

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 21-271

BY SENATOR(S) Gonzales and Gardner, Buckner, Cooke, Donovan, Fenberg, Fields, Holbert, Kirkmeyer, Kolker, Lee, Lundeen, Moreno, Priola, Scott, Smallwood, Story, Winter, Zenzinger, Garcia;
also REPRESENTATIVE(S) Roberts and Gonzales-Gutierrez, Amabile, Bacon, Bennett, Bird, Boesenecker, Duran, Esgar, Exum, Hooton, Jackson, Jodeh, Kennedy, Lontine, McCluskie, McCormick, Michaelson Jenet, Ortiz, Sirota, Snyder, Valdez A., Weissman, Woodrow, Garnett.

CONCERNING THE ADOPTION OF THE 2021 RECOMMENDATIONS OF THE COLORADO CRIMINAL AND JUVENILE JUSTICE COMMISSION REGARDING SENTENCING FOR OFFENSES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 1-12-108, **amend** (10) as follows:

1-12-108. Petition requirements - approval as to form - determination of sufficiency - protest - offenses. (10) Any person who willfully destroys, defaces, mutilates, or suppresses a petition, or who willfully neglects to file or delays delivery of a petition, or who conceals or

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.

removes a petition from the possession of the person authorized by law to have custody of it, or who aids, counsels, procures, or assists any person in doing any of the above acts ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 2. In Colorado Revised Statutes, **amend** 1-13-105 as follows:

1-13-105. False certificates by officers. Any notary public or any officer authorized by law to administer oaths who knowingly makes a false certificate in regard to a matter connected with an election held under the laws of this state ~~commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 3. In Colorado Revised Statutes, **amend** 1-13-107 as follows:

1-13-107. Violation of duty. Any public officer, election official, or other person upon whom any duty is imposed by this code who violates, neglects, or fails to perform such duty or is guilty of corrupt conduct in the discharge of the same or any notary public or other officer authorized by law to administer oaths who administers any oath knowing it to be false or who knowingly makes a false certificate in regard to a matter connected with any election provided by law ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 4. In Colorado Revised Statutes, 1-13-109, **amend** (1)(b) as follows:

1-13-109. False or reckless statements relating to candidates or questions submitted to electors - penalties - definitions. (1) (b) Any person who violates any provision of ~~paragraph (a) of this subsection (1)~~ ~~commits a class 1 misdemeanor and, upon conviction thereof, shall be punished as provided in section 18-1.3-501, C.R.S.~~ SUBSECTION (1)(a) OF THIS SECTION UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 5. In Colorado Revised Statutes, **amend** 1-13-110 as follows:

1-13-110. Wagers with electors. It is unlawful for any person, including any candidate for election to public office, before or during any election provided by law, to make any bet or wager with an elector, or take a share or interest in, or in any manner become a party to, any such bet or wager, or provide or agree to provide any money to be used by another in making such bet or wager upon any event or contingency arising out of such election. ~~Each such offense is a misdemeanor, and, upon conviction thereof, the offender~~ ANY PERSON WHO VIOLATES THIS SECTION UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 6. In Colorado Revised Statutes, **amend** 1-13-111 as follows:

1-13-111. Penalties for election offenses. In all cases ~~where~~ IN WHICH an offense is denominated by IN this code ~~as being a misdemeanor and~~ HAS no penalty is specified, the offender ~~upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 7. In Colorado Revised Statutes, **amend** 1-13-112 as follows:

1-13-112. Offenses relating to mail ballots. Any person who, by use of force or other means, unduly influences an elector to vote in any particular manner or to refrain from voting, or who falsely makes, alters, forges, or counterfeits any mail ballot before or after it has been cast, or who destroys, defaces, mutilates, or tampers with such a ballot ~~shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 8. In Colorado Revised Statutes, **amend** 1-13-113 as follows:

1-13-113. Interference with distribution of election material.

During the period beginning forty-five days before and ending four days after any election, any person who prevents, hinders, or interferes with the lawful distribution of any card, pamphlet, circular, poster, handbill, yard sign, or other written material relating to any candidate for election for any office or relating to any issue that is to be submitted to the electors in any election, or any person who removes, defaces, or destroys any lawfully placed billboard, sign, or written material from any premises to which it was delivered ~~commits a misdemeanor and shall be punished by a fine of not more than seven hundred fifty dollars~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111. Any person found guilty of removing, defacing, or destroying any billboard, sign, or written material shall pay the cost of replacement. The owner of the premises, an authorized agent of the owner, or any person charged with enforcement of any state law, ordinance, or regulation may remove any billboard, sign, or written material without penalty when placed without permission or authorization of the owner of such premises, or in violation of state law or county or municipal ordinance or regulation, or which is in place at any time other than during the period beginning forty-five days before and ending four days after any election.

SECTION 9. In Colorado Revised Statutes, **amend** 1-13-114 as follows:

1-13-114. Failure to comply with requirements of secretary of state. Any person who willfully interferes or willfully refuses to comply with the rules of the secretary of state or the secretary of state's designated agent in the carrying out of the powers and duties prescribed in section 1-1-107 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 10. In Colorado Revised Statutes, **amend** 1-13-201 as follows:

1-13-201. Interfering with or impeding registration. Any person who intentionally interferes with or impedes the registration of electors, whether by act of commission or by failure to perform any act or duty imposed or required for the proper administration of parts 2 and 3 of article

2 of this ~~title~~ TITLE 1, or who knowingly permits or encourages another to do so is ~~guilty of a misdemeanor and, upon conviction thereof~~, UPON CONVICTION shall be punished as provided in section 1-13-111. A person who collects a voter registration application from an eligible elector for mailing or delivery to the county clerk and recorder and who fails to mail or deliver the application to the proper county clerk and recorder within five business days after the application is signed is guilty of a violation of this section; except that this section shall not apply to a voter registration drive circulator or voter registration drive organizer, who shall be subject to the penalties described in part 7 of article 2 of this ~~title~~ TITLE 1.

SECTION 11. In Colorado Revised Statutes, **amend** 1-13-202 as follows:

1-13-202. Unlawful qualification as taxpaying elector. It is unlawful to take or place title to property in the name of another or to pay the taxes or to take or issue a tax receipt in the name of another for the purpose of attempting to qualify such person as a taxpaying elector or as a qualified taxpaying elector or to aid or assist any person to do so. The ballot of any person violating this section shall be void. Any person, company, corporation, or association violating this section shall forfeit and lose all rights, franchises, or other benefits accruing or to accrue to the benefit of such person, company, corporation, or association by or as the result of any such election. Any person who violates any of the provisions of this section is ~~guilty of a misdemeanor and, upon conviction thereof~~, UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 12. In Colorado Revised Statutes, **amend** 1-13-203 as follows:

1-13-203. Procuring false registration. It is unlawful for any person to procure his or her own name, or the name of any other person, to be registered in the statewide voter registration system for a precinct in which such person is not, at the time of such registration, entitled to be registered or for any person to procure any fictitious name to be registered in the statewide voter registration system. Any person who violates this section ~~shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111. Each violation is considered a separate

offense.

SECTION 13. In Colorado Revised Statutes, **amend** 1-13-205 as follows:

1-13-205. County clerk and recorder signing wrongful registration. Every county clerk and recorder who willfully signs his OR HER name on the registration record opposite the name of any person knowing that said person is not legally entitled to be registered pursuant to the provisions of section 1-2-101 ~~is guilty of a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 14. In Colorado Revised Statutes, **amend** 1-13-208 as follows:

1-13-208. Deputy county clerk and recorder - influencing party affiliation. Any deputy county clerk and recorder for voter registration purposes, or employee of the department of revenue who is authorized to conduct voter registration at local driver's license examination facilities, or employee of a voter registration agency who is authorized to conduct voter registration who influences or attempts to influence any person during the registration process to affiliate with a political party or to affiliate with a specific political party ~~is guilty of a misdemeanor and,~~ upon conviction shall be punished as provided in section 1-13-111.

SECTION 15. In Colorado Revised Statutes, **amend** 1-13-209 as follows:

1-13-209. High school deputy registrar - influencing party affiliation. Any high school deputy registrar for voter registration purposes who influences or attempts to influence any person during the registration process to affiliate with a political party or to affiliate with a specific political party ~~is guilty of a misdemeanor and,~~ upon conviction shall be punished as provided in section 1-13-111.

SECTION 16. In Colorado Revised Statutes, **amend** 1-13-301 as follows:

1-13-301. Fraud at precinct caucus, assembly, or convention.

Any person in authority at any precinct caucus, assembly, or convention who in any manner dishonestly, corruptly, or fraudulently performs any act devolving on him OR HER by virtue of the position of trust which he OR SHE fills or knowingly aids or abets any other person to do any fraudulent, dishonest, or corrupt act or thing in reference to the carrying on of any precinct caucus, assembly, or convention or the ascertaining or promulgating of its true will ~~is guilty of a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 17. In Colorado Revised Statutes, **amend** 1-13-302 as follows:

1-13-302. Fraudulent voting in precinct caucus, assembly, or convention. Any person who fraudulently participates and votes in a precinct caucus, assembly, or convention when he or she is not a member of the political party holding the precinct caucus, assembly, or convention, as shown in the statewide voter registration system ~~is guilty of a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 18. In Colorado Revised Statutes, 1-13-303, **amend** (2) as follows:

1-13-303. Other offenses at precinct caucus, assembly, or convention. (2) ~~Each offense mentioned in subsection (1) of this section is a misdemeanor, and, upon conviction thereof, the offender~~ ANY PERSON WHO VIOLATES ANY OF THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 19. In Colorado Revised Statutes, **amend** 1-13-401 as follows:

1-13-401. Bribery of petition signers. Any person who offers or, with knowledge of the same, permits any person to offer for his OR HER benefit any bribe or promise of gain to an elector to induce him OR HER to sign any petition or other election paper or any person who accepts any bribe or promise of gain of any kind in the nature of a bribe as consideration for signing the same, whether such bribe or promise of gain in the nature of a bribe is offered or accepted before or after signing ~~is guilty of a~~

~~misdemeanor and, upon conviction thereof~~; UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 20. In Colorado Revised Statutes, **amend** 1-13-402 as follows:

1-13-402. Tampering with nomination papers - nomination petitions. (1) Any person who, being in possession of any petition, certificate of nomination, or letter of acceptance, declination, or withdrawal, wrongfully or willfully destroys, defaces, mutilates, suppresses, neglects to file, or fails to cause to be filed the same within the prescribed time or who files any such paper knowing the same, or any part thereof, to be falsely made or who adds, amends, alters, or in any way changes the information on the petition as written by a signing elector ~~is guilty of a misdemeanor and, upon conviction thereof~~; UPON CONVICTION shall be punished as provided in section 1-13-111.

(2) Any person who willfully destroys, defaces, mutilates, or suppresses any nomination petition or who willfully neglects to file or delays the delivery of the nomination petition or who conceals or removes any petition from the possession of the person authorized by law to have the custody thereof, or who aids, counsels, procures, or assists any person in doing any of said acts ~~commits a misdemeanor and, upon conviction thereof~~; UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 21. In Colorado Revised Statutes, **amend** 1-13-403 as follows:

1-13-403. Defacing of petitions other than nominating petitions. Any person who willfully destroys, defaces, mutilates, or suppresses a petition; who willfully neglects to file or delays delivery of a petition; who conceals or removes a petition from the possession of the person authorized by law to have custody of it; or who aids, counsels, procures, or assists any person in doing any of the above acts ~~commits a misdemeanor and, upon conviction thereof~~; UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 22. In Colorado Revised Statutes, **amend** 1-13-601 as follows:

1-13-601. Tampering with notices or supplies. Any person who, prior to an election, willfully defaces, removes, or destroys any notice of election posted in accordance with the provisions of this code, or who, during an election, willfully defaces, removes, or destroys any card of instruction or sample ballot printed or posted for the instruction of electors, or who, during an election, willfully defaces, removes, or destroys any of the supplies or conveniences furnished to enable a voter to prepare his THE VOTER'S ballot ~~is guilty of a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 23. In Colorado Revised Statutes, **amend** 1-13-701 as follows:

1-13-701. Interference with election official. Any person who, at any election provided by law, interferes in any manner with any election official in the discharge of his THE ELECTION OFFICIAL'S duty or who induces any election official to violate or refuse to comply with his THE ELECTION OFFICIAL'S duty or any law regulating the same ~~is guilty of a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 24. In Colorado Revised Statutes, **amend** 1-13-702 as follows:

1-13-702. Interfering with watcher. Any person who intentionally interferes with any watcher while he THE WATCHER is discharging he THE WATCHER'S duties set forth in section 1-7-108 (3) ~~is guilty of a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 25. In Colorado Revised Statutes, 1-13-703, **amend** (1) as follows:

1-13-703. Tampering with statewide voter registration system, registration list, or pollbook. (1) Any person who mutilates or erases any name, figure, or word in any registration list or pollbook; or who removes a registration list or pollbook or any part thereof from the place where it has been deposited with an intention to destroy the same, or to procure or prevent the election of any person, or to prevent any voter from voting; or who destroys any registration list or pollbook or part thereof ~~is guilty of a~~

~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111~~ COMMITS A CLASS 1 MISDEMEANOR.

SECTION 26. In Colorado Revised Statutes, **amend** 1-13-704 as follows:

1-13-704. Unlawfully refusing ballot or permitting to vote. If at any election provided by law any judge of election willfully and maliciously refuses or neglects to receive the ballot of any registered elector who has taken or offered to take the oath prescribed by section 1-9-204 or knowingly and willfully permits any person to vote who is not entitled to vote at such election, such judge ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111~~ COMMITS A CLASS 1 MISDEMEANOR.

SECTION 27. In Colorado Revised Statutes, **amend** 1-13-705 as follows:

1-13-705. Personating elector. Any person who falsely personates any elector and votes at any election provided by law under the name of such elector ~~shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ COMMITS A CLASS 1 MISDEMEANOR.

SECTION 28. In Colorado Revised Statutes, 1-13-706, **amend** (4) as follows:

1-13-706. Delivering and receiving ballots at polls. (4) Each violation of the provisions of this section ~~is a misdemeanor, and, upon conviction thereof, the offender~~ UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 29. In Colorado Revised Statutes, **amend** 1-13-707 as follows:

1-13-707. Inducing defective ballot. Any person who causes any deceit to be practiced with intent to fraudulently induce a voter to deposit a defective ballot so as to have the ballot thrown out and not counted ~~is guilty of a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION

shall be punished as provided in section 1-13-111.

SECTION 30. In Colorado Revised Statutes, **amend** 1-13-708.5 as follows:

1-13-708.5. Elected officials not to handle electronic or electromechanical voting equipment or devices. Any person who violates any provision of section 1-5-607 ~~is guilty of a misdemeanor and shall be punished as provided in section 1-13-111~~ **COMMITTS A CLASS 1 MISDEMEANOR.**

SECTION 31. In Colorado Revised Statutes, **amend** 1-13-709 as follows:

1-13-709. Voting in wrong polling location. Any person who, at any election provided by law, knowingly votes or offers to vote in any polling location in which he or she is not qualified to vote ~~shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ **UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.**

SECTION 32. In Colorado Revised Statutes, 1-13-710, **amend** (1) as follows:

1-13-710. Voting twice - penalty. (1) Any voter who votes more than once or, having voted once, offers to vote again in the state, or, during a federal election, votes in this state and another state ~~shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ **UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.**

SECTION 33. In Colorado Revised Statutes, **amend** 1-13-711 as follows:

1-13-711. Interference with voter while voting. Any person who interferes with any voter who is inside the immediate voting area or is marking a ballot or operating a voting device or electronic voting device at any election provided by law ~~is guilty of a misdemeanor and, upon~~

~~conviction thereof, shall be punished as provided in section 1-13-111 UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.~~

SECTION 34. In Colorado Revised Statutes, 1-13-712, **amend** (4) as follows:

1-13-712. Disclosing or identifying vote. (4) Any person who violates any provision of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 35. In Colorado Revised Statutes, **amend** 1-13-713 as follows:

1-13-713. Intimidation. It is unlawful for any person directly or indirectly, by himself OR HERSELF or by any other person in his OR HER behalf, to impede, prevent, or otherwise interfere with the free exercise of the elective franchise of any elector or to compel, induce, or prevail upon any elector either to give or refrain from giving ~~his~~ THE ELECTOR'S vote at any election provided by law or to give or refrain from giving ~~his~~ THE ELECTOR'S vote for any particular person or measure at any such election. Each such offense is a ~~misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111~~ CLASS 1 MISDEMEANOR.

SECTION 36. In Colorado Revised Statutes, 1-13-714, **amend** (3) as follows:

1-13-714. Electioneering - removing and return of ballot - definition. (3) Any person who violates any provision of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 37. In Colorado Revised Statutes, 1-13-715, **amend** (3) as follows:

1-13-715. Liquor in or near voter service and polling center. (3) Any person who violates any provision of this section is ~~guilty of a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION shall be

punished as provided in section 1-13-111.

SECTION 38. In Colorado Revised Statutes, 1-13-716, **amend** (3) as follows:

1-13-716. Destroying, removing, or delaying delivery of election records. (3) Any person who violates any provision of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111~~ **COMMITTS A CLASS 1 MISDEMEANOR.**

SECTION 39. In Colorado Revised Statutes, **amend** 1-13-717 as follows:

1-13-717. Penalty for destruction of supplies. Any person who, during an election, willfully defaces, tears down, removes, or destroys any card of instruction or sample ballot printed or posted for the instruction of voters or who, during an election, willfully removes or destroys any of the supplies or conveniences furnished to enable a voter to prepare ~~his~~ **THE VOTER'S** ballot or willfully hinders the voting of others is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ **UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.**

SECTION 40. In Colorado Revised Statutes, **amend** 1-13-718 as follows:

1-13-718. Release of information concerning count. Any election official, watcher, or other person who releases information concerning the count of ballots cast at polling locations or of mail-in or mail voters' ballots prior to 7 p.m. on the day of the election is ~~guilty of a misdemeanor and, upon conviction thereof,~~ **UPON CONVICTION shall be punished as provided in section 1-13-111.**

SECTION 41. In Colorado Revised Statutes, 1-13-719, **amend** (2) as follows:

1-13-719. Employer's unlawful acts. (2) ~~Each offense mentioned in subsection (1) of this section is a misdemeanor, and, upon conviction~~

~~thereof, the offender~~ ANY PERSON WHO VIOLATES ANY OF THE PROVISIONS OF THIS SUBSECTION (1) OF THIS SECTION UPON CONVICTION shall be punished as provided in section 1-13-111. In addition, ~~thereto~~, any corporation violating this section shall forfeit its charter and right to do business in this state.

SECTION 42. In Colorado Revised Statutes, 1-13-720, **amend** (1)(d) and (2) as follows:

1-13-720. Unlawfully giving or promising money or employment or facilitating the trading of votes. (1) It is unlawful for any person, directly or indirectly, individually or through any other person:

(d) To facilitate the trading of votes between an elector in the state or a person in another state in exchange for the other person's vote for or against a particular candidate, ballot issue, or ballot question. A violation of this subsection (1)(d) is a ~~class 2~~ petty offense. ~~and, upon conviction thereof, the offender shall be punished by a fine of not more than one thousand dollars for each offense.~~

(2) Except for the offense set forth in subsection (1)(d) of this section, each offense set forth in subsection (1) of this section is a misdemeanor, ~~and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111~~ CLASS 1 MISDEMEANOR.

SECTION 43. In Colorado Revised Statutes, 1-13-721, **amend** (1) introductory portion; and **add** (2) as follows:

1-13-721. Receipt of money or jobs. (1) ~~It is a misdemeanor for any~~ A person WHO directly or indirectly, by himself OR HERSELF or through any other person SHALL NOT:

(2) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 44. In Colorado Revised Statutes, **amend** 1-13-723 as follows:

1-13-723. Penalty for neglect of duty - destruction of ballots - breaking seal. (1) Every officer upon whom any duty is imposed by any

election law who violates ~~his~~ THE OFFICER'S duty or who neglects or omits to perform the same is ~~guilty of a misdemeanor and, upon conviction thereof~~; UPON CONVICTION shall be punished as provided in section 1-13-111.

(2) Any official or person, except one authorized by law, who breaks or loosens a seal on a ballot or a ballot box with the intent to disclose or learn the number of such ballot or ballot box is ~~guilty of a misdemeanor and, upon conviction thereof~~; UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 45. In Colorado Revised Statutes, **amend** 1-13-801 as follows:

1-13-801. Mailing other materials with mail ballot. It is unlawful for any county clerk and recorder to deliver or mail to a registered elector, as a part of or in connection with the mail ballot, anything other than the voting material as provided in article 7.5 of this ~~title~~ TITLE 1. ~~Each such offense is a misdemeanor, and, upon conviction thereof, the offender~~ ANY PERSON WHO VIOLATES THIS SECTION UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 46. In Colorado Revised Statutes, **amend** 1-13-802 as follows:

1-13-802. Delivery of a mail ballot outside county clerk and recorder's office. No county clerk and recorder shall make personal delivery of any mail ballot to an elector unless such delivery occurs within the confines of the official office of such county clerk and recorder, except as otherwise provided in section 1-7.5-113. Any delivery contrary to this section renders void the ballot to which it relates. ~~Each violation of this section is a misdemeanor, and, upon conviction thereof, the offender~~ ANY COUNTY CLERK AND RECORDER WHO VIOLATES THIS SECTION UPON CONVICTION shall be punished as provided in section 1-13-111.

SECTION 47. In Colorado Revised Statutes, **amend** 1-13-803 as follows:

1-13-803. Offenses relating to voting by mail ballot. Any election official or other person who knowingly violates article 7.5 or 13.5 of this

~~title~~ TITLE 1 relative to the casting of mail ballots or who aids or abets fraud in connection with any vote cast, to be cast, or attempted to be cast by a mail voter ~~shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

SECTION 48. In Colorado Revised Statutes, **amend** 1-13-804 as follows:

1-13-804. Duty to report lost, stolen, or late ballots - penalty.

Any person responsible for preparing, issuing, transporting, or mailing ballots who has personal knowledge that mail ballots under that person's care have been either lost or stolen or will, for any reason, not be timely delivered to electors, shall report the issue to the county clerk and recorder. Any person who knowingly and willfully fails to report as required by this section ~~is subject to a civil penalty that shall not exceed fifty dollars~~ UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111. This section shall not apply to election judges, staff of the county clerk and recorder, or individual United States postal workers.

