

First 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. 13-0935.01 Jane Ritter x4342

SENATE BILL 13-278

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SENATE SPONSORSHIP

Kerr and Newell,

HOUSE SPONSORSHIP

Young,

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Senate Committees  
Health & Human Services

House Committees  
State, Veterans, & Military Affairs

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A BILL FOR AN ACT

101 CONCERNING CREATING A DEFINITION OF A "DRUG-ENDANGERED  
102 CHILD" WITH RESPECT TO CHILD ABUSE OR NEGLECT.

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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>.)*

The bill creates a definition of a "drug-endangered child" in the context of child abuse or neglect.

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

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  
2nd Reading Unamended  
May 6, 2013

SENATE  
Amended 3rd Reading  
May 3, 2013

SENATE  
Amended 2nd Reading  
May 2, 2013

1           **SECTION 1. Legislative declaration.** (1) The general assembly  
2 hereby finds and declares that:

3           (a) Colorado is currently second in the nation for prescription drug  
4 abuse;

5           (b) When controlled substances, whether legal or illegal, are used,  
6 produced, or distributed in the presence of children, a greater likelihood  
7 exists for harm to the children from caretaker incapacitation, access to  
8 dangerous drug-production components, lack of supervision, unhealthy  
9 indoor air quality, exposure to dangerous non-drug criminal behaviors,  
10 and other circumstances that pose a danger to children;

11           (c) Law enforcement agencies, human services, family courts, and  
12 the criminal justice system currently do not have a common definition of  
13 a "drug-endangered child";

14           (d) Law enforcement agencies, human services, and statutorily  
15 mandated reporters of suspected child maltreatment need common tools  
16 and training to identify a child at risk of abuse and neglect as a result of  
17 the use, production, and distribution of drugs in a child's environment;

18           (e) Effective training needs to stem from a common definition of  
19 "drug-endangered child"; and

20           (f) While criminal penalties may be appropriate in some cases,  
21 such as the possession, production, and distribution of certain drugs as  
22 well as other offenses defined in part 4 of article 18 of title 18, Colorado  
23 Revised Statutes, the welfare and safety of children is paramount and  
24 requires that human services and law enforcement agencies work from a  
25 common definition of "drug-endangered child" so they can best meet the  
26 needs of children whose health, welfare, and safety may be at risk.

27           == =====

1            **SECTION 2.** In Colorado Revised Statutes, 18-18.5-103, **add** (4)

2            (i) as follows:

3            **18-18.5-103. State methamphetamine task force - creation -**  
4            **membership - duties.** (4) The task force shall:

5            (i) DEVELOP A DEFINITION OF A "DRUG-ENDANGERED CHILD" TO BE  
6            USED IN THE CONTEXT OF THE DEFINITION OF "CHILD ABUSE OR NEGLECT"  
7            AS SET FORTH IN SECTION 19-1-103 (1), C.R.S., AND INCLUDE THE  
8            DEFINITION IN ITS JANUARY 1, 2014, REPORT TO THE JUDICIARY  
9            COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR  
10           ANY SUCCESSOR COMMITTEES.

11           **SECTION 3. Effective date.** This act takes effect upon passage  
12           only if Senate Bill 13-244 becomes law and takes effect either upon the  
13           effective date of this act or Senate Bill 13-244, whichever is later.

14           **SECTION 4. Safety clause.** The general assembly hereby finds,  
15           determines, and declares that this act is necessary for the immediate  
16           preservation of the public peace, health, and safety.