

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 06-0941.01 Richard Sweetman

SENATE BILL 06-207

SENATE SPONSORSHIP

Groff, Grossman, and Shaffer

HOUSE SPONSORSHIP

Borodkin,

Senate Committees

Judiciary
Appropriations

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 06-207. (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. 06-207, 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 ONE HUNDRED SEVENTY-FOUR THOUSAND
11 THREE HUNDRED EIGHTY-EIGHT DOLLARS (\$174,388).

12 (b) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN
13 ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY
14 APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN
15 SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE
16 FUND CREATED IN SECTION 17-1-116, THE SUM OF TWO HUNDRED NINE
17 THOUSAND TWO HUNDRED SIXTY-SIX DOLLARS (\$209,266).

18 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN ADDITION
19 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
20 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
21 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FIFTY-THREE
22 THOUSAND SIX HUNDRED TWENTY-SIX DOLLARS (\$53,626).

23 (c) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
24 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
25 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
26 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
27 SECTION 17-1-116, THE SUM OF THREE HUNDRED NINETY-TWO THOUSAND

1 THREE HUNDRED SEVENTY-THREE DOLLARS (\$392,373).

2 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
3 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
4 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
5 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF ONE HUNDRED
6 SEVENTEEN THOUSAND NINE HUNDRED SEVENTY-SEVEN DOLLARS
7 (\$117,977).

8 (d) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN
9 ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY
10 APPROPRIATED, FROM THE CAPITAL CONSTRUCTION FUND CREATED IN
11 SECTION 24-75-302, C.R.S., TO THE CORRECTIONS EXPANSION RESERVE
12 FUND CREATED IN SECTION 17-1-116, THE SUM OF FIVE HUNDRED
13 TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR DOLLARS
14 (\$523,164).

15 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, IN ADDITION
16 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
17 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
18 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWO HUNDRED
19 THIRTY-EIGHT THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS (\$238,636).

20 (e) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, 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 FIVE HUNDRED TWENTY-THREE THOUSAND
25 ONE HUNDRED SIXTY-FOUR DOLLARS (\$523,164).

26 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, IN ADDITION
27 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE

1 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
2 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF THREE HUNDRED
3 NINETY-NINE THOUSAND FIVE HUNDRED FOURTEEN DOLLARS (\$399,514).

4 **SECTION 4.** The introductory portion to 24-75-302 (2) and
5 24-75-302 (2) (s), (2) (t), and (2) (u), Colorado Revised Statutes, are
6 amended, and the said 24-75-302 (2) is further amended BY THE
7 ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

8 **24-75-302. Capital construction fund - capital assessment fees**
9 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
10 through July 1, ~~2008~~ 2010, a sum as specified in this subsection (2) shall
11 accrue to the capital construction fund. The state treasurer and the
12 controller shall transfer such sum out of the general fund and into the
13 capital construction fund as moneys become available in the general fund
14 during the fiscal year beginning on said July 1. Transfers between funds
15 pursuant to this subsection (2) shall not be deemed to be appropriations
16 subject to the limitations of section 24-75-201.1. The amount which shall
17 accrue pursuant to this subsection (2) shall be as follows:

18 (s) On July 1, 2006, twenty-two thousand nine hundred
19 twenty-four dollars pursuant to section 3 of H.B. 02S-1006, enacted at the
20 third extraordinary session of the sixty-third general assembly; plus two
21 hundred ninety-one thousand seven hundred sixty-one dollars pursuant to
22 H.B. 03-1004, enacted at the first regular session of the sixty-fourth
23 general assembly; plus one hundred twenty-five thousand forty-one
24 dollars pursuant to H.B. 03-1138, enacted at the first regular session of
25 the sixty-fourth general assembly; plus sixty-nine thousand four hundred
26 sixty-seven dollars pursuant to H.B. 03-1213, enacted at the first regular
27 session of the sixty-fourth general assembly; plus sixty-nine thousand

1 four hundred sixty-seven dollars pursuant to H.B. 03-1317, enacted at the
2 first regular session of the sixty-fourth general assembly; plus ninety
3 thousand three hundred seven dollars pursuant to H.B. 04-1021, enacted
4 at the second regular session of the sixty-fourth general assembly; plus
5 sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B.
6 04-1016, enacted at the second regular session of the sixty-fourth general
7 assembly; PLUS ONE HUNDRED SEVENTY-FOUR THOUSAND THREE
8 HUNDRED EIGHTY-EIGHT DOLLARS PURSUANT TO S.B. 06-207, ENACTED
9 AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
10 ASSEMBLY;

11 (t) On July 1, 2007, four hundred sixteen thousand eight hundred
12 two dollars pursuant to H.B. 03-1004, enacted at the first regular session
13 of the sixty-fourth general assembly; plus fifty-five thousand five hundred
14 seventy-four dollars pursuant to H.B. 03-1317, enacted at the first regular
15 session of the sixty-fourth general assembly; plus thirteen thousand eight
16 hundred ninety-three dollars pursuant to H.B. 04-1021, enacted at the
17 second regular session of the sixty-fourth general assembly; PLUS TWO
18 HUNDRED NINE THOUSAND TWO HUNDRED SIXTY-SIX DOLLARS PURSUANT
19 TO S.B. 06-207, ENACTED AT THE SECOND REGULAR SESSION OF THE
20 SIXTY-FIFTH GENERAL ASSEMBLY;

21 (u) On July 1, 2008, sixty-nine thousand four hundred sixty-seven
22 dollars pursuant to H.B. 04-1021, enacted at the second regular session
23 of the sixty-fourth general assembly; PLUS THREE HUNDRED
24 NINETY-TWO THOUSAND THREE HUNDRED SEVENTY-THREE DOLLARS
25 PURSUANT TO S.B. 06-207, ENACTED AT THE SECOND REGULAR SESSION OF
26 THE SIXTY-FIFTH GENERAL ASSEMBLY;

27 (v) ON JULY 1, 2009, FIVE HUNDRED TWENTY-THREE THOUSAND

1 ONE HUNDRED SIXTY-FOUR DOLLARS PURSUANT TO S.B. 06-207, ENACTED
2 AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
3 ASSEMBLY;

4 (w) ON JULY 1, 2010, FIVE HUNDRED TWENTY-THREE THOUSAND
5 ONE HUNDRED SIXTY-FOUR DOLLARS PURSUANT TO S.B. 06-207, ENACTED
6 AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
7 ASSEMBLY.

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