprehensive study of county pretrial services programs. The bill creates a criminal affirmative defense for bail bond agents who perform their work in a reasonable manner.

**Position:** **Actively Monitor**

**Status:** 02/27/2014 House Second Reading Laid Over to 5/11/2014 - No Amendments

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1264](#)**

**Jessica's Law**

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**Short Title:** Jessica's Law

**Sponsors:** SZABO / HERPIN

**Summary:** The bill creates the crime of lewd molestation if a person 18 years of age or older touches the private areas of a child less than 12 years old in a lewd or lascivious manner for the purpose of sexual gratification. Lewd molestation is an unclassified felony that carries a mandatory 25 years to life indeterminate sentence. If the parole board releases an offender convicted of lewd molestation, the parole board has to keep the offender on parole for the remainder of the offender's life.

**Position:** **Monitor**

**Status:** 03/03/2014 House Committee on State, Veterans, & Military Affairs  
Postpone Indefinitely

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1266](#)**

**Value-based Crime Threshold Level Changes**

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**Short Title:** Value-based Crime Threshold Level Changes

**Sponsors:** MCCANN / NEWELL

**Summary:** Recently the penalties for theft changed based on the value of the loss. The bill changes the penalties for criminal mischief, fraud by check, defrauding a secured creditor, and unauthorized use of a financial transaction device and computer crime. The changes create new threshold loss levels for a full range of penalties from a class 2 felony down to a petty offense or a low level misdemeanor.

**Position:** **Actively Monitor**

**Status:** Governor Signed

**Fiscal Notes:** [Fiscal Note](#)

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**HB14-1273**

**Human Trafficking**

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**Short Title:**

Human Trafficking

**Sponsors:**

MCCANN / NEWELL

**Summary:**

The bill repeals and reenacts, with amendments, existing provisions concerning human trafficking. A person who knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, or obtains by any means another person for the purpose of coercing the other person to perform labor or services commits human trafficking for involuntary servitude. Human trafficking of an adult for involuntary servitude is a class 3 felony. Human trafficking of a minor for involuntary servitude is a class 2 felony. A person who knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, or obtains by any means a person for the purpose of coercing the person to engage in commercial sexual activity commits human trafficking for sexual servitude. Human trafficking of an adult for sexual servitude is a class 3 felony. Human trafficking of a minor for sexual servitude is a class 2 felony. In any prosecution for human trafficking of an minor for sexual servitude, it is not a defense that: The minor consented to being sold, recruited, harbored, transported, transferred, isolated, enticed, provided, received, obtained, or maintained by the defendant for the purpose of engaging in commercial sexual activity; The minor consented to participating in commercial sexual activity; or The defendant did not know the minor's age or reasonably believed the minor to be 18 years of age or older, or that the minor or another person represented the minor to be 18 years of age or older. The bill creates the Colorado human trafficking council (council) within the department of public safety (department). The bill establishes the membership of the council and sets forth the duties of the council. The council is repealed, effective September 1, 2019. Before such repeal the department of regulatory agencies shall review the council. In any criminal prosecution for a human trafficking offense or for any offense relating to child prostitution, evidence of specific instances of the victim's or a witness's prior or subsequent sexual conduct, or opinion evidence of the victim's or a witness's sexual conduct, or reputation evidence of the victim's or a witness's sexual conduct, or evidence that the victim or a witness has a history of false reporting of sexual assaults is to be offered at trial, may only be admitted under specific circumstances. For a conviction for human trafficking for involuntary servitude or for human trafficking for sexual servitude, the court shall order restitution, if appropriate, even if the victim is unavailable to accept payment of restitution. If the victim is

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deceased or unavailable for 5 years after the date of the restitution order, the defendant shall pay the ordered restitution to the prostitution enforcement cash fund. Human trafficking of an adult for involuntary servitude and human trafficking of an adult for sexual servitude are extraordinary risk crimes for criminal sentencing purposes. The bill makes conforming amendments.

