

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

ENGROSSED

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

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.

SENATE
Amended 2nd Reading
April 5, 2006

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 UNLESS THE
12 ADULT OR ADULTS WHO HAVE BEEN TRAFFICKED ARE ILLEGALLY PRESENT
13 IN THE UNITED STATES, IN WHICH CASE TRAFFICKING IN ADULTS IS A CLASS
14 2 FELONY.

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

17 **18-6-402. Trafficking in children.** (1) A person commits
18 trafficking in children if he OR SHE:

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

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

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

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

27 **SECTION 3.** Part 1 of article 1 of title 17, Colorado Revised

1 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
2 read:

3 **17-1-153. Appropriation to comply with section 2-2-703 - SB**
4 **06-207.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING
5 STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE
6 NECESSARY, ARE MADE IN ORDER TO IMPLEMENT S.B. 06-207, ENACTED
7 AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
8 ASSEMBLY:

9 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION
10 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
11 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
12 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
13 SECTION 17-1-116, THE SUM OF ONE HUNDRED SEVENTY-FOUR THOUSAND
14 THREE HUNDRED EIGHTY-EIGHT DOLLARS (\$174,388).

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

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

26 (c) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
27 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM

1 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
2 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
3 SECTION 17-1-116, THE SUM OF THREE HUNDRED NINETY-TWO THOUSAND
4 THREE HUNDRED SEVENTY-THREE DOLLARS (\$392,373).

5 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
6 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
7 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
8 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF ONE HUNDRED
9 SEVENTEEN THOUSAND NINE HUNDRED SEVENTY-SEVEN DOLLARS
10 (\$117,977).

11 (d) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, 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 FIVE HUNDRED
16 TWENTY-THREE THOUSAND ONE HUNDRED SIXTY-FOUR DOLLARS
17 (\$523,164).

18 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, 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 TWO HUNDRED
22 THIRTY-EIGHT THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS (\$238,636).

23 (e) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, 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 FIVE HUNDRED TWENTY-THREE THOUSAND

1 ONE HUNDRED SIXTY-FOUR DOLLARS (\$523,164).

2 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, 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 THREE HUNDRED
6 NINETY-NINE THOUSAND FIVE HUNDRED FOURTEEN DOLLARS (\$399,514).

7 **SECTION 4.** The introductory portion to 24-75-302 (2) and
8 24-75-302 (2) (s), (2) (t), and (2) (u), Colorado Revised Statutes, are
9 amended, and the said 24-75-302 (2) is further amended BY THE
10 ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

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

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

1 the sixty-fourth general assembly; plus sixty-nine thousand four hundred
2 sixty-seven dollars pursuant to H.B. 03-1213, enacted at the first regular
3 session of the sixty-fourth general assembly; plus sixty-nine thousand
4 four hundred sixty-seven dollars pursuant to H.B. 03-1317, enacted at the
5 first regular session of the sixty-fourth general assembly; plus ninety
6 thousand three hundred seven dollars pursuant to H.B. 04-1021, enacted
7 at the second regular session of the sixty-fourth general assembly; plus
8 sixty-nine thousand four hundred sixty-seven dollars pursuant to H.B.
9 04-1016, enacted at the second regular session of the sixty-fourth general
10 assembly; PLUS ONE HUNDRED SEVENTY-FOUR THOUSAND THREE
11 HUNDRED EIGHTY-EIGHT DOLLARS PURSUANT TO S.B. 06-207, ENACTED
12 AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
13 ASSEMBLY;

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

24 (u) On July 1, 2008, sixty-nine thousand four hundred sixty-seven
25 dollars pursuant to H.B. 04-1021, enacted at the second regular session
26 of the sixty-fourth general assembly; PLUS THREE HUNDRED
27 NINETY-TWO THOUSAND THREE HUNDRED SEVENTY-THREE DOLLARS

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

3 (v) ON JULY 1, 2009, FIVE HUNDRED TWENTY-THREE THOUSAND
4 ONE HUNDRED SIXTY-FOUR DOLLARS PURSUANT TO S.B. 06-207, ENACTED
5 AT THE SECOND REGULAR SESSION OF THE SIXTY-FIFTH GENERAL
6 ASSEMBLY;

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

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