

**Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**REVISED**

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

LLS NO. 22-0352.02 Jane Ritter x4342

**HOUSE BILL 22-1288**

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**SENATE SPONSORSHIP**

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**A BILL FOR AN ACT**

101 **CONCERNING INCREASING ACCESS TO ASSISTANCE FOR VICTIMS BY**  
102 **PROVIDING IMMUNITY FROM PROSECUTION FOR THE OFFENSE**  
103 **OF PROSTITUTION IN SPECIFIC CIRCUMSTANCES.**

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**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 grants immunity to the charge of prostitution, soliciting for prostitution, or prostitute making display (prostitution offense) to a person who seeks assistance from a law enforcement officer, the 911 system, or a medical provider for a victim or as a victim of a violent crime or offense (crime) if the evidence for the charge of a prostitution offense was

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

SENATE  
2nd Reading Unamended  
April 12, 2022

HOUSE  
3rd Reading Unamended  
March 21, 2022

HOUSE  
Amended 2nd Reading  
March 18, 2022

obtained as a result of the person seeking assistance or as a result of the need for assistance. A person who receives immunity for a prostitution offense is not immune from prosecution for other offenses, and a district attorney or law enforcement officer may obtain or use evidence obtained from a report, recording, or other statement provided as a result of the initial prostitution offense to prosecute any other offense.

For the purposes of the bill, "person" is defined as the victim of the crime, a person who is a victim of human trafficking for sexual servitude, or a witness to the crime. The bill sets forth the applicable violent crimes or offenses.

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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** 18-1-712.5 as  
3 follows:

4           **18-1-712.5. Immunity for sex workers and persons who are**  
5 **victims of human trafficking for sexual servitude and who suffer or**  
6 **report an assault - definition.** (1) AS USED IN THIS SECTION, UNLESS THE

7 CONTEXT OTHERWISE REQUIRES, "PERSON" MEANS:

8           (a) A PERSON WHO IS THE VICTIM OF AN OFFENSE SET FORTH IN  
9 SUBSECTION (3) OF THIS SECTION;

10           (b) A PERSON WHO IS A VICTIM OF HUMAN TRAFFICKING OF A  
11 MINOR FOR SEXUAL SERVITUDE PURSUANT TO SECTION 18-3-504; OR

12           (c) A WITNESS TO AN OFFENSE SET FORTH IN SUBSECTION (3) OF  
13 THIS SECTION.

14           (2) A PERSON IS IMMUNE FROM ARREST AND PROSECUTION FOR  
15 PROSTITUTION AS DESCRIBED IN SECTION 18-7-201, SOLICITING FOR  
16 PROSTITUTION AS DESCRIBED IN SECTION 18-7-202, AND A PROSTITUTE  
17 MAKING DISPLAY AS DESCRIBED IN SECTION 18-7-207, IF THE PERSON  
18 SEEKS ASSISTANCE FROM A LAW ENFORCEMENT OFFICER, THE 911 SYSTEM,  
19 OR A MEDICAL PROVIDER AND IF THE EVIDENCE FOR THE CHARGE OF  
20 PROSTITUTION, SOLICITING PROSTITUTION, OR A PROSTITUTE MAKING

1 DISPLAY WAS OBTAINED AS A RESULT OF THE PERSON SEEKING  
2 ASSISTANCE, AS A RESULT OF THE NEED FOR ASSISTANCE, OR AS A RESULT  
3 OF THE REPORTING OF ASSISTANCE. THIS SUBSECTION (2) ALSO APPLIES TO  
4 EQUIVALENT MUNICIPAL CHARGES AND ARRESTS.