**Position:** **Actively Support**

**Status:** Signed by the Governor

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1291](#)      **Permit Charter Schools Hire Armed School Security****

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**Short Title:** Permit Charter Schools Hire Armed School Security

**Sponsors:** MCLACHLAN/RENFROE

**Summary:** Under current law, a school district may employ a school security officer who may carry a concealed handgun in the school and on its grounds if the person has a valid concealed carry permit. The bill would grant this authority to a charter school.

**Position:** **Actively Monitor**

**Status:** Governor Signed

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1324](#)      **Unlawful Termination Of Pregnancy Civil Damages****

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**Short Title:** Unlawful Termination Of Pregnancy Civil Damages

**Sponsors:** PETERSEN / STEADMAN

**Summary:** The bill creates a civil cause of action as the sole civil remedy for a woman who suffers an intentionally, knowingly, or recklessly unlawful termination of her pregnancy. The standard of proof for the suit is a preponderance of the evidence. The allowable damages are:  
\* Economic damages, including but not limited to the cost of treatment and rehabilitation, medical expenses, and any other pecuniary loss proximately caused by the unlawful termination of her pregnancy;  
\* Noneconomic damages, including but not limited to pain and suffering,

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disfigurement, loss of enjoyment, loss of companionship and consortium, and other nonpecuniary loss proximately caused by the unlawful termination of her pregnancy;

\* Exemplary damages;

\* Reasonable attorney fees incurred as a result of bringing an action under this section;

\* Costs of suit, including but not limited to expenses for expert witnesses and expenses for investigative services to determine the identity of the defendant and the location of assets of the defendant; and

\* Interest. The bill provides exceptions to liability for various medical personnel. The bill requires a case to be filed within 3 years of the cause of action arising and does not require a criminal conviction for a case to proceed. The bill amends the wrongful death statute to define "person" as a human being who had been born and was alive at the time of the act.

**Position:** **Passive Support**

**Status:** 04/24/2014 House Committee on Judiciary Postpone Indefinitely

**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1355](#)**

**Reentry Programs For Adult Parolees**

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**Short Title:** Reentry Programs For Adult Parolees

**Sponsors:** KAGAN / GUZMAN

**Summary:** On and after July 1, 2014, the department of corrections (department) shall develop and implement initiatives specifically designed to decrease recidivism, enhance public safety, and increase each offender's chances of achieving success upon his or her release to the community. Subject to appropriations, on and after July 1, 2014, the department shall:

- \* Develop and implement initiatives specifically designed to assist offenders in a correctional facility to prepare for release to the community;
- \* Develop and implement initiatives specifically designed to assist each offender's transition from a correctional facility into the community; and
- \* Make necessary operational enhancements and develop and implement initiatives specifically designed to ensure that the department has the proper equipment, training, and programs to properly supervise offenders in the community to enhance public safety. On and after January 1, 2015, the department shall develop and implement a grant program to provide funding to eligible community-based organizations that provide reentry

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services to offenders in the community. On or before January 1, 2015, the executive director shall develop policies for the administration of the grant program. The grant program is repealed, effective September 1, 2018. Before such repeal, the department of regulatory agencies shall conduct a sunset review of the grant program. On and after January 1, 2016, during its annual presentation before the joint judiciary committee of the general assembly, or any successor joint committee, the department shall include a status report regarding the progress and outcomes of reentry planning and program initiatives developed and implemented by the department during the preceding year. The bill makes an appropriations.

**Position:** **Actively Monitor**  
**Status:** 05/09/2014 Sent to the Governor  
**Fiscal Notes:** [Fiscal Note](#)

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**[HB14-1363](#)**

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**Revisor's Bill**

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**Short Title:** Revisor's Bill  
**Sponsors:** GARDNER / ROBERTS  
**Summary:** Committee on Legal Services - Revisor's Bill. To improve the clarity and certainty of the statutes, this bill amends, repeals, and reconstructs various statutory provisions of law that are obsolete, imperfect, or inoperative. The specific reasons for each amendment or repeal are set forth in the appendix to this bill. The amendments made by this bill are not intended to change the meaning or intent of the statutes, as amended.  
**Position:** Passive support  
**Status:** 05/21/2014 Sent to the Governor  
**Fiscal Notes:** [Fiscal Note](#)



