

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 06-0941.01 Richard Sweetman

SENATE BILL 06-207

SENATE SPONSORSHIP

Groff, Grossman, and Shaffer

HOUSE SPONSORSHIP

Borodkin,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING A PROHIBITION AGAINST TRAFFICKING IN HUMANS, AND
102 MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Bill Summary

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

Makes trafficking in adult humans a class 3 felony.
Makes a 5-year statutory appropriation.

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

2 **SECTION 1.** Article 13 of title 18, Colorado Revised Statutes, is

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 amended BY THE ADDITION OF A NEW SECTION to read:

2 **18-13-125. Trafficking in adults.** (1) A PERSON COMMITS
3 TRAFFICKING IN ADULTS IF HE OR SHE:

4 (a) SELLS, EXCHANGES, BARTERS, OR LEASES AN ADULT AND
5 RECEIVES ANY MONEY OR OTHER CONSIDERATION OR THING OF VALUE FOR
6 THE ADULT AS A RESULT OF SUCH TRANSACTION; OR

7 (b) RECEIVES AN ADULT AS A RESULT OF A TRANSACTION
8 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1).

9 (2) AS USED IN THIS SECTION, "ADULT" MEANS A PERSON SIXTEEN
10 YEARS OF AGE OR OLDER.

11 (3) TRAFFICKING IN ADULTS IS A CLASS 3 FELONY.

12 **SECTION 2.** 18-6-402, Colorado Revised Statutes, is amended
13 to read:

14 **18-6-402. Trafficking in children.** (1) A person commits
15 trafficking in children if he OR SHE:

16 (a) Sells, exchanges, barters, or leases a child and receives any
17 money or other consideration or thing of value for the child as a result of
18 such transaction; or

19 (b) Receives a child as a result of a transaction described in
20 paragraph (a) of this subsection (1).

21 (2) As used in this section, "child" means a person under the age
22 of sixteen years.

23 (3) Trafficking in children is a class 3 felony.

24 **SECTION 3.** Part 1 of article 1 of title 17, Colorado Revised
25 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
26 read:

27 **17-1-153. Appropriation to comply with section 2-2-703 - SB**

1 **06-___**. (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING
2 STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE
3 NECESSARY, ARE MADE IN ORDER TO IMPLEMENT S.B. 06-___, ENACTED
4 AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
5 ASSEMBLY:

6 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION
7 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
8 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
9 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
10 SECTION 17-1-116, THE SUM OF _____ DOLLARS (\$).

11 (b) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN
12 ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY
13 APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN
14 SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE
15 FUND CREATED IN SECTION 17-1-116, THE SUM OF _____ DOLLARS (\$).

16 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN ADDITION
17 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
18 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
19 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF _____ DOLLARS (\$).

20 (c) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
21 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
22 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
23 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
24 SECTION 17-1-116, THE SUM OF _____ DOLLARS (\$).

25 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
26 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
27 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL

1 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF _____ DOLLARS (\$).

2 (d) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN
3 ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY
4 APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN
5 SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE
6 FUND CREATED IN SECTION 17-1-116, THE SUM OF _____ DOLLARS (\$).

7 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN ADDITION
8 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
9 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
10 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF _____ DOLLARS (\$).

11 (e) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION
12 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
13 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
14 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
15 SECTION 17-1-116, THE SUM OF _____ DOLLARS (\$).

16 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION
17 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
18 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
19 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF _____ DOLLARS (\$).

20 **SECTION 4.** The introductory portion to 24-75-302 (2) and
21 24-75-302 (2) (s), (2) (t), and (2) (u), Colorado Revised Statutes, are
22 amended, and the said 24-75-302 (2) is further amended BY THE
23 ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

24 **24-75-302. Capital construction fund - capital assessment fees**
25 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
26 through July 1, ~~2008~~ 2010, a sum as specified in this subsection (2) shall
27 accrue to the capital construction fund. The state treasurer and the

1 controller shall transfer such sum out of the general fund and into the
2 capital construction fund as moneys become available in the general fund
3 during the fiscal year beginning on said July 1. Transfers between funds
4 pursuant to this subsection (2) shall not be deemed to be appropriations
5 subject to the limitations of section 24-75-201.1. The amount which shall
6 accrue pursuant to this subsection (2) shall be as follows:

7 (s) On July 1, 2006, twenty-two thousand nine hundred
8 twenty-four dollars pursuant to section 3 of H.B. 02S-1006, enacted at the
9 third extraordinary session of the sixty-third general assembly; plus two
10 hundred ninety-one thousand seven hundred sixty-one dollars pursuant to
11 H.B. 03-1004, enacted at the first regular session of the sixty-fourth
12 general assembly; plus one hundred twenty-five thousand forty-one
13 dollars pursuant to H.B. 03-1138, enacted at the first regular session of
14 the sixty-fourth general assembly; plus sixty-nine thousand four hundred
15 sixty-seven dollars pursuant to H.B. 03-1213, enacted at the first regular
16 session of the sixty-fourth general assembly; plus sixty-nine thousand
17 four hundred sixty-seven dollars pursuant to H.B. 03-1317, enacted at the
18 first regular session of the sixty-fourth general assembly; plus ninety
19 thousand three hundred seven dollars pursuant to H.B. 04-1021, enacted
20 at the second regular session of the sixty-fourth general assembly; plus
21 sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B.
22 04-1016, enacted at the second regular session of the sixty-fourth general
23 assembly; PLUS _____ DOLLARS PURSUANT TO S.B. 06-_____, ENACTED AT
24 THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY;

25 (t) On July 1, 2007, four hundred sixteen thousand eight hundred
26 two dollars pursuant to H.B. 03-1004, enacted at the first regular session
27 of the sixty-fourth general assembly; plus fifty-five thousand five hundred

1 seventy-four dollars pursuant to H.B. 03-1317, enacted at the first regular
2 session of the sixty-fourth general assembly; plus thirteen thousand eight
3 hundred ninety-three dollars pursuant to H.B. 04-1021, enacted at the
4 second regular session of the sixty-fourth general assembly; PLUS _____
5 DOLLARS PURSUANT TO S.B. 06-_____, ENACTED AT THE SECOND REGULAR
6 SESSION OF THE SIXTY-FIFTH GENERAL ASSEMBLY;

7 (u) On July 1, 2008, sixty-nine thousand four hundred sixty-seven
8 dollars pursuant to H.B. 04-1021, enacted at the second regular session
9 of the sixty-fourth general assembly; PLUS _____ DOLLARS PURSUANT TO
10 S.B. 06-_____, ENACTED AT THE SECOND REGULAR SESSION OF THE
11 SIXTY-FIFTH GENERAL ASSEMBLY;

12 (v) ON JULY 1, 2009, _____ DOLLARS PURSUANT TO S.B. 06-_____,
13 ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
14 ASSEMBLY;

15 (w) ON JULY 1, 2010, _____ DOLLARS PURSUANT TO S.B. 06-_____,
16 ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
17 ASSEMBLY.

18 **SECTION 5. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.