

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0912.01 Jane Ritter x4342

HOUSE BILL 24-1261

HOUSE SPONSORSHIP

Bottoms,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CREATION OF THE "BATTLING TO RESTORE, ADVOCATE,
102 AND VANQUISH EXPLOITATION (BRAVE) ACT OF 2024".

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://leg.colorado.gov>.)

The bill establishes the "Battling to Restore, Advocate, and Vanquish Exploitation (BRAVE) Act of 2024" (BRAVE act). The purpose of the BRAVE act is to authorize qualified nonprofit organizations (nonprofits) that work to combat human trafficking in Colorado or provide aftercare services to survivors of human trafficking to initiate civil litigation against human traffickers. Nonprofits are given

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

legal standing in human trafficking cases in which they were involved. The office of the attorney general has the responsibility for purposes of notice and oversight. The Colorado human trafficking council is responsible for developing victim-centered and trauma-informed training. The bill creates the human trafficking prevention and aftercare services fund.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 13 to article
3 20 of title 13 as follows:

4 PART 13

5 ACTIONS FOR HUMAN TRAFFICKING

6 **13-20-1301. Short title.** THE SHORT TITLE OF THIS PART 13 IS THE
7 "COLORADO BRAVE ACT OF 2024" OR THE "COLORADO BATTLING TO
8 RESTORE, ADVOCATE, AND VANQUISH EXPLOITATION ACT OF 2024".

9 **13-20-1302. Legislative declaration.** (1) THE GENERAL
10 ASSEMBLY FINDS AND DECLARES THAT:

11 (a) HUMAN TRAFFICKING, BOTH FOR INVOLUNTARY AND SEXUAL
12 SERVITUDE, SEVERELY VIOLATES HUMAN RIGHTS AND DIGNITY. THIS
13 SCOURGE IMPACTS INDIVIDUALS AND COMMUNITIES ACROSS THE STATE
14 AND NECESSITATES A PROACTIVE AND CONCERTED RESPONSE.

15 (b) NONPROFIT ORGANIZATIONS PLAY A PIVOTAL ROLE IN
16 ADDRESSING HUMAN TRAFFICKING. THESE ENTITIES ARE OFTEN AT THE
17 FOREFRONT OF IDENTIFYING, SUPPORTING, AND ADVOCATING FOR
18 SURVIVORS OF HUMAN TRAFFICKING. THEY ALSO PLAY A CRUCIAL ROLE IN
19 RAISING AWARENESS ABOUT AND CONTRIBUTING TO THE PREVENTION OF
20 HUMAN TRAFFICKING.

21 (c) LEGALLY ENABLING AND EMPOWERING NONPROFIT
22 ORGANIZATIONS TO INITIATE CIVIL LITIGATION AGAINST PERPETRATORS OF

1 HUMAN TRAFFICKING CREATES A PARALLEL AVENUE FOR JUSTICE AND
2 REPARATIONS THAT SUPPLEMENTS THE CRIMINAL JUSTICE SYSTEM;

3 (d) ENCOURAGING A COMPREHENSIVE APPROACH TOWARD
4 COMBATING HUMAN TRAFFICKING THAT INCLUDES PREVENTION,
5 INTERVENTION, SURVIVOR SUPPORT, AND ACTIVE PROSECUTION OF
6 TRAFFICKERS HELPS FACILITATE COLLABORATION BETWEEN NONPROFIT
7 ORGANIZATIONS, LAW ENFORCEMENT, AND OTHER STAKEHOLDERS;

8 (e) SUPPORTING SURVIVORS OF HUMAN TRAFFICKING IN A VARIETY
9 OF WAYS IS CRUCIAL AND INCLUDES ENSURING ACCESS TO NECESSARY
10 SERVICES, PROTECTING SURVIVORS' RIGHTS AND DIGNITY, AND PROVIDING
11 AVENUES FOR SURVIVORS' VOICES AND EXPERIENCES TO INFLUENCE
12 POLICY AND PRACTICE;

13 (f) BY ALIGNING EXISTING COLORADO POLICIES AND LAWS THAT
14 ADDRESS HUMAN TRAFFICKING AND ENSURING A COHERENT AND UNIFIED
15 STATE RESPONSE, THIS PART 13 SEEKS TO STRENGTHEN EXISTING LEGAL
16 FRAMEWORKS, CLOSE GAPS IN ENFORCEMENT, AND PROVIDE ADDITIONAL
17 TOOLS TO COMBAT HUMAN TRAFFICKING;

18 (g) THE IMPORTANCE OF PUBLIC ENGAGEMENT AND EDUCATION IN
19 COMBATING HUMAN TRAFFICKING CANNOT BE UNDERSTATED. THIS PART
20 13 SEEKS TO FOSTER A BETTER-INFORMED PUBLIC THAT CAN IDENTIFY AND
21 RESPOND TO HUMAN TRAFFICKING SCENARIOS AND SUPPORT
22 COMMUNITY-BASED EFFORTS AGAINST HUMAN TRAFFICKING.

