

HB1273_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB14-1273 be amended as follows:

- 1 Amend printed bill, page 4, strike line 9 and substitute:
2 "(2) "COERCING" MEANS INDUCING A PERSON TO ACT OR TO
3 REFRAIN FROM ACTING, IF THE INDUCEMENT IS ACCOMPLISHED BY ANY
4 ONE OR MORE OF THE FOLLOWING MEANS:".

- 5 Page 4, strike lines 13 and 14 and substitute:
6 "(b) THE USE OF A PLAN, PATTERN, OR STATEMENT FOR THE
7 PURPOSE OF CAUSING THE PERSON TO BELIEVE THAT FAILURE TO PERFORM
8 THE ACT OR FAILURE TO REFRAIN FROM PERFORMING THE ACT WILL".

- 9 Page 4, strike line 18 and substitute:
10 "(c) USING OR THREATENING TO USE THE LAW OR THE LEGAL".

- 11 Page 4, line 20, strike "DESIGNED" and substitute "DESIGNED;".

- 12 Page 4, strike lines 21 and 22.

- 13 Page 5, line 5, strike "USE" and substitute "EXPLOITATION".

- 14 Page 5, strike lines 11 through 19 and substitute:
15 "(4) "DEBT BONDAGE" MEANS:
16 (a) DEMANDING COMMERCIAL SEXUAL ACTIVITY AS PAYMENT
17 TOWARD OR SATISFACTION OF A REAL OR PURPORTED DEBT; OR
18 (b) DEMANDING LABOR OR SERVICES AS PAYMENT TOWARD OR
19 SATISFACTION OF A REAL OR PURPORTED DEBT AND FAILING TO APPLY THE
20 REASONABLE VALUE OF THE LABOR OR SERVICES TOWARD THE
21 LIQUIDATION OF THE DEBT; OR
22 (c) DEMANDING LABOR OR SERVICES WHERE THE LENGTH OF THE
23 LABOR OR SERVICES IS NOT LIMITED AND THE NATURE OF THE LABOR OR
24 SERVICES IS NOT DEFINED."

- 25 Page 5, line 24, strike "AND" and substitute "OR".

- 26 Page 6, strike lines 20 through 24 and substitute:
27 "(12) "VICTIM" MEANS A PERSON WHO IS ALLEGED TO HAVE BEEN,
28 OR WHO HAS BEEN, SUBJECTED TO HUMAN TRAFFICKING, AS DESCRIBED IN
29 SECTION 18-3-503 OR SECTION 18-3-504."



1 Page 6, line 25, strike "servitude." and substitute "**servitude - human**
2 **trafficking of a minor for involuntary servitude.**".

3 Page 6, line 27, strike "INDUCES,".

4 Page 7, strike lines 4 through 21 and substitute:

5 "(2) HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE IS A
6 CLASS 3 FELONY; EXCEPT THAT HUMAN TRAFFICKING OF A MINOR FOR
7 INVOLUNTARY SERVITUDE IS A CLASS 2 FELONY.

8 **18-3-504. Human trafficking for sexual servitude - human**
9 **trafficking of a minor for sexual servitude.** (1) (a) A PERSON WHO
10 KNOWINGLY SELLS, RECRUITS, HARBORS, TRANSPORTS, TRANSFERS,
11 ISOLATES, ENTICES, PROVIDES, RECEIVES, OR OBTAINS BY ANY MEANS
12 ANOTHER PERSON FOR THE PURPOSE OF COERCING THE PERSON TO ENGAGE
13 IN COMMERCIAL SEXUAL ACTIVITY COMMITS HUMAN TRAFFICKING FOR
14 SEXUAL SERVITUDE.

15 (b) HUMAN TRAFFICKING FOR SEXUAL SERVITUDE IS A CLASS 3
16 FELONY.

17 (2) (a) A PERSON WHO KNOWINGLY SELLS, RECRUITS, HARBORS,
18 TRANSPORTS, TRANSFERS, ISOLATES, ENTICES, PROVIDES, RECEIVES,
19 OBTAINS BY ANY MEANS, MAINTAINS, OR MAKES AVAILABLE A MINOR FOR
20 THE PURPOSE OF COMMERCIAL SEXUAL ACTIVITY COMMITS HUMAN
21 TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE."

22 Page 7, line 27, strike "INDUCED,".

23 Page 8, strike lines 4 through 7 and substitute:

24 "SEXUAL ACTIVITY;

25 (III) THE DEFENDANT DID NOT KNOW THE MINOR'S AGE OR
26 REASONABLY BELIEVED THE MINOR TO BE EIGHTEEN YEARS OF AGE OR
27 OLDER; OR

28 (IV) THE MINOR OR ANOTHER PERSON REPRESENTED".

