

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 14-0499.01 Michael Dohr x4347

SENATE BILL 14-059

SENATE SPONSORSHIP

Guzman,

HOUSE SPONSORSHIP

Lawrence,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING ELIMINATING THE STATUTE OF LIMITATIONS FOR**
102 **OFFENSES THAT ACCOMPANY SEX OFFENSES THAT ARE NOT**
103 **SUBJECT TO A STATUTE OF LIMITATIONS.**

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/billsummaries>.)

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.

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.

SENATE
3rd Reading Unamended
February 3, 2014

SENATE
Amended 2nd Reading
January 30, 2014

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-5-401, **amend** (8)
3 (a.5) and (8) (b) as follows:

4 **16-5-401. Limitation for commencing criminal proceedings**
5 **and juvenile delinquency proceedings.** (8) (a.5) Except as otherwise
6 provided in paragraph (a) of subsection (1) of this section concerning sex
7 offenses against children, in any case in which the identity of the
8 defendant is determined, in whole or in part, by patterned chemical
9 structure of genetic information, and in which the offense has been
10 reported to a law enforcement agency, as defined in section 26-1-114 (3)
11 (a) (III) (B), C.R.S., within ten years after the commission of the offense,
12 there shall be no limit on the period of time during which a person may
13 be prosecuted after the commission of the offense as to any offense
14 charged:

15 (I) Under section 18-3-402, C.R.S., or section 18-3-403, C.R.S.,
16 as said section existed prior to July 1, 2000, OR SECTION 18-3-404, C.R.S.;
17 or

18 (II) UNDER ANY OTHER CRIMINAL STATUTE IF THE OFFENSE IS A
19 FELONY AND IS BASED ON THE SAME ACT OR SERIES OF ACTS ARISING FROM
20 THE SAME CRIMINAL EPISODE AS THE OFFENSE CHARGED IN
21 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a.5); EXCEPT THAT THIS
22 SUBPARAGRAPH (II) DOES NOT APPLY IF THE COURT FINDS THAT THERE IS
23 NO PROBABLE CAUSE FOR THE OFFENSE CHARGED IN SUBPARAGRAPH (I) OF
24 THIS PARAGRAPH (a.5); OR

25 ~~(H)~~ (III) As criminal attempt, conspiracy, or solicitation to commit
26 any of the offenses specified in subparagraph (I) OR (II) of this paragraph

1 (a.5).

2 (b) This subsection (8) shall apply to offenses and delinquent acts
3 committed on or after July 1, 1984; EXCEPT THAT SUBPARAGRAPH (II) OF
4 PARAGRAPH (a.5) OF THIS SUBSECTION (8) APPLIES TO OFFENSES AND
5 DELINQUENT ACTS COMMITTED ON OR AFTER JULY 1, 2011.

6 **SECTION 2. Effective date - applicability.** This act takes effect
7 July 1, 2014, and applies to offenses and delinquent acts committed on or
8 after July 1, 2011.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.