23 (h) ACCOUNTABILITY AND TRANSPARENCY IN ANY ACTIONS TAKEN
24 BY NONPROFIT ORGANIZATIONS IN COMBATING HUMAN TRAFFICKING IS
25 CRITICAL. THIS INCLUDES THE RESPONSIBLE USE OF LEGAL MECHANISMS
26 AND ENSURING THAT THE PURSUIT OF CIVIL LITIGATION RESPECTS THE
27 LEGAL RIGHTS OF ALL PARTIES INVOLVED.

1 (i) IT IS CRUCIAL TO CONTINUALLY EVALUATE AND MONITOR THE
2 IMPACT AND EFFECTIVENESS OF THIS PART 13, INCLUDING ITS
3 IMPLEMENTATION AND OUTCOMES, AND TO MAKE ANY NECESSARY
4 ADJUSTMENTS TO ENSURE IT MEETS ITS OBJECTIVES IN THE DYNAMIC
5 LANDSCAPE OF LAW ENFORCEMENT AND HUMAN RIGHTS ADVOCACY.

6 (2) THEREFORE, THE GENERAL ASSEMBLY RECOGNIZES THE
7 CRUCIAL ROLE PLAYED BY COLORADO NONPROFIT ORGANIZATIONS IN
8 SUPPORTING SURVIVORS OF HUMAN TRAFFICKING AND IN AIDING LAW
9 ENFORCEMENT IN EXPOSING HUMAN TRAFFICKING, AND DECLARES THAT
10 COLORADO NONPROFIT ORGANIZATIONS MUST BE EMPOWERED IN THE
11 BATTLE AGAINST HUMAN TRAFFICKING BY PROVIDING THOSE
12 ORGANIZATIONS WITH THE ABILITY TO INITIATE CIVIL ACTIONS AGAINST
13 HUMAN TRAFFICKERS.

14 **13-20-1303. Definitions.** AS USED IN THIS PART 13, UNLESS THE
15 CONTEXT OTHERWISE REQUIRES:

16 (1) "AFTERCARE SERVICES" MEANS SERVICES PROVIDED BY A
17 NONPROFIT ORGANIZATION TO SURVIVORS, INCLUDING, BUT NOT LIMITED
18 TO, COUNSELING, REHABILITATION, LEGAL ASSISTANCE, AND SUPPORT
19 WITH REINTEGRATION INTO SOCIETY.

20 (2) "CIVIL LITIGATION" OR "CIVIL ACTION" MEANS THE PROCESS OF
21 RESOLVING DISPUTES OR CLAIMS BETWEEN ENTITIES OR INDIVIDUALS IN A
22 COURT OF LAW, WHEREIN A NONPROFIT ORGANIZATION, AS SANCTIONED
23 PURSUANT TO THIS PART 13, MAY SEEK LEGAL REMEDIES AGAINST HUMAN
24 TRAFFICKERS.

25 (3) "COERCION" HAS THE SAME MEANING AS SET FORTH IN SECTION
26 18-3-502.

27 (4) "COMMERCIAL SEXUAL ACTIVITY" MEANS ANY SEX ACT, SEX

1 PERFORMANCE, OR SEX PRODUCTION FOR WHICH ANYTHING OF VALUE IS
2 GIVEN TO, PROMISED TO, OR RECEIVED BY A PERSON. A PERSON DOES NOT
3 NEED TO RECEIVE ANY OF THE PROCEEDS OF A COMMERCIAL SEXUAL
4 ACTIVITY TO BE INVOLVED IN COMMERCIAL SEXUAL ACTIVITY.

5 (5) "COUNCIL" MEANS THE COLORADO HUMAN TRAFFICKING
6 COUNCIL CREATED IN SECTION 18-3-505.

7 (6) "HUMAN TRAFFICKER" MEANS AN INDIVIDUAL, GROUP, OR
8 ENTITY THAT ENGAGES IN HUMAN TRAFFICKING ACTIVITIES AS DESCRIBED
9 IN SECTIONS 18-3-503 AND 18-3-504.

