FISCAL IMPACT: ☐ State ☐ Local ☐ Statutory Public Entity ☐ Conditional ☒ No Fiscal Impact

Drafting Number:	LLS 17-0682	**Date:**	June 8, 2017
Prime Sponsor(s):	Sen. Cooke	**Bill Status:**	Signed into Law
	Rep. Willett; Foote	**Fiscal Analyst:**	Kerry White (303-866-3469)

BILL TOPIC: EXPAND LAW ENFORCEMENT EXCEPTION SEXUAL MATERIAL

Summary of Legislation

This bill creates an exception from prosecution for the crime of sexual exploitation of a child for certain law enforcement and defense counsel personnel who possess sexually exploitative material in the performance of their official duties. The bill defines law enforcement personnel to include any peace officer, prosecutor, criminal investigator, crime analyst, or other individual employed by a law enforcement agency or district attorney's office who performs or assists in investigative duties that may involve sexually exploitative materials.

Background

The exception created by the bill current applies to peace officers; court personnel; or physicians, psychologists, therapists, or social workers, so long as these persons are licensed in Colorado and possess materials in the course of a legitimate treatment or evaluation program. The crime of sexual exploitation of a child by possession of sexually exploitative material is either a class 4 or a class 5 felony, depending on the circumstances.

Assessment

The fiscal note assumes that parties named in the bill are not currently prosecuted for sexual exploitation of a child and, therefore, the bill is assessed as having no fiscal impact.

Effective Date

The bill was signed into law by the Governor and took effect on April 18, 2017.

State and Local Government Contacts

Corrections	Counties	District Attorneys
Higher Education	Information Technology	Law
Municipalities	Natural Resources	Public Safety
Revenue	Sheriffs	

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: www.leg.colorado.gov/fiscalnotes/