

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 14-0499.01 Michael Dohr x4347

SENATE BILL 14-059

SENATE SPONSORSHIP

Guzman,

HOUSE SPONSORSHIP

Lawrence,

Senate Committees
Judiciary

House Committees
Judiciary

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.*

HOUSE
Amended 2nd Reading
March 5, 2014

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 **OR JUVENILE** is determined, in whole or in part, by patterned
9 chemical structure of genetic information, and in which the offense has
10 been reported to a law enforcement agency, as defined in section
11 26-1-114 (3) (a) (III) (B), C.R.S., within ten years after the commission
12 of the offense, there shall be no limit on the period of time during which
13 a person may be prosecuted after the commission of the offense as to any
14 offense **OR DELINQUENT ACT** 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~~

17 (II) **UNDER SECTION 18-3-403, C.R.S., AS SAID SECTION EXISTED**
18 **PRIOR TO JULY 1, 2000; OR**

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

1 ~~(H)~~ (IV) As criminal attempt, conspiracy, or solicitation to commit
2 any of the offenses specified in subparagraph (I), (II), OR (III) of this
3 paragraph (a.5).

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

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

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