

**First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 07-0859.01 Michael Dohr

**HOUSE BILL 07-1326**

---

**HOUSE SPONSORSHIP**

**Kerr A. and Swalm,**

**SENATE SPONSORSHIP**

**Sandoval and Johnson,**

---

**House Committees**  
Judiciary

**Senate Committees**

---

**A BILL FOR AN ACT**

101     **CONCERNING A REQUIREMENT THAT CERTAIN SEX OFFENDERS**  
102             **PROVIDE ELECTRONIC COMMUNICATION IDENTIFIERS WHEN**  
103             **REGISTERING AS SEX OFFENDERS.**

---

**Bill Summary**

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

Requires a sex offender, who committed a sex offense involving a victim who was less than 18 years of age, when registering as a sex offender, to provide any email address, instant-messaging identity, or chat room identity prior to using the address or identity.

---

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

2 **SECTION 1.** 16-22-108, Colorado Revised Statutes, is amended  
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **16-22-108. Registration - procedure - frequency - place -**  
5 **change of address - fee.** (2.5) (a) ANY PERSON WHO IS REQUIRED TO  
6 REGISTER PURSUANT TO SECTION 16-22-103 AND WHO HAS BEEN  
7 CONVICTED OF UNLAWFUL SEXUAL BEHAVIOR INVOLVING A VICTIM WHO  
8 WAS LESS THAN EIGHTEEN YEARS OF AGE AT THE TIME OF THE OFFENSE  
9 SHALL BE REQUIRED TO REGISTER ANY EMAIL ADDRESS,  
10 INSTANT-MESSAGING IDENTITY, OR CHAT ROOM IDENTITY THAT THE  
11 PERSON INTENDS TO USE PRIOR TO USING THE ADDRESS OR IDENTITY.

12 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF  
13 THIS SUBSECTION (2.5), A PERSON SHALL NOT BE REQUIRED TO REGISTER  
14 AN EMPLOYMENT EMAIL ADDRESS IF:

15 (I) THE PERSON'S EMPLOYER PROVIDED THE EMAIL ADDRESS FOR  
16 USE PRIMARILY IN THE COURSE OF THE PERSON'S EMPLOYMENT;

17 (II) THE EMAIL ADDRESS IDENTIFIES THE EMPLOYER BY NAME,  
18 INITIALS, OR OTHER COMMONLY RECOGNIZED IDENTIFIER; AND

19 (III) THE PERSON REQUIRED TO REGISTER IS NOT AN OWNER OR  
20 OPERATOR OF THE EMPLOYING ENTITY THAT PROVIDED THE EMAIL  
21 ADDRESS.

22 **SECTION 2.** 16-22-108 (3) (e) and (3) (f), Colorado Revised  
23 Statutes, are amended, and the said 16-22-108 (3) is further amended BY  
24 THE ADDITION OF A NEW PARAGRAPH, to read:

25 **16-22-108. Registration - procedure - frequency - place -**  
26 **change of address - fee.** (3) Any person who is required to register  
27 pursuant to section 16-22-103 shall be required to register each time such

1 person:

2 (e) Becomes enrolled or changes enrollment in an institution of  
3 postsecondary education, or changes the location of enrollment; ~~or~~

4 (f) Becomes a volunteer or changes the volunteer work location,  
5 if volunteering at an institution of postsecondary education; OR

6 (g) CHANGES HIS OR HER EMAIL ADDRESS, INSTANT MESSAGING  
7 IDENTITY, OR CHAT ROOM IDENTITY, IF THE PERSON IS REQUIRED TO  
8 REGISTER THAT INFORMATION PURSUANT TO SECTION 16-22-108 (2.5).  
9 THE PERSON SHALL REGISTER THE EMAIL ADDRESS, INSTANT MESSAGING  
10 IDENTITY, OR CHAT ROOM IDENTITY THAT HE OR SHE INTENDS TO USE  
11 PRIOR TO USING IT.

12 **SECTION 3.** The introductory portion to 16-22-109 (1), Colorado  
13 Revised Statutes, is amended, and the said 16-22-109 (1) is further  
14 amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

15 **16-22-109. Registration forms - local law enforcement agencies**  
16 **- duties.** (1) The director of the CBI shall prescribe standardized forms  
17 to be used to comply with this article, and the CBI shall provide copies of  
18 ~~such~~ THE standardized forms to the courts, probation departments,  
19 community corrections programs, the department of corrections, the  
20 department of human services, and local law enforcement agencies. ~~Such~~  
21 THE standardized forms may be provided in electronic form. ~~Such~~ THE  
22 standardized forms shall be used to register persons pursuant to this  
23 article and to enable persons to cancel registration, as necessary. The  
24 standardized forms shall provide that the persons required to register  
25 pursuant to section 16-22-103 disclose such information as is required on  
26 the standardized forms. The information required on the standardized  
27 forms shall include, but need not be limited to:

1 (f) ALL EMAIL ADDRESSES, INSTANT-MESSAGING IDENTITIES, AND  
2 CHAT ROOM IDENTITIES TO BE USED BY THE PERSON IF THE PERSON IS  
3 REQUIRED TO REGISTER THAT INFORMATION PURSUANT TO SECTION  
4 16-22-108 (2.5).

5 **SECTION 4.** 18-3-412.5 (1), Colorado Revised Statutes, is  
6 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

7 **18-3-412.5. Failure to register as a sex offender.** (1) Any  
8 person who is required to register pursuant to article 22 of title 16, C.R.S.,  
9 and who fails to comply with any of the requirements placed on  
10 registrants by said article, including but not limited to committing any of  
11 the acts specified in this subsection (1), commits the offense of failure to  
12 register as a sex offender:

13 (j) FAILURE TO REGISTER AN EMAIL ADDRESS, INSTANT-MESSAGING  
14 IDENTITY, OR CHAT ROOM IDENTITY THAT THE PERSON INTENDS TO USE  
15 PRIOR TO USING THE ADDRESS OR IDENTITY IF THE PERSON IS REQUIRED TO  
16 REGISTER THAT INFORMATION PURSUANT TO SECTION 16-22-108 (2.5),  
17 C.R.S.

18 **SECTION 5. Effective date - applicability.** This act shall take  
19 effect July 1, 2007, and section 4 of this act shall apply to offenses  
20 committed on or after said date.

21 **SECTION 6. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, and safety.