

First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 07-0463.01 Michael Dohr

HOUSE BILL 07-1179

HOUSE SPONSORSHIP

Balmer,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING RESTRICTIONS ON SEX OFFENDERS RELATED TO
102 LOCATIONS LIKELY TO CONTAIN CHILDREN.

Bill Summary

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

Prohibits a sexually violent predator, a person convicted of 2 or more sex offenses requiring registration, or a person convicted of a sex offense, the victim of which was a child, from living or working within 1,000 feet of a school, day care center, or playground. Punishes a violation as a class 1 misdemeanor, and subjects the sex offender to the sex offender surcharge. Permits a local government to impose more restrictive standards.

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.** Part 4 of article 3 of title 18, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **18-3-417. Sex offender - residence and work restrictions.**

6 (1) (a) A PERSON DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (1)
7 SHALL NOT KNOWINGLY RESIDE OR WORK WITHIN ONE THOUSAND FEET OF
8 THE PROPERTY ON WHICH A PUBLIC SCHOOL, NONPUBLIC SCHOOL,
9 LICENSED CHILD CARE CENTER AS DEFINED IN SECTION 26-6-102 (1.5),
10 C.R.S., OR PLAYGROUND IS LOCATED.

11 (b) THE PROVISIONS OF THIS SECTION SHALL APPLY TO:

12 (I) A SEXUALLY VIOLENT PREDATOR AS DEFINED IN SECTION
13 18-3-414.5;

14 (II) A PERSON SENTENCED AS OR FOUND TO BE A SEXUALLY
15 VIOLENT PREDATOR OR SIMILAR OFFENDER UNDER THE LAWS OF ANOTHER
16 STATE OR JURISDICTION;

17 (III) A PERSON CONVICTED OF TWO OR MORE OFFENSES REQUIRING
18 REGISTRATION PURSUANT TO SECTION 16-22-103, C.R.S.; AND

19 (IV) A PERSON CONVICTED OF AN OFFENSE REQUIRING
20 REGISTRATION PURSUANT TO SECTION 16-22-103, C.R.S., THE VICTIM OF
21 WHICH WAS A CHILD.

22 (2) A VIOLATION OF SUBSECTION (1) OF THIS SECTION IS A CLASS
23 1 MISDEMEANOR.

24 (3) THE PROVISIONS OF THIS SECTION SHALL NOT PROHIBIT A
25 LOCAL GOVERNMENT FROM ADOPTING MORE RESTRICTIVE PROVISIONS
26 CONCERNING THE RIGHT OF A PERSON IDENTIFIED IN SUBSECTION (1) OF

1 THIS SECTION TO RESIDE OR WORK IN A SPECIFIED AREA.

2 **SECTION 2.** 16-11.7-102 (3) (v) and (3) (w), Colorado Revised
3 Statutes, are amended, and the said 16-11.7-102 (3) is further amended
4 BY THE ADDITION OF A NEW PARAGRAPH, to read:

5 **16-11.7-102. Definitions.** As used in this article, unless the
6 context otherwise requires:

7 (3) "Sex offense" means ~~any~~ A felony or misdemeanor offense
8 described in this subsection (3), as follows:

9 (v) Class 4 felony internet luring of a child, in violation of section
10 18-3-306 (3), C.R.S.; ~~or~~

11 (w) Internet sexual exploitation of a child in violation of section
12 18-3-405.4, C.R.S.; OR

13 (x) SEX OFFENDER RESIDENTIAL AND WORK RESTRICTIONS, IN
14 VIOLATION OF SECTION 18-3-417, C.R.S.

15 **SECTION 3. Effective date - applicability.** This act shall take
16 effect July 1, 2007, and shall apply to offenses committed on or after said
17 date.

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