

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0948.01 Troy Bratton

HOUSE BILL 10-1366

HOUSE SPONSORSHIP

Apuan, Casso, Court, Hullinghorst, Labuda, McCann, Middleton, Miklosi, Murray, Scanlan, Todd

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE PROHIBITION OF A PERSON WHO IS SERVING A**
102 **SENTENCE UNDER COMMUNITY SUPERVISION AS A RESULT OF**
103 **CONVICTION FOR CERTAIN OFFENSES FROM ACTING AS A**
104 **PETITION CIRCULATOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill makes it unlawful for any person who is on parole or probation for offenses involving unlawful sexual behavior or felony fraud

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.

to act as a petition circulator.

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

2 **SECTION 1.** 1-40-112, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **1-40-112. Circulators - requirements - training.** (1.5) NO
5 PERSON SHALL CIRCULATE A PETITION FOR AN INITIATIVE OR REFERENDUM
6 MEASURE IF SUCH PERSON IS ON PAROLE OR PROBATION AS A RESULT OF A
7 CONVICTION FOR AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR
8 AS DEFINED IN SECTION 16-22-102 (9), C.R.S., OR AS A RESULT OF A
9 CONVICTION FOR AN OFFENSE INVOLVING FELONY FRAUD PURSUANT TO
10 ARTICLE 5 OF TITLE 18, C.R.S.

11 **SECTION 2.** 17-2-201 (5), Colorado Revised Statutes, is
12 amended BY THE ADDITION OF THE FOLLOWING NEW
13 PARAGRAPHS to read:

14 **17-2-201. State board of parole.** (5) (1) AS A CONDITION OF
15 PAROLE, THE BOARD SHALL ORDER ANY OFFENDER CONVICTED OF OR WHO
16 PLED GUILTY OR NOLO CONTENDERE TO AN OFFENSE INVOLVING
17 UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN SECTION 16-22-102 (9),
18 C.R.S., TO REFRAIN FROM ACTING AS A PETITION CIRCULATOR AS DEFINED
19 IN SECTION 1-40-102 (3.5), C.R.S.

20 (m) AS A CONDITION OF PAROLE, THE BOARD SHALL ORDER ANY
21 OFFENDER CONVICTED OF OR WHO PLED GUILTY OR NOLO CONTENDERE TO
22 AN OFFENSE INVOLVING FELONY FRAUD PURSUANT TO ARTICLE 5 OF TITLE
23 18, C.R.S., TO REFRAIN FROM ACTING AS A PETITION CIRCULATOR AS
24 DEFINED IN SECTION 1-40-102 (3.5), C.R.S.

25 **SECTION 3.** 18-1.3-204, Colorado Revised Statutes, is amended

1 BY THE ADDITION OF A NEW SUBSECTION to read:

2 **18-1.3-204. Conditions of probation.** (1.7) IF THE DEFENDANT
3 IS BEING SENTENCED TO PROBATION AS A RESULT OF A CONVICTION FOR AN
4 OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS DEFINED IN
5 SECTION 16-22-102 (9), C.R.S., OR AS A RESULT OF A CONVICTION FOR AN
6 OFFENSE INVOLVING FELONY FRAUD PURSUANT TO ARTICLE 5 OF TITLE 18,
7 C.R.S., A CONDITION OF PROBATION SHALL BE THAT THE DEFENDANT
8 REFRAIN FROM ACTING AS A PETITION CIRCULATOR AS DEFINED IN SECTION
9 1-40-102 (3.5), C.R.S.

10 **SECTION 4. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.