10 (7) "HUMAN TRAFFICKING" INCLUDES RECRUITMENT,
11 TRANSPORTATION, TRANSFER, HARBORING, OR RECEIPT OF PERSONS
12 THROUGH COERCION, ABDUCTION, FRAUD, DECEPTION, OR ABUSE OF
13 POWER FOR EXPLOITATION.

14 (8) "LEGAL STANDING" MEANS THE RIGHT OR CAPACITY OF A
15 NONPROFIT ORGANIZATION TO INITIATE LEGAL PROCEEDINGS PURSUANT
16 TO THIS PART 13 AGAINST ALLEGED HUMAN TRAFFICKERS BASED ON THE
17 NONPROFIT ORGANIZATION'S DIRECT INVOLVEMENT IN ANTI-TRAFFICKING
18 EFFORTS OR SURVIVOR ASSISTANCE.

19 (9) "NONPROFIT ORGANIZATION" MEANS AN ENTITY RECOGNIZED
20 AS A NONPROFIT ORGANIZATION PURSUANT TO THE "COLORADO REVISED
21 NONPROFIT CORPORATION ACT", ARTICLES 121 TO 137 OF TITLE 7, THAT
22 IS ACTIVELY ENGAGED IN ACTIVITIES RELATED TO COMBATING HUMAN
23 TRAFFICKING OR PROVIDING SUPPORT AND AFTERCARE SERVICES TO
24 SURVIVORS OF HUMAN TRAFFICKING.

25 (10) "SURVIVOR" MEANS AN INDIVIDUAL WHO HAS BEEN
26 SUBJECTED TO ANY FORM OF HUMAN TRAFFICKING AS DEFINED BY
27 COLORADO LAW. "SURVIVOR" IS USED TO EMPHASIZE THE RESILIENCE AND

1 AGENCY OF THE INDIVIDUALS AFFECTED, RATHER THAN DEFINING THE
2 INDIVIDUALS BY THEIR VICTIMIZATION.

3 **13-20-1304. Expanded standing and requirements for civil**

4 **actions.** (1) A NONPROFIT ORGANIZATION IS GRANTED LEGAL STANDING
5 TO INITIATE A CIVIL ACTION AGAINST AN ALLEGED HUMAN TRAFFICKER IF
6 THE NONPROFIT ORGANIZATION HAS DIRECT INVOLVEMENT WITH EITHER:

7 (a) INVESTIGATING THE ACTIONS OF THE ALLEGED HUMAN
8 TRAFFICKER; OR

9 (b) PROVIDING DIRECT AFTERCARE SERVICES TO A SURVIVOR WHO
10 HAS BEEN EXPLOITED BY THE ALLEGED HUMAN TRAFFICKER.

11 (2) THE STANDING OF A NONPROFIT ORGANIZATION PURSUANT TO
12 THIS SECTION RECOGNIZES THE NONPROFIT ORGANIZATION'S UNIQUE AND
13 PROXIMATE HARM RESULTING FROM THE HUMAN TRAFFICKER'S CONDUCT.
14 THIS HARM STEMS NOT ONLY FROM THE DIRECT SUPPORT PROVIDED TO
15 SURVIVORS BUT ALSO FROM THE BROADER IMPACT ON THE NONPROFIT
16 ORGANIZATION'S MISSION AND RESOURCES DEDICATED TO COMBATING
17 HUMAN TRAFFICKING.

18 (3)(a) BEFORE INITIATING A CIVIL ACTION PURSUANT TO THIS PART
19 13, A NONPROFIT ORGANIZATION SHALL PROVIDE NOTICE TO ANY
20 SURVIVORS DIRECTLY IMPACTED BY THE ALLEGED HUMAN TRAFFICKER'S
21 ACTIONS.

22 (b) EACH SURVIVOR MUST BE GIVEN A REASONABLE OPPORTUNITY
23 TO JOIN THE CIVIL ACTION.

24 (c) IF A SURVIVOR OPTS TO NOT PARTICIPATE IN THE CIVIL ACTION,
25 THE NONPROFIT ORGANIZATION RETAINS THE RIGHT TO PROCEED
26 INDEPENDENTLY.

27 (4) A CIVIL ACTION FILED PURSUANT TO THIS PART 13 MUST STATE

1 THE ELEMENTS OF THE CLAIM AND REMEDIES SOUGHT.

2 (5) A NONPROFIT ORGANIZATION SHALL MAINTAIN
3 COMPREHENSIVE DOCUMENTATION OF THE ORGANIZATION'S
4 INVESTIGATIVE OR AFTERCARE SERVICES, AS WELL AS THE PROCESS OF
5 NOTIFYING AND INVITING SURVIVORS TO JOIN THE LEGAL ACTION. THE
6 DOCUMENTATION MAY BE SUBJECT TO REVIEW TO ESTABLISH STANDING
7 PURSUANT TO THIS PART 13.

