

**Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 14-0134.01 Richard Sweetman x4333

**HOUSE BILL 14-1273**

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**HOUSE SPONSORSHIP**

**McCann and Wright,**

**SENATE SPONSORSHIP**

**Newell and Schwartz, Kefalas**

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING HUMAN TRAFFICKING.**

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**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 repeals and reenacts, with amendments, existing provisions concerning human trafficking.

A person who knowingly sells, recruits, harbors, transports, transfers, isolates, induces, entices, provides, receives, or obtains by any means another person for the purpose of coercing the other person to perform labor or services commits human trafficking for involuntary servitude. Human trafficking of an adult for involuntary servitude is a

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.*

class 3 felony. Human trafficking of a minor for involuntary servitude is a class 2 felony.

A person who knowingly sells, recruits, harbors, transports, transfers, isolates, induces, entices, provides, receives, or obtains by any means a person for the purpose of coercing the person to engage in commercial sexual activity commits human trafficking for sexual servitude. Human trafficking of an adult for sexual servitude is a class 3 felony. Human trafficking of a minor for sexual servitude is a class 2 felony.

In any prosecution for human trafficking of a minor for sexual servitude, it is not a defense that:

- ! The minor consented to being sold, recruited, harbored, transported, transferred, isolated, induced, enticed, provided, received, obtained, or maintained by the defendant for the purpose of engaging in commercial sexual activity;
- ! The minor consented to participating in commercial sexual activity; or
- ! The defendant did not know the minor's age or reasonably believed the minor to be 18 years of age or older, or that the minor or another person represented the minor to be 18 years of age or older.

Human trafficking of a minor for sexual servitude is a "sex offense against a child" for the purposes of the statute of limitations. This means that there is no limit to the period of time within which criminal proceedings may be initiated against an offender.

The bill creates the Colorado human trafficking council (council) within the department of public safety (department). The bill establishes the membership of the council and sets forth the duties of the council.

In any criminal prosecution for a human trafficking offense or for any offense relating to child prostitution, evidence of specific instances of the victim's or a witness's prior or subsequent sexual conduct, or opinion evidence of the victim's or a witness's sexual conduct, or reputation evidence of the victim's or a witness's sexual conduct, or evidence that the victim or a witness has a history of false reporting of sexual assaults is to be offered at trial, may only be admitted under specific circumstances.

For a conviction for human trafficking for involuntary servitude or for human trafficking for sexual servitude, the court shall order restitution, if appropriate, even if the victim is unavailable to accept payment of restitution. If the victim is deceased or unavailable for 5 years after the date of the restitution order, the defendant shall pay the ordered restitution to the prostitution enforcement cash fund.

The bill makes conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**  
3 **with amendments,** part 5 of article 3 of title 18 as follows:

4 PART 5

5 HUMAN TRAFFICKING AND SLAVERY

6 **18-3-501. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
7 HEREBY FINDS AND DECLARES THAT:

8 (a) HUMAN TRAFFICKING CONSTITUTES A SERIOUS PROBLEM IN  
9 COLORADO AND ACROSS THE NATION;

10 (b) HUMAN TRAFFICKING IS ABHORRENT TO A CIVILIZED SOCIETY  
11 AND DESERVING OF THE MOST DILIGENT RESPONSE FROM THE STATE;

12 (c) HUMAN TRAFFICKING OFTEN INVOLVES MINORS WHO HAVE  
13 BEEN FORCED INTO INVOLUNTARY SERVITUDE AND COMMERCIAL SEXUAL  
14 ACTIVITY;

15 (d) HUMAN TRAFFICKING CAN TAKE MANY FORMS BUT GENERALLY  
16 INCLUDES THE USE OF PHYSICAL ABUSE, THREATS OF HARM, OR FEAR OF  
17 OTHER CONSEQUENCES TO PREVENT VICTIMS FROM REPORTING THE  
18 ACTIVITY; AND

19 (e) HUMAN TRAFFICKING CREATES A CYCLE OF VIOLENCE,  
20 IMPACTING VICTIMS, FAMILIES, AND COMMUNITIES.

21 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

22 (a) LEGISLATION IS REQUIRED TO COMBAT THIS DESPICABLE  
23 PRACTICE, TO MAKE IT EASIER TO PROSECUTE AND PUNISH PERSONS WHO  
24 ENGAGE IN HUMAN TRAFFICKING, AND TO PROTECT THE VICTIMS; AND

25 (b) THE GENERAL ASSEMBLY SUPPORTS A COMPREHENSIVE  
26 APPROACH TO COMBATING HUMAN TRAFFICKING, WHICH APPROACH

1 INCLUDES PREVENTION, PROTECTION, PROSECUTION, AND PARTNERSHIPS.

2 (3) NOW, THEREFORE, THE GENERAL ASSEMBLY JOINS THE  
3 FEDERAL GOVERNMENT AND OTHER STATES AROUND THE NATION IN  
4 PASSING LEGISLATION IN ORDER TO COMBAT HUMAN TRAFFICKING AND  
5 PROTECT THE VICTIMS.

6 **18-3-502. Definitions.** AS USED IN THIS PART 5, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "ADULT" MEANS A PERSON EIGHTEEN YEARS OF AGE OR OLDER.

9 (2) "COERCING" MEANS INDUCING A PERSON TO ACT OR TO  
10 REFRAIN FROM ACTING, IF THE INDUCEMENT IS ACCOMPLISHED BY ANY  
11 ONE OR MORE OF THE FOLLOWING MEANS:

12 (a) THE USE OR THREAT OF THE USE OF FORCE AGAINST,  
13 ABDUCTION OF, CAUSING OF SERIOUS HARM TO, OR PHYSICAL RESTRAINT  
14 OF A PERSON;

15 (b) THE USE OF A PLAN, PATTERN, OR STATEMENT FOR THE  
16 PURPOSE OF CAUSING THE PERSON TO BELIEVE THAT FAILURE TO PERFORM  
17 THE ACT OR FAILURE TO REFRAIN FROM PERFORMING THE ACT WILL  
18 RESULT IN THE USE OF FORCE AGAINST, ABDUCTION OF, CAUSING OF  
19 SERIOUS HARM TO, OR PHYSICAL RESTRAINT OF THAT PERSON OR ANOTHER  
20 PERSON;

21 (c) USING OR THREATENING TO USE THE LAW OR THE LEGAL  
22 PROCESS, WHETHER ADMINISTRATIVE, CIVIL, OR CRIMINAL, IN ANY  
23 MANNER OR FOR ANY PURPOSE FOR WHICH THE LAW WAS NOT DESIGNED;

24  
25 (d) THREATENING TO NOTIFY LAW ENFORCEMENT OFFICIALS THAT  
26 A PERSON IS PRESENT IN THE UNITED STATES IN VIOLATION OF FEDERAL  
27 IMMIGRATION LAWS;

1 (e) THE DESTRUCTION OR TAKING, OR A THREAT TO DESTROY OR  
2 TAKE, A PERSON'S IDENTIFICATION DOCUMENT OR OTHER PROPERTY;

3 (f) CONTROLLING OR THREATENING TO CONTROL A PERSON'S  
4 ACCESS TO A CONTROLLED SUBSTANCE, AS DEFINED IN SECTION 18-18-102  
5 (5);

6 (g) THE USE OF DEBT BONDAGE; OR

7 (h) THE EXPLOITATION OF A PERSON'S PHYSICAL OR MENTAL  
8 IMPAIRMENT, WHERE SUCH IMPAIRMENT HAS A SUBSTANTIAL ADVERSE  
9 EFFECT ON THE PERSON'S COGNITIVE OR VOLITIONAL FUNCTIONS.

