

2024-2025 #75 - Final

*Be it enacted by the People of the State of Colorado:***SECTION 1.** In Colorado Revised Statutes, **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 THAT 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; AND.

(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.

(2) LAW ENFORCEMENT HAS A DUTY TO MAKE A REASONABLE EFFORT TO DETERMINE WHETHER A PERSON CHARGED OR RELEASED WHO WOULD BE THE SUBJECT OF A NOTIFICATION UNDER THIS SECTION IS LAWFULLY PRESENT IN THE UNITED STATES.

(3) FOR THE PURPOSES OF THIS SECTION, LAW ENFORCEMENT 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 OR INVESTIGATOR WHO IS EMPLOYED BY THE DISTRICT ATTORNEY.