

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 13-0485.01 Jane Ritter x4342

SENATE BILL 13-047

SENATE SPONSORSHIP

Newell,

HOUSE SPONSORSHIP

Fields,

Senate Committees

Health & Human Services
Appropriations

House Committees

Public Health Care & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING PROTECTIONS FOR YOUTH IN FOSTER CARE AGAINST**
102 **IDENTITY THEFT, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

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 amends the statute for protection of youth in foster care against identity theft by:

- ! Removing the exclusion of youth who are in the custody of the division of youth corrections or a state mental hospital;

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.*

HOUSE
Amended 2nd Reading
April 30, 2013

SENATE
3rd Reading Unamended
April 12, 2013

SENATE
Amended 2nd Reading
April 10, 2013

- ! Expanding the ages of the youth covered to any youth who is 16 years of age or older and in foster care; and
- ! Requiring the department of human services to obtain annual credit reports rather than a single report.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-7-102, **amend** (1)
3 and (2) (a) as follows:

4 **19-7-102. Protection against identity theft.** (1) The court shall
5 ensure that each youth in foster care ~~excluding youth in the custody of the~~
6 ~~division of youth corrections or a state mental hospital~~ WHO IS IN THE
7 LEGAL CUSTODY OF A COUNTY DEPARTMENT OF HUMAN OR SOCIAL
8 SERVICES OR THE DEPARTMENT OF HUMAN SERVICES AND who is AT LEAST
9 sixteen ~~through eighteen~~ years of age obtains OR RECEIVES a free ANNUAL
10 credit ~~report~~ REPORTS FROM THE DEPARTMENT OF HUMAN SERVICES OR A
11 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES. THE COUNTY
12 DEPARTMENT OF HUMAN OR SOCIAL SERVICES OR THE DEPARTMENT OF
13 HUMAN SERVICES SHALL INFORM THE COURT WITH JURISDICTION OVER THE
14 YOUTH, IF ANY, OF ANY INACCURACIES IN A REPORT AND REFER THE
15 MATTER TO A GOVERNMENTAL OR NONPROFIT ENTITY ON THE REFERRAL
16 LIST DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION FOR
17 ASSISTANCE IN INTERPRETING AND RESOLVING ANY INACCURACIES IN A
18 REPORT if the credit report shows evidence of possible identity theft. ~~the~~
19 ~~person assisting the youth shall inform the court and refer the matter to a~~
20 ~~governmental or nonprofit entity on the referral list developed pursuant~~
21 ~~to subsection (2) of this section for remedial action.~~ The child's guardian
22 ad litem shall advise the youth of possible consequences of and options
23 to address the possible identity theft, including the right to report the

1 matter to law enforcement and seek possible prosecution of the offender.

2 (2) (a) On or before July 31, 2012, the department of human
3 services shall develop, in consultation with county departments of HUMAN
4 OR social services, a referral list of governmental and nonprofit entities
5 that are authorized to assist a youth in foster care excluding a youth in the
6 custody of the division of youth corrections or a state mental hospital,
7 who has found evidence of possible identity theft on his or her credit
8 report. An entity on the referral list developed pursuant to this subsection
9 (2) is authorized to take any necessary remedial actions to clear the
10 youth's credit record and shall report the results of its actions to the
11 DEPARTMENT OF HUMAN SERVICES OR THE county department of HUMAN
12 OR social services with legal custody of the youth.

13 **SECTION 2. Appropriation.** (1) In addition to any other
14 appropriation, there is hereby appropriated out of any moneys in the
15 general fund, not otherwise appropriated, to the department of human
16 services, for the fiscal year beginning July 1, 2013, the sum of \$24,334,
17 or so much thereof as may be necessary, for the implementation of this act
18 as follows:

19 (a) \$19,650 to the division of child welfare for credit report
20 remediation; and

21 (b) \$4,684 to the division of youth corrections for credit report
22 remediation.

23 (2) (a) In addition to said appropriation, the general assembly
24 anticipates that, for the fiscal year beginning July 1, 2013, the department
25 of human services will receive the sum of \$6,766 in federal funds for the
26 implementation of this act as follows:

27 (I) \$6,550 to the division of child welfare for credit report

1 remediation; and

2 (II) \$216 to the division of youth corrections for credit report
3 remediation.

4 (b) Although the federal funds identified in paragraph (a) of this
5 subsection (2) are not appropriated in this act, they are noted for the
6 purpose of indicating the assumptions used relative to these funds in
7 developing the state appropriation amounts.

8 **SECTION 3. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety.