

**UPDATED SUMMARY
SENATE BILL 15-030**

First Regular Session - Seventieth Colorado General Assembly

This summary applies to the reengrossed version of this bill as introduced in the second house. It does not reflect any amendments that may be subsequently adopted. This summary reflects only the main points of the legislation.

The bill creates an affirmative defense to the crime of prostitution on or after July 1, 2015, if the person committed the act as a direct result of being a victim of human trafficking. *To assert the affirmative defense, the person charged with the offense must demonstrate by a preponderance of the evidence that he or she was a victim of human trafficking at the time of the offense.*

On or after January 1, 2016, a person charged with or convicted of prostitution before July 1, 2015, may petition to have the court vacate seal his or her record of any conviction for that offense. A juvenile charged with or adjudicated of prostitution may apply to the court for expungement of his or her record. The court may grant the motion upon a finding that the ~~defendant's~~ *person's* participation in the offense was a direct result of being a victim of human trafficking.

The court may at any time issue a protective order concerning protecting the confidentiality of the person asserting the affirmative defense.

The bill directs the human trafficking council to perform a post-enactment review of the provisions of the bill and report its findings to the judiciary committees of the house of representatives and the senate.