

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

INTRODUCED

LLS NO. 01-0803.01 Michael Dohr

HOUSE BILL 01-1316

HOUSE SPONSORSHIP

Garcia, Borodkin, Boyd, Mace, Stafford, and Williams S.

SENATE SPONSORSHIP

(None),

House Committees
Criminal Justice

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MANDATORY REPORTING OF ABUSE OF AT-RISK ADULTS.**

Bill Summary

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

Requires, rather than urges, persons in certain professions and occupations to report mistreatment or self-neglect of at-risk adults.

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

2 **SECTION 1.** 26-3.1-102 (1) (a), the introductory portion to

3 26-3.1-102 (1) (b), and 26-3.1-102 (1) (c), Colorado Revised Statutes, are

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 amended to read:

2 **26-3.1-102. Reporting requirements.** (1)(a) An immediate oral
3 report of abuse ~~should~~ SHALL be made or caused to be made within
4 twenty-four hours to the county department or during non-business hours
5 to a local law enforcement agency responsible for investigating violations
6 of state criminal laws protecting at-risk adults by any person specified in
7 paragraph (b) of this subsection (1) who has observed the mistreatment or
8 self-neglect of an at-risk adult or who has reasonable cause to believe that
9 an at-risk adult has been mistreated or is self-neglected and is at imminent
10 risk of mistreatment or self-neglect.

11 (b) The following persons ~~are urged to~~ SHALL make or initiate an
12 initial oral report within twenty-four hours followed by a written report
13 within forty-eight hours:

14 (c) In addition to those persons ~~urged~~ REQUIRED by this subsection
15 (1) to report known or suspected mistreatment or self-neglect of an at-risk
16 adult and circumstances or conditions which might reasonably result in
17 mistreatment or self-neglect, any other person may report such known or
18 suspected mistreatment or self-neglect and circumstances or conditions
19 which might reasonably result in mistreatment or self-neglect of an at-risk
20 adult to the local law enforcement agency or the county department.
21 Upon receipt of such report, the receiving agency shall prepare a written
22 report within forty-eight hours.

23 **SECTION 2. Effective date.** This act shall take effect at 12:01
24 a.m. on the day following the expiration of the ninety-day period after
25 final adjournment of the general assembly that is allowed for submitting
26 a referendum petition pursuant to article V, section 1 (3) of the state
27 constitution; except that, if a referendum petition is filed against this act

1 or an item, section, or part of this act within such period, then the act,
2 item, section, or part, if approved by the people, shall take effect on the
3 date of the official declaration of the vote thereon by proclamation of the
4 governor.