8 **13-20-1305. State review - role of the attorney general.** (1) A
9 NONPROFIT ORGANIZATION THAT IS PLANNING TO INITIATE A CIVIL SUIT
10 AGAINST ONE OR MORE ALLEGED HUMAN TRAFFICKERS SHALL SUBMIT ITS
11 CASE TO THE OFFICE OF THE ATTORNEY GENERAL. THE ATTORNEY
12 GENERAL'S REVIEW OF A HUMAN TRAFFICKING CASE IS NOT AN
13 ASSESSMENT OF THE CASE'S MERITS, BUT ENSURES PROCEDURAL AND
14 POLICY COMPLIANCE. THE REVIEW PROCESS UPHOLDS TRANSPARENCY AND
15 MAINTAINS A SURVIVOR-CENTRIC APPROACH, ENSURING THAT ACTIONS
16 TAKEN ALIGN WITH THE BROADER OBJECTIVES OF PUBLIC POLICY IN
17 COMBATING HUMAN TRAFFICKING.

18 (2) UPON RECEIPT OF THE CASE PURSUANT TO SUBSECTION (1) OF
19 THIS SECTION, THE OFFICE OF THE ATTORNEY GENERAL MAY FILE A CIVIL
20 ACTION. HOWEVER, IF THE ATTORNEY GENERAL OPTS NOT TO FILE A CIVIL
21 ACTION, THE NONPROFIT ORGANIZATION RETAINS THE RIGHT TO PROCEED
22 WITH THE CIVIL ACTION. THE ATTORNEY GENERAL CANNOT PROHIBIT THE
23 NONPROFIT ORGANIZATION'S ABILITY TO FILE A CIVIL SUIT UNLESS IT FILES
24 A CIVIL ACTION.

25 (3) IF THE ATTORNEY GENERAL FILES A HUMAN TRAFFICKING CIVIL
26 ACTION, THE NONPROFIT ORGANIZATION MAY COLLABORATE BY OFFERING
27 ITS UNIQUE INSIGHTS AND RESOURCES WHILE RESPECTING THE ATTORNEY

1 GENERAL'S PRIMARY ROLE IN HANDLING THE CASE.

2 **13-20-1306. Statute of limitations for civil actions by nonprofit**
3 **organizations - report.** (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF
4 THIS SECTION, A NONPROFIT ORGANIZATION SHALL INITIATE A CIVIL
5 ACTION PURSUANT TO THIS PART 13 NO LATER THAN SIX YEARS FROM THE
6 DATE OF THE ALLEGED HUMAN TRAFFICKING VIOLATION.

7 (2) IF A HUMAN TRAFFICKING VIOLATION WAS NOT IMMEDIATELY
8 APPARENT OR DISCOVERABLE, THE STATUTE OF LIMITATIONS IS THREE
9 YEARS FROM THE DATE THE NONPROFIT ORGANIZATION BECAME AWARE,
10 OR REASONABLY SHOULD HAVE BECOME AWARE, OF THE VIOLATION. THIS
11 EXTENSION ACCOUNTS FOR CASES IN WHICH THE FULL EXTENT OF THE
12 TRAFFICKING ACTIVITIES MAY ONLY BECOME KNOWN AFTER AN EXTENDED
13 PERIOD.

14 (3) THE STATUTE OF LIMITATIONS IS TOLLED IN A CIRCUMSTANCE
15 IN WHICH THE TRAFFICKER ACTIVELY CONCEALED THE TRAFFICKER'S
16 ACTIONS, OR IN WHICH FACTORS SUCH AS ONGOING INVESTIGATION OR
17 LEGAL COMPLEXITIES PREVENTED THE TIMELY INITIATION OF A CIVIL
18 ACTION.

19 (4) A NONPROFIT ORGANIZATION SHALL MAINTAIN AND PROVIDE
20 DOCUMENTATION SUPPORTING THE TIMELINE OF DISCOVERY AND
21 INVESTIGATION OF THE HUMAN TRAFFICKING VIOLATION TO ESTABLISH
22 THE TIMELINE FOR THE STATUTE OF LIMITATIONS AND TO ENSURE THE
23 ORGANIZATION'S COMPLIANCE WITH THIS PART 13.