SECTION 49. In Colorado Revised Statutes, **amend** 1-40-131 as follows:

1-40-131. Tampering with initiative or referendum petition. Any person who willfully destroys, defaces, mutilates, or suppresses any initiative or referendum petition or who willfully neglects to file or delays the delivery of the initiative or referendum petition or who conceals or removes any initiative or referendum petition from the possession of the person authorized by law to have the custody thereof, or who adds, amends, alters, or in any way changes the information on the petition as provided by the elector, or who aids, counsels, procures, or assists any person in doing any of said acts ~~commits a misdemeanor and, upon conviction thereof,~~ UPON CONVICTION shall be punished as provided in section 1-13-111. The language in this section ~~shall~~ DOES not preclude a circulator from striking a complete line on the petition if the circulator believes the line to be invalid.

SECTION 50. In Colorado Revised Statutes, **amend** 2-2-314 as follows:

2-2-314. Violation - penalty. Any person who fails or refuses to obey any such summons so issued is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 51. In Colorado Revised Statutes, 2-2-404, **amend** (7) as follows:

2-2-404. Legislative rules. (7) Such rules and regulations shall have the force and effect of law. Any person who willfully violates any such rule or regulation is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment~~ **COMMITTS A PETTY OFFENSE.**

SECTION 52. In Colorado Revised Statutes, 2-3-107, **amend** (2)(c) as follows:

2-3-107. Authority to subpoena witnesses - access to records. (2) (c) Any officer or employee who fails or refuses to permit such access or examination for audit or who interferes in any way with such examination is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than one month nor more than twelve months, or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 53. In Colorado Revised Statutes, 4-9-629, **amend** (e) as follows:

4-9-629. Secured party's liability when taking possession after default - legislative declaration - fund. (e) Any person who knowingly falsifies a reposessor bond application or misrepresents information contained therein commits a ~~class 1 misdemeanor~~ **CLASS 2 MISDEMEANOR** and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 54. In Colorado Revised Statutes, 5-5-301, **amend** (1), (2), and (3) as follows:

5-5-301. Willful violations. (1) A supervised lender who willfully makes charges in excess of those permitted by the provisions of this code is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment COMMITTS A CLASS 2 MISDEMEANOR.

(2) A person, other than a supervised financial organization, who willfully engages in the business of making supervised loans without a license in violation of the provisions of this code applying to the authority to make supervised loans described in section 5-2-301 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment COMMITTS A CLASS 2 MISDEMEANOR.

(3) A person who willfully engages in the business of making consumer credit transactions or of taking assignments of rights against consumers arising therefrom and undertakes direct collection of payments or enforcement of these rights without complying with the provisions of this code concerning notification contained in section 5-6-202 or payment of fees contained in section 5-6-203 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars COMMITTS A CLASS 2 MISDEMEANOR.

SECTION 55. In Colorado Revised Statutes, 5-5-302, **amend** (1) introductory portion as follows:

5-5-302. Disclosure violations. (1) A person is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment COMMITTS A CLASS 2 MISDEMEANOR if such person willfully and knowingly:

SECTION 56. In Colorado Revised Statutes, **amend** 6-1-114 as follows:

6-1-114. Criminal penalties. Upon a first conviction, Any person who promotes a pyramid promotional scheme in this state or who violates article 230 of title 12 or section 6-1-701 or 6-1-717 is guilty of COMMITTS a

class 1 misdemeanor, as defined in section 18-1.3-501. ~~and, upon a second or subsequent conviction for a violation of article 230 of title 12 or section 6-1-701, is guilty of a class 6 felony, as defined in section 18-1.3-401.~~ ANY PERSON WHO VIOLATES ARTICLE 230 OF TITLE 12 OR SECTION 6-1-701 OR 6-1-717 COMMITS A CLASS 2 MISDEMEANOR.

SECTION 57. In Colorado Revised Statutes, 6-1-710, **amend** (2) as follows:

6-1-710. Installation or reinstallation of false air bag - deceptive trade practices - criminal liability. (2) Any person who violates subsection (1) of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two thousand five hundred dollars and not more than five thousand dollars per violation, or imprisonment in the county jail for up to one year, or both~~ COMMITS A CLASS 1 MISDEMEANOR.

SECTION 58. In Colorado Revised Statutes, 6-2-105, **amend** (1)(a) as follows:

6-2-105. Unlawful to sell below cost - definition. (1) (a) It is unlawful for any person, partnership, firm, corporation, joint stock company, or other association engaged in business within this state to sell, offer for sale, or advertise for sale any product or service for less than the cost of the product or service with the intent to both injure competitors and destroy competition and where the likely result of such sale would be the acquisition or maintenance of a monopoly. A vendor who violates this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided in section 6-2-116~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 59. In Colorado Revised Statutes, **amend** 6-2-108 as follows:

6-2-108. Secret rebates or refunds prohibited. The secret payment or allowance of rebates, refunds, commissions, or unearned discounts, whether in the form of money or otherwise, or secretly extending to certain purchasers special services or privileges not extended to all purchasers upon like terms and conditions, to the injury of a competitor and where such payment or allowance tends to destroy competition, is an unfair trade

practice. Any person, firm, partnership, corporation, or association resorting to such unfair trade practice ~~is guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided in section 6-2-116~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 60. In Colorado Revised Statutes, **amend** 6-2-116 as follows:

6-2-116. Penalty. Any person, firm, or corporation, whether as principal, agent, officer, or director, for himself, HERSELF, or itself, or for another person, or for any firm or corporation who violates any of the provisions of sections 6-2-103 to 6-2-108 or section 6-2-110 ~~is guilty of a misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR for each single violation. ~~and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment.~~

SECTION 61. In Colorado Revised Statutes, 6-6-103, **amend** (3) as follows:

6-6-103. Collections prohibited - penalty - definition. (3) Violation of this section ~~shall constitute~~ CONSTITUTES a ~~class 2~~ petty offense. ~~and, upon conviction thereof, the violator shall be punished by a fine of not more than two hundred fifty dollars.~~ Violation of this section ~~shall also constitute~~ CONSTITUTES a deceptive trade practice in violation of the "Colorado Consumer Protection Act", article 1 of this ~~title~~ TITLE 6, and ~~shall be~~ IS subject to remedies or penalties, or both, pursuant thereto.

SECTION 62. In Colorado Revised Statutes, **amend** 6-15-207 as follows:

6-15-207. Violations - penalty. Any person who knowingly violates any of the provisions of section 6-15-205 or 6-15-206 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 63. In Colorado Revised Statutes, 6-24-109, **repeal** (3) as follows:

6-24-109. Burial memorial - changes - notice of ownership.

~~(3) Any person violating the provisions of subsection (1) of this section commits the crime of defacing property as defined in section 18-4-509 (1)(b).~~

SECTION 64. In Colorado Revised Statutes, 6-24-111, **amend** (2) as follows:

6-24-111. Violations - penalties. (2) Any person who violates any provision of this article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both a fine and imprisonment ARTICLE 24 COMMITS A CLASS 2 MISDEMEANOR. Whenever any person has reason to believe that any person is liable to punishment under this article ARTICLE 24, the person may certify the facts to the district attorney of the judicial district in which the alleged violation occurred who shall cause appropriate proceedings to be brought.

SECTION 65. In Colorado Revised Statutes, 6-24-109, **repeal** (3) as follows:

6-24-109. Burial memorial - changes - notice of ownership.

~~(3) Any person violating the provisions of subsection (1) of this section commits the crime of defacing property as defined in section 18-4-509 (1)(b).~~

SECTION 66. In Colorado Revised Statutes, 6-25-101, **repeal** (2) as follows:

6-25-101. Definitions - evidence of intent. As used in this part 1, unless the context otherwise requires:

(2) "Notice", as used in section 6-25-104, shall be given by posting a printed copy of sections 6-25-101 to 6-25-104 at any conspicuous place within the sleeping accommodations.

SECTION 67. In Colorado Revised Statutes, **repeal** 6-25-103 as follows:

6-25-103. Defrauding an innkeeper. A person who, with intent to

~~defraud, procures food or accommodations from a public establishment without making payment therefor in accordance with his or her agreement with the public establishment is guilty of a misdemeanor if the total amount due under the agreement is one thousand dollars or less and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both the fine and imprisonment; and, if the amount due under the agreement is more than one thousand dollars, the person commits a class 6 felony and shall be punished as provided in section 18-1.3-401.~~

SECTION 68. In Colorado Revised Statutes, **repeal** 6-25-104 as follows:

~~**6-25-104. Notice prerequisite to conviction.** No conviction shall be had under section 6-25-103, unless it is made to appear upon the trial for a violation of section 6-25-103 that the person charged with the violation was given notice of the terms and provisions of sections 6-25-101 to 6-25-104.~~

SECTION 69. In Colorado Revised Statutes, **repeal** 6-25-105 as follows:

~~**6-25-105. Jurisdiction.** Jurisdiction of cases arising under sections 6-25-101 to 6-25-104 and appeals from judgments in the cases shall be as provided by statute.~~

SECTION 70. In Colorado Revised Statutes, **amend** 7-42-109 as follows:

~~**7-42-109. Penalty for damage.** Any person who willfully or maliciously damages or interferes with any road, ditch, flume, bridge, ferry, railroad, or telegraph line or any of the fixtures, tools, implements, appurtenances, or property of any corporation that is formed under the provisions of law is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR.** Any such fine shall be paid into the county treasury, and the offender shall also pay all damages that any such corporation sustains, together with costs of suit.

SECTION 71. In Colorado Revised Statutes, 8-1-115, **amend** (2) as follows:

8-1-115. Information not public - penalty for divulging. (2) Any person in the employ of the division who divulges any confidential information to any person other than the director ~~shall be punished by a fine of not more than one thousand dollars~~ COMMITS A CIVIL INFRACTION and shall thereafter be disqualified from holding any appointment or employment with any department under the state.

SECTION 72. In Colorado Revised Statutes, 8-1-116, **amend** (2) as follows:

8-1-116. Investigators to have access to premises. (2) Any person who hinders or obstructs the director or any such person authorized by the director in the exercise of any power conferred by this ~~article~~ ARTICLE 1, or any employer who in bad faith refuses reasonable access to ~~his~~ THE EMPLOYER'S premises, or any person who gives advance notice of any inspection to be conducted under this ~~article~~ ARTICLE 1 without authority from the director or ~~his~~ THE DIRECTOR'S designee ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 73. In Colorado Revised Statutes, **amend** 8-1-129 as follows:

8-1-129. Strikes and lockouts - penalties. (1) Any employer declaring or causing a lockout contrary to the provisions of this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for a term of not more than six months, or by both such fine and ~~imprisonment~~ ARTICLE 1 COMMITS A CLASS 2 MISDEMEANOR. Each day or part of a day that such lockout exists shall constitute a separate offense under this section.

(2) Any employee who goes on strike contrary to the provisions of this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars, or by imprisonment in

~~the county jail for a term of not more than six months, or by both such fine and imprisonment~~ ARTICLE 1 COMMITS A CLASS 2 MISDEMEANOR. Each day or part of a day that the employee is on strike shall constitute a separate offense under this section.

(3) Any person who incites, encourages, or aids in any manner any employer to declare or continue a lockout, or any employee to go or continue on strike contrary to the provisions of this article, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for a term of not more than six months, or by both such fine and imprisonment~~ ARTICLE 1 COMMITS A PETTY OFFENSE.

