

Be it Enacted by the People of the State of Colorado.

SECTION 1. In Colorado Revised Statutes, **add** part 8 of article 72 of title 24 as follows:

PART 8
EXPUNGEMENT OF CRIMINAL RECORDS

24-72-801. LEGISLATIVE DECLARATION. THROUGH THIS PART 8, WE AS COLORADOANS AIM TO CREATE AN ENVIRONMENT OF GROWTH BY ALLOWING OUR CITIZENS TO LEARN FROM THEIR MISTAKES AS WE'RE TAUGHT TO DO FROM ELEMENTARY SCHOOL. WE WILL RESTORE THE TRUST AND FAITH IN THE POTENTIAL OF OUR NEIGHBORS; REDUCE THE POPULATION OF OUR PRISONS AND THE NEED TO BUILD MORE; RELIEVE THE STRAIN ON OUR PROSECUTING ATTORNEYS, STRENGTHEN OUR LABOR FORCE AND PROMOTE ECONOMIC GROWTH AND PROSPERITY FOR OUR CITIZENS AND BUSINESS OWNERS; REDUCE CURRENT AND FUTURE PERCENTAGES OF OUR POPULATION THAT IDENTIFIES AS HOMELESS; PROVIDE EQUAL AND AMPLE EDUCATIONAL, EMPLOYMENT, HOUSING AND VOLUNTEER OPPORTUNITIES FOR ALL WHO SEEK THEM; INCREASE CAREGIVER SUPPORT FOR OUR AGING POPULATION; PROVIDE BETTER ACCESS TO, AND SUPPORT FOR, TREATMENT OPTIONS FOR OFFENDERS; LESSEN THE BURDEN ON OUR TEACHERS HAVING TO PROVIDE THEIR OWN SCHOOL SUPPLIES; PROVIDE PEER SUPPORT PROGRAMS FOR OUR VETERANS WHO ARE TRANSITIONING BACK TO CIVILIAN LIFE; MAKE THE COMMUNITY SAFER FOR FIRST RESPONDERS AND CITIZENS ALIKE BY IMPROVING AND STRENGTHENING THOSE RELATIONSHIPS; PROVIDE IMPROVED RESOURCES FOR FIRST RESPONDERS SEEKING MENTAL HEALTH SUPPORT; INCREASE FUNDING FOR THE CREATION AND MAINTENANCE OF STATE PARKS; EDUCATE OUR YOUTH ON THE DANGERS OF IMPAIRED DRIVING; PROVIDE ASSISTANCE FOR DOMESTIC VIOLENCE SURVIVORS; PROVIDE ASSISTANCE FOR THE FAMILIES OF FIRST RESPONDERS WHO HAVE FALLEN IN THE LINE OF DUTY; PROVIDE AFFORDABLE HOUSING OPTIONS FOR OUR CITIZENS; PROVIDE SUPPORT TO THOSE FOSTERING AND CARING FOR SHELTER ANIMALS; STUDY THE INTERACTION AND EFFECTS OF EXPUNGEMENT; AND STRENGTHEN OUR COMMUNITY TO BUILD A BETTER AND SAFER FUTURE FOR OURSELVES AND FOR OUR CHILDREN BY SETTING THE EXAMPLE AND TAKING THIS STEP TOWARDS INCLUSIVENESS, FORGIVENESS, AND SOCIAL AND ECONOMIC EQUALITY.

24-72-802. DEFINITIONS. AS USED IN THIS PART 8, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- (1) "BASIC IDENTIFICATION INFORMATION" AS DEFINED IN SECTION 24-72-302.

(2) "COMMUNITY MAINTENANCE" IS DESCRIBED IN THIS PART 8 OF ARTICLE 72 OF TITLE 24 AS COLLECTION AND DISPOSAL OF LITTER, SERVICING COMMUNITY GARDEN PROJECTS, SCRAPING GUM OFF OF SIDEWALKS OR REMOVAL OF GRAFFITI.

(3) "CONVICTION" OR "CONVICTED" MEANS A PLEA OF GUILTY ACCEPTED BY THE COURT, INCLUDING A PLEA OF GUILTY ENTERED PURSUANT TO A DEFERRED SENTENCE UNDER SECTION 18-1.3-102, A VERDICT OF GUILTY BY A JUDGE OR JURY, OR A PLEA OF NOLO CONTENDERE ACCEPTED BY THE COURT, OR ADJUDICATION FOR AN OFFENSE THAT WOULD CONSTITUTE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT, INCLUDING HAVING RECEIVED A DEFERRED JUDGMENT AND SENTENCE OR DEFERRED ADJUDICATION EVEN IF THE PERSON HAS SUCCESSFULLY COMPLETED A DEFERRED SENTENCE OR DEFERRED ADJUDICATION. IF THE COURT GIVES JUDGMENT IN FAVOR OF THE STATE OF COLORADO, THE APPROPRIATE PROSECUTING ATTORNEY, OR THE APPROPRIATE LAW ENFORCEMENT AGENCY AND AGAINST THE OFFENDER OR JUVENILE.

(4) "CRIMINAL JUSTICE AGENCY" AS DEFINED IN SECTION 24-72-302.

(5) "CRIMINAL RECORDS" MEANS INFORMATION REPORTING TO THE ARREST, INDICTMENT OR OTHER FORMAL FILING OF CRIMINAL CHARGES AGAINST A PERSON; THE IDENTITY OF THE CRIMINAL JUSTICE AGENCY TAKING SUCH OFFICIAL ACTION RELATIVE TO AN ACCUSED PERSON, THE DATE AND PLACE SUCH OFFICIAL ACTION WAS TAKEN RELATIVE TO AN ACCUSED PERSON; THE NAME, BIRTH DATE, LAST-KNOWN ADDRESS, AND SEX OF AN ACCUSED PERSON; THE NATURE OF THE CHARGES BROUGHT OR THE OFFENSES ALLEGED AGAINST AN ACCUSED PERSON, AND ONE OR MORE DISPOSITIONS RELATING TO THE CHARGES BROUGHT AGAINST AN ACCUSED PERSON; ALL BOOKS, PAPERS, CARDS, PHOTOGRAPHS, TAPES, RECORDINGS OR OTHER DOCUMENTARY MATERIALS, REGARDLESS OF FORM OR CHARACTERISTICS, THAT ARE MADE, MAINTAINED OR KEPT BY ANY CRIMINAL JUSTICE AGENCY IN THE STATE FOR USE IN THE EXERCISE OF FUNCTIONS REQUIRED OR AUTHORIZED BY LAW OR ADMINISTRATIVE RULE.

(6) "DISPOSITION" AS DEFINED IN SECTION 24-72-302.

(7) "EXPUNGEMENT" MEANS A DESIGNATION OF RECORDS WHEREBY SUCH RECORDS ARE DEEMED NEVER TO HAVE EXISTED.

(8) "EXPUNGEMENT FEE" IS A FEE ASSESSED AT THE TIME OF SENTENCING; THE AMOUNT DETERMINED IS SET FORTH IN THIS PART 8 OF ARTICLE 72 OF TITLE 24.

(9) "EXPUNGEMENT PERIOD" MEANS A PERIOD OF TIME TO COMMENCE ONCE ALL PUNISHMENTS AND PENALTIES HAVE BEEN SATISFIED AND PAID FOR BY THE CONVICTED PERSON.

(10) "LAW ENFORCEMENT AGENCY" MEANS ANY AGENCY OF A STATE OR LOCAL GOVERNMENT AUTHORIZED TO ENFORCE THE LAWS OF COLORADO.

(11) "OFFENSE" AS DEFINED IN 18-1-104.

(12) "OFFICIAL ACTION" AS DEFINED IN SECTION 24-72-302.

(13) "OFFICIAL CUSTODIAN" AS DEFINED IN SECTION 24-72-302.

(14) "PENALTIES" MEAN INCARCERATION, CORRECTIONAL SUPERVISION, INCLUDING TERMS AND CONDITIONS THEREOF; INCLUDING BUT NOT LIMITED TO, COSTS, FINES, FEES, SURCHARGES, PAROLE, PROBATION, WORK RELEASE, GPS MONITORING, THERAPY CLASSES, TREATMENT PROGRAMS, ALCOHOL OR DRUG MONITORING, INTERLOCK DEVICES, AND COMMUNITY SERVICE.

(15) "PERSON" AS DEFINED IN SECTION 24-72-302.

(16) "PRIVATE CUSTODIAN" AS DEFINED IN SECTION 24-72-302.