24 (5) IF A CASE INVOLVES ELEMENTS OF HUMAN TRAFFICKING THAT
25 OCCURRED ACROSS DIFFERENT JURISDICTIONS, INCLUDING THOSE OUTSIDE
26 OF COLORADO, THE STATUTE OF LIMITATIONS MUST BE BASED ON
27 COLORADO LAW, UNLESS ANOTHER JURISDICTION PROVIDES A LONGER

1 PERIOD.

2 (6) THE STATE-ALLOCATED PORTION OF DAMAGES RESULTING
3 FROM A HUMAN TRAFFICKING CASE MUST BE TRANSFERRED TO THE HUMAN
4 TRAFFICKING PREVENTION AND AFTERCARE SERVICES FUND CREATED IN
5 SECTION 18-3-506 TO BE USED EXCLUSIVELY FOR INITIATIVES AND
6 PROGRAMS AIMED AT PROVIDING AFTERCARE SERVICES, REHABILITATION,
7 AND LEGAL SUPPORT TO SURVIVORS.

8 (7) THE STATE AND NONPROFIT ORGANIZATIONS SHALL MAINTAIN
9 TRANSPARENCY IN THE ALLOCATION AND USAGE OF AWARDED DAMAGES.
10 THE OFFICE OF THE STATE AUDITOR SHALL PERFORM PERIODIC AUDITS TO
11 ENSURE ADHERENCE TO THE STIPULATED GUIDELINES AND EFFECTIVE
12 UTILIZATION OF THE FUNDS.

13 **13-20-1307. Training protocols - compliance - organizational**
14 **capacity building.** (1) A NONPROFIT ORGANIZATION THAT PLANS TO FILE
15 A CIVIL ACTION PURSUANT TO THIS PART 13 IS REQUIRED TO PARTICIPATE
16 IN STATE-APPROVED TRAINING PROGRAMS PRIOR TO FILING SUIT. IN
17 ADDITION TO ANY TRAINING STANDARDS AND CURRICULA DEVELOPED
18 PURSUANT TO SECTION 18-3-505 (4)(e), THE COLORADO HUMAN
19 TRAFFICKING COUNCIL SHALL DEVELOP VICTIM-CENTERED AND
20 TRAUMA-INFORMED TRAINING PROGRAMS FOR NONPROFIT
21 ORGANIZATIONS, IN CONSULTATION WITH LEGAL EXPERTS, SURVIVOR
22 ADVOCACY GROUPS, AND NONPROFIT ORGANIZATIONS THAT ARE
23 EXPERIENCED IN THE FIELD OF HUMAN TRAFFICKING. THE TRAINING
24 PROGRAMS MUST BE DESIGNED TO ENSURE THAT NONPROFIT
25 ORGANIZATIONS ARE WELL-EQUIPPED WITH KNOWLEDGE AND SKILLS IN
26 THE FOLLOWING AREAS, AT A MINIMUM:

27 (a) LEGAL PROCEDURES RELEVANT TO CIVIL ACTIONS AGAINST

1 HUMAN TRAFFICKERS;

2 (b) ETHICAL CONSIDERATIONS IN HANDLING CASES INVOLVING
3 HUMAN TRAFFICKING; AND

4 (c) COMPREHENSIVE SURVIVOR AFTERCARE, INCLUDING
5 TRAUMA-INFORMED CARE AND SUPPORT SERVICES.

6 (2) THE COUNCIL SHALL REGULARLY UPDATE THE TRAINING
7 CURRICULUM TO REFLECT THE LATEST LEGAL DEVELOPMENTS, BEST
8 PRACTICES IN SURVIVOR SUPPORT, AND ADVANCEMENTS IN
9 ANTI-TRAFFICKING STRATEGIES. SPECIAL EMPHASIS MUST BE PLACED ON
10 UNDERSTANDING THE COMPLEXITIES OF HUMAN TRAFFICKING CASES,
11 INCLUDING THE IDENTIFICATION OF SIGNS OF TRAFFICKING, METHODS OF
12 SUPPORTING SURVIVORS THROUGH LEGAL PROCESSES, AND THE NUANCES
13 OF CIVIL LITIGATION IN THESE CONTEXTS.

14 (3) THE COUNCIL SHALL HOLD REGULAR TRAINING SESSIONS TO
15 ENSURE THAT PARTICIPATING NONPROFIT ORGANIZATIONS HAVE ACCESS
16 TO THE LATEST INFORMATION AND METHODOLOGIES. UPON COMPLETION
17 OF THE TRAINING PROGRAM, THE COUNCIL SHALL PROVIDE A NONPROFIT
18 ORGANIZATION WITH AN ACCREDITATION OR CERTIFICATION THAT IS A
19 PREREQUISITE FOR INITIATING ANY CIVIL ACTION PURSUANT TO THIS PART
20 13.