10 (3) "COMMERCIAL SEXUAL ACTIVITY" MEANS SEXUAL ACTIVITY  
11 FOR WHICH ANYTHING OF VALUE IS GIVEN TO, PROMISED TO, OR RECEIVED  
12 BY A PERSON.

13 (4) "DEBT BONDAGE" MEANS:

14 (a) DEMANDING COMMERCIAL SEXUAL ACTIVITY AS PAYMENT  
15 TOWARD OR SATISFACTION OF A REAL OR PURPORTED DEBT; OR

16 (b) DEMANDING LABOR OR SERVICES AS PAYMENT TOWARD OR  
17 SATISFACTION OF A REAL OR PURPORTED DEBT AND FAILING TO APPLY THE  
18 REASONABLE VALUE OF THE LABOR OR SERVICES TOWARD THE  
19 LIQUIDATION OF THE DEBT; OR

20 (c) DEMANDING LABOR OR SERVICES WHERE THE LENGTH OF THE  
21 LABOR OR SERVICES IS NOT LIMITED AND THE NATURE OF THE LABOR OR  
22 SERVICES IS NOT DEFINED.

23 (5) "IDENTIFICATION DOCUMENT" MEANS A REAL OR PURPORTED  
24 PASSPORT, DRIVER'S LICENSE, IMMIGRATION DOCUMENT, TRAVEL  
25 DOCUMENT, OR OTHER GOVERNMENT-ISSUED IDENTIFICATION DOCUMENT,  
26 INCLUDING A DOCUMENT ISSUED BY A FOREIGN GOVERNMENT.

27 (6) "MAINTAIN" MEANS TO PROVIDE SUSTENANCE OR CARE FOR A

1 MINOR AND INCLUDES BUT IS NOT LIMITED TO PROVIDING SHELTER, FOOD,  
2 CLOTHING, DRUGS, MEDICAL CARE, OR COMMUNICATION SERVICES.

3 (7) "MAKES AVAILABLE" MEANS TO FACILITATE CONTACT  
4 BETWEEN A MINOR AND ANOTHER PERSON.

5 (8) "MINOR" MEANS A PERSON LESS THAN EIGHTEEN YEARS OF  
6 AGE.

7 (9) "PERSON" HAS THE SAME MEANING AS SET FORTH IN SECTION  
8 2-4-401 (8), C.R.S.

9 (10) "SERIOUS HARM" MEANS BODILY INJURY OR ANY OTHER  
10 HARM, WHETHER PHYSICAL OR NONPHYSICAL, INCLUDING  
11 PSYCHOLOGICAL, FINANCIAL, OR REPUTATIONAL HARM, WHICH IS  
12 SUFFICIENTLY SERIOUS, UNDER ALL THE SURROUNDING CIRCUMSTANCES,  
13 TO COMPEL A REASONABLE PERSON TO PERFORM OR CONTINUE TO  
14 PERFORM LABOR OR SERVICES OR SEXUAL ACTIVITY TO AVOID INCURRING  
15 THE HARM.

16 (11) "SEXUAL ACTIVITY" MEANS:

- 17 (a) SEXUAL CONTACT, AS DEFINED IN SECTION 18-3-401 (4);
- 18 (b) SEXUAL INTRUSION, AS DEFINED IN SECTION 18-3-401 (5);
- 19 (c) SEXUAL PENETRATION, AS DEFINED IN SECTION 18-3-401 (6);
- 20 (d) SEXUAL EXPLOITATION OF A CHILD, PURSUANT TO SECTION  
21 18-6-403 (3) (a) AND (3) (d); OR
- 22 (e) AN OBSCENE PERFORMANCE, AS DEFINED IN SECTION 18-7-101.

23 (12) "VICTIM" MEANS A PERSON WHO IS ALLEGED TO HAVE BEEN,  
24 OR WHO HAS BEEN, SUBJECTED TO HUMAN TRAFFICKING, AS DESCRIBED IN  
25 SECTION 18-3-503 OR SECTION 18-3-504.

26 **18-3-503. Human trafficking for involuntary servitude -**  
27 **human trafficking of a minor for involuntary servitude.** (1) A PERSON

1 WHO KNOWINGLY SELLS, RECRUITS, HARBORS, TRANSPORTS, TRANSFERS,  
2 ISOLATES, ENTICES, PROVIDES, RECEIVES, OR OBTAINS BY ANY MEANS  
3 ANOTHER PERSON FOR THE PURPOSE OF COERCING THE OTHER PERSON TO  
4 PERFORM LABOR OR SERVICES COMMITS HUMAN TRAFFICKING FOR  
5 INVOLUNTARY SERVITUDE.

6 (2) HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE IS A CLASS  
7 3 FELONY; EXCEPT THAT HUMAN TRAFFICKING OF A MINOR FOR  
8 INVOLUNTARY SERVITUDE IS A CLASS 2 FELONY.

9 **18-3-504. Human trafficking for sexual servitude - human**  
10 **trafficking of a minor for sexual servitude.** (1) (a) A PERSON WHO  
11 KNOWINGLY SELLS, RECRUITS, HARBORS, TRANSPORTS, TRANSFERS,  
12 ISOLATES, ENTICES, PROVIDES, RECEIVES, OR OBTAINS BY ANY MEANS  
13 ANOTHER PERSON FOR THE PURPOSE OF COERCING THE PERSON TO ENGAGE  
14 IN COMMERCIAL SEXUAL ACTIVITY COMMITS HUMAN TRAFFICKING FOR  
15 SEXUAL SERVITUDE.

16 (b) HUMAN TRAFFICKING FOR SEXUAL SERVITUDE IS A CLASS 3  
17 FELONY.

18 (2) (a) A PERSON WHO KNOWINGLY SELLS, RECRUITS, HARBORS,  
19 TRANSPORTS, TRANSFERS, ISOLATES, ENTICES, PROVIDES, RECEIVES,  
20 OBTAINS BY ANY MEANS, MAINTAINS, OR MAKES AVAILABLE A MINOR FOR  
21 THE PURPOSE OF COMMERCIAL SEXUAL ACTIVITY COMMITS HUMAN  
22 TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE.

23 (b) HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE IS  
24 A CLASS 2 FELONY.