24-72-803. EXPUNGEMENT OF CRIMINAL RECORDS WHERE NO CONVICTION OCCURS. (1) AFTER AN ARREST, SHOULD THE DECISION BE MADE TO NOT FILE CRIMINAL CHARGES; THE CONCLUSION OF CRIMINAL PROCEEDINGS INCLUDE ACQUITTAL; THE DISMISSAL, ABANDONMENT, OR INDEFINITE POSTPONEMENT OF CRIMINAL PROCEEDINGS OR CHARGES, OR EXECUTIVE CLEMENCY, THE DISTRICT COURT IN THE JUDICIAL DISTRICT WHERE THE PERSON WAS ARRESTED SHALL, NO LATER THAN THIRTY (30) DAYS FROM THE DATE OF THE DISPOSITION, ORDER THE EXPUNGEMENT OF CRIMINAL RECORDS AND ALL OTHER ADMINISTRATIVE RECORDS OF THE LAW ENFORCEMENT AGENCY RELATING THE PERSON'S ARREST EXCEPT AS DESCRIBED IN SUBSECTION (2) OF THIS 24-72-803.

24-72-804. EXPUNGEMENT PERIOD – APPLICABILITY – INTERRUPTION – CONCURRENCY. (1) ONCE ALL PENALTIES AND PUNISHMENTS IMPOSED BY THE COURT HAVE BEEN SATISFIED, THE EXPUNGEMENT PERIOD BEGINS.

(2) IF A CRIMINAL CHARGE OF EQUAL OR GREATER CATEGORY AND CLASS IS

BROUGHT UPON A PERSON IN THE MIDST OF AN EXPUNGEMENT PERIOD, THE EXPUNGEMENT PERIOD WILL FREEZE PENDING THE DISPOSITION OF SUCH CHARGES. IF THE PERSON IS NOT CONVICTED OF A CHARGE, OR CHARGES, EQUAL TO OR GREATER THAN CATEGORY AND CLASS OF A CONVICTION THAT THEY ARE SERVING THE EXPUNGEMENT PERIOD FOR, THE EXPUNGEMENT PERIOD WILL BE CREDITED THE TIME IT WAS ON HOLD AND WILL PROCEED AS USUAL.

(3) SHOULD A CONVICTION TAKE PLACE OF EQUAL OR GREATER CLASS AND CATEGORY, THE EXPUNGEMENT PERIOD FROM THE PREVIOUS CONVICTION WILL RESTART FROM THE BEGINNING AND COMMENCE ONCE THE NEW CONVICTION HAS BEGUN ITS EXPUNGEMENT PERIOD OR ALL PENALTIES AND PUNISHMENTS HAVE BEEN SATISFIED AND PAID FOR. ALL EXPUNGEMENT PERIODS SHALL RUN CONCURRENTLY.

(4) MUNICIPAL INFRACTIONS HAVE NO EFFECT ON EXPUNGEMENT PERIODS.

(5) THE EXPUNGEMENT PERIOD WILL APPLY TO JUVENILES IF THE SAME CONVICTION APPLIED TO AN ADULT WOULD INCUR AN EXPUNGEMENT PERIOD.

24-72-805. EXPUNGEMENT FEE – APPLICABILITY – COLLECTION – INTEREST – WAIVER. (1) ALL CONVICTIONS THAT OCCUR ON OR AFTER JANUARY 01, 2021 INCUR AN EXPUNGEMENT FEE. THE AMOUNT OF THE FEE IS SET FORTH IN THIS PART 8 OF ARTICLE 72 OF TITLE 24.

(2) THE EXPUNGEMENT FEE SHALL BE COLLECTED BY THE COURT IN WHICH THE CONVICTION OCCURRED. THE FEE SHALL BE DEPOSITED INTO THE EXPUNGEMENT FEE CASH FUND CREATED BY SECTION 24-72-830.

(3) FOR THOSE UNABLE TO PAY THE EXPUNGEMENT FEE UPON CONVICTION, INTEREST WILL ACCRUE AT A RATE OF FIVE PERCENT (5%) PER ANNUM, COMPOUNDED ANNUALLY AS DESCRIBED IN PARAGRAPHS (a) AND (b) IN THIS SUBSECTION (3).

(a) IF SENTENCING IMPOSED BY THE COURT DOES NOT INCLUDE INCARCERATION OF ANY KIND, INTEREST ON UNPAID EXPUNGEMENT FEES WILL BEGIN TO ACCRUE NINETY (90) DAYS AFTER THE DATE OF CONVICTION.

(b) IF SENTENCING BY THE COURT INCLUDES INCARCERATION, INTEREST WILL BEGIN TO ACCRUE ON UNPAID EXPUNGEMENT FEES NINETY (90) DAYS AFTER THE PERSON IS RELEASED FROM INCARCERATION.

(4) THE EXPUNGEMENT FEE CANNOT BE WAIVED. UPON A DETERMINATION OF

INDIGENCE BY THE COURT, THE EXPUNGEMENT FEE WILL BE SUBSTITUTED FOR A SENTENCE IN THE LIFE SKILLS PROGRAM AS DESCRIBED IN SECTION 24-72-807 AND NO INTEREST WILL ACCRUE.

(5) THERE WILL BE NO IMPRISONMENT FOR NON-PAYMENT OF EXPUNGEMENT FEE.

(6) EXPUNGEMENT FEES ARE APPLICABLE TO JUVENILES IF THE SAME CONVICTION APPLIED TO AN ADULT WOULD INCUR AN EXPUNGEMENT FEE.

(7) CONVICTIONS THAT OCCURRED ON OR BEFORE DECEMBER 31, 2020 DO NOT INCUR AN EXPUNGEMENT FEE.

24-72-807. BASIC IDENTIFICATION INFORMATION. REGARDLESS OF EXPUNGEMENT, BASIC IDENTIFICATION INFORMATION WILL BE KEPT ON FILE BY THE ARRESTING AGENCY.

24-72-807. LIFE SKILLS PROGRAM – QUALIFICATION – CONVERSION – SUBSTITUTION. (1) UPON THE DETERMINATION OF INDIGENCE BY THE COURT, THE EXPUNGEMENT FEE MAY BE SUBSTITUTED FOR A SENTENCE IN THE LIFE SKILLS PROGRAM. THE LENGTH OF THE SENTENCE IN THE LIFE SKILLS PROGRAM IS DETERMINED BY THE RATIO OF THE AMOUNT OF THE EXPUNGEMENT FEE IMPOSED TO THE CURRENT FEDERAL MINIMUM WAGE. THE RATIO, ROUNDED UP TO THE NEAREST MULTIPLE OF TEN (10), IS THE NUMBER OF HOURS TO BE SPENT IN THE LIFE SKILLS PROGRAM. THE MINIMUM NUMBER OF HOURS TO BE SPENT IN THE LIFE SKILLS PROGRAM IS FORTY (40).

(2) THE FIRST FORTY (40) HOURS IN THE LIFE SKILLS PROGRAM WILL BE ALLOTTED TO COMMUNITY MAINTENANCE, AS DEFINED IN THIS PART 8 OF ARTICLE 72 OF TITLE 24.

(3) (a) UPON COMPLETION OF THE FIRST FORTY (40) HOURS OF A CONVERTED SENTENCE IN COMMUNITY MAINTENANCE, A PERSON IS ELIGIBLE TO CONVERT THEIR REMAINING HOURS FROM COMMUNITY MAINTENANCE TO OTHER REHABILITATION AND EDUCATIONAL SERVICES AS DESCRIBED IN (b) AND (c) OF THIS SUBSECTION (3).

(b) A PERSON IN THE LIFE SKILLS PROGRAM MAY ATTEND BEHAVIORAL HEALTH, MENTAL HEALTH, OR SUBSTANCE ABUSE THERAPY CLASSES OR SESSIONS IN LIEU OF COMMUNITY MAINTENANCE AFTER THE COMPLETION OF FORTY (40) HOURS OF COMMUNITY MAINTENANCE.

(c) AFTER THE COMPLETION OF FORTY (40) HOURS OF COMMUNITY MAINTENANCE, AND THE SUBMISSION OF CERTIFICATION OF HIGH SCHOOL EQUIVALENCE, OR HIGHER EDUCATION, ONE MAY QUALIFY FOR OCCUPATIONAL EDUCATION PROVIDED BY THE LIFE SKILLS PROGRAM.