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| <b><u><a href="#">HB14-1364</a></u></b> | <b>Post-traumatic Stress Disorder Medical Marijuana</b>   |
| <b>Short Title:</b>                     | Post-traumatic Stress Disorder Medical Marijuana  |
| <b>Sponsors:</b>                        | SINGER  |
| <b>Summary:</b>                         | The bill adds post-traumatic stress disorder to the list of debilitating medical conditions for the purposes of the use of medical marijuana. |
| <b>Position:</b>                        | <b>Passive Support</b>  |
| <b>Status:</b>                          | 04/28/2014 House Committee on State, Veterans, & Military Affairs<br>Postpone Indefinitely  |
| <b>Fiscal Notes:</b>                    | <a href="#">Fiscal Note</a>   |

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| <b><u><a href="#">HB14-1378</a></u></b> | <b>Posting Intimate Photos On The Internet</b>  |
| <b>Short Title:</b>                     | Posting Intimate Photos On The Internet   |
| <b>Sponsors:</b>                        | STEPHENS/KING   |
| <b>Summary:</b>                         | The bill makes it a crime for a person 18 years of age or older, with the intent to harass or humiliate which causes emotional distress, or for extortion purposes, or for pecuniary gain, to post or add to a post, which is then distributed through the use of social media, any photograph, video, or other image containing the intimate parts of an identified or identifiable person 18 years of age or older, without the depicted person's consent, after the depicted person communicated to the actor an expectation that the image would remain private, or when the depicted person otherwise had a reasonable expectation that the image would remain private, and such conduct results in emotional distress, extortion, or pecuniary gain. The crime is a class 1 misdemeanor. In addition to any other sentence, the court shall impose a fine of up to \$10,000 and order the image removed from the internet. It is an exception to the crime if the image is related to a newsworthy event. The bill provides immunity to internet service providers. The bill creates a private civil right of action for a violation of the crime with damages of \$10,000 or actual damages, whichever is greater, and attorney's fees and costs. Fees go to crime victim compensation fund. A person whose private images have been posted in accordance with the bill shall retain a protectable right of authorship regarding the commercial use of the private image. A person convicted of the crime may apply to have the conviction record sealed if he or she has not been convicted of another crime in 5 years after the |

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completion of his or her sentence. The fines collected under the act will be directed to the Victim's Compensation Fund.

**Position:** **Passive Oppose/Active Monitor**

**Status:** 05/21/2014 Sent to the Governor

**Fiscal Notes:** [Fiscal Note](#)

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**[SB14-002](#)**

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**Safe2tell Program In Department Of Law**

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**Short Title:** Safe2tell Program In Department Of Law

**Sponsors:** CARROLL / FERRANDINO

**Summary:** The bill repeals the current safe2tell program and recreates the program in the department of law. The safe2tell program must: Establish and maintain methods of anonymous reporting concerning unsafe, potentially harmful, dangerous, violent, or criminal activities in schools or the threat of those activities; Establish methods and procedures to ensure that the identity of the reporting parties remains unknown to all persons and entities, including law enforcement officers and employees operating the program; Establish methods and procedures so that information obtained from a reporting party who voluntarily discloses his or her identity and verifies that he or she is willing to be identified may be shared with law enforcement officers, employees operating the program, and with school officials; Establish methods and procedures to ensure that a reporting party's identity that becomes known through any means other than voluntary disclosure is not further disclosed; Promptly forward information received by the program to the appropriate law enforcement or public safety agency or school officials; Train law enforcement dispatch centers, school districts, individual schools, and other entities determined by the attorney general on appropriate awareness and response to safe2tell tips, and; Provide safe2tell awareness and education materials to participating schools and school districts. The program must keep safe-2-tell records confidential and to produce them only upon court order. Prior to issuing an order to produce the records, the court must review the records in-camera.