SECTION 74. In Colorado Revised Statutes, **repeal** 8-1-139 as follows:

8-1-139. Failure of witness to appear or testify - penalty. ~~(1) Any person who fails, refuses, or neglects to appear and testify, or to produce books, papers, and records as required by the subpoena duly served upon him, or as ordered by the director, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days for each day or part of day that the person is in default.~~

~~(2) The district court of the county wherein such person resides or of the city and county of Denver, or of the county wherein said person has been ordered to appear and testify or to produce such books, papers, and records, upon application of the director or his agent, may issue an order compelling the attendance and testimony of witnesses and the production of books, papers, and records before such director or his agent.~~

SECTION 75. In Colorado Revised Statutes, 8-1-140, **amend** (1) as follows:

8-1-140. Violation - penalty. (1) If an employer, employee, or any other person violates any provision of this ~~article~~ ARTICLE 1, or does any act prohibited thereby, or fails or refuses to perform any duty lawfully enjoined for which no penalty has been specifically provided, such employer, employee, or any other person ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred~~

~~dollars, or by imprisonment in the county jail for not longer than sixty days, or by both such fine and imprisonment for each such offense~~ COMMITS A PETTY OFFENSE.

SECTION 76. In Colorado Revised Statutes, **amend** 8-2-103 as follows:

8-2-103. Penalty for coercing employees. Any person or any member of any firm or an agent, officer, or employee of any such company or corporation, violating the provisions of section 8-2-102 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than six months nor more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 77. In Colorado Revised Statutes, **amend** 8-2-105 as follows:

8-2-105. Penalty. Any person, company, corporation, society, association, or organization of any kind doing business in this state, as well as its agents, attorneys, servants, or associates, found guilty of violating section 8-2-104 or any part thereof ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than two thousand dollars or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, where the defendants are natural persons~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 78. In Colorado Revised Statutes, 8-2-108, **amend** (1) as follows:

8-2-108. Unlawful for employer to prevent employees participating in politics. (1) It is unlawful for any corporation, company, partnership, association, individual, or any employer of labor, or for any agent thereof to make, adopt, or enforce any rule, regulation, or policy forbidding or preventing any of his OR HER employees from engaging or participating in politics or from becoming a candidate for public office or being elected to and entering upon the duties of any public office. Any person violating any of the provisions of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of~~

~~not more than two thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 79. In Colorado Revised Statutes, **amend** 8-2-111 as follows:

8-2-111. Penalty for blacklisting. If any officer or agent of any corporation, company, individual, or other person blacklists, publishes, or causes to be blacklisted or published any employee, mechanic, or laborer discharged by such corporation, company, or individual with the intent and for the purpose of preventing such employee, mechanic, or laborer from engaging in or securing similar or other employment from any other corporation, company, or individual, or in any manner conspires or contrives by correspondence, or otherwise, to prevent such discharged employee from securing employment is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than two hundred fifty dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 80. In Colorado Revised Statutes, **amend** 8-2-112 as follows:

8-2-112. Unlawful to publish notice of boycott. It is unlawful to print or circulate any notice of boycott, boycott card, sticker, banner, sign, or dodger publishing or declaring that a boycott or ban exists, or has existed or is contemplated against any person, firm, or corporation doing a lawful business, or publish the name of any judicial officer or other public officer upon any notice of boycott, boycott card, sticker, banner, sign, or other similar list because of any lawful act or decision of such official. A PERSON WHO VIOLATES THIS SECTION COMMITS A PETTY OFFENSE.

SECTION 81. In Colorado Revised Statutes, 8-2-113, **add** (4) as follows:

8-2-113. Unlawful to intimidate worker - agreement not to compete. (4) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

SECTION 82. In Colorado Revised Statutes, 8-2-114, **amend** (2); and **add** (7) as follows:

8-2-114. Immunity from civil liability for employer disclosing information - employer shall not maintain blacklist - credit lists excepted. (2) It is unlawful for any employer to maintain a blacklist, or to notify any other employer that any current or former employee has been blacklisted by such employer, for the purpose of preventing such employee from receiving employment. Sections 8-2-112 to ~~8-2-115~~ **8-2-114** shall not be construed to prevent any merchant or professional person, or any association thereof, from maintaining or publishing a list concerning the credit or financial responsibility of any person dealing with them on credit.

(7) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

SECTION 83. In Colorado Revised Statutes, **repeal** 8-2-115 as follows:

~~**8-2-115. Violation of sections - misdemeanor.** Any person, firm, or corporation violating any provisions of sections 8-2-112 to 8-2-115 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than two hundred fifty dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment.~~

SECTION 84. In Colorado Revised Statutes, 8-2.5-101, **amend** (1)(a) and (1.5)(c) as follows:

8-2.5-101. Preventing legislative and judicial access to employees - intimidation of legislative witnesses - penalty. (1) (a) It is unlawful for any person to adopt or enforce any rule, regulation, or policy forbidding or preventing any of its employees, franchisees, or agents or entities under its control or oversight from, or to take any action against its employees, franchisees, or agents or entities under its control or oversight solely for, testifying before a committee of the general assembly or a court of law or speaking to a member of the general assembly at the request of such committee, court, or member regarding any action, policy, rule, regulation, practice, or procedure of any person or regarding any grievance relating thereto. Any person violating any provision of this section is ~~guilty of a~~

~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars~~ COMMITS A CLASS 2 MISDEMEANOR.

(1.5) (c) Any person violating any provision of this subsection (1.5) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 85. In Colorado Revised Statutes, **amend** 8-3-116 as follows:

8-3-116. Interference with director - officer of division. Any person who willfully assaults, resists, prevents, impedes, or interferes with the director or any officer, deputy, agent, or employee of the division or any of its agencies in the performance of duties pursuant to this ~~article~~ ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ ARTICLE 3 COMMITS A CLASS 2 MISDEMEANOR.

SECTION 86. In Colorado Revised Statutes, 8-4-111.5, **amend** (2)(b)(II) as follows:

8-4-111.5. Hearing officer review and appeals of administrative actions. (2) (b) (II) It is a ~~misdemeanor~~ PETTY OFFENSE for a person who, without just cause, fails or refuses to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, and other records in obedience to a subpoena of the hearing officer. ~~and, upon conviction thereof, the person shall be punished by a fine of not more than two hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment.~~ Each day the failure or refusal continues is a separate offense.

SECTION 87. In Colorado Revised Statutes, 8-4-114, **amend** (1) as follows:

8-4-114. Criminal penalties. (1) Any employer who violates the provisions of section 8-4-103 (6) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than~~

~~thirty days, or by both such fine and imprisonment.~~ COMMITS:

(a) A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 88. In Colorado Revised Statutes, **amend** 8-4-120 as follows:

8-4-120. Discrimination prohibited - employee protections. No employer shall intimidate, threaten, restrain, coerce, blacklist, discharge, or in any manner discriminate against any employee who has filed any complaint or instituted or caused to be instituted any proceeding under this ~~article~~ ARTICLE 4 or related law or who has testified or may testify in any proceeding on behalf of himself, herself, or another regarding afforded protections under this ~~article~~ ARTICLE 4. Any employer who violates the provisions of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 89. In Colorado Revised Statutes, **amend** 8-6-115 as follows:

8-6-115. Discrimination by employer - penalty - prosecutions.

Any employer who discharges or threatens to discharge, or in any other way discriminates against an employee because such employee serves upon a wage board, or is active in its formation, or has testified or is about to testify, or because the employer believes that the employee may testify in any investigation or proceeding relative to enforcement of this ~~article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars for each violation~~ ARTICLE 6 COMMITS A CLASS 2 MISDEMEANOR. The director shall investigate and report to the proper prosecuting officials whether employers in each occupation investigated are obeying his OR HER decrees, and the director or employees of the division may cause informations to be filed with and prosecutions to be instituted by the proper prosecuting officials for any violation of the provisions of this ~~article~~ ARTICLE 6.

SECTION 90. In Colorado Revised Statutes, 8-12-116, **amend** (2) as follows:

8-12-116. Penalty for violations. (2) Any person, firm, or corporation, or any agent, manager, superintendent, or foreman of any firm or corporation, who, by himself OR HERSELF or through an agent, subagent, foreman, superintendent, or manager, knowingly violates or knowingly fails to comply with any of the provisions of this ~~article~~ ARTICLE 12 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars for each offense. Upon conviction of a second or subsequent offense, such person shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars. ~~or by imprisonment in the county jail for not longer than ninety days, or by both such fine and imprisonment.~~

SECTION 91. In Colorado Revised Statutes, **amend** 8-13-103 as follows:

8-13-103. Penalty for violation. Any person, body corporate, general manager, or employer who violates or causes to be violated any of the provisions of sections 8-13-101 and 8-13-102 ~~is guilty of a~~

~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two hundred fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than ninety days nor more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. Each day in violation of the provisions of sections 8-13-101 and 8-13-102 shall constitute a separate offense.

SECTION 92. In Colorado Revised Statutes, **amend** 8-13-108 as follows:

8-13-108. Penalty for violation. Any officer, agent, or employee of any municipality who orders, directs, compels, or requires any employee or other person in any such fire department, except one who may be at any time in command of the fire department, to be or remain on duty in such work or employment in any calendar month for a longer time than that provided for in section 8-13-107 except in cases of emergency ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than one hundred days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 93. In Colorado Revised Statutes, 8-20.5-105, **amend** (2) as follows:

8-20.5-105. Confidentiality. (2) Any person making such confidential records available to any person or organization without authorization from the affected operator or owner commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 94. In Colorado Revised Statutes, 8-41-401, **amend** (4)(b) as follows:

8-41-401. Lessor contractor-out deemed employer - liability - recovery. (4) (b) Any person, company, or corporation contracting with a landowner or lessee of a farm or ranch to provide a specified farming or ranching operation who fails to provide coverage pursuant to subsection (1) of this section or who fails to maintain such coverage for the term of the contract ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than sixty days;~~

~~or by a fine of not more than five hundred dollars, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 95. In Colorado Revised Statutes, 8-72-108, **amend** (2) as follows:

8-72-108. Oaths - witnesses - subpoenas. (2) In case of contempt or refusal to obey a subpoena issued to any person, any court of this state within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contempt or refusal to obey is found or resides or transacts business, upon application by the division or its duly authorized representative, shall have jurisdiction to issue to such person an order requiring him OR HER to appear before the division or its duly authorized representative to produce evidence if so ordered or give testimony touching the matter under investigation or in question. Any failure to obey such order of the court may be punished by said court as a contempt thereof. Any person who, without just cause, fails or refuses to attend and testify or to answer any lawful inquiry, or to produce books, papers, correspondence, memoranda, and other records, if it is in his OR HER power so to do in obedience to a subpoena of the division or its duly authorized representative ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than two hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE. Each day such violation continues shall be deemed a separate offense.

SECTION 96. In Colorado Revised Statutes, 8-76-104, **amend** (10)(d) as follows:

8-76-104. Transfer of experience - assignment of rates - definitions. (10) (d) In addition to any penalty imposed pursuant to paragraphs (a), (b), and (c) of this subsection ~~(10)~~ SUBSECTIONS (10)(a), (10)(b), AND (10)(c) OF THIS SECTION, any violation of this section may be prosecuted as a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR pursuant to section 18-1.3-501. ~~C.R.S.~~

SECTION 97. In Colorado Revised Statutes, **amend** 8-80-101 as follows:

8-80-101. Waiver of rights void. Any agreement by an individual

to waive, release, or commute his or her rights to benefits or any other rights under articles 70 to 82 of this ~~title~~ TITLE 8 shall be void. Any agreement by any individual in the employ of any person or concern to pay all or any portion of an employer's premiums or surcharges required under articles 70 to 82 of this ~~title~~ TITLE 8 from the employer shall be void. No employer shall directly or indirectly make, require, or accept any deduction from wages to finance the employer's premiums or surcharges required from him or her or require or accept any waiver of any rights under articles 70 to 82 of this ~~title~~ TITLE 8 by any individual in his or her employ. Any employer or officer or agent of any employer who violates this section is ~~guilty of a misdemeanor and, upon conviction thereof, for each offense, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 98. In Colorado Revised Statutes, **amend** 8-80-102 as follows:

8-80-102. Limitation of fees. No individual claiming benefits shall be charged fees of any kind in any proceeding under articles 70 to 82 of this ~~title~~ TITLE 8 by the division or its representatives or by any court or any officer thereof; except that the controller may charge a reasonable fee as provided in section 8-79-102 (2) for the recoupment of benefit overpayments, and any party appealing the decision of a referee shall be assessed the actual costs of preparing a transcript according to rules promulgated by the director of the division except if the appellant is successful the cost of preparing the transcript will be refunded. Any person who violates this provision is ~~guilty of a misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR. Any individual claiming benefits in any proceeding before the division or a court may be represented by counsel. Unless approved by the division, no lien shall be allowed or suit brought for attorney fees, contingent or otherwise, for services rendered for the collection of any individual's claim for benefits.

