

HB1228_L.006

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB20-1228 be amended as follows:

1 Amend printed bill, page 5, line 3, strike "GUILTY," and substitute
2 "GUILTY OR WHEN A LAW ENFORCEMENT REPORT OR A MEDICAL REPORT
3 IS FILED PURSUANT TO SECTION 12-240-139 (1)(b)(I),".

4 Page 5, strike lines 15 through 27 and substitute:

5 "SECTION 5. In Colorado Revised Statutes, 18-3-407.5, amend
6 (3)(c) as follows:

7 **18-3-407.5. Victim evidence - forensic evidence - electronic lie**
8 **detector exam without victim's consent prohibited.** (3) (c) When
9 personnel at a medical facility perform a medical forensic examination
10 that includes the collection of evidence based on the request of a victim
11 of a sexual offense and the medical facility performing the examination
12 knows where the crime occurred, the facility shall contact the law
13 enforcement agency in whose jurisdiction the crime occurred regarding
14 preservation of the evidence. If the medical facility does not know where
15 the crime occurred, the facility shall contact its local law enforcement
16 agency regarding preservation of the evidence. Notwithstanding any other
17 statutory requirements regarding storage of biological evidence, the law
18 enforcement agency contacted by the medical facility shall retrieve the
19 evidence from the facility and ~~store it for at least two years~~ MAINTAIN IT
20 PURSUANT TO SECTION 18-1-1103, UNLESS A VICTIM OBJECTS TO ITS
21 DESTRUCTION PURSUANT TO SECTION 24-4.1-303 IN WHICH CASE IT MUST
22 BE MAINTAINED FOR AN ADDITIONAL TEN YEARS."

23 Page 6, strike lines 1 through 4.

** *** ** *** **