**Position:** **Passive Support**

**Status:** 05/21/2014 Governor Signed

**Fiscal Notes:** [Fiscal Note](#)

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| <b><u><a href="#">SB14-027</a></u></b> | <b>Judicial Dept Background Checks</b>   |
| <b>Short Title:</b>                    | Judicial Dept Background Checks  |
| <b>Sponsors:</b>                       | GUZMAN/LEE   |
| <b>Summary:</b>                        | The bill requires a fingerprint-based criminal history background check for a law license applicant and a child and family investigator. The bill updates the license to practice law statute. |
| <b>Position:</b>                       | <b>Actively Monitor</b>  |
| <b>Status:</b>                         | 05/02/2014 Governor Signed   |
| <b>Fiscal Notes:</b>                   | <a href="#">Fiscal Note</a>  |

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| <b><u><a href="#">SB14-038</a></u></b> | <b>Governor Cannot Restrict Firearms During Emergency</b>  |
| <b>Short Title:</b>                    | Governor Cannot Restrict Firearms During Emergency   |
| <b>Sponsors:</b>                       | RENFROE / EVERETT  |
| <b>Summary:</b>                        | The bill eliminates the governor's authority to suspend or limit the sale, dispensing, or transportation of firearms during a state of disaster emergency. |
| <b>Position:</b>                       | <b>Actively Monitor</b>  |
| <b>Status:</b>                         | 02/10/2014 Senate Committee on State, Veterans, & Military Affairs<br>Postpone Indefinitely  |
| <b>Fiscal Notes:</b>                   | <a href="#">Fiscal Note</a>  |

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| <b><u><a href="#">SB14-059</a></u></b> | <b>Statute Of Limitations Crime Related To Sex Crimes</b>  |
| <b>Short Title:</b>                    | Statute Of Limitations Crime Related To Sex Crimes   |
| <b>Sponsors:</b>                       | GUZMAN / LAWRENCE  |
| <b>Summary:</b>                        | Under current law, certain sex offenses are not subject to a statute of limitations, but accompanying non-sex offenses are subject to a statute of limitations. The bill would eliminate the statute of limitations for those accompanying offenses. |

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The elimination of the statute of limitation does not apply if a court finds there is no probable cause for the underlying sex offense. The bill applies to offenses committed on or after July 1, 2011.

**Position:** **Passive Support**  
**Status:** 03/21/2014 Governor Signed  
**Fiscal Notes:** [Fiscal Note](#)

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**[SB14-061](#)**      **Refer Illegal Aliens To ICE After Conviction**

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**Short Title:** Refer Illegal Aliens To ICE After Conviction  
**Sponsors:** HILL  
**Summary:** The bill requires the court to determine the immigration status of a defendant after a felony conviction. If the person is in the country illegally, the court must inform the United States bureau of immigration and customs enforcement before the defendant begins serving his or her sentence and request it take custody of the defendant.

**Position:** **Passive Oppose**  
**Status:** 02/12/2014 Senate Committee on Judiciary Postpone Indefinitely  
**Fiscal Notes:** None prepared

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**[SB14-062](#)**      **Reinstatement Of Parent-child Legal Relationship**

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**Short Title:** Reinstatement Of Parent-child Legal Relationship  
**Sponsors:** GUZMAN / FOOTE  
**Summary:** This bill creates a process for reinstatement of the parent-child legal relationship (reinstatement) in limited circumstances for a child whose parent's rights have previously been terminated voluntarily or involuntarily. A county department of social services (county department) or the child's guardian ad litem may file a petition for reinstatement alleging the following:  
\* The child is 12 years of age or older or is younger than 12 years of age and is part of a sibling group including a child for whom reinstatement is being sought and who also meets the other conditions for reinstatement;