SECTION 99. In Colorado Revised Statutes, 8-81-101, **amend** (1)(a), (2), and (3) as follows:

8-81-101. Penalties. (1) (a) Any person who makes false statement or representation of a material fact knowing it to be false, or knowingly fails

to disclose a material fact, with intent to defraud by obtaining or increasing any benefit under articles 70 to 82 of this ~~title~~ TITLE 8 or under an employment security law of any other state, of the federal government, or of a foreign government, either for himself, HERSELF, or for any other person is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

(2) Any employing unit, or any officer or agent of an employing unit, or any other person who makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact either to cause an individual to receive benefits to which such individual is otherwise not entitled or to defraud an individual by preventing or reducing the payment of benefits to which such individual would otherwise be entitled, or to avoid becoming or remaining a subject employer, or to avoid or reduce any premium, surcharge, or other payment required from an employing unit under articles 70 to 82 of this ~~title~~ TITLE 8 or under the employment security law of any other state, the federal government, or a foreign government or any such employing unit, officer or agent, or other person who willfully fails or refuses to pay any such premiums or surcharges or make any other payment, or to furnish any reports required under section 8-72-107, or to produce or permit the inspection or copying of records as required under section 8-72-107 is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. Each false statement or representation or failure to disclose a material fact and each day such failure or refusal continues shall constitute a separate offense.

(3) Any person who willfully violates any provision of articles 70 to 82 of this ~~title~~ TITLE 8 or any rule or regulation thereunder, the violation of which is made unlawful or the observance of which is required under the terms of articles 70 to 82 of this ~~title~~ TITLE 8 and for which a penalty is neither prescribed in this ~~article~~ ARTICLE 81 nor provided by any other applicable statute is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty dollars nor more than two hundred dollars, or by imprisonment in the county jail for not more than~~

~~sixty days, or by both such fine and imprisonment. Each day such violation continues shall be deemed a separate offense~~ COMMITS A PETTY OFFENSE.

SECTION 100. In Colorado Revised Statutes, 9-1.5-103, **amend** (4)(b.5) as follows:

9-1.5-103. Plans and specifications - notice of excavation - duties of excavators - duties of owners and operators - fee. (4) (b.5) Any person who willfully or maliciously removes a marking used by an owner or operator to mark the location of any underground facility, except in the ordinary course of excavation is ~~guilty of a class 2 misdemeanor, and, upon conviction thereof, in addition to any order for restitution, shall be punished by a fine of not more than five thousand dollars for each offense, by imprisonment for not more than one year, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 101. In Colorado Revised Statutes, **amend** 9-3-104 as follows:

9-3-104. Violation - penalty. Any person who violates any provision of this article is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for a term of not more than thirty days, or by both such fine and imprisonment~~ ARTICLE 3 COMMITS A PETTY OFFENSE.

SECTION 102. In Colorado Revised Statutes, 9-4-108, **amend** (4) as follows:

9-4-108. Violation by owner or user - penalty - enforcement. (4) Any person convicted of a violation of this article ~~shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for a period of not more than one year, or by both such fine and imprisonment~~ ARTICLE 4 COMMITS A PETTY OFFENSE.

SECTION 103. In Colorado Revised Statutes, **amend** 9-4-111 as follows:

9-4-111. Penalty - inspector fails to perform duty. An inspector of boilers for every failure to perform his OR HER duties ~~is guilty of a~~

~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for a period of not less than two months nor more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 104. In Colorado Revised Statutes, **amend** 9-5.5-118 as follows:

9-5.5-118. Criminal penalties. A person who violates section 9-5.5-106 or 9-5.5-111 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and, upon conviction, shall be punished as provided in ~~section 18-1.3-501, C.R.S. SECTION 18-1.3-503.~~

SECTION 105. In Colorado Revised Statutes, **amend** 9-6-107 as follows:

9-6-107. Violation - penalty. If any person, partnership, or corporation violates any of the provisions of sections 9-6-105 and 9-6-106, such person, the members of such partnership, or the officers or agents of such corporation are guilty of a misdemeanor and, ~~upon conviction thereof, shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 106. In Colorado Revised Statutes, **amend** 9-7-111 as follows:

9-7-111. Failure to obtain permit - penalty. Except as provided in section 9-7-106 (5), any person who manufactures, sells, stores, transports, or uses explosives without first obtaining a permit therefor under the provisions of this article is guilty of a misdemeanor and, ~~upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ ARTICLE 7 COMMITS A CLASS 2 MISDEMEANOR.

SECTION 107. In Colorado Revised Statutes, **amend** 10-1-116 as follows:

10-1-116. Defamation of other companies. It is unlawful for any insurance company doing business in this state, or any officer, director, clerk, employee, or agent thereof, to make, verbally or otherwise, publish, print, distribute, or circulate, or cause the same to be done, or in any way to aid, abet, or encourage the making, printing, publishing, distributing, or circulating of any pamphlet, circular, article, literature, or statement of any kind that is defamatory of any other insurance company doing business in this state, or licensed to sell its capital stock within this state, that contains any false and malicious criticism or false and malicious statement calculated to injure such company in its reputation or business. Any officer, director, clerk, employee, or agent of any insurance company violating the provisions of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for a term of not more than twelve months, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 108. In Colorado Revised Statutes, 10-1-204, **amend** (4) and (5) as follows:

10-1-204. Conduct of examinations - conferences. (4) Any person who knowingly or willfully testifies falsely in reference to any matter material to an examination or inquiry ~~is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five thousand dollars, by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

(5) Any person who knowingly or willfully makes any false certificate, entry, or memorandum upon any of the books or papers of a company or upon any statement filed or offered to be filed in the division or used in the course of any examination or inquiry, with the intent to deceive the commissioner or any person appointed by the commissioner to conduct or make the examination or inquiry, ~~is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five thousand dollars, by imprisonment in the county jail for not less than two months nor more than twelve months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 109. In Colorado Revised Statutes, 10-1-304, **amend** (4) as follows:

10-1-304. Authority and scope of market conduct surveillance - rules. (4) Any person who knowingly or willfully testifies falsely in reference to any matter material to any market conduct surveillance, or who knowingly or willfully makes any false certificate, entry, or memorandum upon any of the books or papers of a company or upon any statement filed or offered to be filed with the commissioner or used in the course of any market conduct surveillance or inquiry ~~is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 110. In Colorado Revised Statutes, **amend** 10-3-104 as follows:

10-3-104. Unauthorized companies - penalties. Except for reinsurance by an authorized insurer or insurance effected pursuant to the provisions of article 5 or article 15 of this ~~title~~ TITLE 10, it is unlawful for any person, company, or corporation in this state to procure, receive, or forward applications for insurance in, or to issue or to deliver policies for, any company not legally authorized to do business in this state, as provided in this ~~title~~ TITLE 10 and article 14 of title 24. ~~C.R.S.~~ Any person violating the provisions of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 111. In Colorado Revised Statutes, **amend** 10-3-111 as follows:

10-3-111. Violations - penalty. Except for violations of section 10-3-104 or article 15 of this ~~title~~ TITLE 10, any officer, director, stockholder, attorney, or agent of any corporation or association who violates any of the provisions of this ~~title~~ TITLE 10 and article 14 of title 24, ~~C.R.S.~~, who participates in or aids, abets, or advises or consents to any such violation, and any person who solicits or knowingly receives any money or property in violation of said references ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than one year and by a fine of not more than one thousand dollars,~~ COMMITS A CLASS 2 MISDEMEANOR, and any officer aiding or abetting in any contribution made in violation of said references is liable to the company

or association for the amount so contributed. No person shall be excused from attending and testifying or producing any books, papers, or other documents, before any court, upon any investigation, proceeding, or trial, for a violation of any of the provisions of said references upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of such person may tend to incriminate or degrade him or her; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he or she may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be used against him or her upon any criminal investigation or proceeding.

SECTION 112. In Colorado Revised Statutes, **amend** 10-3-114 as follows:

10-3-114. Violations - penalty. Any officer, director, clerk, employee, or agent of any such company who receives or pays out, or orders the payment of, any money, or incurs any obligation for the payment of money, in violation of the terms of section 10-3-113 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for a term of not more than six months, or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 113. In Colorado Revised Statutes, **amend** 10-3-411 as follows:

10-3-411. Penalties for noncompliance. Any insurance company or any officer or official thereof who willfully fails to comply with an order of the commissioner while such insurance company is under direct supervision of the commissioner ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than two years, or by a fine of not more than five thousand dollars; or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 114. In Colorado Revised Statutes, **amend** 10-3-504.5 as follows:

10-3-504.5. Application for receivership. No application or proceeding for a receivership of any domestic insurance company shall be

made in any court in this state by any person, nor shall any court receive or entertain any such application or proceeding, unless and until such application is approved by the commissioner, and then such application shall be made only by the attorney general of the state. The commissioner shall not give said approval until after the examination and hearing by the commissioner and the attorney general, which shall not be made public, at which the company affected shall be given ample opportunity to submit the facts as to its condition. Any person who violates any provisions of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one thousand dollars, or by imprisonment in the county jail for not less than one month nor more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 115. In Colorado Revised Statutes, 10-3-1104.5, **amend** (6) as follows:

10-3-1104.5. HIV testing - legislative declaration - definitions - requirements for testing - limitations on disclosure of test results. (6) Notwithstanding any other provisions to the contrary, any person who fails to comply with all the provisions of this section regarding the disclosure of HIV-related test results ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars, or by imprisonment in the county jail for not less than six months nor more than twenty-four months, or both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 116. In Colorado Revised Statutes, 10-14-704, **amend** (1) as follows:

10-14-704. Penalties. (1) Any person, officer, member, or examining physician of any society authorized to do business under this ~~article~~ ARTICLE 14 who knowingly or willfully makes any false or fraudulent statement or representation in or with reference to any application for membership, or for the purpose of obtaining money from or benefit in any society transacting business under this ~~article~~, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars, nor more than two thousand five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment~~ ARTICLE 14 COMMITS A PETTY OFFENSE.

SECTION 117. In Colorado Revised Statutes, 10-15-118, **amend** (1) as follows:

10-15-118. Violation. (1) Any person who violates any provision of this ~~article~~ ARTICLE 15 commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~ Any person who violates the trust fund provisions of this ~~article~~ ARTICLE 15 or any other misappropriation of funds commits theft pursuant to section 18-4-401. ~~C.R.S.~~

SECTION 118. In Colorado Revised Statutes, **amend** 10-23-107 as follows:

10-23-107. Unlicensed practice - penalties. A person who acts or attempts to act as a professional cash-bail agent or cash-bonding agent and who is not registered as such under this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment ARTICLE 23 COMMITS A CLASS 2 MISDEMEANOR. Upon conviction, the court shall require the person to disgorge any profits from acting as a professional cash-bail agent or cash-bonding agent and forward the profits to the state treasurer, who shall deposit the moneys in the general fund.