25 (c) IN ANY PROSECUTION UNDER THIS SUBSECTION (2), IT IS NOT A  
26 DEFENSE THAT:

27 (I) THE MINOR CONSENTED TO BEING SOLD, RECRUITED,

1 HARBORED, TRANSPORTED, TRANSFERRED, ISOLATED, ENTICED,  
2 PROVIDED, RECEIVED, OBTAINED, OR MAINTAINED BY THE DEFENDANT FOR  
3 THE PURPOSE OF ENGAGING IN COMMERCIAL SEXUAL ACTIVITY;

4 (II) THE MINOR CONSENTED TO PARTICIPATING IN COMMERCIAL  
5 SEXUAL ACTIVITY;

6 (III) THE DEFENDANT DID NOT KNOW THE MINOR'S AGE OR  
7 REASONABLY BELIEVED THE MINOR TO BE EIGHTEEN YEARS OF AGE OR  
8 OLDER; OR

9 (IV) THE MINOR OR ANOTHER PERSON REPRESENTED THE MINOR  
10 TO BE EIGHTEEN YEARS OF AGE OR OLDER.

11 (3) A PERSON DOES NOT NEED TO RECEIVE ANY OF THE PROCEEDS  
12 OF ANY COMMERCIAL SEXUAL ACTIVITY TO COMMIT AN OFFENSE  
13 DESCRIBED IN THIS SECTION.

14 (4) CONVICTION FOR AN OFFENSE DESCRIBED IN THIS SECTION  
15 DOES NOT PRECLUDE CONVICTION FOR AN OFFENSE DESCRIBED IN ARTICLE  
16 6 OR 7 OF THIS TITLE BASED IN WHOLE OR IN PART ON THE SAME OR  
17 RELATED CONDUCT, AND THE COURT SHALL NOT REQUIRE THE  
18 PROSECUTION TO ELECT AT TRIAL BETWEEN SUCH OFFENSES.

19 **18-3-505. Human trafficking council - created - duties - repeal.**

20 (1) (a) THERE IS CREATED IN THE DEPARTMENT OF PUBLIC SAFETY THE  
21 COLORADO HUMAN TRAFFICKING COUNCIL, REFERRED TO WITHIN THIS  
22 SECTION AS THE "COUNCIL". THE PURPOSE OF THE COUNCIL IS TO BRING  
23 TOGETHER LEADERSHIP FROM COMMUNITY-BASED AND STATEWIDE  
24 ANTI-TRAFFICKING EFFORTS, TO BUILD AND ENHANCE COLLABORATION  
25 AMONG COMMUNITIES AND COUNTIES WITHIN THE STATE, TO ESTABLISH  
26 AND IMPROVE COMPREHENSIVE SERVICES FOR VICTIMS AND SURVIVORS OF  
27 HUMAN TRAFFICKING, TO ASSIST IN THE SUCCESSFUL PROSECUTION OF



1 HUMAN TRAFFICKERS, AND TO HELP PREVENT HUMAN TRAFFICKING IN  
2 COLORADO.

3 (b) THE MEMBERSHIP OF THE COUNCIL SHALL REFLECT, TO THE  
4 EXTENT POSSIBLE, REPRESENTATION OF URBAN AND RURAL AREAS OF THE  
5 STATE AND A BALANCE OF EXPERTISE, BOTH GOVERNMENTAL AND  
6 NON-GOVERNMENTAL, IN ISSUES RELATING TO HUMAN TRAFFICKING. THE  
7 COUNCIL SHALL INCLUDE MEMBERS WITH EXPERTISE IN CHILD WELFARE  
8 AND HUMAN SERVICES TO ADDRESS THE UNIQUE NEEDS OF CHILD VICTIMS,  
9 INCLUDING THOSE CHILD VICTIMS WHO ARE INVOLVED IN THE CHILD  
10 WELFARE SYSTEM. THE MEMBERSHIP OF THE COUNCIL SHALL CONSIST OF  
11 THE FOLLOWING █ PERSONS, WHO SHALL BE APPOINTED AS FOLLOWS:

12 (I) TWO REPRESENTATIVES FROM THE DEPARTMENT OF HUMAN  
13 SERVICES, EACH TO BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
14 DEPARTMENT OF HUMAN SERVICES;

15 (II) A REPRESENTATIVE OF THE DEPARTMENT OF LAW, TO BE  
16 APPOINTED BY THE ATTORNEY GENERAL;

17 (III) A REPRESENTATIVE OF THE STATE DEPARTMENT OF LABOR  
18 AND EMPLOYMENT, TO BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
19 DEPARTMENT OF LABOR AND EMPLOYMENT;

20 (IV) A REPRESENTATIVE OF THE DIVISION OF THE COLORADO  
21 STATE PATROL THAT ADDRESSES HUMAN SMUGGLING AND HUMAN  
22 TRAFFICKING PURSUANT TO SECTION 24-33.5-211, C.R.S., TO BE  
23 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
24 SAFETY;

25 (V) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF POLICE  
26 CHIEFS, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER DESIGNEE;


27 (VI) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF

1 COUNTY SHERIFFS, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER  
2 DESIGNEE;

3 (VII) A REPRESENTATIVE OF A STATEWIDE COALITION FOR VICTIMS  
4 OF SEXUAL ASSAULT, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER  
5 DESIGNEE;

6 (VIII) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT  
7 PROVIDES SERVICES TO CRIME VICTIMS, TO BE APPOINTED BY THE  
8 GOVERNOR OR HIS OR HER DESIGNEE;

9 (IX) A REPRESENTATIVE OF A STATEWIDE IMMIGRANT RIGHTS  
10 ORGANIZATION, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER  
11 DESIGNEE;

12   
13 (X) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF  
14 DISTRICT ATTORNEYS, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER  
15 DESIGNEE;

16 (XI) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF  
17 CRIMINAL DEFENSE ATTORNEYS, TO BE APPOINTED BY THE GOVERNOR OR  
18 HIS OR HER DESIGNEE;

19 (XII) AT LEAST THREE BUT NOT MORE THAN FIVE PERSONS, EACH  
20 REPRESENTING A REGIONAL OR CITY-WIDE HUMAN TRAFFICKING TASK  
21 FORCE OR COALITION, EACH TO BE APPOINTED BY THE GOVERNOR OR HIS  
22 OR HER DESIGNEE;

23 (XIII) A REPRESENTATIVE OF A NONPROFIT ORGANIZATION THAT  
24 FACILITATES THE TREATMENT OR HOUSING OF HUMAN TRAFFICKING  
25 VICTIMS, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER DESIGNEE;

26 (XIV) A REPRESENTATIVE OF A COLLEGE OR UNIVERSITY  
27 DEPARTMENT THAT CONDUCTS RESEARCH ON HUMAN TRAFFICKING, TO BE

1 APPOINTED BY THE GOVERNOR OR HIS OR HER DESIGNEE;

2 (XV) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT  
3 PROVIDES LEGAL ADVOCACY TO ABUSED, NEGLECTED, AND AT-RISK  
4 CHILDREN, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER DESIGNEE;

5 (XVI) TWO REPRESENTATIVES OF ORGANIZATIONS THAT PROVIDE  
6 DIRECT SERVICES TO VICTIMS OF HUMAN TRAFFICKING, TO BE APPOINTED  
7 BY THE GOVERNOR OR HIS OR HER DESIGNEE;