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- \* Both the child and the former parent consent to the petition for reinstatement;
- \* The child does not have a legal parent, is not in an adoptive placement, and is not likely to be adopted within a reasonable period of time, and other permanency options have been exhausted;
- \* The child is in the custody of a county department;
- \* The date of the final order terminating the parent-child legal relationship was at least 3 years before the filing of the petition or, if the court finds that it is in the best interests of the child to consider reinstatement of the parent-child legal relationship, less than 3 years from the final order of termination; and
- \* The termination of the parent-child legal relationship was not based on findings of sexual abuse or on an incident of egregious abuse or neglect against a child, a near fatality, or a suspicious fatality or near fatality. A child who is 16 years of age or older, or his or her guardian ad litem, may also file a petition for reinstatement of the parent-child legal relationship. The bill requires the county department or the guardian ad litem to contact the other party if a former parent contacts one of them about filing a petition for reinstatement. A former parent who is named in a petition for reinstatement is entitled to the appointment of legal counsel, if eligible, or may retain counsel at his or her expense. The bill requires the court to hold an initial hearing to determine whether certain threshold conditions for pursuing reinstatement have been satisfied, including that:
  - \* All of the allegations in the petition have been established by clear and convincing evidence;
  - \* The former parent has remediated the problems that led to the termination of the parent-child legal relationship, if applicable; and
  - \* The former parent has participated in an assessment that supports that the reinstatement of the parent-child legal relationship is in the best interests of the child. At the initial hearing on the petition, the court shall either dismiss the petition or enter an order finding that the threshold conditions for pursuing reinstatement have been met and that it is in the best interests of the child to work toward reinstatement of the parent-child legal relationship. If the court finds that working toward reinstatement is in the best interests of the child, then the court must approve a transition plan for reinstatement of the parent-child legal relationship, including visitation or placement of the child with the former parent for a designated trial period of up to 6 months while the child remains in the custody of the county department. At the final hearing, the court must make certain findings and may either dismiss the petition, continue the matter for another hearing, or grant the petition and order the reinstatement of the parent-child legal relationship if the court

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finds by clear and convincing evidence that it is in the best interests of the child. The bill states the effect of reinstatement. The bill further states that granting the petition for reinstatement does not vacate or otherwise affect the validity of the original order terminating the parent-child legal relationship and that granting a petition for reinstatement for one former parent does not restore or otherwise impact the rights of the other former parent. The bill states that this statutory process does not create a cause of action against the county department or its employees concerning the original order terminating the parent-child legal relationship. The bill also states that this statutory process should not be construed to limit or alter the protections of a governmental entity or its employees under the "Colorado Governmental Immunity Act". A county department, guardian ad litem, or other person filing a petition for reinstatement must file the petition in the county or city and county that has legal custody of the child.

**Position:** **Actively Monitor**  
**Status:** 03/27/2014 Governor Signed  
**Fiscal Notes:** [Fiscal Note](#)

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**SB14-085      **One Percent Reduction In The State Budget****

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**Short Title:** One Percent Reduction In The State Budget  
**Sponsors:** HILL  
**Summary:** For the state fiscal year 2014-15, the bill requires there to be at least a 1% reduction from the state fiscal year 2013-14 for:  
\* The general assembly's total appropriations to the legislative branch, the judicial branch, and each executive department;  
\* A state agency's use of continuously appropriated moneys; and  
\* A state agency's use of federal funds. The bill also requires an amount equal to the anticipated reduction of state appropriations and spending from continuously appropriated funds to be refunded to taxpayers through the sales tax refund mechanism that is used to refund excess state revenues.

**Position:** **Monitor**  
**Status:** 04/11/2014 Senate Committee on Appropriations Postpone Indefinitely  
**Fiscal Notes:** [Fiscal Note](#)

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**SB14-087**

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**Identification Card Issuance Standards**

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**Short Title:** Identification Card Issuance Standards

**Sponsors:** ULIBARRI / FIELDS

**Summary:** Economic Opportunity Poverty Reduction Task Force. Section 1 of the bill requires the department of revenue to submit to the transportation legislation review committee a report concerning the effectiveness of exceptions processing. Section 2 requires the department to promulgate rules to establish procedures for resolving minor spelling discrepancies and accepting alternate documents showing lawful presence. Sections 3 and 4 create a simplified process for a person to change his or her name to settle name discrepancies. If the person attempted to obtain a fingerprint-based criminal history record check and the results were inconclusive or unreadable, the person may get a name-based instead of a fingerprint-based criminal history check and need not publish the name change. The person must sign an affidavit saying the change is to get an identification card and will not harm other people and be at least 70 years old. Section 5 decreases the appropriation to the controlled maintenance trust fund by \$43,260 for fiscal year 2014-15 and reallocates that amount to the department of revenue for computer services.