SECTION 119. In Colorado Revised Statutes, 11-10.5-111, **amend** (4)(b) and (4)(c) as follows:

11-10.5-111. Public funds to be deposited only in eligible public depositories - responsibilities of official custodians and eligible public depositories - penalty. (4) (b) Any official custodian who violates the provisions of this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two hundred dollars nor more than five hundred dollars, which fine shall be mandatory and may not be reimbursed nor paid by the public unit ARTICLE 10.5 COMMITS A CIVIL INFRACTION. Upon any such conviction, the court may adjudge that the official custodian be removed from public office.

(c) Any director, bank officer, or manager who knowingly violates the provisions of this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two hundred

~~dollars nor more than two thousand dollars, which fine shall be mandatory~~
ARTICLE 10.5 COMMITS A CIVIL INFRACTION.

SECTION 120. In Colorado Revised Statutes, **amend** 11-30-105 as follows:

11-30-105. Exclusive right to use "credit union" in title. A credit union organized in accordance with the provisions of this ~~article~~ ARTICLE 30, or in accordance with the laws of the United States or the laws of another state or territory of the United States, has the exclusive right to use the words "credit union" in its name or title; but an association composed of credit unions transacting business in this state may use the words "credit union" in its name or title. Any other person, association, corporation, or partnership using the words "credit union" in its name or title ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 121. In Colorado Revised Statutes, 11-30-106, **amend** (8)(b)(IV) as follows:

11-30-106. Examinations - reports - powers of commissioner. (8) (b) (IV) Any person who performs any duty or exercises any power of a credit union after receipt of a suspension or removal order under ~~paragraph (a) of this subsection (8)~~ SUBSECTION (8)(a) OF THIS SECTION commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 122. In Colorado Revised Statutes, **amend** 11-40-107 as follows:

11-40-107. Defamation of associations - penalty. Any person who willfully makes, circulates, or transmits any false statement, rumor, report, or suggestion, written, printed, or spoken, concerning the financial condition or management or assets of any savings and loan association, either by name or as a particular group of any particular city, town, or county, which incites the public or any person or creates an impression detrimental to the standing, solvency, or responsibility of said savings and loan association, or which tends to result or results in the withdrawal of

funds from such association or in the exchange of shares in savings and loan associations for any other stock, bonds, notes, debentures, or other evidences of indebtedness or for any other property of any kind or character whatsoever, or which tends to result or results in impairing the confidence which may be reposed in said association and any person aiding, advising, and abetting such person in such matters and things ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than three hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than three months nor more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 123. In Colorado Revised Statutes, **amend** 11-40-108 as follows:

11-40-108. Circulating false information - penalty. Any person who willfully and knowingly concurs in or is responsible, directly or indirectly, for the making, publishing, or posting, either generally or privately, to actual or prospective members or investors of any false or misleading information tending to imply that any other business operated in this state is a savings and loan association or operated in the manner of a savings and loan association or is regulated in whole or in part under the provisions of articles 40 to 46 of this title ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than three hundred dollars, or by imprisonment in the county jail for a period of not less than six months nor more than one year, or by both such fine and imprisonment~~ TITLE 11 COMMITS A CLASS 2 MISDEMEANOR.

SECTION 124. In Colorado Revised Statutes, 11-41-127, **amend** (2) as follows:

11-41-127. Violations - penalties. (2) Any person who willfully and knowingly violates section 11-41-103 and sections 11-41-124 to 11-41-126 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE, and each such violation shall constitute a separate offense.

SECTION 125. In Colorado Revised Statutes, 11-44-101.6, **amend**

(8) as follows:

11-44-101.6. Financial services board - creation. (8) The members of the board shall, before entering upon the discharge of their duties, in addition to any oath required by the state constitution, take and subscribe an oath to keep secret all information acquired by them in the discharge of their duties, except as may be otherwise required by law. Any person who willfully violates this oath ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 126. In Colorado Revised Statutes, 11-44-106.5, **amend** (2)(c) as follows:

11-44-106.5. Suspension or removal of directors, officers, or employees. (2) (c) Any person who performs any duty or who exercises any power of a domestic savings and loan association after receipt of a suspension or removal order under subsection (1) of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 127. In Colorado Revised Statutes, 11-44-109, **amend** (5) and (6) as follows:

11-44-109. Examination by commissioner - procedure - penalty. (5) Any person who knowingly or willfully testifies falsely in reference to any matter material to said examination is guilty of perjury in the second degree and, upon conviction thereof, shall be punished accordingly; and any person who willfully refuses or fails to attend, answer, or produce books or papers, or who refuses to give said commissioner or ~~his~~ THE COMMISSIONER'S deputy or the person authorized by ~~him~~ THE COMMISSIONER'S full and truthful information and answer in writing to any inquiry or question made in writing by said commissioner or deputy or the person authorized by ~~him~~ THE COMMISSIONER'S in regard to the business carried on by such association or other matters under investigation, or who refuses or willfully fails to appear and testify under oath before the commissioner, ~~his~~ THE COMMISSIONER'S deputy, or the person authorized by ~~him~~ ~~is guilty of a misdemeanor and, upon conviction thereof, shall be~~

~~punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ THE COMMISSIONER COMMITS A CLASS 2 MISDEMEANOR.

(6) Any director, officer, agent, or employee of any association who knowingly or willfully makes any false certificate, entry, or memorandum upon any of the books or the papers of any association or upon any statement filed or offered to be filed in the division of financial services of this state or used in the course of any examination, inquiry, or investigation, with the intent to deceive the commissioner, ~~his~~ THE COMMISSIONER'S deputy, or any person employed or appointed by ~~him~~ THE COMMISSIONER'S to make such examination, inquiry, or investigation is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not less than two months nor more than twelve months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 128. In Colorado Revised Statutes, **amend** 11-44-114 as follows:

11-44-114. Noncompliance with orders - penalty. If the commissioner demands possession of the property, business, and assets of any association, pursuant to section 11-44-110, the refusal of any officer, agent, employee, or director of such association to comply with such demand ~~shall constitute a misdemeanor, punishable by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ CONSTITUTES A CLASS 2 MISDEMEANOR; and, if such demand is not complied with within twenty-four hours after service, the commissioner may call to ~~his~~ THE COMMISSIONER'S assistance the sheriff of the county in which the principal place of business of such association is located, by written demand under ~~his~~ THE COMMISSIONER'S hand and official seal; whereupon it shall become the duty of such official to enforce the demands of the commissioner.

SECTION 129. In Colorado Revised Statutes, **amend** 11-49-109 as follows:

11-49-109. Violation. Any person acting in the capacity of a provider who enters into a life care contract, or extends the term of an

existing life care contract, without acting in compliance with the provisions of this article 49 is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 130. In Colorado Revised Statutes, 11-59-115, **amend** (2) as follows:

11-59-115. Criminal and civil penalties and damages. (2) Any person who willfully violates any of the provisions of this ~~article~~ ARTICLE 59, other than section 11-59-112, or any rule or order under this ~~article~~ ARTICLE 59 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503, and any second violation of this section shall be punishable by a civil penalty of fifty dollars per day to a maximum penalty of one thousand dollars.

SECTION 131. In Colorado Revised Statutes, 11-107-108, **amend** (1)(a) as follows:

11-107-108. Unlawful acts or omissions - penalties. (1) Any person responsible for an act or omission expressly declared to be a criminal offense by this code:

(a) ~~Is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR;

SECTION 132. In Colorado Revised Statutes, **amend** 11-109-601 as follows:

11-109-601. Penalty for noncompliance with the law. It is unlawful for any person to carry on or conduct in this state a trust company business, or to advertise or hold himself or herself out as being engaged in or doing a trust company business, or to use the word "trust" or words "trust company" in connection with a business unless such person has complied with the provisions of this ~~article~~ ARTICLE 109 or other laws of this state specifically authorizing a fiduciary or trust business. Any person ~~violating this section shall be guilty of a misdemeanor and, upon conviction thereof,~~

~~shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ WHO VIOLATES THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

SECTION 133. In Colorado Revised Statutes, 11-110-206, **amend** (1) as follows:

11-110-206. Violations. (1) A person who violates this part 2 commits a class 2 misdemeanor ~~and, for the second or any subsequent offense, the person commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501.~~

SECTION 134. In Colorado Revised Statutes, **amend** 12-10-223 as follows:

12-10-223. Violations. Any natural person, firm, partnership, limited liability company, association, or corporation violating the provisions of this part 2 by acting as real estate broker in this state without having obtained a license or by acting as real estate broker after the broker's license has been revoked or during any period for which the license may have been suspended ~~is guilty of a misdemeanor and, upon conviction thereof, if a natural person, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment and, if an entity, shall be punished by a fine of not more than five thousand dollars. A second violation, if by a natural person, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 135. In Colorado Revised Statutes, **amend** 12-10-225 as follows:

12-10-225. Failure to obey subpoena - penalty. Any person who willfully fails or neglects to appear and testify or to produce books, papers, or records required by subpoena, duly served upon him or her in any matter conducted under parts 2 and 5 of this article 10 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of twenty-five dollars, or imprisonment in the county jail for not more than thirty days for~~

~~each such offense, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE. Each day a person so refuses or neglects constitutes a separate offense.

SECTION 136. In Colorado Revised Statutes, 12-10-616, **amend** (2) as follows:

12-10-616. Unlawful acts - penalties. (2) Any person who violates any provision of subsection (1) of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. Any person who subsequently violates any provision of subsection (1) of this section within five years after the date of a conviction for a violation of subsection (1) of this section commits a class 5 felony and shall be punished as provided in section 18-1.3-401.

SECTION 137. In Colorado Revised Statutes, 12-10-617, **amend** (3) as follows:

12-10-617. Appraisal management company license required - violations - injunction. (3) Any person, partnership, limited liability company, or corporation violating this part 6 by acting as an appraisal management company without having obtained a license or acting as an appraisal management company after the appraisal management company's license has been revoked or during any period for which the license was suspended is ~~guilty of a misdemeanor and, upon conviction thereof:~~ COMMITS A CLASS 2 MISDEMEANOR.

~~(a) If a natural person, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment, for the first violation and, for a second or subsequent violation, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; and~~

~~(b) If an entity, shall be punished by a fine of not more than five thousand dollars.~~

SECTION 138. In Colorado Revised Statutes, 12-10-715, **amend** (2) as follows:

12-10-715. Subpoena - misdemeanor. (2) Any person who willfully fails or neglects to appear and testify or to produce books, papers, or records required by subpoena, duly served upon him or her in any matter conducted under this part 7 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one hundred dollars or imprisonment in the county jail for not more than thirty days for each such offense, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE. Each day a person so refuses or neglects constitutes a separate offense.

SECTION 139. In Colorado Revised Statutes, 12-10-720, **amend** (1)(a) as follows:

12-10-720. Violations - injunctions. (1) (a) Any individual violating this part 7 by acting as a mortgage loan originator in this state without having obtained a license or by acting as a mortgage loan originator after that individual's license has been revoked or during any period for which the license may have been suspended ~~is guilty of a class 1 misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501; except that, if the violator is not a natural person, the violator shall be punished by a fine of not more than five thousand dollars.

