

2025-2026 #87 - Final

*Be it enacted by the People of the State of Colorado:***SECTION 1.** In Colorado Revised Statutes, title 24, **repeal and reenact** article 76.6 as follows:**Article 76.6. Prioritizing State Enforcement of Civil Immigration Law****24-76.6-101. Definitions.**

AS USED IN THIS ARTICLE 76.6, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "Law enforcement" means:

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

(b) A CORRECTIONAL OFFICER; OR

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

24-76.6-102. 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 AS PROMPTLY AS POSSIBLE UPON CHARGING THE PERSON WITH A CRIME AND AT LEAST SEVENTY-TWO HOURS PRIOR TO RELEASE AFTER CONVICTION OF 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 OR RELEASED WHO WOULD BE THE SUBJECT OF A NOTIFICATION UNDER THIS SECTION IS LAWFULLY PRESENT IN THE UNITED STATES.