(4) SHOULD A PERSON CHOOSE NOT TO SPEND ANY HOURS AFTER THE INITIAL FORTY (40) ON THERAPY CLASSES OR OCCUPATIONAL EDUCATION AS DESCRIBED IN PARAGRAPH (b) AND (c) OF SECTION (3), THE PERSON MAY SPEND THE REMAINING HOURS IN COMMUNITY MAINTENANCE.

24-72-808. CLASS 2 PETTY OFFENSE CONVICTIONS – ELIGIBILITY - PENALTIES.

(1) CLASS 2 PETTY OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF SIX (6) MONTHS AND AN EXPUNGEMENT FEE OF THREE HUNDRED AND FIFTY DOLLARS (\$350) FOR THE FIRST CONVICTION AND FIVE HUNDRED DOLLARS (\$500) FOR EACH SUBSEQUENT CONVICTION.

24-72-809. CLASS 1 PETTY OFFENSE CONVICTIONS – ELIGIBILITY - PENALTIES.

(1) CLASS 1 PETTY OFFENSE CONVICTIONS INCUR AND EXPUNGEMENT PERIOD OF SIX (6) MONTHS AND AN EXPUNGEMENT FEE OF FIVE HUNDRED DOLLARS (\$500) FOR THE FIRST CONVICTION AND SEVEN HUNDRED AND FIFTY DOLLARS (\$750) FOR EACH SUBSEQUENT CONVICTION.

24-72-810. DRUG PETTY OFFENSE CONVICTIONS – ELIGIBILITY - PENALTIES. (1)

DRUG PETTY OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF SIX (6) MONTHS AND AN EXPUNGEMENT FEE OF THREE HUNDRED AND FIFTY DOLLARS (\$350) FOR THE FIRST CONVICTION AND FIVE HUNDRED DOLLARS (\$500) FOR EACH SUBSEQUENT CONVICTION.

24-72-811. CLASS 2 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2), (3), AND (4) OF THIS SECTION 24-72-811, ALL OTHER CLASS 2 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF EIGHTEEN (18) MONTHS AND AN EXPUNGEMENT FEE OF FIVE HUNDRED DOLLARS (\$500) FOR THE FIRST CONVICTION AND ONE THOUSAND DOLLARS (\$1,000) FOR EACH SUBSEQUENT CONVICTION.

(2) AS DESCRIBED IN THIS SUBSECTION, CLASS 2 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS INCUR AND EXPUNGEMENT PERIOD OF THREE (3) YEARS AND AN EXPUNGEMENT FEE OF SEVEN HUNDRED AND FIFTY DOLLARS (\$750) FOR THE FIRST CONVICTION AND ONE THOUSAND AND FIVE HUNDRED DOLLARS (\$1,500) FOR EACH SUBSEQUENT CONVICTION.

(a) "SPEED EXHIBITIONS" AS DESCRIBED IN 42-4-1105 (2).

(b) "RECKLESS DRIVING" AS DESCRIBED IN 42-4-1401.

(3) AS DESCRIBED IN THIS SUBSECTION (3), CLASS 2 TRAFFIC MISDEMEANOR

OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF FIVE (5) YEARS AND AN EXPUNGEMENT FEE OF FOUR THOUSAND DOLLARS (\$4,000) FOR THE FIRST CONVICTION AND EIGHT THOUSAND DOLLARS (\$8,000) FOR EACH SUBSEQUENT CONVICTION.

(a) "ELUDING OR ATTEMPTING TO ELUDE A POLICE OFFICER" AS DESCRIBED IN SECTION 42-4-1413.

(4) AS DESCRIBED IN THIS SUBSECTION (4) CLASS 2 TRAFFIC MISDEMEANOR CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF SEVEN (7) YEARS AND AN EXPUNGEMENT FEE OF FIVE THOUSAND DOLLARS (\$5,000) FOR THE FIRST CONVICTION AND TEN THOUSAND DOLLARS (\$10,000) FOR EACH SUBSEQUENT CONVICTION.

(a) "DRIVING UNDER THE INFLUENCE – DRIVING WHILE ABILITY IMPAIRED – DRIVING WITH EXCESSIVE ALCOHOL CONTENT" AS DESCRIBED IN 42-4-1301.

24-72-812. CLASS 1 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2) AND (3) OF THIS SECTION 24-72-812, ALL OTHER CLASS 2 MISDEMEANOR TRAFFIC OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF THREE (3) YEARS AND AN EXPUNGEMENT FEE OF ONE THOUSAND DOLLARS (\$1,000) FOR THE FIRST CONVICTION AND TWO THOUSAND DOLLARS (\$2,000) FOR EACH SUBSEQUENT CONVICTION.

(2) AS DESCRIBED IN THIS SUBSECTION, CLASS 1 TRAFFIC MISDEMEANOR OFFENSES CARRY AN EXPUNGEMENT PERIOD OF TWO (2) YEARS AND AN EXPUNGEMENT FEE OF FIVE HUNDRED DOLLARS (\$500) FOR THE FIRST CONVICTION AND ONE THOUSAND DOLLARS (\$1,000) FOR EACH SUBSEQUENT CONVICTION.

(a) "COMPULSORY INSURANCE" AS DESCRIBED IN 42-4-1409 (4) (a).

(3) AS DESCRIBED IN THIS SUBSECTION, CLASS 1 MISDEMEANOR TRAFFIC OFFENSES INCUR AN EXPUNGEMENT PERIOD OF SEVEN (7) YEARS AND AN EXPUNGEMENT FEE OF TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$2,500) FOR THE FIRST CONVICTION AND FIVE THOUSAND DOLLARS (\$5,000) FOR EACH SUBSEQUENT CONVICTION.

(a) "MANDATORY AND VOLUNTARY RESTRICTED LICENSES FOLLOWING ALCOHOL CONVICTIONS" AS DESCRIBED IN 42-2-132.5 (10).

(3) AS DESCRIBED IN THIS SUBSECTION, CLASS 1 MISDEMEANOR TRAFFIC OFFENSES ARE INELIGIBLE FOR EXPUNGEMENT.

(a) "CARELESS DRIVING RESULTING IN UNLAWFUL TERMINATION OF PREGNANCY" AS DESCRIBED IN 18-3.5-109.

(b) "CARELESS DRIVING" AS DESCRIBED IN 42-4-1402 (2) (c).

(c) "OPERATION OF A VEHICLE APPROACHED BY EMERGENCY VEHICLE – OPERATION OF VEHICLE APPROACHING STATIONARY EMERGENCY VEHICLE, STATIONARY TOWING CARRIER VEHICLE, OR STATIONARY PUBLIC UTILITY SERVICE VEHICLE" AS DESCRIBE IN 42-4-704 (3) (b) (III).

24-72-813. LEVEL 2 DRUG MISDEMEANOR OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) LEVEL 2 DRUG MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF ONE (1) YEAR AND AN EXPUNGEMENT FEE OF TWO HUNDRED AND FIFTY DOLLARS (\$250) FOR THE FIRST CONVICTION AND FIVE HUNDRED DOLLARS (\$500) FOR EACH SUBSEQUENT CONVICTION.

24-72-814. LEVEL 1 DRUG MISDEMEANOR OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) LEVEL 1 DRUG MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF EIGHTEEN (18) MONTHS AND AN EXPUNGEMENT FEE OF FIVE HUNDRED DOLLARS (\$500) FOR EACH CONVICTION.

24-72-815. LEVEL 4 DRUG FELONY OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) LEVEL 4 DRUG FELONY OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF TWO (2) YEARS AND AN EXPUNGEMENT FEE OF SEVEN HUNDRED AND FIFTY DOLLARS (\$750) FOR THE FIRST CONVICTION AND ONE THOUSAND DOLLARS (\$1,000) FOR EACH SUBSEQUENT CONVICTION.

24-72-816. LEVEL 3 DRUG FELONY OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) EXCEPT AS DESCRIBED IN SUBSECTION (2), OF THIS SECTION 24-72-816, ALL OTHER LEVEL 3 DRUG FELONY OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF THREE (3) YEARS AND AN EXPUNGEMENT FEE OF ONE THOUSAND AND FIVE HUNDRED DOLLARS (\$1,500) FOR THE FIRST CONVICTION AND TWO THOUSAND DOLLARS (\$2,000) FOR EACH SUBSEQUENT CONVICTION.

(2) AS DESCRIBED IN THIS SUBSECTION, LEVEL 3 DRUG FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

(a) "CONTROLLED SUBSTANCES – INDUCING CONSUMPTION BY FRAUDULENT MEANS" AS DESCRIBED IN 18-18-416.