**Position:** **Passive Support**

**Status:** 05/15/2014 Sent to the Governor

**Fiscal Notes:** [Fiscal Note](#)

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**SB14-090**

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**No Background Check For Step-relations**

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**Short Title:** No Background Check For Step-relations

**Sponsors:** BAUMGARDNER

**Summary:** Under current law, with certain exceptions, before any person who is not a licensed gun dealer transfers or attempts to transfer possession of a firearm to a transferee, he or she must:

- \* Require that a background check be conducted of the prospective transferee; and
- \* Obtain approval of a transfer from the Colorado bureau of investigation after a background check has been requested by a licensed gun dealer.

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Two existing exceptions to this requirement state that the background check requirement does not apply to a transfer of a firearm:

\* That is a bona fide gift or loan between immediate family members, which are limited to spouses, parents, children, siblings, grandparents, grandchildren, nieces, nephews, first cousins, aunts, and uncles; or

\* From a person serving in the armed forces of the United States who will be deployed outside of the United States within the next 30 days to any immediate family member, which is limited to a spouse, parent, child, sibling, grandparent, grandchild, niece, nephew, first cousin, aunt, and uncle of the person. The bill expands each of these exceptions to include transfers between persons who are step-relatives.

**Position:** **Passive Oppose**

**Status:** 02/14/2014 Senate Committee on State, Veterans, & Military Affairs  
Postpone Indefinitely

**Fiscal Notes:** [Fiscal Note](#)

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**SB14-094**

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**Background Checks And Fees For Gun Transfers**

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**Short Title:** Background Checks And Fees For Gun Transfers

**Sponsors:** RIVERA / WRIGHT

**Summary:** The bill repeals the requirement that before any person who is not a licensed gun dealer transfers possession of a firearm to a transferee, he or she shall require that a criminal background check be conducted of the prospective transferee and obtain approval of the transfer from the Colorado bureau of investigation (CBI). The bill repeals the requirement that CBI impose a fee for performing an instant criminal background check pursuant to the transfer of a firearm.

**Position:** **Actively Oppose**

**Status:** 02/03/2014 Senate Committee on State, Veterans, & Military Affairs  
Postpone Indefinitely

**Fiscal Notes:** [Fiscal Note](#)



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| <b><u>SB14-100</u></b> | <b>Repeal Large-capacity Ammunition Magazine Ban</b>  |
| <b>Short Title:</b>    | Repeal Large-capacity Ammunition Magazine Ban   |
| <b>Sponsors:</b>       | BAUMGARDNER   |
| <b>Summary:</b>        | The bill repeals the prohibition upon the sale, transfer, and possession of large-capacity ammunition magazines. The bill also repeals the requirement that a large-capacity ammunition magazine made in Colorado must include a permanent stamp or marking indicating that the magazine was manufactured after July 1, 2013. |
| <b>Position:</b>       | <b>Actively Monitor</b>   |
| <b>Status:</b>         | 02/12/2014 Senate Committee on State, Veterans, & Military Affairs<br>Postpone Indefinitely   |
| <b>Fiscal Notes:</b>   | <a href="#">Fiscal Note</a>   |

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|------------------------|---|
| <b><u>SB14-133</u></b> | <b>Mandatory Licensure Private Investigators</b>  |
| <b>Short Title:</b>    | Mandatory Licensure Private Investigators   |
| <b>Sponsors:</b>       | NEWELL / MELTON   |
| <b>Summary:</b>        | Under the current "Private Investigators Voluntary Licensure Act" (voluntary act), a private investigator, at his or her option, may apply for a license from the division of professions and occupations (division) in the department of regulatory agencies and, upon satisfaction of the criteria for licensure, the director of the division is to issue a license to the private investigator. Only a person who obtains a license from the division may refer to himself or herself as a licensed private investigator, but no private investigator is required to be licensed by the division. The bill repeals the voluntary licensure program and creates the "Private Investigators Licensure Act", which establishes a new mandatory licensure program under which all persons conducting private investigations in this state must obtain a license from the division starting June 1, 2015. The bill recognizes that the voluntary program was operating at a loss, transfers the deficit fund balance from the voluntary program to the mandatory program for repayment by licensees under the mandatory program, and allows the division to spread the repayment of the deficit over the life of the mandatory program. The definition of "private investigation", as it was defined under the voluntary act, is expanded to include investigations pertaining to the following: The |

