

**First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 15-0597.01 Jane Ritter x4342

**HOUSE BILL 15-1019**

---

**HOUSE SPONSORSHIP**

**Lundeen,**

**SENATE SPONSORSHIP**

**(None),**

---

**House Committees**

Judiciary  
Appropriations

**Senate Committees**

---

**A BILL FOR AN ACT**

101      **CONCERNING PROSTITUTION BY A MINOR, AND, IN CONNECTION**  
102              **THEREWITH, MINORS WHO ARE VICTIMS OF HUMAN**  
103              **TRAFFICKING.**

---

**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/bills summaries>.)*

The bill establishes immunity for a minor who is charged with prostitution. Law enforcement is required to take a minor suspected of prostitution into temporary protective custody as an abused child, transport the minor to the appropriate county department of human or social services (county department), and report the minor as abused. The

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.*

county department shall immediately conduct a health, risk, and safety assessment on the minor to determine appropriate services and placement for the minor.

The bill creates an affirmative defense to prostitution by a minor if the minor is a victim of human trafficking for the purpose of the offense.

The bill clarifies that a claimant whose claim is based on the fact that he or she was a victim of human trafficking may be awarded compensation pursuant to the "Colorado Crime Victim Compensation Act".

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-3-505, **amend** (4)

3 (a); and **add** (4) (a.5) as follows:

4 **18-3-505. Human trafficking council - created - duties - repeal.**

5 (4) The council shall hold its first meeting on or before November 1,  
6 2014, at a time and place to be designated by the executive director of the  
7 department of public safety, or by his or her designee. The council shall  
8 meet at least four times each year and shall carry out the following duties:

9 (a) On or before January 1, 2016, make recommendations to the  
10 judiciary committees of the house of representatives and senate, or any  
11 successor committees, concerning:

12 (I) Whether the general assembly should establish standards and  
13 a process for the certification of organizations that provide services to  
14 victims of human trafficking; **and**

15 (II) Whether the general assembly should establish a grant  
16 program ~~to which~~ FOR organizations that provide services to victims of  
17 human trafficking, ~~may apply for grant~~, including consideration of how  
18 such a grant program may be funded; **AND**

19 (III) **WHETHER THE GENERAL ASSEMBLY SHOULD ENACT**  
20 **LEGISLATION CONCERNING:**

1 (A) THE PROSECUTION OF OR GRANTING OF IMMUNITY TO A CHILD  
2 VICTIM OF COMMERCIAL SEXUAL EXPLOITATION FOR OFFENSES RELATED  
3 TO THAT EXPLOITATION;

4 (B) THE CREATION OF OTHER LEGAL PROTECTIONS, INCLUDING  
5 STATUTORY DEFENSES FOR CHILD VICTIMS OF COMMERCIAL SEXUAL  
6 EXPLOITATION FOR OFFENSES RELATED TO THAT EXPLOITATION AND THE  
7 CREATION OF ANY NECESSARY CHANGES TO TITLE 19, C.R.S., TO  
8 IMPLEMENT THOSE LEGAL PROTECTIONS OR DEFENSES; OR

9 (C) STANDARDS, GUIDELINES, OR MANDATES REGARDING THE  
10 APPROPRIATE ASSESSMENT, PLACEMENT, AND TREATMENT OF CHILD  
11 VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION THROUGH TITLE 19,  
12 C.R.S., INCLUDING BUT NOT LIMITED TO THE USE OF LOCKED PLACEMENT.

13 (a.5) THE RECOMMENDATIONS SUBMITTED PURSUANT TO  
14 PARAGRAPH (a) OF THIS SUBSECTION (4) MUST INCLUDE A FULL  
15 EXPLANATION OF EACH RECOMMENDATION WITH A DISCUSSION OF THE  
16 BENEFITS OF EACH RECOMMENDATION, ANY PROBLEMS THAT MIGHT BE  
17 ENCOUNTERED, AND HOW THOSE PROBLEMS, IF ANY, MIGHT BE MITIGATED.

18 **SECTION 2. Act subject to petition - effective date.** This act  
19 takes effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly  
21 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,  
22 if a referendum petition is filed pursuant to section 1 (3) of article V of  
23 the state constitution against this act or an item, section, or part of this act  
24 within such period, then the act, item, section, or part will not take effect  
25 unless approved by the people at the general election to be held in  
26 November 2016 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.