8 (XVII) ONE REPRESENTATIVE OF A FAITH-BASED ORGANIZATION  
9 THAT ASSISTS VICTIMS OF HUMAN TRAFFICKING, TO BE APPOINTED BY THE  
10 GOVERNOR OR HIS OR HER DESIGNEE;

11 (XVIII) TWO PERSONS, EACH OF WHOM IS A DIRECTOR OF A  
12 COUNTY DEPARTMENT OF SOCIAL SERVICES, ONE FROM AN URBAN COUNTY  
13 AND THE OTHER FROM A RURAL COUNTY, EACH TO BE APPOINTED BY THE  
14 GOVERNOR OR HIS OR HER DESIGNEE;

15 (XIX) ONE PERSON WHO PROVIDES CHILD WELFARE SERVICES FOR  
16 A COUNTY DEPARTMENT OF SOCIAL SERVICES, TO BE APPOINTED BY THE  
17 GOVERNOR OR HIS OR HER DESIGNEE; ■

18 (XX) TWO PERSONS WHO ARE FORMER VICTIMS OF HUMAN  
19 TRAFFICKING, ONE WHO IS A FORMER VICTIM OF HUMAN TRAFFICKING FOR  
20 INVOLUNTARY SERVITUDE AND ONE WHO IS A FORMER VICTIM OF HUMAN  
21 TRAFFICKING FOR SEXUAL SERVITUDE, EACH TO BE APPOINTED BY THE  
22 GOVERNOR OR HIS OR HER DESIGNEE; AND

23 (XXI) A REPRESENTATIVE OF A CHILD ADVOCACY CENTER.

24 (2) EACH APPOINTING AUTHORITY DESCRIBED IN SUBSECTION (1)  
25 OF THIS SECTION SHALL MAKE HIS OR HER APPOINTMENTS TO THE COUNCIL  
26 ON OR BEFORE AUGUST 1, 2014. THE MEMBERS OF THE COUNCIL SHALL  
27 ELECT PRESIDING OFFICERS FOR THE COUNCIL, INCLUDING A CHAIR AND

1 VICE-CHAIR, FROM AMONG THE COUNCIL MEMBERS APPOINTED PURSUANT  
2 TO SUBSECTION (1) OF THIS SECTION, WHICH PRESIDING OFFICERS SHALL  
3 SERVE TERMS OF TWO YEARS. COUNCIL MEMBERS MAY REELECT A  
4 PRESIDING OFFICER.

5 (3) EACH MEMBER OF THE COUNCIL SHALL SERVE AT THE  
6 PLEASURE OF HIS OR HER APPOINTING AUTHORITY FOR A TERM OF FOUR  
7 YEARS. THE APPOINTING AUTHORITY MAY REAPPOINT THE MEMBER FOR AN  
8 ADDITIONAL TERM OR TERMS. MEMBERS OF THE COUNCIL SHALL SERVE  
9 WITHOUT COMPENSATION.

10 (4) THE COUNCIL SHALL HOLD ITS FIRST MEETING ON OR BEFORE  
11 NOVEMBER 1, 2014, AT A TIME AND PLACE TO BE DESIGNATED BY THE  
12 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY, OR BY HIS  
13 OR HER DESIGNEE. THE COUNCIL SHALL MEET AT LEAST FOUR TIMES EACH  
14 YEAR AND SHALL CARRY OUT THE FOLLOWING DUTIES:

15 (a) ON OR BEFORE JANUARY 1, 2016, MAKE RECOMMENDATIONS  
16 TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND  
17 SENATE, OR ANY SUCCESSOR COMMITTEES, CONCERNING:

18 (I) WHETHER THE GENERAL ASSEMBLY SHOULD ESTABLISH  
19 STANDARDS AND A PROCESS FOR THE CERTIFICATION OF ORGANIZATIONS  
20 THAT PROVIDE SERVICES TO VICTIMS OF HUMAN TRAFFICKING; AND

21 (II) WHETHER THE GENERAL ASSEMBLY SHOULD ESTABLISH A  
22 GRANT PROGRAM TO WHICH ORGANIZATIONS THAT PROVIDE SERVICES TO  
23 VICTIMS OF HUMAN TRAFFICKING MAY APPLY FOR GRANTS, INCLUDING  
24 CONSIDERATION OF HOW SUCH A GRANT PROGRAM MAY BE FUNDED;

25 (b) ON OR BEFORE JANUARY 1, 2017, AND ON OR BEFORE JANUARY  
26 17 OF EACH YEAR THEREAFTER, SUBMIT A REPORT TO THE JUDICIARY  
27 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY

1 SUCCESSOR COMMITTEES, SUMMARIZING THE ACTIVITIES OF THE COUNCIL  
2 DURING THE PRECEDING YEAR.

3 (c) CONSIDER AND MAKE, AS IT DEEMS NECESSARY,  
4 RECOMMENDATIONS TO THE JUDICIARY COMMITTEES OF THE HOUSE OF  
5 REPRESENTATIVES AND SENATE, OR TO ANY SUCCESSOR COMMITTEES,  
6 CONCERNING ANY STATUTORY CHANGES THAT THE COUNCIL DEEMS  
7 NECESSARY TO FACILITATE THE PROSECUTION AND PUNISHMENT OF  
8 PERSONS WHO ENGAGE IN, AND TO PROTECT THE VICTIMS OF, HUMAN  
9 TRAFFICKING;

10 (d) DEVELOP AN IMPLEMENTATION PLAN FOR A PUBLIC  
11 AWARENESS CAMPAIGN TO EDUCATE THE PUBLIC ABOUT HUMAN  
12 TRAFFICKING AND PLACE VICTIMS SERVICES CONTACT INFORMATION IN  
13 PLACES WHERE VICTIMS OF HUMAN TRAFFICKING ARE LIKELY TO SEE IT;

14 (e) DEVELOP TRAINING STANDARDS AND CURRICULA FOR  
15 ORGANIZATIONS THAT PROVIDE ASSISTANCE TO VICTIMS OF HUMAN  
16 TRAFFICKING, FOR PERSONS WHO WORK IN OR WHO FREQUENT PLACES  
17 WHERE HUMAN TRAFFICKING VICTIMS ARE LIKELY TO APPEAR, AND FOR  
18 LAW ENFORCEMENT AGENCIES;

19 (f) IDENTIFY BEST PRACTICES FOR THE PREVENTION OF HUMAN  
20 TRAFFICKING, PARTICULARLY FOR THE PREVENTION OF CHILD SEX  
21 TRAFFICKING; ■

22 (g) COLLECT DATA RELATING TO THE PREVALENCE OF, AND THE  
23 EFFORTS OF LAW ENFORCEMENT TO COMBAT, HUMAN TRAFFICKING IN  
24 COLORADO. THE COUNCIL SHALL ANNUALLY REPORT THE DATA TO THE  
25 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE,  
26 OR TO ANY SUCCESSOR COMMITTEES; AND

27 (h) RESEARCH AND PURSUE FUNDING OPPORTUNITIES FOR THE

1 COUNCIL.

2 (5) THE DEPARTMENT OF PUBLIC SAFETY IS AUTHORIZED TO  
3 ACCEPT GIFTS, GRANTS, AND DONATIONS FOR THE PURPOSE OF ASSISTING  
4 THE COUNCIL IN FULFILLING ITS DUTIES PURSUANT TO THIS SECTION.

