

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0485.01 Jane Ritter x4342

SENATE BILL 13-047

SENATE SPONSORSHIP

Newell,

HOUSE SPONSORSHIP

(None),

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING PROTECTIONS FOR YOUTH IN FOSTER CARE AGAINST
102 IDENTITY THEFT.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billssummaries>.)

The bill amends the statute for protection of youth in foster care against identity theft by:

- ! Removing the exclusion of youth who are in the custody of the division of youth corrections or a state mental hospital;
- ! Expanding the ages of the youth covered to any youth who

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

is 16 years of age or older and in foster care; and
! Requiring the department of human services to obtain
annual credit reports rather than a single report.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-7-102, **amend** (1)
3 as follows:

4 **19-7-102. Protection against identity theft.** (1) The court shall
5 ensure that each youth in foster care ~~excluding youth in the custody of the~~
6 ~~division of youth corrections or a state mental hospital~~ WHO IS IN THE
7 LEGAL CUSTODY OF A COUNTY DEPARTMENT OF HUMAN OR SOCIAL
8 SERVICES OR THE DEPARTMENT OF HUMAN SERVICES AND who is AT LEAST
9 sixteen ~~through eighteen~~ years of age obtains OR RECEIVES a free ANNUAL
10 credit report FROM THE DEPARTMENT OF HUMAN SERVICES. THE COUNTY
11 DEPARTMENT OF HUMAN OR SOCIAL SERVICES OR THE DEPARTMENT OF
12 HUMAN SERVICES SHALL INFORM THE COURT WITH JURISDICTION OVER THE
13 YOUTH, IF ANY, OF ANY INACCURACIES IN A REPORT AND REFER THE
14 MATTER TO A GOVERNMENTAL OR NONPROFIT ENTITY ON THE REFERRAL
15 LIST DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR
16 ASSISTANCE IN INTERPRETING AND RESOLVING ANY INACCURACIES IN A
17 REPORT if the credit report shows evidence of possible identity theft. ~~the~~
18 ~~person assisting the youth shall inform the court and refer the matter to a~~
19 ~~governmental or nonprofit entity on the referral list developed pursuant~~
20 ~~to subsection (2) of this section for remedial action.~~ The child's guardian
21 ad litem shall advise the youth of possible consequences of and options
22 to address the possible identity theft, including the right to report the
23 matter to law enforcement and seek possible prosecution of the offender.

24 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.