

CHAPTER 322

CRIMINAL LAW AND PROCEDURE

SENATE BILL 25-179

BY SENATOR(S) Weissman and Snyder, Ball, Amabile, Cutter, Gonzales J., Jodeh, Kipp, Kolker, Michaelson Jenet, Roberts, Wallace, Winter F.;
also REPRESENTATIVE(S) Carter and Garcia, Clifford, Duran, Lindsay, Ricks, Titone.

AN ACT

CONCERNING THE CONTINUATION OF THE "IDENTITY THEFT AND FINANCIAL DETERRENCE ACT",
AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE
2024 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES AND MAKING AND
REDUCING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-34-104, **repeal** (26)(a)(V) and (26)(a)(VI); and **add** (37) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal.
(26) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2025:

(V) ~~The identity theft and financial fraud board created in part 17 of article 33.5 of this title;~~

(VI) ~~The Colorado fraud investigators unit created in part 17 of article 33.5 of this title;~~

(37) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2036:

(I) THE COLORADO FRAUD INVESTIGATORS UNIT CREATED IN PART 17 OF ARTICLE 33.5 OF THIS TITLE 24.

(b) THIS SUBSECTION (37) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2038.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 2. In Colorado Revised Statutes, 24-33.5-1704, **amend** (2); and **repeal** (6) as follows:

24-33.5-1704. Colorado fraud investigators unit - creation - duties - repeal.

(2) The purpose of the unit ~~shall be~~ IS to assist the attorney general, sheriffs, police, and district attorneys in investigating identity theft and financial fraud crimes and in prosecuting persons who commit those crimes. The unit ~~shall also serve~~ SERVES as an educational resource for law enforcement agencies, members of the financial industry, and the public regarding identity theft and financial fraud crimes and strategies for protection from and deterrence of these crimes. ~~The unit shall operate pursuant to the comprehensive plan prepared by the unit and approved by the board pursuant to section 24-33.5-1706. The board shall have the oversight and direction of the unit in all of its operations.~~

(6) ~~The unit shall provide such clerical and technical assistance as the board may require.~~

SECTION 3. In Colorado Revised Statutes, **amend** 24-33.5-1708 as follows:

24-33.5-1708. Repeal of part. (1) This part 17 is repealed, effective ~~September 1, 2025~~ SEPTEMBER 1, 2036.

(2) Prior to said repeal, ~~the board and~~ the unit shall be reviewed as provided for in section 24-34-104.

SECTION 4. In Colorado Revised Statutes, **repeal and reenact, with amendments**, 24-33.5-1707 as follows:

24-33.5-1707. Identity theft and financial fraud fund - creation - source of funds. (1) THE IDENTITY THEFT AND FINANCIAL FRAUD FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF GIFTS, GRANTS, OR DONATIONS CREDITED TO THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION AND ALL MONEY THAT THE GENERAL ASSEMBLY APPROPRIATES OR TRANSFERS TO THE FUND. THE DEPARTMENT OF PUBLIC SAFETY SHALL ADMINISTER THE FUND.

(2) THE DEPARTMENT OF PUBLIC SAFETY MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSE OF THIS PART 17.

(3) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(4) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT OF PUBLIC SAFETY MAY EXPEND MONEY FROM THE FUND TO STAFF THE UNIT.

(5) ANY MONEY IN THE FUND NOT EXPENDED OR ENCUMBERED FROM AN APPROPRIATION AT THE END OF A FISCAL YEAR REMAINS IN THE FUND AND IS AVAILABLE FOR EXPENDITURE IN THE NEXT FISCAL YEAR.

SECTION 5. In Colorado Revised Statutes, **repeal** 24-1-128.6 (6), 24-33.5-1703, 24-33.5-1705, and 24-33.5-1706.

SECTION 6. Appropriation - adjustments to 2025 long bill. To implement this act, the cash funds appropriation from the Colorado identity theft and financial fraud cash fund created in section 24-33.5-1707 (1)(a), C.R.S., made in the annual general appropriation act for the 2025-26 state fiscal year to the department of public safety for use by the Colorado bureau of investigation for the complex financial fraud unit is decreased by \$653,345, and the related FTE is decreased by 7.0 FTE.

SECTION 7. Appropriation. For the 2025-26 state fiscal year, \$653,345 is appropriated to the department of public safety for use by the Colorado bureau of investigation. This appropriation is from the identity theft and financial fraud fund created in section 24-33.5-1707 (1), C.R.S., and is based on an assumption that the bureau will require an additional 7.0 FTE. To implement this act, the bureau may use this appropriation for the complex financial fraud unit.

SECTION 8. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 31, 2025