5 (6) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2019.  
6 BEFORE REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL  
7 REVIEW THE COUNCIL PURSUANT TO SECTION 2-3-1203, C.R.S.

8 **SECTION 2.** In Colorado Revised Statutes, 18-1.3-603, **add** (9)  
9 as follows:

10 **18-1.3-603. Assessment of restitution - corrective orders.**

11 (9) FOR A CONVICTION FOR HUMAN TRAFFICKING FOR INVOLUNTARY  
12 SERVITUDE, AS DESCRIBED IN SECTION 18-3-503, OR FOR HUMAN  
13 TRAFFICKING FOR SEXUAL SERVITUDE, AS DESCRIBED IN SECTION  
14 18-3-504, THE COURT SHALL ORDER RESTITUTION, IF APPROPRIATE,  
15 PURSUANT TO THIS SECTION EVEN IF THE VICTIM IS UNAVAILABLE TO  
16 ACCEPT PAYMENT OF RESTITUTION.

17 **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **add** (3)  
18 (ff.5) (III) as follows:

19 **2-3-1203. Sunset review of advisory committees.** (3) The  
20 following dates are the dates for which the statutory authorization for the  
21 designated advisory committees is scheduled for repeal:

22 (ff.5) September 1, 2019:

23 (III) THE COLORADO HUMAN TRAFFICKING COUNCIL CREATED IN  
24 SECTION 18-3-505, C.R.S.;

25 **SECTION 4.** In Colorado Revised Statutes, 18-3-407, **amend** (2)  
26 introductory portion as follows:

27 **18-3-407. Victim's and witness's prior history - evidentiary**

1 **hearing - victim's identity - protective order.** (2) In any criminal  
2 prosecution for class 4 felony internet luring of a child, as described in  
3 section 18-3-306 (3) or under sections 18-3-402 to 18-3-405.5, 18-3-504,  
4 18-6-301, 18-6-302, 18-6-403, ~~and~~ 18-6-404, AND ANY OFFENSE  
5 DESCRIBED IN PART 4 OF ARTICLE 7 OF THIS TITLE, or for attempt or  
6 conspiracy to commit any of said crimes, if evidence, that is not excepted  
7 under subsection (1) of this section, of specific instances of the victim's  
8 or a witness's prior or subsequent sexual conduct, or opinion evidence of  
9 the victim's or a witness's sexual conduct, or reputation evidence of the  
10 victim's or a witness's sexual conduct, or evidence that the victim or a  
11 witness has a history of false reporting of sexual assaults is to be offered  
12 at trial, the following procedure shall be followed:

13

14 **SECTION 5.** In Colorado Revised Statutes, 12-25.5-112, **amend**  
15 (3) (a) as follows:

16 **12-25.5-112. Duties of escort bureau.** (3) Each escort bureau  
17 shall provide to each employee of the escort bureau a written notice that  
18 includes:

19 (a) A statement that human trafficking ~~and coercion of involuntary~~  
20 ~~servitude are~~ IS prohibited in this state by the provisions of sections  
21 ~~18-3-501, 18-3-502, and 18-3-503~~ AND 18-3-504, C.R.S.; and

22 **SECTION 6.** In Colorado Revised Statutes, 12-48.5-110, **amend**  
23 (1) (f) as follows:

24 **12-48.5-110. Unlawful acts.** (1) It is unlawful for any person:

25 (f) To operate a massage parlor while failing to display at all times  
26 in a prominent place on the licensed premises a printed card with a  
27 minimum height of fourteen inches and a width of eleven inches with

1 each letter a minimum of one-half inch in height, which shall read as  
2 follows:

3 WARNING

4 IT IS ILLEGAL FOR ANY PERSON UNDER  
5 EIGHTEEN YEARS OF AGE TO BE IN OR UPON  
6 THESE PREMISES AT ANY TIME, UNLESS HE OR  
7 SHE IS ACCOMPANIED BY HIS OR HER PARENT OR  
8 HAS A PHYSICIAN'S PRESCRIPTION FOR MASSAGE  
9 SERVICES.

10 IT IS ILLEGAL FOR ANY PERSON TO ALLOW A  
11 PERSON UNDER EIGHTEEN YEARS OF AGE TO BE  
12 IN OR UPON THESE PREMISES AT ANY TIME,  
13 UNLESS HE OR SHE IS ACCOMPANIED BY HIS OR  
14 HER PARENT OR HAS A PHYSICIAN'S  
15 PRESCRIPTION FOR MASSAGE SERVICES.

16 PART 5 OF ARTICLE 3 OF TITLE 18, COLORADO  
17 REVISED STATUTES, PROHIBITS HUMAN  
18 ~~TRAFFICKING OF ADULTS, TRAFFICKING OF~~  
19 ~~CHILDREN, AND COERCION OF INVOLUNTARY~~  
20 ~~SERVITUDE~~ AND ESTABLISHES CRIMINAL  
21 PENALTIES FOR ~~THESE OFFENSES~~ OFFENDERS.

22 FINES OR IMPRISONMENT MAY BE IMPOSED BY  
23 THE COURTS FOR VIOLATION OF THESE  
24 PROVISIONS UNDER ARTICLE 48.5 OF TITLE 12,  
25 COLORADO REVISED STATUTES.

26 **SECTION 7.** In Colorado Revised Statutes, **amend** 13-21-127 as  
27 follows:



1           **13-21-127. Civil damages for human trafficking and**  
2 **involuntary servitude.** (1) IN ADDITION TO ALL OTHER REMEDIES, a  
3 **person** VICTIM, AS DEFINED IN SECTION 18-3-502 (12), C.R.S., is entitled  
4 to recover damages ~~and to obtain injunctive relief from~~ PROXIMATELY  
5 CAUSED BY any person who commits ~~trafficking in adults, as described in~~  
6 ~~section 18-3-501, C.R.S.; trafficking in children, as described in section~~  
7 ~~18-3-502, C.R.S.; or coercion of involuntary servitude, as described in~~  
8 ~~section 18-3-503, C.R.S.~~ HUMAN TRAFFICKING FOR INVOLUNTARY  
9 SERVITUDE, AS DESCRIBED IN SECTION 18-3-503, C.R.S., OR HUMAN  
10 TRAFFICKING FOR SEXUAL SERVITUDE, AS DESCRIBED IN SECTION  
11 18-3-504, C.R.S.

12           (2) A conviction for ~~trafficking in adults, as described in section~~  
13 ~~18-3-501, C.R.S.; trafficking in children, as described in section~~  
14 ~~18-3-502, C.R.S.; or coercion of involuntary servitude, as described in~~  
15 ~~section 18-3-503, C.R.S., shall~~ HUMAN TRAFFICKING FOR INVOLUNTARY  
16 SERVITUDE, AS DESCRIBED IN SECTION 18-3-503, C.R.S., OR HUMAN  
17 TRAFFICKING FOR SEXUAL SERVITUDE, AS DESCRIBED IN SECTION  
18 18-3-504, C.R.S., IS not be a condition precedent to maintaining a civil  
19 action pursuant to the provisions of this section. 18-3-504, C.R.S., shall  
20 not be a condition precedent to maintaining a civil action pursuant to the  
21 provisions of this section.