24-72-817. LEVEL 2 DRUG FELONY OFFENSE CONVICTIONS – ELIGIBILITY. (1) LEVEL 2 DRUG FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-818. LEVEL 1 DRUG FELONY OFFENSE CONVICTIONS – ELIGIBILITY. (1) LEVEL 1 DRUG FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-819. CLASS 3 MISDEMEANOR OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) EXCEPT AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION, 24-72-819, ALL OTHER CLASS 3 MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF EIGHTEEN (18) MONTHS AND AN EXPUNGEMENT FEE OF ONE THOUSAND DOLLARS (\$1,000) FOR THE FIRST CONVICTION AND ONE THOUSAND AND FIVE HUNDRED DOLLARS (\$1,500) FOR EACH SUBSEQUENT CONVICTION.

(2) AS DESCRIBED IN THIS SUBSECTION, CLASS 3 MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF TWO (2) YEARS AND AN EXPUNGEMENT FEE OF ONE THOUSAND AND FIVE HUNDRED DOLLARS (\$1,500) FOR THE FIRST CONVICTION AND TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$2,500) FOR EACH SUBSEQUENT CONVICTION.

- (a) "MENACING" AS DESCRIBED IN 18-3-206 (1).
- (b) "RECKLESS ENDANGERMENT" AS DESCRIBED IN 18-3-208.
- (c) "FAILURE OR REFUSAL TO LEAVE PREMISES OR PROPERTY UPON REQUEST OF A PEACE OFFICER" AS DESCRIBED IN 18-9-119 (2).

24-72-820. CLASS 2 MISDEMEANOR OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2) AND (3) OF THIS SECTION, 24-72-820, ALL OTHER CLASS 2 MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF EIGHTEEN (18) MONTHS AND AN EXPUNGEMENT FEE OF TWO THOUSAND DOLLARS (\$2,000) FOR THE FIRST CONVICTION AND TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$2,500) FOR EACH SUBSEQUENT CONVICTION.

(2) AS DESCRIBED IN THIS SUBSECTION, CLASS 2 MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF THREE (3) YEARS AND AN EXPUNGEMENT FEE OF TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$2,500) FOR THE FIRST CONVICTION AND THREE THOUSAND DOLLARS (\$3,000) FOR EACH SUBSEQUENT CONVICTION.

- (a) "THEFT OF TRADE SECRETS" AS DESCRIBED IN 18-4-408.
- (b) "VIOLATION OF A PROTECTION ORDER" AS DESCRIBED IN 18-6-803.5 (2) (a).
- (c) "KEEPING A PLACE OF PROSTITUTION" AS DESCRIBED IN 18-7-204.
- (d) VIOLATING ANY OF THE PROVISIONS OF PART 5 OF ARTICLE 7 OF TITLE 18 REGARDING SEXUALLY EXPLICIT MATERIALS THAT ARE HARMFUL TO CHILDREN

- (e) "RESISTING ARREST" AS DESCRIBED IN 18-8-103.
- (f) "OBSTRUCTING A PEACE OFFICER, FIREFIGHTER, EMERGENCY SERVICE PROVIDER, RESCUE SPECIALIST, OR VOLUNTEER" AS DESCRIBED IN 18-8-104.
- (h) "UNLAWFULLY CARRYING A CONCEALED WEAPON – UNLAWFUL POSSESSION OF WEAPONS" AS DESCRIBED IN 18-12-105.
- (i) "PROHIBITED USE OF WEAPONS" AS DESCRIBED IN 18-12-106.
- (j) "POSSESSION OF HANDGUNS BY JUVENILES" AS DESCRIBED IN 18-12-108.5.

(3) AS DESCRIBED IN THIS SUBSECTION, CLASS 2 MISDEMEANOR OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

- (a) "CRIMINAL INVASION OF PRIVACY" AS DESCRIBED IN 18-7-801.
- (b) "FAILURE OR REFUSAL TO LEAVE PREMISES OR PROPERTY UPON REQUEST OF A PEACE OFFICER" AS DESCRIBED IN 18-9-119 (3)

24-72-821. CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2), (3) AND (4) OF THIS SECTION 24-72-821, ALL OTHER CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF TWO (2) YEARS AND AN EXPUNGEMENT FEE OF TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$2,500) FOR THE FIRST CONVICTION AND (\$3,000) THREE THOUSAND DOLLARS FOR EACH SUBSEQUENT CONVICTION.

(2) AS DESCRIBED IN THIS SUBSECTION, CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF FIVE (5) YEARS AND AN EXPUNGEMENT FEE OF THREE THOUSAND DOLLARS (\$3,000) FOR THE FIRST CONVICTION AND FOUR THOUSAND DOLLARS (\$4,000) FOR EACH SUBSEQUENT CONVICTION.

- (a) "ASSAULT IN THE THIRD DEGREE" AS DESCRIBED IN 18-3-204 (a).
- (3) AS DESCRIBED IN THIS SUBSECTION, CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF SEVEN (7) YEARS AND, FOR CONVICTIONS THAT OCCUR ON OR AFTER JANUARY 01, 2021, AN EXPUNGEMENT FEE OF FOUR THOUSAND DOLLARS (\$4,000) FOR THE FIRST CONVICTION AND FIVE THOUSAND DOLLARS (\$5,000) FOR EACH SUBSEQUENT CONVICTION.
 - (a) "SECOND DEGREE FORGERY" AS DESCRIBED IN 18-5-104.
 - (b) "CRIMINAL SIMULATION" AS DESCRIBED IN 18-5-110.
 - (c) "VIOLATION OF A PROTECTION ORDER" AS DESCRIBED 18-6-803.5 (2) (a)
- (4) AS DESCRIBED IN THIS SUBSECTION, CLASS 1 MISDEMEANOR OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.
 - (a) "ASSAULT IN THE THIRD DEGREE" AS DESCRIBED IN 18-3-204 (b), (c).
 - (b) "CRIMES AGAINST AT-RISK PERSONS" AS DESCRIBED IN 18-6.5-103 (6).

- (c) "SEXUAL ASSAULT" AS DESCRIBED IN 18-3-402 (3).
- (d) "UNLAWFUL SEXUAL CONTACT" AS DESCRIBED IN 18-3-404 (2) (a).
- (e) "SEXUAL ASSAULT ON A CLIENT BY A PSYCHOTHERAPIST" AS DESCRIBED IN 18-3-405.5 (2).
- (f) "INVASION OF PRIVACY FOR SEXUAL GRATIFICATION" AS DESCRIBED IN 18-3-405.6 (2) (a).
- (g) "FAILURE TO REGISTER AS A SEX OFFENDER" AS DESCRIBED IN 18-3-412.5 (3)
- (h) "PERSONAL INFORMATION ON THE INTERNET – LAW ENFORCEMENT OFFICIAL" AS DESCRIBED IN 18-9-313 (2).
- (i) "POSTING A PRIVATE IMAGE FOR HARASSMENT" AS DESCRIBED IN 18-7-107 (1).
- (j) "POSTING A PRIVATE IMAGE FOR PECUNIARY GAIN" AS DESCRIBED IN 18-7-108 (1).

24-72-822. CLASS 6 FELONY OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2) AND (3) OF THIS SECTION 24-72-822, ALL OTHER CLASS 6 FELONY OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF THREE (3) YEARS AND AN EXPUNGEMENT FEE OF THREE THOUSAND DOLLARS (\$3,000) FOR THE FIRST CONVICTION AND FOUR THOUSAND DOLLARS (\$4,000) FOR EACH SUBSEQUENT CONVICTION.

(2) AS DESCRIBED IN THIS SUBSECTION, CLASS 6 FELONY OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF SEVEN (7) YEARS AND AN EXPUNGEMENT FEE OF FIVE THOUSAND DOLLARS (\$5,000) FOR THE FIRST CONVICTION AND SEVEN THOUSAND AND FIVE HUNDRED DOLLARS (\$7,500) FOR EACH SUBSEQUENT CONVICTION.

- (a) "INCITING DESTRUCTION OF LIFE OR PROPERTY" AS DESCRIBED IN 18-11-202.
- (b) "FIRING WOODS OR PRAIRIE" AS DESCRIBED IN 18-13-109 (2) (a).

