

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 15-0342.01 Jane Ritter x4342

**HOUSE BILL 15-1078**

**HOUSE SPONSORSHIP**

**Nordberg and McCann,**

**SENATE SPONSORSHIP**

**Jahn and Woods,**

**House Committees**

Public Health Care & Human Services

**Senate Committees**

Health & Human Services

**A BILL FOR AN ACT**

101 **CONCERNING IMMEDIATE REPORTING OF MISSING CHILDREN WHO ARE**  
102 **IN THE CUSTODY OF A STATE AGENCY TO LAW ENFORCEMENT**  
103 **FOR INCLUSION IN NATIONAL CRIME DATABASES.**

**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 requires the state department of human services or a county department of human or social services that has legal custody of a child or youth to report the child's or youth's disappearance to the National Center for Missing and Exploited Children and to law enforcement immediately, or no later than 24 hours after learning of 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.*

SENATE  
3rd Reading Unamended  
March 11, 2015

SENATE  
2nd Reading Unamended  
March 10, 2015

HOUSE  
3rd Reading Unamended  
February 10, 2015

HOUSE  
Amended 2nd Reading  
February 9, 2015

disappearance, for entry into the national crime information center database.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 19-1-115.3 as  
3 follows:

4 **19-1-115.3. Missing children and youth from out-of-home**  
5 **placement - required reporting to law enforcement.** IF A CHILD OR  
6 YOUTH FOR WHOM THE DEPARTMENT OF HUMAN SERVICES OR A COUNTY  
7 DEPARTMENT OF HUMAN OR SOCIAL SERVICES HAS LEGAL CUSTODY  
8 PURSUANT TO THE PROVISIONS OF THIS TITLE IS DETERMINED BY THE  
9 AGENCY TO BE MISSING, THE AGENCY HAVING LEGAL CUSTODY OF SAID  
10 CHILD OR YOUTH SHALL REPORT THE DISAPPEARANCE IMMEDIATELY, AND  
11 IN NO CASE LATER THAN TWENTY-FOUR HOURS AFTER LEARNING OF THE  
12 DISAPPEARANCE, TO THE NATIONAL CENTER FOR MISSING AND  
13 EXPLOITED CHILDREN AND TO LAW ENFORCEMENT. LAW ENFORCEMENT  
14 AUTHORITIES SHALL NOTIFY THE COLORADO BUREAU OF INVESTIGATION  
15 FOR TRANSMISSION TO THE FEDERAL BUREAU OF INVESTIGATION FOR  
16 ENTRY INTO THE NATIONAL CRIME INFORMATION CENTER DATABASE  
17 PURSUANT TO SECTION 16-2.7-103, C.R.S. NOTWITHSTANDING THE  
18 PROVISIONS OF THIS SECTION, THE REPORTING REQUIREMENTS SET FORTH  
19 FOR FOSTER PARENTS AND OUT-OF-HOME PLACEMENT FACILITIES IN  
20 SECTION 19-2-920 SHALL STILL APPLY.

21 **SECTION 2.** In Colorado Revised Statutes, **amend** 16-2.7-103  
22 as follows:

23 **16-2.7-103. Missing person reports - response.** (1) Upon  
24 receiving a report of a missing person, a law enforcement agency shall  
25 assess the information received from the reporting person and other

1 available information. The law enforcement agency shall then determine  
2 the best course of action based on the circumstances.

3 (2) (a) If the missing person is eighteen years of age or older and  
4 has allegedly been missing for twenty-four hours or more, ~~such~~ THE  
5 APPROPRIATE COURSE OF action ~~shall include~~ INCLUDES entry of relevant  
6 information into state and national databases and appropriate  
7 communications with other law enforcement agencies that may assist in  
8 locating the missing person.

9 (b) (I) If the missing person is under eighteen years of age, the law  
10 enforcement agency shall, within twenty-four hours after receiving the  
11 report, notify the Colorado bureau of investigation pursuant to section  
12 24-33.5-415.1 (3), C.R.S.; OR

13 (II) IF THE MISSING PERSON IS UNDER EIGHTEEN YEARS OF AGE AND  
14 UNDER THE LEGAL CUSTODY OF THE STATE DEPARTMENT OF HUMAN  
15 SERVICES OR A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES,  
16 THE LAW ENFORCEMENT AGENCY SHALL, WITHIN TWENTY-FOUR HOURS  
17 AFTER RECEIVING NOTIFICATION PURSUANT TO SECTION 19-1-115.3,  
18 C.R.S., NOTIFY THE COLORADO BUREAU OF INVESTIGATION FOR  
19 TRANSMISSION TO THE FEDERAL BUREAU OF INVESTIGATION FOR ENTRY  
20 INTO THE NATIONAL CRIME INFORMATION CENTER DATABASE.

21 **SECTION 3. Act subject to petition - effective date.** This act  
22 takes effect January 1, 2016; except that, if a referendum petition is filed  
23 pursuant to section 1 (3) of article V of the state constitution against this  
24 act or an item, section, or part of this act within the ninety-day period  
25 after final adjournment of the general assembly, then the act, item,  
26 section, or part will not take effect unless approved by the people at the

1 general election to be held in November 2016 and, in such case, will take  
2 effect on the date of the official declaration of the vote thereon by the  
3 governor.