22           **SECTION 8.** In Colorado Revised Statutes, 13-25-129.5, **amend**  
23 (2) (b) (IX) as follows:

24           **13-25-129.5. Statements of persons with intellectual and**  
25 **developmental disabilities - hearsay exception.** (2) (b) The exception  
26 described in paragraph (a) of this subsection (2) applies to an out-of-court  
27 statement made by a person with a developmental disability, which

1 statement describes all or part of any of the following offenses:

2 (IX) HUMAN trafficking ~~in children~~ OF A MINOR FOR  
3 INVOLUNTARY SERVITUDE, AS DESCRIBED IN SECTION 18-3-503, C.R.S., OR  
4 HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE, as described  
5 in ~~section 18-3-502, C.R.S.~~ SECTION 18-3-504 (2), C.R.S.;

6 **SECTION 9.** In Colorado Revised Statutes, 14-10-129, **amend**  
7 (3) (b) (XI) as follows:

8 **14-10-129. Modification of parenting time.** (3) (b) The  
9 provisions of paragraph (a) of this subsection (3) shall apply to the  
10 following crimes:

11 (XI) HUMAN trafficking ~~in children~~ OF A MINOR FOR SEXUAL  
12 SERVITUDE, as ~~defined~~ DESCRIBED in ~~section 18-3-502, C.R.S.~~ SECTION  
13 18-3-504 (2), C.R.S.;

14 **SECTION 10.** In Colorado Revised Statutes, 16-8-115, **amend**  
15 (4) (g) (X) as follows:

16 **16-8-115. Release from commitment after verdict of not guilty**  
17 **by reason of insanity or not guilty by reason of impaired mental**  
18 **condition.** (4) (g) As used in this subsection (4), "an offense involving  
19 unlawful sexual behavior" means any of the following offenses:

20 (X) HUMAN trafficking ~~in children, in violation of section~~  
21 ~~18-3-502, C.R.S.~~ OF A MINOR FOR SEXUAL SERVITUDE, AS DESCRIBED IN  
22 SECTION 18-3-504 (2), C.R.S.;

23 **SECTION 11.** In Colorado Revised Statutes, 16-11.7-102,  
24 **amend** (3) (j) as follows:

25 **16-11.7-102. Definitions.** As used in this article, unless the  
26 context otherwise requires:

27 (3) "Sex offense" means any felony or misdemeanor offense

1 described in this subsection (3) as follows:

2 (j) ~~HUMAN trafficking in children, in violation of section~~  
3 ~~18-3-502, C.R.S.~~ OF A MINOR FOR SEXUAL SERVITUDE, AS DESCRIBED IN  
4 SECTION 18-3-504 (2), C.R.S.;

5 **SECTION 12.** In Colorado Revised Statutes, 16-13-303, **amend**  
6 (1) (a) as follows:

7 **16-13-303. Class 1 public nuisance.** (1) Every building or part  
8 of a building including the ground upon which it is situate and all fixtures  
9 and contents thereof, every vehicle, and any real property shall be deemed  
10 a class 1 public nuisance when:

11 (a) Used as a public or private place of prostitution or used as a  
12 place where the commission of soliciting for prostitution, as defined in  
13 section 18-7-202, C.R.S.; pandering, as defined in section 18-7-203,  
14 C.R.S.; keeping a place of prostitution, as defined in section 18-7-204,  
15 C.R.S.; pimping, as defined in section 18-7-206, C.R.S.; ~~trafficking in~~  
16 ~~adults, as defined in section 18-3-501, C.R.S.; trafficking in children, as~~  
17 ~~defined in section 18-3-502, C.R.S.; or coercion of involuntary servitude,~~  
18 ~~as defined in section 18-3-503, C.R.S.~~ HUMAN TRAFFICKING, AS  
19 DESCRIBED IN SECTION 18-3-503 OR 18-3-504, C.R.S.; occurs;

20 **SECTION 13.** In Colorado Revised Statutes, 16-22-102, **amend**  
21 (9) (j) as follows:

22 **16-22-102. Definitions.** As used in this article, unless the context  
23 otherwise requires:

24 (9) "Unlawful sexual behavior" means any of the following  
25 offenses or criminal attempt, conspiracy, or solicitation to commit any of  
26 the following offenses:

27 (j) ~~HUMAN trafficking in children, in violation of section~~

1 ~~18-3-502, C.R.S.~~ OF A MINOR FOR SEXUAL SERVITUDE, AS DESCRIBED IN  
2 SECTION 18-3-504 (2), C.R.S.;

3 **SECTION 14.** In Colorado Revised Statutes, 16-22-108, **amend**  
4 (2.5) (c) as follows:

5 **16-22-108. Registration - procedure - frequency - place -**  
6 **change of address - fee.** (2.5) (c) For purposes of this section, "child sex  
7 crime" means sexual assault on a child, as described in section 18-3-405,  
8 C.R.S.; sexual assault on a child by one in a position of trust, as described  
9 in section 18-3-405.3, C.R.S.; unlawful sexual contact, as described in  
10 section 18-3-404 (1.5), C.R.S.; enticement of a child, as described in  
11 section 18-3-305, C.R.S.; aggravated incest, as described in section  
12 18-6-302 (1) (b), C.R.S.; ~~HUMAN trafficking in children, as described in~~  
13 ~~section 18-3-502, C.R.S.~~ OF A MINOR FOR SEXUAL SERVITUDE, AS  
14 DESCRIBED IN SECTION 18-3-504 (2), C.R.S.; sexual exploitation of  
15 children, as described in section 18-6-403, C.R.S.; procurement of a child  
16 for sexual exploitation, as described in section 18-6-404, C.R.S.;  
17 soliciting for child prostitution, as described in section 18-7-402, C.R.S.;  
18 pandering of a child, as described in section 18-7-403, C.R.S.;  
19 procurement of a child, as described in section 18-7-403.5, C.R.S.;  
20 keeping a place of child prostitution, as described in section 18-7-404,  
21 C.R.S.; pimping of a child, as described in section 18-7-405, C.R.S.;  
22 inducement of child prostitution, as described in section 18-7-405.5,  
23 C.R.S.; patronizing a prostituted child, as described in section 18-7-406,  
24 C.R.S.; internet luring of a child, as described in section 18-3-306,  
25 C.R.S.; internet sexual exploitation of a child, as described in section  
26 18-3-405.4, C.R.S.; wholesale promotion of obscenity to a minor, as  
27 described in section 18-7-102 (1.5), C.R.S.; promotion of obscenity to a

1 minor, as described in section 18-7-102 (2.5), C.R.S.; sexual assault, as  
2 described in section 18-3-402 (1) (d) and (1) (e), C.R.S.; sexual assault in  
3 the second degree as it existed prior to July 1, 2000, as described in  
4 section 18-3-403 (1) (e) and (1) (e.5), C.R.S.; or criminal attempt,  
5 conspiracy, or solicitation to commit any of the acts specified in this  
6 paragraph (c).