(3) AS DESCRIBED IN THIS SUBSECTION, CLASS 6 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

- (a) "INVASION OF PRIVACY FOR SEXUAL GRATIFICATION" AS DESCRIBED IN 18-3-405.6 (2) (b).
- (b) "FAILURE TO REGISTER AS A SEX OFFENDER" AS DESCRIBED IN 18-3-412.5 (2).
- (c) "UNLAWFUL TERMINATION OF PREGNANCY IN THE FOURTH DEGREE" AS DESCRIBED IN 18-3.5-106 (2) (a)
- (d) "CRIMES AGAINST AT-RISK PERSONS" AS DESCRIBED IN 18-6.5-103 (2) (c), (3) (c),

(7) (c), and (7) (f).

(e) "INDECENT EXPOSURE" AS DESCRIBED IN 18-7-302 (4).

(f) "FALSE REPORT OF EXPLOSIVES, WEAPONS, OR HARMFUL SUBSTANCES" AS DESCRIBED IN 18-8-110.

(g) "IMPERSONATING A PEACE OFFICER" AS DESCRIBED IN 18-8-112.

(h) "CRUELTY TO ANIMALS" AS DESCRIBED IN 18-9-202 (2) (b) (I) and (2) (c).

(i) "POSSESSION OF WEAPONS BY PREVIOUS OFFENDERS" AS DESCRIBED IN "18-12-108 (2) (A) AND (4) (a).

24-72-823. CLASS 5 FELONY OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES.

(1) EXCEPT AS DESCRIBED IN SUBSECTIONS (2), (3) OF THIS SECTION, 24-72-823, ALL OTHER CLASS 5 FELONY OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF FIVE (5) YEARS AND AN EXPUNGEMENT FEE OF FIVE THOUSAND DOLLARS (\$5,000) FOR THE FIRST CONVICTION AND SEVEN THOUSAND AND FIVE HUNDRED DOLLARS (\$7,500) FOR EACH SUBSEQUENT CONVICTION.

(2) AS DESCRIBED IN THIS SUBSECTION, CLASS 5 FELONY OFFENSE CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF SEVEN (7) YEARS AND AN EXPUNGEMENT FEE OF SEVEN THOUSAND AND FIVE HUNDRED DOLLARS (\$7,500) FOR THE FIRST CONVICTION AND TEN THOUSAND DOLLARS (\$10,000) FOR EACH SUBSEQUENT CONVICTION.

(a) "VEHICULAR ASSAULT" AS DESCRIBED IN 18-3-205 (1) (a), (b).

(b) "THEFT OF TRADE SECRETS" AS DESCRIBED IN 18-4-408 (3).

(c) "AGGRAVATED MOTOR VEHICLE THEFT" AS DESCRIBED IN 18-4-409 (3) (a) and (4) (a).

(d) "CRIMES AGAINST AT-RISK PERSONS" AS DESCRIBED IN 18-6.5-103 (2) (b), (3) (b), (5),

(e) "INCITING RIOT" AS DESCRIBED IN 18-9-102.

(f) "VEHICULAR ELUDING" AS DESCRIBED IN 18-9-116.5 (2) (a).

(g) "POSSESSION OF A DANGEROUS OR ILLEGAL WEAPON" AS DESCRIBED IN 18-12-102.

(h) "ILLEGAL SALE OF WILDLIFE" AS DESCRIBED IN 33-6-113 (2) (a).

(3) AS DESCRIBED IN THIS SUBSECTION, CLASS 5 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

- (a) "CRIMINALLY NEGLIGENT HOMICIDE" AS DESCRIBED IN 18-3-105.
- (b) "MENACING" AS DESCRIBED IN 18-3-206 (a) and (b).
- (c) "FALSE IMPRISONMENT" AS DESCRIBED IN 18-3-303 (2) (a), (2) (b), and (2) (c).
- (d) "VIOLATION OF A CUSTODY ORDER OR ORDER RELATING TO PARENTAL RESPONSIBILITIES" AS DESCRIBED IN 18-3-304 (1) AND (2).
- (e) "INTERNET LURING OF A CHILD" AS DESCRIBED IN 18-3-306 (3).
- (f) "FAILURE TO REGISTER AS A SEX OFFENDER" AS DESCRIBED IN 18-3-412.5 (2) (a).
- (g) "STALKING" AS DESCRIBED IN 18-3-602 (3) (a).
- (h) "UNLAWFUL TERMINATION OF PREGNANCY IN THE SECOND DEGREE" AS DESCRIBED IN 18-3.5-104 (2) (b).
- (i) "UNLAWFUL TERMINATION OF PREGNANCY IN THE THIRD DEGREE" AS DESCRIBED IN 18-3.5-105.
- (j) "UNLAWFUL TERMINATION OF PREGNANCY IN THE FOURTH DEGREE" AS DESCRIBED IN 18-3.5-106 (2) (b).
- (k) "VEHICULAR UNLAWFUL TERMINATION OF PREGNANCY" AS DESCRIBED IN 18-3.5-107.
- (l) "CHILD ABUSE" AS DESCRIBED IN 18-6-401 (7) (e).
- (m) "SEXUAL EXPLOITATION OF A CHILD" AS DESCRIBED IN 18-6-403 (5) (b).
- (n) "DOMESTIC VIOLENCE – SENTENCING" AS DESCRIBED IN 18-6-801 (7).
- (o) "PANDERING" AS DESCRIBED IN 18-7-203 (2).
- (p) "DISARMING A PEACE OFFICER" AS DESCRIBED IN 18-8-116.
- (q) "EMBEZZLEMENT OF PUBLIC PROPERTY" AS DESCRIBED IN 18-8-407.
- (r) "JURY TAMPERING" AS DESCRIBED IN 18-8-609.
- (s) "FAILURE OR REFUSAL TO LEAVE PREMISES OR PROPERTY UPON REQUEST OF A PEACE OFFICER" AS DESCRIBED IN 18-9-119 (7).
- (t) "TERRORIST TRAINING ACTIVITIES" AS DESCRIBED IN 18-9-120 (2).
- (u) "BIAS-MOTIVATED CRIMES" AS DESCRIBED IN 18-9-121 (3).

- (v) "AGGRAVATED CRUELTY TO ANIMALS" AS DESCRIBED IN 18-9-202 (2) (c).
- (w) "ANIMAL FIGHTING" AS DESCRIBED IN 18-9-204 (2) (a).
- (x) "INSURRECTION" AS DESCRIBED IN 18-11-102.
- (y) "ADVOCATING OVERTHROW OF GOVERNMENT" AS DESCRIBED IN 18-11-201.
- (z) "MEMBERSHIP IN ANARCHISTIC AND SEDITIOUS ASSOCIATIONS" AS DESCRIBED IN 18-11-203.
- (aa) "USE OF STUN GUNS" AS DESCRIBED IN 18-12-106.5.
- (bb) "PENALTY FOR A SECOND OFFENSE" AS DESCRIBED IN 19-12-107.
- (cc) "ILLEGAL DISCHARGE OF A FIREARM" AS DESCRIBED IN 18-12-107.5.
- (dd) "POSSESSION OF WEAPONS BY PREVIOUS OFFENDERS" AS DESCRIBED IN 18-12-108 (2) (b), (2) (c), (4) (b), and (4) (c).
- (ee) "POSSESSION OF HANDGUNS BY JUVENILES" AS DESCRIBED IN 18-12-108.5 (1) (c) (II).
- (ff) "POSSESSION, USE, OR REMOVAL OF EXPLOSIVES OR INCENDIARY DEVICES – POSSESSION OF COMPONENTS THEREOF – CHEMICAL, BIOLOGICAL, AND NUCLEAR WEAPONS – HOAXES" AS DESCRIBED IN 18-12-109 (7).
- (gg) "FINANCING EXTORTIONATE EXTENSIONS OF CREDIT" AS DESCRIBED IN 18-15-105.
- (hh) "WILLFUL DESTRUCTION OF WILDLIFE" AS DESCRIBED IN 36-6-117 (1) (a) AND (1) (b) (I).

24-72-824. CLASS 4 FELONY OFFENSE CONVICTIONS – ELIGIBILITY – PENALTIES. (1) EXCEPT AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION, 24-72-824, ALL OTHER CLASS 4 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

(2) AS DESCRIBED IN THIS SUBSECTION, CLASS 4 FELONY CONVICTIONS INCUR AN EXPUNGEMENT PERIOD OF SEVEN (7) YEARS AND AN EXPUNGEMENT FEE SEVEN THOUSAND AND FIVE HUNDRED DOLLARS (\$7,500) FOR THE FIRST CONVICTION AND TEN THOUSAND DOLLARS (\$10,000) FOR EACH SUBSEQUENT CONVICTION.