SECTION 140. In Colorado Revised Statutes, 12-20-407, **amend** (1)(a) introductory portion and (1)(b) introductory portion as follows:

12-20-407. Unauthorized practice of profession or occupation - penalties - exclusions. (1) (a) A person commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501 ~~for the first offense and, for the second or any subsequent offense, commits a class 6 felony and shall be punished as provided in section 18-1.3-401~~ if the person:

(b) A person commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501 ~~for the first offense and, for the second or any subsequent offense, commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501~~, if the person engages in any of the following activities:

SECTION 141. In Colorado Revised Statutes, 12-110-112, **amend** (2) as follows:

12-110-112. Toughperson fighting prohibited. (2) Any violation of this section is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 142. In Colorado Revised Statutes, **amend** 12-135-108 as follows:

12-135-108. Violations and penalties. Any person who violates this part 1 or part 3 of this article 135 is ~~guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than twenty-four months or by both such fine and imprisonment~~ COMMITS A CLASS 1 MISDEMEANOR.

SECTION 143. In Colorado Revised Statutes, **amend** 12-140-108 as follows:

12-140-108. Violations and penalties. A person who violates this article 140 is ~~guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five thousand dollars, imprisonment in the county jail for not more than eighteen months, or both the fine and imprisonment~~ COMMITS A CLASS 1 MISDEMEANOR.

SECTION 144. In Colorado Revised Statutes, 12-145-106, **amend** (1) as follows:

12-145-106. Guide qualifications. (1) An individual who works as a guide must be eighteen years of age or older and hold either a valid first aid or first aid instructor's card issued by the American Red Cross or evidence of equivalent training as approved by the director. An individual who violates this subsection (1) is ~~guilty of a misdemeanor and shall be punished by a fine of one hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 145. In Colorado Revised Statutes, 12-145-110, **amend** (2) as follows:

12-145-110. Penalties - distribution of fines. (2) A person who engages in activities as an outfitter shall maintain all applicable documents, records, and other items, for the current year and the preceding four years at the address listed on the registration, required to be maintained by this

article 145 or by the rules of the director when requested to do so by the director or a peace officer. A registrant who refuses to permit the inspection of documents, records, or items ~~is guilty of a misdemeanor and shall be punished by a fine of one hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 146. In Colorado Revised Statutes, 12-150-108, **amend** (4) as follows:

12-150-108. Orders - enforcement. (4) Any area operator who operates a passenger tramway that has not been licensed by the board or the license of which has been suspended, or who fails to comply with an order issued under this section or section 12-150-116, commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 147. In Colorado Revised Statutes, 12-240-139, **amend** (1)(a)(II) as follows:

12-240-139. Injuries to be reported - penalty for failure to report - immunity from liability - definitions. (1) (a) (II) Any licensee who fails to make a report as required by this section commits a ~~class 2~~ petty offense as defined by section 18-1.3-503 and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, imprisonment in the county jail for not more than ninety days, or both fine and imprisonment.

SECTION 148. In Colorado Revised Statutes, 12-240-132, **amend** (1)(a) as follows:

12-240-132. Division of fees - independent advertising or marketing agent - definition. (1) (a) If any person holding a license issued by the board divides any fee or compensation received or charged for services rendered by him or her as a licensee or agrees to divide any fee or compensation with any person, firm, association, or corporation as pay or compensation to the other person for sending or bringing any patient or other person to the licensee, or for recommending the licensee to any person, or for being instrumental in any manner in causing any person to engage the licensee in his or her professional capacity; or if any licensee shall either directly or indirectly pay or compensate or agree to pay or compensate any person, firm, association, or corporation for sending or

bringing any patient or other person to the licensee for examination or treatment, for recommending the licensee to any person, or for being instrumental in causing any person to engage the licensee in his or her professional capacity; or if any licensee, in his or her professional capacity and in his or her own name or behalf, shall make or present a bill or request a payment for services rendered by any person other than the licensee, the licensee commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 149. In Colorado Revised Statutes, **amend** 12-240-134 as follows:

12-240-134. Liability of persons other than licensee. If any person, firm, association, or corporation receives, either directly or indirectly, any pay or compensation given or paid in violation of section 12-240-132, the person, firm, association, or corporation, and the officers and directors thereof, commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 150. In Colorado Revised Statutes, 12-240-139, **amend** (1)(a)(II) as follows:

12-240-139. Injuries to be reported - penalty for failure to report - immunity from liability - definitions. (1) (a) (II) Any licensee who fails to make a report as required by this section commits a ~~class 2~~ petty offense as defined by section 18-1.3-503. ~~and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, imprisonment in the county jail for not more than ninety days, or both fine and imprisonment.~~

SECTION 151. In Colorado Revised Statutes, **amend** 12-255-215 as follows:

12-255-215. Unauthorized practice - penalties. Any person who practices or offers or attempts nursing aide practice or medication administration without an active certificate of authority issued under this part 2; practices in a medical facility as a nurse aide except as provided in this part 2; uses any designation in connection with the person's name that tends to imply that the person is a certified nurse aide unless the person is so certified under this part 2; practices as a nurse aide during any period

when the person's certificate has been suspended or revoked; or sells or fraudulently obtains or furnishes a certificate to practice as a nurse aide or aids or abets therein commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501. ~~for the first offense, and any person committing a second or subsequent offense commits a class 6 felony and shall be punished as provided in section 18-1.3-401.~~

SECTION 152. In Colorado Revised Statutes, 12-290-122, **amend** (1) introductory portion as follows:

12-290-122. Division of fees prohibited - penalty - recovery of fees illegally paid. (1) A licensee commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501 if the licensee:

SECTION 153. In Colorado Revised Statutes, 12-315-120, **amend** (3) as follows:

12-315-120. Reporting requirements - immunity for reporting - veterinary-patient-client privilege inapplicable. (3) A licensed veterinarian who willfully violates the provisions of subsection (1) or (2) of this section commits a ~~class 1~~ petty offense, punishable as provided in section 18-1.3-503.

SECTION 154. In Colorado Revised Statutes, **repeal** 13-1-128 as follows:

13-1-128. Confidentiality of decisions of courts of record - violations - penalties. (1) ~~Each decision of a court of record shall be confidential until publicly announced.~~

~~(2) (a) If it appears that the provisions of subsection (1) of this section have been violated, petition shall be made to the chief judge of the district court for the city and county of Denver for the appointment of a special prosecutor and the convening of a grand jury.~~

~~(b) The chief judge, for good cause shown, shall appoint the special prosecutor and shall order the impaneling of a grand jury in accordance with the provisions of article 73 of this title. Any special prosecutor appointed pursuant to this section shall be compensated as provided in section~~

~~20-1-308, C.R.S.~~

~~(3) An action for violation of subsection (1) of this section may only be commenced by the return of an indictment by a grand jury notwithstanding any provision of section 16-5-101, C.R.S., to the contrary.~~

~~(4) Any person who knowingly violates the provisions of subsection (1) of this section commits a class 6 felony and, upon conviction thereof, shall be punished as provided in section 18-1.3-401, C.R.S.~~

SECTION 155. In Colorado Revised Statutes, **amend** 13-20-208 as follows:

13-20-208. Penalty for violations. Any person who violates any provision of sections 13-20-204 to 13-20-206 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ **COMMITTS A PETTY OFFENSE.**

SECTION 156. In Colorado Revised Statutes, 13-25-126, **amend** (1)(e) as follows:

13-25-126. Genetic tests to determine parentage.
(1) (e) Specimens and reports are confidential. An individual who intentionally releases an identifiable specimen of another individual for any purpose other than that relevant to the proceeding regarding parentage without a court order or the written permission of the individual who furnished the specimen commits a ~~class 1 misdemeanor~~ **CLASS 2 MISDEMEANOR** and, upon conviction, shall be punished as provided in section 18-1.3-501 (1). ~~C.R.S.~~

SECTION 157. In Colorado Revised Statutes, 13-25-126.5, **amend** (5)(b)(II) as follows:

13-25-126.5. Documents arising from environmental self-evaluation - admissibility in evidence. (5) (b) (II) If any public entity, public employee, or public official divulges all or any part of the information contained in an environmental audit report in violation of the provisions of ~~paragraph (a) of this subsection (5)~~ **SUBSECTION (5)(a) OF THIS**

SECTION or knowingly divulges or disseminates all or any part of the information contained in an environmental audit report that was provided to such public entity, public employee, or public official in violation of the provisions of ~~paragraph (a) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION, such public entity, public employee, or public official ~~shall be guilty of a class 1 misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR, may be found in contempt of court by a court of record, and may be assessed a penalty not to exceed ten thousand dollars by a court of record or an administrative law judge.

SECTION 158. In Colorado Revised Statutes, 13-45-106, **repeal** (2) as follows:

13-45-106. Bail - recognizance - binding witness. (2) ~~The recognizance so taken, together with the recognizance entered into by the prisoner when he is admitted to bail, shall be certified and returned to the proper court. If any such witness neglects or refuses to enter into a recognizance when required, it is lawful for the court to commit him to jail until he enters into such recognizance or he is otherwise discharged by due course of law. If any judge neglects or refuses to bind any such witness or prisoner by recognizance when taken as aforesaid, he is guilty of a misdemeanor in office and shall be proceeded against accordingly.~~

SECTION 159. In Colorado Revised Statutes, 13-71-111, **amend** (1) as follows:

13-71-111. Contents of juror summons. (1) The juror summons shall state: Whether the anticipated service is that of a trial or grand juror; the beginning date of the juror service; the name, address, hour, and room number, if any, of the courthouse or office to which the juror shall report on the first day of service; the fact that a knowing failure to obey the summons without justifiable excuse is a violation of section 18-8-612, ~~C.R.S.~~, and a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR punishable as provided in section 18-1.3-501; ~~C.R.S.~~; and such other information and instructions as are deemed appropriate by the state court administrator or the jury commissioner.

SECTION 160. In Colorado Revised Statutes, 13-71-115, **amend** (1) as follows:

13-71-115. Juror questionnaires. (1) On or before the first day of the term of trial or grand juror service, each juror shall be given a juror questionnaire requesting the following information about the juror: Name, sex, date of birth, age, residence, and marital status; the number and ages of children; educational level and occupation; whether the juror is regularly employed, self-employed, or unemployed; spouse's occupation; previous juror service; present or past involvement as a party or witness in a civil or criminal proceeding; and such other information as the jury commissioner deems appropriate after consulting with the judges in the judicial district. The questionnaire shall contain a declaration by the juror that the information supplied is, to the best of the juror's knowledge, true and an acknowledgment that a willful misrepresentation of a material fact is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR punishable as provided in section 18-1.3-501. ~~C.R.S.~~ Immediately below the declaration, the questionnaire shall contain a place for the signature of the juror. A notice that the completed questionnaire is not a public record shall appear prominently on its face.

SECTION 161. In Colorado Revised Statutes, 14-14-111.5, **amend** (19) as follows:

14-14-111.5. Income assignments for child support or maintenance. (19) A person submitting a fraudulent notice to withhold income for support to an employer, trustee, or other payor of funds ~~shall be subject to a fine of not less than one thousand dollars and court costs and attorney fees~~ COMMITS A CIVIL INFRACTION.

SECTION 162. In Colorado Revised Statutes, 15-18-113, **amend** (1) and (4) as follows:

15-18-113. Penalties - refusal - transfer. (1) A person who willfully conceals, defaces, damages, or destroys a declaration of another person, without the knowledge and consent of the declarant, commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

(4) A person who willfully withholds information concerning the revocation of a declaration of another person commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 163. In Colorado Revised Statutes, **amend** 15-19-217 as follows:

15-19-217. Other prohibited acts. A person that, in order to obtain a financial gain, intentionally falsifies, forges, conceals, defaces, or obliterates a document of gift, an amendment or revocation of a document of gift, or a refusal commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR as specified in section 18-1.3-501.

