

Second Regular Session
Sixty-third General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 02-7005.01 Matthew Dawkins

HOUSE BILL 02-1702

HOUSE SPONSORSHIP

Veiga

SENATE SPONSORSHIP

Cairns

House Committees
Civil Justice & Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE FINGERPRINTING OF JUVENILES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires juveniles who are taken into custody and arrested or summoned before the court on certain charges to be fingerprinted by the arresting law enforcement agency. Requires the agency that obtains the fingerprints to forward a set of the fingerprints to the Colorado bureau of investigation within 24 hours.

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.

1 **SECTION 1.** Part 5 of article 2 of title 19, Colorado Revised
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
3 read:

4 **19-2-503.5. Fingerprinting - juvenile under arrest - ordered by**
5 **court.** (1) FOR PURPOSES OF THIS SECTION, "JUVENILE OFFENDER" MEANS
6 ANY JUVENILE WHO IS ALLEGED TO HAVE COMMITTED OR WHO IS CHARGED
7 WITH COMMITTING A DELINQUENT ACT THAT CONSTITUTES A FELONY, A
8 CLASS 1 MISDEMEANOR, OR A MISDEMEANOR PURSUANT TO SECTION
9 42-4-1301, C.R.S., OR A CRIME, THE UNDERLYING FACTUAL BASIS OF
10 WHICH INCLUDED AN ACT OF DOMESTIC VIOLENCE, AS DEFINED IN SECTION
11 18-6-800.3 (1), C.R.S.

12 (2) ANY JUVENILE OFFENDER TAKEN INTO CUSTODY AND ARRESTED
13 PURSUANT TO THE PROVISIONS OF THIS ARTICLE **MAY** BE FINGERPRINTED
14 BY THE ARRESTING LAW ENFORCEMENT AGENCY. THE ARRESTING LAW
15 ENFORCEMENT AGENCY SHALL FORWARD A SET OF THE JUVENILE
16 OFFENDER'S FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION
17 IN THE FORM AND MANNER PRESCRIBED BY THE BUREAU.

18 (3) IF A JUVENILE OFFENDER HAS NOT BEEN FINGERPRINTED FOR
19 THE CHARGES PENDING BEFORE THE COURT, THE COURT AT THE FIRST
20 APPEARANCE OF THE JUVENILE OFFENDER AFTER THE FILING OF CHARGES
21 SHALL ORDER THE JUVENILE OFFENDER TO REPORT TO THE ARRESTING LAW
22 ENFORCEMENT AGENCY WITHIN TEN DAYS FOR FINGERPRINTING. THE
23 ARRESTING LAW ENFORCEMENT AGENCY SHALL ENDORSE UPON A COPY OF
24 THE ORDER THE COMPLETION OF THE FINGERPRINTING AND RETURN THE
25 SAME TO THE COURT. THE ARRESTING LAW ENFORCEMENT AGENCY SHALL
26 FORWARD A SET OF FINGERPRINTS ORDERED PURSUANT TO THIS
27 SUBSECTION (3) TO THE COLORADO BUREAU OF INVESTIGATION IN THE

1 FORM AND MANNER PRESCRIBED BY THE BUREAU.

2 (4) ANY FINGERPRINTS REQUIRED BY THIS SECTION TO BE
3 FORWARDED TO THE COLORADO BUREAU OF INVESTIGATION SHALL BE
4 FORWARDED WITHIN TWENTY-FOUR HOURS AFTER COMPLETION OF THE
5 FINGER PRINTING; EXCEPT THAT SUCH TIME PERIOD SHALL NOT INCLUDE
6 SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS.

7 **SECTION 2. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.