21 (4) A NONPROFIT ORGANIZATION SHALL DEMONSTRATE STRICT
22 ADHERENCE TO THE ETHICAL STANDARDS AND LEGAL REQUIREMENTS SET
23 FORTH IN THE TRAINING REQUIRED PURSUANT TO THIS SECTION.

24 (5) THE OFFICE OF THE ATTORNEY GENERAL SHALL CONDUCT AN
25 ANNUAL ASSESSMENT OF EACH NONPROFIT ORGANIZATION THAT FILES A
26 CIVIL ACTION PURSUANT TO THIS PART 13 TO EVALUATE COMPLIANCE WITH
27 TRAINING STANDARDS DEVELOPED PURSUANT TO THIS SECTION AND THE

1 EFFECTIVE APPLICATION OF THE NONPROFIT ORGANIZATION'S KNOWLEDGE
2 AND SKILLS IN LEGAL PROCEEDINGS. EACH ASSESSMENT MUST SERVE AS
3 AN OPPORTUNITY FOR CAPACITY BUILDING, OFFERING FEEDBACK, AND
4 PROVIDING ADDITIONAL SUPPORT TO ENHANCE THE ORGANIZATION'S
5 CAPABILITIES IN HANDLING HUMAN TRAFFICKING CASES.

6 (6) THE DEVELOPMENT AND IMPLEMENTATION OF A TRAINING
7 PROGRAM MUST BE A COLLABORATIVE EFFORT BETWEEN STATE AGENCIES,
8 LEGAL EXPERTS, AND NONPROFIT ORGANIZATIONS TO ENSURE THAT THE
9 TRAINING IS GROUNDED IN PRACTICAL REALITIES AND TAILORED TO THE
10 SPECIFIC NEEDS AND CHALLENGES FACED BY NONPROFIT ORGANIZATIONS
11 IN COMBATING HUMAN TRAFFICKING.

12 **13-20-1308. Procedural guidelines - legal framework -**
13 **coordination.** (1) THE OFFICE OF THE ATTORNEY GENERAL SHALL
14 DEVELOP AND PROVIDE DETAILED PROCEDURAL GUIDELINES. THE
15 GUIDELINES MUST BE DESIGNED TO ENSURE UNIFORMITY IN THE
16 APPLICATION OF THE LAW AND ADHERENCE TO HIGH LEGAL STANDARDS.
17 THE OFFICE OF THE ATTORNEY GENERAL SHALL REGULARLY UPDATE THE
18 PROCEDURAL GUIDELINES TO REFLECT ANY CHANGES IN THE LAW OR BEST
19 PRACTICES IN THE FIELD OF HUMAN TRAFFICKING LITIGATION.

20 (2) A NONPROFIT ORGANIZATION THAT FILES A CIVIL ACTION
21 PURSUANT TO THIS PART 13 SHALL ADHERE TO COMPREHENSIVE
22 PROCEDURAL GUIDELINES ESTABLISHED BY THE OFFICE OF THE ATTORNEY
23 GENERAL PURSUANT TO SUBSECTION (1) OF THIS SECTION TO UPHOLD THE
24 HIGHEST STANDARDS OF LEGAL AND ETHICAL CONDUCT. THE GUIDELINES
25 MUST COVER ALL ASPECTS OF CIVIL LITIGATION, INCLUDING, BUT NOT
26 LIMITED TO, CASE FILING PROCEDURES, EVIDENCE GATHERING AND
27 PRESENTATION, SURVIVOR INTERACTION, COURT CONDUCT, AND

1 RESOLUTION OF CASES.

2 (3) THE GUIDELINES ESTABLISHED PURSUANT TO THIS SECTION
3 MUST MAINTAIN THE CONFIDENTIALITY AND DIGNITY OF SURVIVORS
4 THROUGHOUT THE LEGAL PROCESS, INCLUDING PROTECTING A SURVIVOR'S
5 IDENTITY, RESPECTING SURVIVOR PRIVACY, AND ENSURING SURVIVOR
6 SAFETY. A NONPROFIT ORGANIZATION SHALL FOLLOW BEST PRACTICES IN
7 TRAUMA-INFORMED CARE AND ENSURE THAT THE ORGANIZATION'S LEGAL
8 ACTIONS DO NOT EXACERBATE THE SURVIVOR'S TRAUMA.