7 **SECTION 15.** In Colorado Revised Statutes, 18-1.3-602, **amend**  
8 (4) (e) as follows:

9 **18-1.3-602. Definitions.** As used in this part 6, unless the context  
10 otherwise requires:

11 (4) (e) Notwithstanding any other provision of this section,  
12 "victim" includes a person less than eighteen years of age who has been  
13 trafficked by an offender, as described in ~~section 18-3-502, or coerced~~  
14 ~~into involuntary servitude, as described in~~ section 18-3-503 OR 18-3-504.

15 **SECTION 16.** In Colorado Revised Statutes, 18-3-411, **amend**  
16 (1) as follows:

17 **18-3-411. Sex offenses against children - "unlawful sexual**  
18 **offense" defined - limitation for commencing proceedings - evidence**  
19 **- statutory privilege.** (1) As used in this section, "unlawful sexual  
20 offense" means enticement of a child, as described in section 18-3-305,  
21 sexual assault, as described in section 18-3-402, when the victim at the  
22 time of the commission of the act is a child less than fifteen years of age,  
23 sexual assault in the first degree, as described in section 18-3-402, as it  
24 existed prior to July 1, 2000, when the victim at the time of the  
25 commission of the act is a child less than fifteen years of age; sexual  
26 assault in the second degree, as described in section 18-3-403 (1) (a), (1)  
27 (b), (1) (c), (1) (d), (1) (g), or (1) (h), as it existed prior to July 1, 2000,

1 when the victim at the time of the commission of the act is a child less  
2 than fifteen years of age, or as described in section 18-3-403 (1) (e), as it  
3 existed prior to July 1, 2000, when the victim is less than fifteen years of  
4 age and the actor is at least four years older than the victim; unlawful  
5 sexual contact, as described in section 18-3-404 (1) (a), (1) (b), (1) (c), (1)  
6 (d), (1) (f), or (1) (g), when the victim at the time of the commission of  
7 the act is a child less than fifteen years of age; sexual assault in the third  
8 degree, as described in section 18-3-404 (1) (a), (1) (b), (1) (c), (1) (d),  
9 (1) (f), or (1) (g), as it existed prior to July 1, 2000, when the victim at the  
10 time of the commission of the act is a child less than fifteen years of age;  
11 sexual assault on a child, as described in section 18-3-405; sexual assault  
12 on a child by one in a position of trust, as described in section 18-3-405.3;  
13 aggravated incest, as described in section 18-6-302; HUMAN trafficking  
14 ~~in children, as described in section 18-3-502~~ OF A MINOR FOR SEXUAL  
15 SERVITUDE, AS DESCRIBED IN SECTION 18-3-504 (2), C.R.S.; sexual  
16 exploitation of a child, as described in section 18-6-403; procurement of  
17 a child for sexual exploitation, as described in section 18-6-404; indecent  
18 exposure, as described in section 18-7-302, soliciting for child  
19 prostitution, as described in section 18-7-402; pandering of a child, as  
20 described in section 18-7-403; procurement of a child, as described in  
21 section 18-7-403.5; keeping a place of child prostitution, as described in  
22 section 18-7-404; pimping of a child, as described in section 18-7-405;  
23 inducement of child prostitution, as described in section 18-7-405.5;  
24 patronizing a prostituted child, as described in section 18-7-406; class 4  
25 felony internet luring of a child, as described in section 18-3-306 (3);  
26 internet sexual exploitation of a child, as described in section 18-3-405.4;  
27 or criminal attempt, conspiracy, or solicitation to commit any of the acts

1 specified in this subsection (1).

2 **SECTION 17.** In Colorado Revised Statutes, 18-3-412, **amend**  
3 (1) as follows:

4 **18-3-412. Habitual sex offenders against children - indictment**  
5 **or information - verdict of the jury.** (1) For the purpose of this section,  
6 "unlawful sexual offense" means sexual assault, as described in section  
7 18-3-402, when the victim at the time of the commission of the act is a  
8 child less than fifteen years of age, sexual assault in the first degree, as  
9 described in section 18-3-402, as it existed prior to July 1, 2000, when the  
10 victim at the time of the commission of the act is a child less than fifteen  
11 years of age; sexual assault in the second degree, as described in section  
12 18-3-403 (1) (a), (1) (b), (1) (c), (1) (d), (1) (g), or (1) (h), as it existed  
13 prior to July 1, 2000, when the victim at the time of the commission of the  
14 act is a child less than fifteen years of age, or as described in section  
15 18-3-403 (1) (e), as it existed prior to July 1, 2000, when the victim is less  
16 than fifteen years of age and the actor is at least four years older than the  
17 victim; unlawful sexual contact, as described in section 18-3-404 (1) (a),  
18 (1) (b), (1) (c), (1) (d), (1) (f), or (1) (g), when the victim at the time of  
19 the commission of the act is a child less than fifteen years of age; sexual  
20 assault in the third degree, as described in section 18-3-404 (1) (a), (1)  
21 (b), (1) (c), (1) (d), (1) (f), or (1) (g), as it existed prior to July 1, 2000,  
22 when the victim at the time of the commission of the act is a child less  
23 than fifteen years of age; sexual assault on a child, as described in section  
24 18-3-405; sexual assault on a child by one in a position of trust, as  
25 described in section 18-3-405.3; aggravated incest, as described in section  
26 18-6-302; ~~HUMAN trafficking in children, as described in section 18-3-502~~  
27 ~~OF A MINOR FOR SEXUAL SERVITUDE, AS DESCRIBED IN SECTION 18-3-504~~

1 (2), C.R.S.; sexual exploitation of a child, as described in section  
2 18-6-403; procurement of a child for sexual exploitation, as described in  
3 section 18-6-404; soliciting for child prostitution, as described in section  
4 18-7-402; pandering of a child, as described in section 18-7-403;  
5 procurement of a child, as described in section 18-7-403.5; keeping a  
6 place of child prostitution, as described in section 18-7-404; pimping of  
7 a child, as described in section 18-7-405; inducement of child  
8 prostitution, as described in section 18-7-405.5; patronizing a prostituted  
9 child, as described in section 18-7-406; or criminal attempt, conspiracy,  
10 or solicitation to commit any of the acts specified in this subsection (1).

