

authorization pursuant to the provisions of article 60.5 of title 22, C.R.S., the court shall report such fact to the department of education.

Source: L. 90: Entire section added, p. 1025, § 6, effective July 1. L. 2000: Entire section amended, p. 1847, § 31, effective August 2.

18-3-417. Reports of sexual assault by applicants, registrants, or licensed professionals. When the director of the division of professions and occupations or a board or commission within the division of professions and occupations in the department of regulatory agencies refers a case to the office of expedited settlement or the office of the attorney general for disciplinary action related to an alleged offense described in this part 4, the office of expedited settlement or the office of the attorney general shall forward the victim's contact information to a victim's advocate in the office of the attorney general. The victim's advocate shall make reasonable efforts to advise the victim of the right to pursue criminal action, the right to pursue civil action, the applicable statutes of limitations, and contact information for the police, sheriff, and community-based resources in the jurisdiction where the alleged offense occurred. This provision shall not prohibit additional reporting of criminal offenses by the attorney general.

Source: L. 2007: Entire section added, p. 1109, § 1, effective May 23.

18-3-418. Unlawful electronic sexual communication - person in a position of trust - definitions. (1) An actor commits unlawful electronic sexual communication if the actor knowingly importunes, invites, or entices through communication via a computer network or system, telephone network, or data network or by a text message or instant message a person whom the actor knows or believes to be fifteen years of age or older but less than eighteen years of age and at least four years younger than the actor, and the actor committing the offense is one in a position of trust with respect to that person, to:

(a) Expose or touch the person's own or another person's intimate parts while communicating with the actor via a computer network or system, telephone network, or data network or by a text message or instant message; or

(b) Observe the actor's intimate parts via a computer network or system, telephone network, or data network or by a text message or instant message.

(2) An actor commits unlawful electronic sexual communication if the actor knowingly communicates over a computer or computer network, telephone network, or data network or by a text message or instant message to a person the actor knows or believes to be fifteen years of age or older but less than eighteen years of age and at least four years younger than the actor and, in that communication or in any subsequent communication by computer or computer network, telephone network, or data network or by text message or instant message, describes explicit sexual conduct as defined in section 18-6-403 (2)(e) and, in connection with that description, makes a statement persuading or inviting the person to meet the actor for any purpose, and the actor committing the offense is one in a position of trust with respect to that person.

(3) As used in this section, unless the context otherwise requires:

(a) "Explicit sexual conduct" has the same meaning as section 18-6-403 (2)(e).

(b) "In connection with" means communications that further, advance, promote, or have a continuity of purpose and may occur before, during, or after the invitation to meet.

(c) "Position of trust" has the same meaning as section 18-3-401 (3.5).

(4) (a) Unlawful electronic sexual communication in violation of subsection (1) of this section is a class 6 felony.

(b) Unlawful electronic sexual communication in violation of subsection (2) of this section is a class 6 felony; except that unlawful electronic sexual communication is a class 5 felony if committed with the intent to meet for the purpose of engaging in sexual exploitation as defined in section 18-6-403 or sexual contact as defined in section 18-3-401.

Source: L. 2019: Entire section added, (HB 19-1030), ch. 145, p. 1758, § 1, effective July 1.

PART 5

HUMAN TRAFFICKING AND SLAVERY

Editor's note: This part 5 was added in 2010. It was repealed and reenacted in 2014, resulting in the addition, relocation, or elimination of sections as well as subject matter. For amendments to this part 5 prior to 2014, consult the 2013 Colorado Revised Statutes and the Colorado statutory research explanatory note beginning on page vii in the front of this volume.

Law reviews: For article, "2006 Immigration Legislation in Colorado", see 35 Colo. Law. 79 (Oct. 2006); for article, "Buying and Selling Sex in Colorado", see 41 Colo. Law. 59 (Oct. 2012); for comment, "Finding Safe Harbor: Eliminating the Gap in Colorado's Human Trafficking Laws", see 87 U. Colo. L. Rev. 257 (2016); for comment, "Addressing Labor Trafficking: The Next Step in the Anti-Trafficking Movement", see 99 Denv. L. Rev. 233 (2022).

18-3-501. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Human trafficking constitutes a serious problem in Colorado and across the nation;

(b) Human trafficking is abhorrent to a civilized society and deserving of the most diligent response from the state;

(c) Human trafficking often involves minors who have been forced into involuntary servitude and commercial sexual activity;

(d) Human trafficking can take many forms but generally includes the use of physical abuse, threats of harm, or fear of other consequences to prevent victims from reporting the activity; and

(e) Human trafficking creates a cycle of violence, impacting victims, families, and communities.

(2) The general assembly further finds and declares that:

(a) Legislation is required to combat this despicable practice, to make it easier to prosecute and punish persons who engage in human trafficking, and to protect the victims; and

(b) The general assembly supports a comprehensive approach to combating human trafficking, which approach includes prevention, protection, prosecution, and partnerships.

(3) Now, therefore, the general assembly joins the federal government and other states around the nation in passing legislation in order to combat human trafficking and protect the victims.

Source: L. 2014: Entire part R&RE, (HB 14-1273), ch. 282, p. 1143, § 1, effective July 1.

18-3-502. Definitions. As used in this part 5, unless the context otherwise requires:

(1) "Adult" means a person eighteen years of age or older.

(2) "Coercing" means inducing a person to act or to refrain from acting, if the inducement is accomplished by any one or more of the following means:

(a) The use or threat of the use of force against, abduction of, causing of serious harm to, or physical restraint of a person;

(b) The use of a plan, pattern, or statement for the purpose of causing the person to believe that failure to perform the act or failure to refrain from performing the act will result in the use of force against, abduction of, causing of serious harm to, or physical restraint of that person or another person;

(c) Using or threatening to use the law or the legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed;

(d) Threatening to notify law enforcement officials that a person is present in the United States in violation of federal immigration laws;

(e) The destruction or taking, or a threat to destroy or take, a person's identification document or other property;

(f) Controlling or threatening to control a person's access to a controlled substance, as defined in section 18-18-102 (5);

(g) The use of debt bondage; or