- (a) "FOURTH DEGREE ARSON" AS DESCRIBED IN 18-4-105 (2).
- (b) "CONTRIBUTING TO THE DELINQUENCY OF A MINOR" AS DESCRIBED IN 18-6-701.
- (c) "TRAFFICKING IN FOOD STAMPS" AS DESCRIBED IN 26-2-306 (2) (c) AND (3).

24-72-825. CLASS 3 FELONY OFFENSE CONVICTIONS – ELIGIBILITY. (1) CLASS 3 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-826. CLASS 2 FELONY OFFENSE CONVICTIONS – ELIGIBILITY. (1) CLASS 2 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-827. CLASS 1 FELONY OFFENSE CONVICTIONS – ELIGIBILITY. (1) CLASS 1 FELONY OFFENSE CONVICTIONS ARE INELIGIBLE FOR EXPUNGEMENT.

24-72-828. RESPONSIBILITIES – PENALTIES – EFFECTS OF EXPUNGEMENT. (1) (a) BEGINNING JANUARY 01, 2021, ANY OFFICIAL CUSTODIAN OF CRIMINAL RECORDS WILL HAVE ONE HUNDRED AND EIGHTY (180) DAYS TO EXPUNGE ALL CRIMINAL RECORDS ELIGIBLE FOR EXPUNGEMENT WHERE CONVICTION OCCURRED ON OR BEFORE DECEMBER 31, 2020. THE DELETION, REMOVAL, PHYSICAL DESTRUCTION OR ERASURE OF A CRIMINAL RECORD CONSTITUTES EXPUNGEMENT. FAILURE TO COMPLY WITH THIS ORDER WILL RESULT IN A ONE HUNDRED DOLLAR (\$100) PER WEEK PENALTY, ROUNDED UP TO THE NEAREST WEEK, TO BE PAID BY THE STATE THE PERSON WHO LEGALLY SHOULD NOT HAVE THE CRIMINAL RECORD.

(b) FAILURE TO COMPLY WITH PARAGRAPH (a) OF THIS SUBSECTION (1) WILL RESULT IN A FIFTEEN PERCENT (15%) INTEREST PENALTY, COMPOUNDED ANNUALLY, TO BE ASSESSED TO THE STATE AND PAID TO THE PERSON WHO LEGALLY SHOULD NOT HAVE THE RECORD.

(c) UPON THE ORDER OF EXPUNGEMENT, ANY CRIMINAL JUSTICE AGENCY MAY PROPERLY REPLY, UPON ANY INQUIRY INTO THE MATTER, THAT NO SUCH RECORD EXISTS.

(d) A PERSON WHO HAD A CRIMINAL RECORD THAT WAS EXPUNGED NEED NOT ANSWER TO ANY QUESTION CONCERNING THE CRIMINAL RECORDS THAT HAVE BEEN EXPUNGED, INCLUDING A REFERENCE TO, OR INFORMATION CONCERNING, THE EXPUNGED INFORMATION AND MAY STATE THAT NO SUCH ACTION HAS EVER OCCURRED.

(e) ANY RECORD THAT IS ORDERED EXPUNGED WILL NOT AVAILABLE TO ANY JUDGE OR PROBATION DEPARTMENT FOR USE IN ANY FUTURE PROCEEDING IN WHICH THE PERSON WHOSE RECORD WAS EXPUNGED IS CHARGED WITH AN OFFENSE AS EITHER A JUVENILE OR AS AN ADULT.

24-72-829. PRIVATE CUSTODIANS. (1) NO LATER THAN JANUARY 31, 2021, THE STATE SHALL INFORM ALL PRIVATE CUSTODIANS VIA CERTIFIED LETTER THAT THE RECORDS IN THEIR DATABASE MAY BE INACCURATE AND INFORM THEM OF THE CONSEQUENCES OF PROVIDING CRIMINAL RECORDS INFORMATION WHICH DOES NOT EXIST AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

(2) ANY PRIVATE CUSTODIAN WHO PROVIDES CRIMINAL RECORDS INFORMATION ABOUT PERSON CONCERNING RECORDS WHICH HAVE BEEN EXPUNGED, OR DO NOT

EXIST, COMMITS A CLASS 2 MISDEMEANOR.

24-72-830. EXPUNGEMENT FEE CASH FUND – CREATION – ADMINISTRATION. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE EXPUNGEMENT FEE CASH FUND. ALL MONIES DERIVED FROM THE COLLECTION OF EXPUNGEMENT FEES AND ANY INTEREST PURSUANT TO 24-72-805 (3) SHALL BE CREDITED TO THE EXPUNGEMENT FEE CASH FUND.

(2) ALL INTEREST DERIVED FROM THE DEPOSIT OF EXPUNGEMENT FEES AND INTEREST PURSUANT TO 24-72-805 (3) SHALL BE USED FOR THE EXCLUSIVE PURPOSE OF FURNISHING SCHOOL SUPPLIES IN ELEMENTARY AND SECONDARY EDUCATION THROUGH THE STATE'S EXISTING METHOD FOR FUNDING PUBLIC SCHOOLS.

(3) EXCEPT AS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (3), ALL MONIES SHALL BE APPROPRIATED AS DESCRIBED AT THE BEGINNING OF EVERY FISCAL YEAR. ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE EXPUNGEMENT FEE CASH FUND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND EXCEPT AS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (2) AND SHALL REMAIN IN THE FUND TO BE DISBURSED THE NEXT FISCAL YEAR IN EQUAL PROPORTION TO THE APPROPRIATIONS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (3).

(a) TEN PERCENT (10%) SHALL BE APPROPRIATED AND DISTRIBUTED AT THE BEGINNING OF EACH FISCAL QUARTER AS NECESSARY FOR ADMINISTRATIVE EXPENSES ASSOCIATED WITH THE EXPUNGEMENT OF CRIMINAL RECORDS. AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES FROM THIS APPROPRIATION WILL BE TRANSFERRED TO THE GENERAL FUND.

(i) IF THIS APPROPRIATION IS INSUFFICIENT TO SATISFY THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE EXPUNGEMENT OF CRIMINAL RECORDS, APPROPRIATIONS FROM SECTION 24-72-830 (3) WILL BE USED TO SUPPLEMENT THE EXPENSES.

(b) FIVE PERCENT (5%) SHALL BE APPROPRIATED TO THE COLORADO DEPARTMENT OF HUMAN SERVICES TO SUPPLEMENT, NOT SUPPLANT, MONIES USED FOR INCREASING ACCESS TO EFFECTIVE SUBSTANCE USE DISORDER SERVICES, INCLUDING EVALUATION OF INTENSIVE RESIDENTIAL TREATMENT PURSUANT TO S.B. 16-202 AND BEHAVIORAL AND MENTAL HEALTH SERVICES FOR JUVENILE AND ADULT OFFENDERS.

(c) TEN PERCENT (10%) SHALL BE APPROPRIATED TO THE LIFE SKILLS PROGRAM FUND CREATED BY SECTION 24-72-830.

(d) EIGHT PERCENT (8%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND CREATED BY SECTION 24-72-832.

(e) FIVE PERCENT (5%) SHALL BE APPROPRIATED TO THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND CREATED BY SECTION 24-72-833.

(f) FIVE PERCENT (5%) SHALL BE APPROPRIATED TO OPEN ACCESS INSTITUTIONS FOR THE EXCLUSIVE PURPOSE OF AWARDING GRANTS AND SCHOLARSHIPS TO LOW INCOME, REENTRY CITIZENS OR STUDENTS SPECIALIZING IN SCIENCE, TECHNOLOGY, ENGINEERING OR MATHEMATICAL FIELDS.

(g) EIGHT PERCENT (8%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES IN THE HOUSING DEVELOPMENT GRANT FUND AS DESCRIBED IN SECTION 24-32-721 (1).

(h) TWO PERCENT (2%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES IN THE HOUSING ASSISTANCE FOR PERSONS TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH FUND AS DESCRIBED IN SECTION 24-32-721 (4).

(i) TWO PERCENT (2%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, AND MONIES IN THE AFTER SCHOOL LITERACY PROGRAM GRANT FUND CREATED BY SECTION 24-72-834.

(j) FIVE PERCENT (5%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES IN THE VETERAN PEER SUPPORT FUND CREATED BY SECTION 24-72-835.