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location or recovery of lost or stolen property; The affiliation, connection, or relationship of any person, firm, or corporation with any organization, society, or association or with any official, representative, or member of an organization, society, or association; The conduct, honesty, efficiency, loyalty, or activities of employees, persons seeking employment, agents, contractors, or subcontractors; and The identity of persons suspected of crimes or misdemeanors. Under the mandatory licensure program, an applicant may apply for one of 2 types of licenses as follows: Level I private investigator license, which requires the applicant to be at least 21 years of age, be lawfully present in the United States, and pass a jurisprudence examination to demonstrate his or her knowledge and understanding of laws and rules applicable to the practice; or Level II private investigator license, which requires the applicant to satisfy the requirements applicable to a level I license and have an amount of verifiable, applicable experience as determined by the director, which may include postsecondary education or completion of approved certificate programs. All private investigator licensees must pass a fingerprint-based background check. The bill continues the exemptions authorized in the voluntary act and further exempts certain professionals, agencies, and activities from the act, including: Collection and consumer reporting agencies; Certified peace officers; Government-employed investigators; An accountant, certified fraud examiner, or employee or independent contractor of an accountant or fraud examiner who conducts forensic accounting, fraud investigations, or related analysis of financial transactions using information publicly available or supplied to the person; A person serving process in accordance with rules of civil procedure or performing tasks associated with effecting service of process; A licensed attorney, an employee of a licensed attorney, or a person providing paralegal services under contract with a licensed attorney; A person who provides access to aggregated public records data for a fee; A person employed by an insurance company who conducts claims adjustment or investigations; A person recovering a fugitive; and An agency, and its owner, employee, or independent contractor acting for the agency, that is conducting an investigation of a fire or explosion or an engineer-led investigation for cause analysis and failure analysis. Licensees are required to post a surety bond in an amount determined by the director by rule. The bill establishes grounds for disciplining licensees, the methods of discipline available to the director, and disciplinary procedures. The director is authorized to consult with stakeholders to obtain feedback and recommendations concerning the regulation of private investigators and the impacts of new technology on privacy. The director is also authorized to: Adopt rules to

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implement and administer the act; Develop and conduct or contract for jurisprudence examinations; Review and grant or deny license applications; and Establish license fees. The "Private Investigators Licensure Act" and the functions of the director under the act are subject to repeal on September 1, 2020, and prior to the repeal, the department of regulatory agencies is required to conduct a sunset review of the act. The bill appropriates \$28,300 and 0.3 FTE from the division of professions and occupations cash fund to the department of regulatory agencies to implement the bill and allocates the appropriation as follows: \$19,243 and 0.3 FTE to the division for personal services; and \$9,057 to the executive director's office and administrative services, which amount is reappropriated to the department of law, to purchase legal services. The bill also appropriates \$10,544 from the Colorado bureau of investigation identification unit fund to the department of public safety for allocation to the Colorado bureau of investigation for conducting fingerprint-base.

**Position:** **Passive Support**

**Status:** 05/15/2014 Sent to the Governor

**Fiscal Notes:** [Fiscal Note](#)

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**SB14-206 Criminal Record Sealing Clean-up**

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**Short Title:** Criminal Record Sealing Clean-up

**Sponsors:** STEADMAN / SINGER

**Summary:** The bill moves the sealing of criminal records statutes into a new part and reorganizes the statutes. The bill allows a person to seal an arrest record if they are not charged with a crime, and the statute of limitations has not run, but the person is no longer being investigated by law enforcement.

**Position:**

**Status:** 05/15/2014 Sent to the Governor

**Fiscal Notes:** [Fiscal Note](#)