

Be it enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-76.6-101, **amend** (3) as follows:

24-76.6-101. Definitions.

As used in this article 76.6, unless the context otherwise requires:

(3) “Law enforcement officer” means: ~~a peace officer employed by the Colorado state patrol, a municipal police department, a town marshal’s office, or a county sheriff’s office.~~

(a) A CERTIFIED PEACE OFFICER DESCRIBED IN SECTION 16-2.5-101 WHO IS EMPLOYED BY A LAW ENFORCEMENT AGENCY;

(b) A CORRECTIONAL OFFICER; OR

(c) AN ATTORNEY OR INVESTIGATOR WHO IS EMPLOYED BY A DISTRICT ATTORNEY.

SECTION 2. In Colorado Revised Statutes, **repeal and reenact** 24-76.6-103 as follows:

24-76.6-103. Requirement to report violent criminals and repeat felons.

(1) NOTWITHSTANDING ANY OTHER PROVISION OF COLORADO LAW, LAW ENFORCEMENT SHALL NOTIFY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY WITHIN SEVENTY-TWO HOURS OF CHARGING THE PERSON WITH A CRIME IF:

(a) THE PERSON IS NOT LAWFULLY PRESENT IN THE UNITED STATES OR THE STATUS OF THE PERSON’S LAWFUL PRESENCE IS UNKNOWN; AND.

(b) EITHER:

(I) THE PERSON IS CHARGED WITH A CRIME OF VIOLENCE AS DEFINED BY COLORADO STATUTE; OR

(II) THE PERSON HAS BEEN CONVICTED OF A PRIOR FELONY.

(2) LAW ENFORCEMENT HAS A DUTY TO MAKE A REASONABLE EFFORT TO DETERMINE WHETHER A PERSON CHARGED WHO WOULD BE THE SUBJECT OF A NOTIFICATION UNDER THIS SECTION IS LAWFULLY PRESENT IN THE UNITED STATES.