(k) ONE PERCENT (1%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES IN COLORADO DOMESTIC ABUSE FUND FOR THE EXCLUSIVE PURPOSE OF SUPPORTING COMMUNITY-BASED DOMESTIC VIOLENCE ADVOCACY PROGRAMS THAT INTERVENE, PREVENT AND RESPOND TO DOMESTIC VIOLENCE.

(l) ONE PERCENT (1%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, NO DUI COLORADO COALITIONS FOR THE EXCLUSIVE PURPOSES OF WORKING TO PREVENT IMPAIRED DRIVING AND/OR THE LOCAL CONDITIONS THAT FACILITATE THIS BEHAVIOR AT ALL LEVELS OF THE COMMUNITY, ESPECIALLY AMONG YOUNG DRIVERS.

(m) THREE PERCENT (3%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES IN THE PEACE OFFICERS MENTAL HEALTH SUPPORT PROGRAM AS CREATED BY 24-32-3501.

(n) TWO PERCENT (2%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES USED FOR THE EXCLUSIVE PURPOSE OF PROVIDING COUNSELING SERVICES TO FIREFIGHTERS.

(o) TWO PERCENT (2%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES USED FOR THE EXCLUSIVE PURPOSE OF PROVIDING COUNSELING SERVICES TO EMERGENCY MEDICAL TECHNICIANS.

(p) THREE PERCENT (3%) SHALL BE APPROPRIATED TO THE FIRST RESPONDER SAFETY EQUIPMENT FUND CREATED BY SECTION 24-72-836.

(q) ONE PERCENT (1%) SHALL BE APPROPRIATED TO THE FALLEN FIRST RESPONDER FUND CREATED BY 24-72-837.

(r) FOUR PERCENT (4%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES IN THE LOW INCOME AND REENTRY CITIZEN RENEWABLE ENERGY ASSISTANCE FUND CREATED BY SECTION 24-72-838.

(s) ONE PERCENT (1%) SHALL BE APPROPRIATED TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES IN THE COLORADO PET OVERPOPULATION FUND FOR THE EXCLUSIVE PURPOSE OF PROVIDING GRANTS TO CARE FOR HOMELESS PETS AND TO SUBSIDIZE SPAY AND NEUTER SURGERIES OF OWNED PET IN UNDERSERVED AREAS THROUGH PET ANIMAL CARE FACILITIES ACT (PACFA) LICENSED FACILITIES.

(t) FOUR PERCENT (4%) SHALL BE APPROPRIATED THE DEPARTMENT OF NATURAL RESOURCES FOR THE EXCLUSIVE PURPOSES DESCRIBED BELOW:

(I) FIFTY PERCENT OF THE TOTAL APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES BY THE EXPUNGEMENT FEE CASH FUND SHALL BE USED TO SUPPLEMENT, NOT SUPPLANT, THE GREAT OUTDOORS COLORADO (GOCO) PARKS CAPITAL BUDGET.

(II) FIFTY PERCENT OF THE TOTAL APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES BY THE EXPUNGEMENT FEE CASH FUND SHALL BE USED TO SUPPLEMENT, NOT SUPPLANT, THE GREAT OUTDOORS COLORADO PARKS OPERATING BUDGET.

(u) FIVE PERCENT (5%) SHALL BE APPROPRIATED TO THE COUNTY TREASURY IN WHICH THE CONVICTION OCCURRED FOR THE EXCLUSIVE PURPOSE OF BUILDING AND MAINTAINING PARKS LOCATED WITHIN THAT COUNTY.

(v) TEN PERCENT (10%) SHALL BE APPROPRIATED TO THE GENERAL FUND UNLESS THE ADMINISTRATIVE EXPENSES ASSOCIATED WITH EXPUNGEMENT, AS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION EXCEED TEN PERCENT (10%) OF TOTAL EXPUNGEMENT FEE REVENUE. IN SUCH CASE, THIS APPROPRIATION SHALL REDUCE BY THE TOTAL AMOUNT NECESSARY TO PAY FOR THE ADMINISTRATIVE EXPENSES ASSOCIATED WITH THE EXPUNGEMENT OF CRIMINAL RECORDS.

(w) THREE PERCENT (3%) SHALL BE APPROPRIATED TO THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND CREATED BY SECTION 24-72-839.

24-72-831. LIFE SKILLS PROGRAM FUND – CREATION – ADMINISTRATION. (1)
THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE LIFE SKILLS PROGRAM FUND.

(2) MONIES IN THE LIFE SKILLS PROGRAM FUND ARE TO SUPPLEMENT THE LIFE SKILLS PROGRAM AND SHALL BE USED TO DEVELOP AND MAINTAIN COMMUNITY MAINTENANCE PROGRAMS, REHABILITATION AND EDUCATIONAL SERVICES AS

DESCRIBED IN SECTION 24-72-807.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE LIFE SKILLS PROGRAM FUND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE LIFE SKILLS PROGRAM FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES INTO THE LIFE SKILLS PROGRAM FUND SHALL NOT BE TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE LIFE SKILLS PROGRAM FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

24-72-832. COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND – CREATION – ADMINISTRATION. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND.

(2) A MINIMUM OF NINETY PERCENT (90%) OF THE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND SHALL BE APPROPRIATED FOR THE EXCLUSIVE PURPOSE OF AWARDING GRANTS OR SCHOLARSHIPS TO PERSONS ATTENDING COLORADO-BASED INSTITUTIONS, PUBLIC OR PRIVATE, OFFERING COURSES IN OCCUPATIONAL EDUCATION.

(3) A MAXIMUM OF TEN PERCENT (10%) OF THE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND ARE TO BE USED FOR ADMINISTRATIVE EXPENSES RELATING TO THE DISBURSEMENT OF THE APPROPRIATIONS RECEIVED.

(4) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND, EXCEPT FOR INTEREST, AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION 24-72-832, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(5) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE COLORADO OCCUPATIONAL EDUCATION SCHOLARSHIP FUND SHALL BE CREDITED TO THE GENERAL FUND TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES APPROPRIATED FOR THE EXCLUSIVE PURPOSE OF FURNISHING SCHOOL SUPPLIES TO COLORADO'S ELEMENTARY AND SECONDARY SCHOOLS AND SHALL BE DISTRIBUTED THROUGH THE STATE'S EXISTING METHOD FOR FUNDING PUBLIC SCHOOLS.

24-72-833. GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND – CREATION –ADMINISTRATION. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE

STATE TREASURER, THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND.

(2) A MINIMUM OF NINETY PERCENT (90%) OF THE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND SHALL BE APPROPRIATED FOR THE EXCLUSIVE PURPOSE OF AWARDING GRANTS OR SCHOLARSHIPS TO PERSONS ATTENDING A COLORADO-BASED HIGHER EDUCATION INSTITUTION FOR THE SPECIFIC PURPOSE OF ATTAINING CERTIFICATION OR EARNING A DEGREE AS A HEALTHCARE PROFESSIONAL WITH A SPECIALIZATION IN GERIATRICS.

(3) A MAXIMUM OF TEN PERCENT (10%) OF THE APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND ARE TO BE USED FOR ADMINISTRATIVE EXPENSES RELATING TO THE DISBURSEMENT OF THE APPROPRIATIONS RECEIVED.

(4) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE FUND, EXCEPT FOR INTEREST AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION 24-72-833, SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(5) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE GERIATRICS HEALTHCARE PROFESSIONAL SCHOLARSHIP FUND SHALL BE CREDITED TO THE GENERAL FUND TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES APPROPRIATED FOR THE EXCLUSIVE PURPOSE OF FURNISHING SCHOOL SUPPLIES TO COLORADO'S ELEMENTARY AND SECONDARY SCHOOLS AND SHALL BE DISTRIBUTED THROUGH THE STATE'S EXISTING METHOD FOR FUNDING PUBLIC SCHOOLS.

24-72-834. AFTER SCHOOL LITERACY PROGRAM GRANT FUND – CREATION – ADMINISTRATION. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE AFTER SCHOOL LITERACY PROGRAM GRANT FUND.