9 (4) THE GUIDELINES ESTABLISHED PURSUANT TO THIS SECTION
10 MUST STIPULATE PROCEDURES FOR COORDINATING ONGOING CRIMINAL
11 INVESTIGATIONS AND PROSECUTIONS TO AVOID INTERFERENCE OR
12 CONFLICT WITH CRIMINAL PROCEEDINGS. A NONPROFIT ORGANIZATION
13 SHALL STAY INFORMED ABOUT RELATED CRIMINAL CASES AND ADJUST ITS
14 CIVIL ACTIONS ACCORDINGLY TO COMPLEMENT AND SUPPORT CRIMINAL
15 JUSTICE EFFORTS.

16 (5) IN A CIVIL ACTION PURSUANT TO THIS PART 13, THE NONPROFIT
17 ORGANIZATION THAT FILED THE SUIT SHALL BE IN STRICT ADHERENCE TO
18 THE LEGAL NORMS AND PROCEDURAL STANDARDS ESTABLISHED IN
19 COLORADO LAW, INCLUDING COMPLIANCE WITH THE COLORADO RULES OF
20 CIVIL PROCEDURE, COLORADO RULES OF EVIDENCE, AND OTHER RELEVANT
21 LEGAL PROVISIONS GOVERNING CIVIL LITIGATION IN COLORADO.

22 (6) THE OFFICE OF THE STATE ATTORNEY GENERAL SHALL PROVIDE
23 LEGAL TRAINING AND ONGOING SUPPORT TO A NONPROFIT ORGANIZATION
24 THAT FILES A CIVIL ACTION PURSUANT TO THIS PART 13 TO HELP THE
25 NONPROFIT ORGANIZATION UNDERSTAND AND APPLY THE GUIDELINES
26 DEVELOPED PURSUANT TO THIS PART 13. AS PART OF THE TRAINING AND
27 SUPPORT, THE OFFICE OF THE ATTORNEY GENERAL SHALL ESTABLISH A

1 HELP DESK OR ADVISORY SERVICE TO ASSIST NONPROFIT ORGANIZATIONS
2 WITH QUERIES OR CHALLENGES THEY FACE IN ADHERING TO THE
3 GUIDELINES.

4 **13-20-1309. Monitoring - evaluation - impact assessment.**

5 (1) (a) THE OFFICE OF THE ATTORNEY GENERAL SHALL ESTABLISH A
6 COMPREHENSIVE MONITORING SYSTEM TO ASSESS THE IMPLEMENTATION
7 AND IMPACT OF THIS PART 13. THE MONITORING SYSTEM MUST INVOLVE
8 DATA COLLECTION, ANALYSIS, PUBLIC CONSULTATION AND FEEDBACK,
9 AND REPORTING ON VARIOUS ASPECTS OF THE APPLICATION OF THIS PART
10 13.

11 (b) THE OFFICE OF THE ATTORNEY GENERAL SHALL DEVELOP KEY
12 PERFORMANCE INDICATORS TO MEASURE THE EFFECTIVENESS OF
13 NONPROFIT ORGANIZATIONS IN UTILIZING LEGAL PROVISIONS, THE
14 OUTCOMES OF CIVIL ACTIONS, AND THE IMPACT ON SURVIVORS AND THE
15 BROADER COMMUNITY.

16 (2) A NONPROFIT ORGANIZATION AFFECTED BY THIS PART 13
17 SHALL SUBMIT REGULAR REPORTS TO THE OFFICE OF THE ATTORNEY
18 GENERAL DETAILING ITS ACTIVITIES PURSUANT TO THIS PART 13. THE
19 REPORT MUST INCLUDE INFORMATION ON THE NUMBER OF CASES FILED,
20 THE OUTCOMES OF THE CASES, AND THE USE OF AWARD DAMAGES, IF ANY.
21 DATA PERTAINING TO SURVIVOR SUPPORT, INCLUDING AFTERCARE
22 SERVICES AND THEIR EFFECTIVENESS, MUST ALSO BE COLLECTED TO
23 ASSESS THE HOLISTIC IMPACT OF THIS PART 13.

24 (3) THE OFFICE OF THE ATTORNEY GENERAL SHALL CONDUCT
25 ANNUAL EVALUATIONS OF THE EFFECTIVENESS OF THIS PART 13. THE
26 EVALUATIONS MUST INCLUDE ANALYZING DATA, REVIEWING COMPLIANCE
27 BY NONPROFIT ORGANIZATIONS, AND ASSESSING THE OVERALL IMPACT ON

1 COMBATING HUMAN TRAFFICKING IN COLORADO.

2 (4) BASED ON THE EVALUATIONS MADE PURSUANT TO SUBSECTION
3 (3) OF THIS SECTION, THE OFFICE OF THE ATTORNEY GENERAL SHALL MAKE
4 RECOMMENDATIONS FOR IMPROVING THIS PART 13 AND ITS
5 IMPLEMENTATION. THE RECOMMENDATIONS MAY INCLUDE AMENDMENTS
6 TO LEGAL PROVISIONS, ENHANCEMENTS IN TRAINING PROGRAMS, OR
7 CHANGES IN THE MONITORING PROCESS ITSELF.

