



Colorado Commission on Criminal & Juvenile Justice

FY2022 RECOMMENDATION/FY22-SR09 Revise Felony Offenses Eligible for the Crime of POWPO [Statutory]

Status: Implementation Complete

Actions/Updates

2022 UPDATE (JUNE)

During the FY 2022 Legislative Session, this recommendation was included in House Bill 2022-1257 (Concerning the adoption of the 2022 recommendations of the Colorado Criminal and Juvenile Justice Commission regarding sentencing provisions for offenses). The bill was passed by the General Assembly 3/31/2022 and was signed by the Governor 4/7/2022.

With the passage and signing of this bill, this recommendation is considered complete.

2022 UPDATE (FEBRUARY)

This recommendation, approved by the Commission on February 11, 2022, involves statutory revisions and is first applicable for action during the FY 2022 legislative session.

Description

Amend §18-12-108, C.R.S., Possession of Weapons by Previous Offenders to include additional non-VRA felony offenses (See Appendix A) based on public safety considerations.

[No Proposed Statutory Language; see list of POWPO-eligible offenses in "Recommendation Text."]

Agencies Responsible

General Assembly

Discussion

DISCUSSION

Senate Bill 2021-271 made significant changes to §18-12-108, C.R.S., Possession of a Weapon by a Previous Offender (POWPO) and is scheduled for implementation on March 2022. The implementation date was designed to allow a period of review and feedback on the statutory revisions to identify any gaps, omissions, and/or mistakes in the extraordinarily detailed 350-page bill. A review was conducted of the list of eligible crimes that invoke the crime of POWPO and input was gathered from District Attorneys, representatives from Colorado Ceasefire and other community groups dedicated to gun safety issues. Based on this review and the stakeholder feedback, this recommendation expands the list of offenses to include additional non-VRA crimes that result in the POWPO offense. Also appended to the list are two POWPO-related

provisions inadvertently excluded from Senate Bill 2021-271 that were previously approved as part of Recommendation FY21-SR #01 (Revise Misdemeanor Sentencing and Offenses [Statutory]).