(2) APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND ARE TO BE USED FOR GRANT TO BE AWARDED TO NON-PROFIT ORGANIZATIONS SPECIALIZING IN AFTER SCHOOL LITERACY PROGRAMS. A MAXIMUM OF TEN PERCENT (10%) OF THE APPROPRIATIONS FROM THE EXPUNGEMENT FEE CASH FUND SHALL BE USED FOR ADMINISTRATIVE EXPENSES INCURRED THROUGH THE DISBURSEMENT OF THE GRANTS.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE AFTER SCHOOL LITERACY PROGRAM FUND, EXCEPT FOR INTEREST AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION 24-72-834, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE AFTER SCHOOL LITERACY PROGRAM FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE AFTER SCHOOL LITERACY FUND SHALL BE CREDITED TO THE GENERAL FUND TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES APPROPRIATED FOR THE EXCLUSIVE PURPOSE OF FURNISHING SCHOOL SUPPLIES TO COLORADO'S ELEMENTARY AND SECONDARY SCHOOLS AND SHALL BE DISTRIBUTED THROUGH THE STATE'S EXISTING METHOD FOR FUNDING PUBLIC SCHOOLS.

24-72-835. VETERAN PEER SUPPORT FUND – CREATION – ADMINISTRATION. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE VETERAN PEER SUPPORT FUND.

(2) APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND ARE TO BE USED FOR GRANTS TO BE AWARDED TO NON-PROFIT ORGANIZATIONS SPECIALIZING IN PEER SUPPORT PROGRAMS FOR VETERANS. A MAXIMUM OF TEN PERCENT (10%) OF APPROPRIATIONS FROM THE EXPUNGEMENT FEE CASH FUND SHALL BE USED FOR ADMINISTRATIVE EXPENSES INCURRED THROUGH THE DISBURSEMENT OF THE GRANTS.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE VETERAN PEER SUPPORT FUND SHALL REMAIN IN THE VETERAN PEER SUPPORT FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE VETERAN PEER SUPPORT FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION 24-72-835 WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE VETERAN PEER SUPPORT FUND SHALL REMAIN IN THE VETERAN PEER SUPPORT FUND AND SHALL NOT BE CREDITED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE VETERAN PEER SUPPORT FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION 24-72-835 WITHOUT FURTHER APPROPRIATION.

24-72-836. FIRST RESPONDER SAFETY EQUIPMENT FUND – CREATION – ADMINISTRATION. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE FIRST RESPONDER SAFETY EQUIPMENT FUND.

(2) APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND SHALL BE USED FOR GRANTS TO BE AWARDED TO NON-PROFIT ORGANIZATIONS SPECIALIZING IN THE PROVISION, OR THE FACILITATION OF PROVISION, OF SAFETY EQUIPMENT TO FIRST RESPONDERS.

(3) "SAFETY EQUIPMENT" IN THIS SECTION 24-72-836 IS DEFINED AS, VESTS, ARMOR PLATING FOR VESTS, AND HELMETS.

(4) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE FIRST RESPONDER SAFETY EQUIPMENT FUND, EXCEPT FOR INTEREST

AS DESCRIBED IN SUBSECTION (5) OF THIS SECTION 24-72-836, SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

(5) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE FIRST RESPONDER SAFETY EQUIPMENT FUND SHALL BE CREDITED TO THE GENERAL FUND TO SUPPLEMENT, NOT SUPPLANT, ANY MONIES APPROPRIATED FOR FURNISHING SCHOOL SUPPLIES TO COLORADO'S ELEMENTARY AND SECONDARY SCHOOLS AND SHALL BE DISTRIBUTED THROUGH THE STATE'S EXISTING METHOD FOR FUNDING PUBLIC SCHOOLS.

24-72-837. FALLEN FIRST RESPONDERS FUND – CREATION – ADMINISTRATION.

(1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE FALLEN FIRST RESPONDERS FUND.

(2) ALL APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND ARE TO BE USED TO ASSIST THE IMMEDIATE FAMILY MEMBERS OF A FIRST RESPONDER WHO HAS FALLEN IN THE LINE OF DUTY WITH A MAXIMUM OF TEN PERCENT (10%) TO BE USED FOR ADMINISTRATIVE PURPOSES MANAGING THE DISBURSEMENT OF THESE FUNDS.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES AND ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE FALLEN FIRST RESPONDERS FUND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION 24-72-837 WITHOUT FURTHER APPROPRIATION.

24-72-838. LOW INCOME AND REENTRY CITIZEN RENEWABLE ENERGY

ASSISTANCE FUND – CREATION – ADMINISTRATION. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE LOW INCOME AND REENTRY CITIZEN RENEWABLE ENERGY ASSISTANCE FUND.

(2) APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND ARE TO BE USED FOR GRANTS TO DISTRIBUTE TO NON-PROFIT ORGANIZATIONS THAT SPECIALIZE IN THE PROVISION OF RENEWABLE ENERGY ASSISTANCE TO LOW INCOME AND REENTRY CITIZENS.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE LOW INCOME AND REENTRY CITIZEN RENEWABLE ENERGY ASSISTANCE FUND, EXCEPT FOR INTEREST AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION 24-72-838, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE LOW INCOME AND REENTRY CITIZEN RENEWABLE ENERGY ASSISTANCE FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION 24-72-838 WITHOUT FURTHER APPROPRIATION.

(4) ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE LOW INCOME AND REENTRY CITIZEN RENEWABLE ENERGY ASSISTANCE FUND SHALL BE CREDITED TO THE GENERAL FUND TO SUPPLEMENT, NOT SUPPLANT, THE EXCLUSIVE PURPOSE OF FURNISHING SCHOOL SUPPLIES TO COLORADO'S ELEMENTARY AND SECONDARY SCHOOLS AND SHALL BE DISTRIBUTED THROUGH THE STATE'S EXISTING METHOD FOR FUNDING PUBLIC SCHOOLS.

24-72-839. STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND – CREATION – ADMINISTRATION. (1) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE TREASURER, THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND.

(2) APPROPRIATIONS RECEIVED FROM THE EXPUNGEMENT FEE CASH FUND ARE TO BE USED FOR THE DEVELOPMENT, MANAGEMENT AND EXECUTION OF STRATEGIC ACTION PLANNING GROUPS TO STUDY THE EFFECTS OF EXPUNGEMENT AND TO PROVIDE OVERVIEWS, FORECASTS, GOALS AND RECOMMENDATIONS AS IT RELATES TO THE EFFECTS OF THE EXPUNGEMENT OF CRIMINAL RECORDS; INCLUDING BUT NOT LIMITED TO THE EFFECTS FROM EXPUNGEMENT AS WELL AS THE APPROPRIATIONS SET FORTH BY THE EXPUNGEMENT FEE CASH FUND DESCRIBED IN SECTION 24-72-830.

(3) AT THE END OF ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONIES IN THE FUND, EXCEPT FOR INTEREST AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION 24-72-839, SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND AND SHALL REMAIN IN THE STRATEGIC ACTION PLANNING GROUP ON EXPUNGEMENT FUND FOR EXPENDITURE IN THE NEXT FISCAL YEAR FOR THE PURPOSES SPECIFIED IN SUBSECTION (2) OF THIS SECTION 24-72-839 WITHOUT FURTHER APPROPRIATION.

(4) INTEREST – ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF EXPUNGEMENT FEES IN THE FUND SHALL BE CREDITED TO THE GENERAL FUND TO SUPPLEMENT, NOT SUPPLANT, THE EXCLUSIVE PURPOSE OF FURNISHING SCHOOL SUPPLIES TO COLORADO'S ELEMENTARY AND SECONDARY SCHOOLS AND SHALL BE DISTRIBUTED THROUGH THE STATE'S EXISTING METHOD FOR FUNDING PUBLIC SCHOOLS.

SECTION 2. In Colorado Revised Statutes, 18-1.3-701 **amend** (1) (b) as follows:

(1) (b) Except as otherwise provided in paragraph (c) AND (d) of this subsection (1), on and after July 1, 2010, all judgments collected pursuant to this section for fees and court costs shall be transmitted to the state treasurer for deposit in the judicial stabilization cash fund created in section 13-32-101 (6), C.R.S.

SECTION 3. In Colorado Revised Statutes, 18-1.3-701, **add** (1) (d) as follows:

(1) (d) EXPUNGEMENT FEES SHALL BE DEPOSITED IN THE EXPUNGEMENT FEE CASH

FUND CREATED BY 24-72-830.

SECTION 4. EFFECTIVE DATE. ALL PROVISIONS OF ALL SECTIONS SHALL BECOME EFFECTIVE ON JANUARY 01, 2021.