8 (5) THE OFFICE OF THE ATTORNEY GENERAL SHALL MAKE DATA
9 RELATED TO MONITORING AND EVALUATIONS PUBLICLY AVAILABLE TO
10 ENSURE TRANSPARENCY AND ACCOUNTABILITY. THIS INCLUDES
11 PUBLISHING AN ANNUAL REPORT CONCERNING THE IMPACT AND
12 EFFECTIVENESS OF THIS PART 13 ON THE ATTORNEY GENERAL'S WEBSITE.

13 (6) ACADEMIC AND RESEARCH INSTITUTIONS ARE ENCOURAGED TO
14 CONDUCT INDEPENDENT STUDIES AND ANALYSES OF THE IMPACT OF THIS
15 PART 13, TO PROVIDE VALUABLE INSIGHTS AND CONTRIBUTE TO
16 EVIDENCE-BASED POLICY MAKING.

17 (7) THE OFFICE OF THE ATTORNEY GENERAL SHALL DOCUMENT ALL
18 AMENDMENTS AND MODIFICATIONS TO THIS PART 13 AND MAKE SUCH
19 DOCUMENTS PUBLICLY AVAILABLE TO PROVIDE CONTEXT AND
20 UNDERSTANDING OF THE EVOLUTION OF THIS PART 13.

21 **13-20-1310. Public information and outreach.** TO ENSURE
22 WIDESPREAD AWARENESS OF THE IMPLEMENTATION OF THIS PART 13, THE
23 COUNCIL SHALL PREPARE AND CONDUCT A COMPREHENSIVE PUBLIC
24 INFORMATION CAMPAIGN THAT IS ALIGNED WITH THE PUBLIC AWARENESS
25 CAMPAIGN DEVELOPED PURSUANT TO SECTION 18-3-505 (4). THE PURPOSE
26 OF THE CAMPAIGN IS TO INFORM THE PUBLIC, ESPECIALLY SURVIVORS AND
27 NONPROFIT ORGANIZATIONS, ABOUT THE PROVISIONS OF THIS PART 13 AND

1 HOW IT CAN BE UTILIZED TO FIGHT HUMAN TRAFFICKING.

2 **SECTION 2.** In Colorado Revised Statutes, 18-3-505, **amend**
3 (4)(e) and (4)(i); and **add** (4)(j) as follows:

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

5 (4) The council shall meet at least four times each year and shall carry
6 out the following duties:

7 (e) Develop training standards and curricula for organizations that
8 provide assistance to victims of human trafficking, INCLUDING TRAINING
9 FOR NONPROFIT ORGANIZATIONS PURSUANT TO SECTION 13-20-1307, for
10 persons who work in or who frequent places where human trafficking
11 victims are likely to appear, and for law enforcement agencies;

12 (i) On or after January 1, 2019, perform a post-enactment review
13 of section 18-7-201.3 and report its findings to the judiciary committees
14 of the senate and house of representatives, or any successor committees;
15 AND

16 (j) MANAGE THE HUMAN TRAFFICKING PREVENTION AND
17 AFTERCARE SERVICES FUND CREATED IN SECTION 18-3-506.

18 **SECTION 3.** In Colorado Revised Statutes, **add** 18-3-506 as
19 follows:

20 **18-3-506. Human trafficking prevention and aftercare services**
21 **fund.** (1) THE HUMAN TRAFFICKING PREVENTION AND AFTERCARE
22 SERVICES FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS
23 OF MONEY CREDITED TO THE FUND PURSUANT TO PART 13 OF ARTICLE 20
24 OF TITLE 13 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY
25 APPROPRIATE OR TRANSFER TO THE FUND.

26 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
27 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE

1 HUMAN TRAFFICKING PREVENTION AND AFTERCARE SERVICES TO THE
2 FUND.

3 (3) THE HUMAN TRAFFICKING COUNCIL SHALL MANAGE THE FUND
4 AND UTILIZE ANY MONEY IN THE FUND EXPRESSLY FOR INITIATIVES AND
5 PROGRAMS AIMED AT PROVIDING AFTERCARE SERVICES, REHABILITATION,
6 AND LEGAL SUPPORT TO SURVIVORS.

7 **SECTION 4. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2024 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.