29 Page 8, line 10, strike "THE" and substitute "AN".

30 Page 8, strike lines 12 through 15 and substitute:

31 "(4) CONVICTION FOR AN OFFENSE DESCRIBED IN THIS SECTION
32 DOES NOT PRECLUDE CONVICTION FOR AN OFFENSE DESCRIBED IN ARTICLE
33 6 OR 7 OF THIS TITLE BASED IN WHOLE OR IN PART ON THE SAME OR
34 RELATED CONDUCT, AND THE COURT SHALL NOT REQUIRE THE



- 1 PROSECUTION TO ELECT AT TRIAL BETWEEN SUCH OFFENSES."
- 2 Page 8, line 16, strike "duties." and substitute "duties - repeal."
- 3 Page 9, line 8, strike "TWENTY-SIX".
- 4 Page 10, line 19, strike "THREE" and substitute "AT LEAST THREE BUT NOT
5 MORE THAN FIVE".
- 6 Page 11, line 16, strike "AND".
- 7 Page 11, line 18, after "TRAFFICKING," insert "ONE WHO IS A FORMER
8 VICTIM OF HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE AND ONE
9 WHO IS A FORMER VICTIM OF HUMAN TRAFFICKING FOR SEXUAL
10 SERVITUDE,".
- 11 Page 11, strike line 19 and substitute:
12 "DESIGNEE; AND
13 (XXII) A REPRESENTATIVE OF A CHILD ADVOCACY CENTER."
- 14 Page 12, line 12, strike "JUDICIAL" and substitute "JUDICIARY".
- 15 Page 12, after line 20, insert:
16 "(b) ON OR BEFORE JANUARY 1, 2017, AND ON OR BEFORE
17 JANUARY 17 OF EACH YEAR THEREAFTER, SUBMIT A REPORT TO THE
18 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE,
19 OR ANY SUCCESSOR COMMITTEES, A REPORT SUMMARIZING THE ACTIVITIES
20 OF THE COUNCIL DURING THE PRECEDING YEAR."
- 21 Reletter succeeding paragraphs accordingly.
- 22 Page 12, line 22, strike "JUDICIAL" and substitute "JUDICIARY".
- 23 Page 13, line 12, strike "AND".
- 24 Page 13, line 17, strike "COMMITTEES." and substitute "COMMITTEES;
25 AND".
- 26 Page 13, after line 17, insert:
27 "(h) RESEARCH AND PURSUE FUNDING OPPORTUNITIES FOR THE
28 COUNCIL.



1 (5) THE DEPARTMENT OF PUBLIC SAFETY IS AUTHORIZED TO
2 ACCEPT GIFTS, GRANTS, AND DONATIONS FOR THE PURPOSE OF ASSISTING
3 THE COUNCIL IN FULFILLING ITS DUTIES PURSUANT TO THIS SECTION.

4 (6) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2019.
5 BEFORE REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL
6 REVIEW THE COUNCIL PURSUANT TO SECTION 2-3-1203, C.R.S."

7 Page 13, strike lines 26 and 27 and substitute "ACCEPT PAYMENT OF
8 RESTITUTION."

9 Page 14, strike lines 1 through 3 and substitute:

10 "SECTION 3. In Colorado Revised Statutes, 2-3-1203, add (3)
11 (ff.5) (III) as follows:

12 2-3-1203. Sunset review of advisory committees. (3) The
13 following dates are the dates for which the statutory authorization for the
14 designated advisory committees is scheduled for repeal:

15 (ff.5) September 1, 2019:

16 (III) THE COLORADO HUMAN TRAFFICKING COUNCIL CREATED IN
17 SECTION 18-3-505, C.R.S.;"

18 Renumber succeeding sections accordingly.

19 Page 14, strike lines 19 through 27.

20 Renumber succeeding sections accordingly.

21 Page 16, strike lines 16 through 27 and substitute:

22 "involuntary servitude. (1) IN ADDITION TO ALL OTHER REMEDIES, a
23 person VICTIM, AS DEFINED IN SECTION 18-3-502 (12), C.R.S., is entitled
24 to recover damages and to obtain injunctive relief from PROXIMATELY
25 CAUSED BY any person who commits trafficking in adults, as described in
26 section 18-3-501, C.R.S.; trafficking in children, as described in section
27 18-3-502, C.R.S.; or coercion of involuntary servitude, as described in
28 section 18-3-503, C.R.S. HUMAN TRAFFICKING FOR INVOLUNTARY
29 SERVITUDE, AS DESCRIBED IN SECTION 18-3-503, C.R.S., OR HUMAN
30 TRAFFICKING FOR SEXUAL SERVITUDE, AS DESCRIBED IN SECTION
31 18-3-504, C.R.S.

32 (2) A conviction for trafficking in adults, as described in section
33 18-3-501, C.R.S.; trafficking in children, as described in section
34 18-3-502, C.R.S.; or coercion of involuntary servitude, as described in
35 section 18-3-503, C.R.S., shall HUMAN TRAFFICKING FOR INVOLUNTARY



1 SERVITUDE, AS DESCRIBED IN SECTION 18-3-503, C.R.S., OR HUMAN
2 TRAFFICKING FOR SEXUAL SERVITUDE, AS DESCRIBED IN SECTION
3 18-3-504, C.R.S., IS NOT ~~be~~ a condition precedent to maintaining a civil
4 action pursuant to the provisions of this section."

5 Page 24, strike line 13 and substitute "(2) (g) as follows:".

6 Page 24, strike lines 20 through 26 and substitute:

7 "(g) ~~Coercion of involuntary servitude~~ HUMAN TRAFFICKING OF A
8 MINOR FOR INVOLUNTARY SERVITUDE, in violation of section 18-3-503.
9 ~~when the victim is a child.~~"

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