5 (3) A PERSON WHO IS A VICTIM OF ONE OF THE FOLLOWING  
6 OFFENSES, OR A PERSON WHO WITNESSES ONE OF THE FOLLOWING  
7 OFFENSES, QUALIFIES FOR THE IMMUNITY FROM PROSTITUTION CHARGES  
8 AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION:

9 (a) MURDER IN THE FIRST DEGREE, AS DESCRIBED IN SECTION  
10 18-3-102;

11 (b) MURDER IN THE SECOND DEGREE, AS DESCRIBED IN SECTION  
12 18-3-103;

13 (c) MANSLAUGHTER, AS DESCRIBED IN SECTION 18-3-104;

14 (d) CRIMINALLY NEGLIGENT HOMICIDE, AS DESCRIBED IN SECTION  
15 18-3-105;

16 (e) VEHICULAR HOMICIDE, AS DESCRIBED IN SECTION 18-3-106;

17 (f) ASSAULT IN THE FIRST DEGREE, AS DESCRIBED IN SECTION  
18 18-3-202;

19 (g) ASSAULT IN THE SECOND DEGREE, AS DESCRIBED IN SECTION  
20 18-3-203;

21 (h) ASSAULT IN THE THIRD DEGREE, AS DESCRIBED IN SECTION  
22 18-3-204;

23 (i) VEHICULAR ASSAULT, AS DESCRIBED IN SECTION 18-3-205;

24 (j) MENACING, AS DESCRIBED IN SECTION 18-3-206;

25 (k) CRIMINAL EXTORTION OR AGGRAVATED EXTORTION, AS  
26 DESCRIBED IN SECTION 18-3-207;

27 (l) RECKLESS ENDANGERMENT, AS DESCRIBED IN SECTION

- 1 18-3-208;
- 2 (m) FIRST DEGREE KIDNAPPING, AS DESCRIBED IN SECTION
- 3 18-3-301;
- 4 (n) SECOND DEGREE KIDNAPPING, AS DESCRIBED IN SECTION
- 5 18-3-302;
- 6 (o) FALSE IMPRISONMENT, AS DESCRIBED IN SECTION 18-3-303;
- 7 (p) ENTICEMENT OF A CHILD, AS DESCRIBED IN SECTION 18-3-305;
- 8 (q) INTERNET LURING OF A CHILD, AS DESCRIBED IN SECTION
- 9 18-3-306;
- 10 (r) SEXUAL ASSAULT, AS DESCRIBED IN SECTION 18-3-402;
- 11 (s) UNLAWFUL SEXUAL CONTACT, AS DESCRIBED IN SECTION
- 12 18-3-404;
- 13 (t) SEXUAL ASSAULT ON A CHILD, AS DESCRIBED IN SECTION
- 14 18-3-405;
- 15 (u) HUMAN TRAFFICKING FOR INVOLUNTARY SERVITUDE OR
- 16 HUMAN TRAFFICKING OF A MINOR FOR INVOLUNTARY SERVITUDE, AS
- 17 DESCRIBED IN SECTION 18-3-503;
- 18 (v) HUMAN TRAFFICKING FOR SEXUAL SERVITUDE OR HUMAN
- 19 TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE, AS DESCRIBED IN
- 20 SECTION 18-3-504; OR
- 21 (w) STALKING, AS DESCRIBED IN SECTION 18-3-602.
- 22 (4) THE IMMUNITY DESCRIBED IN SUBSECTION (2) OF THIS SECTION
- 23 FOR THE OFFENSE OF PROSTITUTION IS NOT GROUNDS FOR SUPPRESSION OF
- 24 EVIDENCE IN OTHER CRIMINAL CHARGES. NOTHING IN THIS SECTION
- 25 PROHIBITS THE PROSECUTION OF A PERSON FOR OFFENSES OTHER THAN
- 26 THOSE LISTED IN SUBSECTION (2) OF THIS SECTION, OR TO LIMIT THE
- 27 ABILITY OF A DISTRICT ATTORNEY OR LAW ENFORCEMENT OFFICER TO

1 OBTAIN OR USE EVIDENCE FROM A REPORT, RECORDING, OR ANY OTHER  
2 STATEMENT PROVIDED PURSUANT TO SUBSECTION (2) OF THIS SECTION TO  
3 PROSECUTE AN OFFENSE OTHER THAN THOSE LISTED IN SUBSECTION (2) OF  
4 THIS SECTION. NOTHING IN THIS SECTION PROHIBITS THE PROVISION OF  
5 IMMUNITY PURSUANT TO OTHER SECTIONS OF LAW, AS APPLICABLE,  
6 INCLUDING SECTION 18-1-711.

7 **SECTION 2. Safety clause.** The general assembly hereby finds,  
8 determines, and declares that this act is necessary for the immediate  
9 preservation of the public peace, health, or safety.