11 **SECTION 18.** In Colorado Revised Statutes, 18-17-103, **amend**  
12 (5) (b) (I) as follows:

13 **18-17-103. Definitions.** As used in this article, unless the context  
14 otherwise requires:

15 (5) "Racketeering activity" means to commit, to attempt to  
16 commit, to conspire to commit, or to solicit, coerce, or intimidate another  
17 person to commit:

18 (b) Any violation of the following provisions of the Colorado  
19 statutes or any criminal act committed in any jurisdiction of the United  
20 States which, if committed in this state, would be a crime under the  
21 following provisions of the Colorado statutes:

22 (I) Offenses against the person, as defined in sections 18-3-102  
23 (first degree murder), 18-3-103 (second degree murder), 18-3-104  
24 (manslaughter), 18-3-202 (first degree assault), 18-3-203 (second degree  
25 assault), 18-3-204 (third degree assault), 18-3-206 (menacing), 18-3-207  
26 (criminal extortion), 18-3-301 (first degree kidnapping), 18-3-302  
27 (second degree kidnapping), ~~18-3-501 (trafficking in adults), 18-3-502~~



1 (~~trafficking in children~~), and ~~18-3-503 (coercion of involuntary servitude)~~  
2 18-3-503 (HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE), AND  
3 18-3-504 (HUMAN TRAFFICKING FOR SEXUAL SERVITUDE);

4 **SECTION 19.** In Colorado Revised Statutes, 18-24-101, **amend**  
5 (2) (g) as follows:

6 **18-24-101. Definitions.** As used in this article, unless the context  
7 otherwise requires:

8 (2) "Crime against a child" means any offense listed in section  
9 18-3-411, or criminal attempt, conspiracy, or solicitation to commit any  
10 of those offenses, and any of the following offenses, or criminal attempt,  
11 conspiracy, or solicitation to commit any of the following offenses:

12 (g) ~~Coercion of involuntary servitude~~ HUMAN TRAFFICKING OF A  
13 MINOR FOR INVOLUNTARY SERVITUDE, in violation of section 18-3-503.  
14 ~~when the victim is a child.~~

15 **SECTION 20.** In Colorado Revised Statutes, 19-1-306, **amend**  
16 (5) (d) (I) as follows:

17 **19-1-306. Expungement of juvenile delinquent records.**

18 (5) (d) The court shall order expunged all records in the custody of the  
19 court and any records in the custody of any other agency or official that  
20 pertain to the petitioner's conviction for prostitution, as described in  
21 section 18-7-201, C.R.S.; soliciting for prostitution, as described in  
22 section 18-7-202, C.R.S.; keeping a place of prostitution, as described in  
23 section 18-7-204, C.R.S.; public indecency, as described in section  
24 18-7-301, C.R.S.; soliciting for child prostitution, as described in section  
25 18-7-402, C.R.S.; or any corresponding municipal code or ordinance if,  
26 at the hearing, the court finds that the petitioner who is the subject of the  
27 hearing has established by a preponderance of the evidence that, at the

1 time he or she committed the offense, he or she:

2 (I) Had been ~~sold, exchanged, bartered, or leased~~ TRAFFICKED by  
3 another person, as described in ~~section 18-3-501 or 18-3-502, C.R.S.~~  
4 SECTION 18-3-503 OR 18-3-504, C.R.S., for the purpose of performing the  
5 offense; or

6 **SECTION 21.** In Colorado Revised Statutes, 22-31-107, **amend**  
7 (5) (b) as follows:

8 **22-31-107. Candidates for school director - call - qualification**  
9 **- nomination.** (5) (b) For purposes of this subsection (5), "sexual offense  
10 against a child" means any of the offenses described in sections 18-3-305,  
11 18-3-405, 18-3-405.3, ~~18-3-502~~ 18-3-504 (2), 18-6-301, 18-6-302,  
12 18-6-403, 18-6-404, and 18-7-402 to 18-7-406, C.R.S., and any of the  
13 offenses described in sections 18-3-402 to 18-3-404 and 18-7-302,  
14 C.R.S., where the victim is less than eighteen years of age. "Sexual  
15 offense against a child" also means attempt, solicitation, or conspiracy to  
16 commit any of the offenses specified in this paragraph (b).

17 **SECTION 22.** In Colorado Revised Statutes, 24-4.1-302, **amend**  
18 (1) (ii) as follows:

19 **24-4.1-302. Definitions.** As used in this part 3, and for no other  
20 purpose, including the expansion of the rights of any defendant:

21 (1) "Crime" means any of the following offenses, acts, and  
22 violations as defined by the statutes of the state of Colorado, whether  
23 committed by an adult or a juvenile:

24 (ii) HUMAN trafficking ~~in adults~~, in violation of ~~section 18-3-501,~~  
25 ~~C.R.S.; or trafficking in children, in violation of section 18-3-502, C.R.S.~~  
26 SECTION 18-3-503 OR 18-3-504, C.R.S.;

27 **SECTION 23.** In Colorado Revised Statutes, 24-4.2-104, **amend**

1 (1) (a) (II) (B) as follows:

2 **24-4.2-104. Surcharges levied on criminal actions and traffic**  
3 **offenses.** (1) (a) (II) (B) The surcharge in sub-subparagraph (A) of this  
4 subparagraph (II) shall apply to charges brought pursuant to the following  
5 sections: 18-3-305, 18-3-402, 18-3-403, as it existed prior to July 1, 2000,  
6 18-3-404, 18-3-405, 18-3-405.3, 18-3-405.5, ~~18-3-502~~ 18-3-503,  
7 18-3-504, 18-6-301, 18-6-302, 18-6-403, 18-6-404, 18-7-302, 18-7-402,  
8 18-7-405, 18-7-405.5, and 18-7-406, C.R.S., or any attempt to commit  
9 any of these crimes.

10 **SECTION 24.** In Colorado Revised Statutes, 24-72-308.7,  
11 **amend** (2) (a) (II) (C) as follows:

12 **24-72-308.7. Sealing of criminal conviction records**  
13 **information for offenses committed by victims of human trafficking.**

14 (2) **Sealing of conviction records.** (a) (II) If a petition is filed pursuant  
15 to subparagraph (I) of this paragraph (a) for the sealing of a record of  
16 conviction for prostitution, as described in section 18-7-201, C.R.S.;  
17 soliciting for prostitution, as described in section 18-7-202, C.R.S.;  
18 keeping a place of prostitution, as described in section 18-7-204, C.R.S.;  
19 or public indecency, as described in section 18-7-301, C.R.S., the court  
20 shall order the record sealed after:

21 (C) The defendant establishes by a preponderance of the evidence  
22 that, at the time he or she committed the offense, he or she had been ~~sold,~~  
23 ~~exchanged, bartered, or leased~~ TRAFFICKED by another person, as  
24 described in section ~~18-3-501 or 18-3-502~~ 18-3-503 OR 18-3-504, C.R.S.,  
25 for the purpose of performing the offense, or he or she was coerced by  
26 another person, as described in section 18-3-503, C.R.S., to perform the  
27 offense.

1           **SECTION 25. Potential appropriation.** Pursuant to section  
2           2-2-703, Colorado Revised Statutes, any bill that results in a net increase  
3           in periods of imprisonment in the state correctional facilities must include  
4           an appropriation of moneys that is sufficient to cover any increased  
5           capital construction and operational costs for the first five fiscal years in  
6           which there is a fiscal impact. Because this act may increase periods of  
7           imprisonment, this act may require a five-year appropriation.

8           **SECTION 26. Effective date - applicability.** This act takes  
9           effect July 1, 2014, and applies to offenses committed on or after said  
10          date.

11          **SECTION 27. 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.