

2024-2026 #74 - Amended

*Be it enacted by the People of the State of Colorado:***SECTION 1.** In Colorado Revised Statutes, ~~add~~ **repeal and reenact** 24-76.6-103 as follows:**24-76.6-103. Requirement to report violent criminals and repeat felons.**

(1) ~~NOTWITHSTANDING ANY OTHER PROVISION OF COLORADO LAW, LAW ENFORCEMENT SHALL NOTIFY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY~~ DEPARTMENT OF HOMELAND SECURITY ~~THE INDIVIDUAL IS CHARGED WITH A CRIME OR IS DUE FOR RELEASE~~ AS PROMPTLY AS POSSIBLE UPON CHARGING THE PERSON WITH A CRIME AND AT LEAST SEVENTY-TWO HOURS PRIOR TO RELEASE AFTER CONVICTION OF A CRIME IF:

(a) THE PERSON IS NOT LAWFULLY PRESENT IN THE UNITED STATES OR THE STATUS OF THE PERSON'S LAWFUL PRESENCE IS UNKNOWN AFTER A REASONABLE ATTEMPT TO DETERMINE IT HAS BEEN MADE BY LAW ENFORCEMENT; AND

~~The person is charged with a crime of violence as defined by Colorado statute; or~~

(b) EITHER:

(I) THE PERSON IS CHARGED WITH A CRIME OF VIOLENCE AS DEFINED BY COLORADO STATUTE; OR

(II) THE PERSON HAS BEEN CONVICTED OF A PRIOR FELONY; and

(c) ~~The person is not lawfully present in the United States or the status of the person's lawful presence is unknown after a reasonable attempt to determine it has been made by law enforcement.~~

(2) FOR THE PURPOSES OF THIS SECTION, LAW ENFORCEMENT ~~INCLUDES~~ MEANS:

(a) A CERTIFIED PEACE OFFICER DESCRIBED IN SECTION 16-2.5-101 WHO IS ACTIVELY EMPLOYED BY A LAW ENFORCEMENT AGENCY;

(b) A CORRECTIONAL OFFICER, INCLUDING AN EMPLOYEE AT A PRIVATE CORRECTIONAL FACILITY; AND

(c) AN ATTORNEY AND OR INVESTIGATOR ~~WHO ARE IS~~ EMPLOYED BY THE DISTRICT ATTORNEY.

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