SECTION 164. In Colorado Revised Statutes, **amend** 15-19-309 as follows:

15-19-309. Penalty. Any person having duties enjoined upon him or her by the provisions of this part 3, who neglects, refuses, or omits to perform the same as required in this part 3 ~~upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars for each offense~~ COMMITS A CIVIL INFRACTION.

SECTION 165. In Colorado Revised Statutes, **amend** 16-2-104 as follows:

16-2-104. Issuance of summons and complaint. A summons and complaint may be issued by any peace officer for an offense constituting a misdemeanor or a petty offense OR A CIVIL INFRACTION committed in ~~his~~ THE PEACE OFFICER'S presence or, if not committed in ~~his~~ THE PEACE OFFICER'S presence, which ~~he~~ THE PEACE OFFICER has probable cause to believe was committed and probable cause to believe was committed by the person charged. Except for penalty assessment notices, which shall be handled according to the procedures set forth in section 16-2-201, a copy of a summons and complaint so issued shall be filed immediately with the county court before which appearance is required, and a second copy shall be given to the district attorney or deputy district attorney for the county.

SECTION 166. In Colorado Revised Statutes, **amend** 16-2-109 as follows:

16-2-109. Service of summons. A summons issued by the county court in a prosecution for a misdemeanor or ~~class 1~~ petty offense OR CIVIL INFRACTION may be served by giving a copy to the defendant personally or by leaving a copy at the defendant's usual place of abode with some person

over the age of eighteen years residing therein or by mailing a copy to the defendant's last known address by certified mail, return receipt requested, not less than fourteen days prior to the time the defendant is required to appear. Service by mail shall be complete upon the return of the receipt signed by the defendant. Personal service shall be made by any disinterested party over the age of eighteen years.

SECTION 167. In Colorado Revised Statutes, 16-2-201, **amend** (1) as follows:

16-2-201. Penalty assessment procedure. (1) When a person is arrested for a ~~class 2 petty offense~~ CIVIL INFRACTION, the arresting officer may ~~either~~ give the person a penalty assessment notice and release ~~him~~ THE PERSON upon its terms. ~~or take him before a judge of the county court in the county in which the alleged offense occurred.~~ The choice of procedures shall be based upon circumstances which reasonably persuade the officer that the alleged offender is likely or unlikely to comply with the terms of the penalty assessment notice. ~~Such circumstances may include the officer accompanying the offender to a post office or mailbox and witnessing the deposit in the mail of the notice with payment of the fine attached.~~

SECTION 168. In Colorado Revised Statutes, **add** article 2.3 to title 16 as follows:

ARTICLE 2.3 **Civil Infraction Procedures**

16-2.3-101. Civil infractions - proper court for hearing - burden of proof - appeal - collateral attack. (1) EVERY HEARING IN A COUNTY COURT FOR THE ADJUDICATION OF A CIVIL INFRACTION MUST BE HELD BEFORE A COUNTY COURT MAGISTRATE APPOINTED PURSUANT TO PART 5 OF ARTICLE 6 OF TITLE 13, OR BEFORE A COUNTY JUDGE ACTING AS A MAGISTRATE; EXCEPT THAT, IF THE CHARGE INCLUDES A CRIME AND CIVIL INFRACTION IN THE SAME SUMMONS AND COMPLAINT, ALL CHARGES MUST BE MADE RETURNABLE BEFORE A JUDGE OR MAGISTRATE HAVING JURISDICTION OVER THE CRIME AND THE RULES OF CRIMINAL PROCEDURE SHALL APPLY.

(2) WHEN A COURT OF COMPETENT JURISDICTION DETERMINES THAT A PERSON CHARGED WITH A MISDEMEANOR OR PETTY OFFENSE IS GUILTY OF

A LESSER-INCLUDED OFFENSE THAT IS A CIVIL INFRACTION, THE COURT MAY ENTER A JUDGMENT AS TO THE LESSER INCLUDED OFFENSE.

(3) THE BURDEN OF PROOF IS ON THE PEOPLE, AND THE MAGISTRATE SHALL ENTER JUDGMENT IN FAVOR OF THE DEFENDANT UNLESS THE PEOPLE PROVE THE LIABILITY OF THE DEFENDANT BEYOND A REASONABLE DOUBT. THE DISTRICT ATTORNEY OR THE DISTRICT ATTORNEY'S DEPUTY MAY, IN THE DISTRICT ATTORNEY'S DISCRETION, ENTER CIVIL INFRACTION CASES FOR THE PURPOSE OF ATTEMPTING TO NEGOTIATE A PLEA OR A STIPULATION TO PRETRIAL DIVERSION OR DEFERRED JUDGMENT AND SENTENCE BUT SHALL NOT BE REQUIRED TO SO ENTER BY ANY PERSON, COURT, OR LAW. THE DISTRICT ATTORNEY SHALL NOT REPRESENT THE STATE AT HEARINGS CONDUCTED BY A MAGISTRATE OR A COUNTY JUDGE ACTING AS A MAGISTRATE ON CIVIL INFRACTION MATTERS. THE MAGISTRATE OR COUNTY JUDGE ACTING AS A MAGISTRATE MAY CALL AND QUESTION ANY WITNESS AND SHALL ACT AS THE FACT FINDER AT HEARINGS ON CIVIL INFRACTION MATTERS.

(4) APPEAL FROM FINAL JUDGMENT ON A CIVIL INFRACTION MATTER MUST BE TAKEN TO THE DISTRICT COURT FOR THE COUNTY IN WHICH THE MAGISTRATE OR JUDGE ACTING AS MAGISTRATE IS LOCATED.

(5) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5)(b) OF THIS SECTION, A PERSON AGAINST WHOM A JUDGMENT IS ENTERED FOR A CIVIL INFRACTION MAY NOT COLLATERALLY ATTACK THE VALIDITY OF THAT JUDGMENT UNLESS THE PERSON COMMENCES THE ATTACK WITHIN SIX MONTHS AFTER THE DATE OF ENTRY OF THE JUDGMENT.

(b) IN RECOGNITION OF THE DIFFICULTIES ATTENDING THE LITIGATION OF STALE CLAIMS AND THE POTENTIAL FOR FRUSTRATING VARIOUS STATUTORY PROVISIONS DIRECTED AT REPEAT OFFENDERS, FORMER OFFENDERS, AND HABITUAL OFFENDERS, THE ONLY EXCEPTIONS TO THE TIME LIMITATION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION ARE CASES IN WHICH THE COURT HEARING THE COLLATERAL ATTACK FINDS:

(I) THAT THE COURT ENTERING JUDGMENT DID NOT HAVE JURISDICTION OVER THE SUBJECT MATTER OF THE ALLEGED INFRACTION;

(II) THAT THE COURT ENTERING JUDGMENT DID NOT HAVE JURISDICTION OVER THE PERSON OF THE VIOLATOR;

(III) BY A PREPONDERANCE OF THE EVIDENCE THAT THE FAILURE TO SEEK RELIEF WITHIN THE TIME LIMITATION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION WAS THE RESULT OF AN ADJUDICATION OF INCOMPETENCE OR BY COMMITMENT OR CERTIFICATION OF THE VIOLATOR TO AN INSTITUTION FOR TREATMENT AS A PERSON WITH A MENTAL HEALTH DISORDER; OR

(IV) THAT THE FAILURE TO SEEK RELIEF WITHIN TIME LIMITATION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION WAS THE RESULT OF WAS THE RESULT OF CIRCUMSTANCES AMOUNTING TO JUSTIFIABLE EXCUSE OR EXCUSABLE NEGLECT.

SECTION 169. In Colorado Revised Statutes, 16-4-113, **amend** (1) introductory portion as follows:

16-4-113. Type of bond in certain misdemeanor cases. (1) In exercising the discretion mentioned in section 16-4-104, the judge shall release the accused person upon personal recognizance if the charge is a ~~class 3 misdemeanor~~ or any unclassified offense for a violation of which the maximum penalty does not exceed six months' imprisonment, and he or she shall not be required to supply a surety bond, or give security of any kind for his or her appearance for trial other than his or her personal recognizance, unless one or more of the following facts are found to be present:

SECTION 170. In Colorado Revised Statutes, 16-5-101, **amend** (1)(d) introductory portion and (1)(d)(IV) as follows:

16-5-101. Commencement of prosecution. (1) Unless otherwise provided by law, a criminal action for violation of any statute may be commenced in one of the following ways:

(d) Prosecution of a misdemeanor, ~~or~~ petty offense, OR CIVIL INFRACTION may be commenced in the county court by:

(IV) The filing of a summons and complaint following arrest; or, in the event that the offense is a ~~class 2 petty offense~~ CIVIL INFRACTION, by the issuance of a notice of penalty assessment pursuant to section 16-2-201.

SECTION 171. In Colorado Revised Statutes, 16-5-207, **amend** (1)

introductory portion as follows:

16-5-207. Standards and criteria relating to issuance of summons in lieu of warrant. (1) A summons shall be issued instead of a warrant in all petty offenses ~~class 3 misdemeanors~~, and all unclassified offenses which are punishable by a maximum penalty of six months' imprisonment or less, except in those cases where the court finds that:

SECTION 172. In Colorado Revised Statutes, 16-5-401, **amend** (1)(a) as follows:

16-5-401. Limitation for commencing criminal proceedings and juvenile delinquency proceedings. (1) (a) Except as otherwise provided by statute applicable to specific offenses, delinquent acts, or circumstances, no adult person or juvenile shall be prosecuted, tried, or punished for any offense or delinquent act unless the indictment, information, complaint, or petition in delinquency is filed in a court of competent jurisdiction or a summons and complaint or penalty assessment notice is served upon the defendant or juvenile within the period of time after the commission of the offense or delinquent act as specified below:

Murder, kidnapping, treason, any sex offense against a child, and any forgery regardless of the penalty provided:	No limit
Attempt, conspiracy, or solicitation to commit murder; attempt, conspiracy, or solicitation to commit kidnapping; attempt, conspiracy, or solicitation to commit treason; attempt, conspiracy, or solicitation to commit any sex offense against a child; and attempt, conspiracy, or solicitation to commit any forgery regardless of the penalty provided:	No limit
Vehicular homicide, except as described in paragraph (a.5) of this subsection (1) SUBSECTION (1)(a.5) OF THIS SECTION; leaving the scene of an accident that resulted in the death of a person:	Five years
Other felonies:	Three years
Misdemeanors:	Eighteen months
Class 1 and 2 misdemeanor traffic offenses:	One year
Petty offenses AND CIVIL INFRACTIONS:	Six months

SECTION 173. In Colorado Revised Statutes, 16-8.5-116, **amend**

(1) as follows:

16-8.5-116. Certification - reviews - termination of proceedings - rules. (1) Subject to the time periods and legal standards set forth in this section, whichever is shortest, a defendant committed to the custody of the department or otherwise confined as a result of a determination of incompetency to proceed must not remain confined for a period in excess of the maximum term of confinement that could be imposed for only the single most serious offense with which the defendant is charged, less ~~fifty percent~~ THIRTY PERCENT FOR A MISDEMEANOR OFFENSE AND LESS FIFTY PERCENT FOR A FELONY OFFENSE. At the end of such time period, the court shall dismiss the charges, and certification proceedings or provision of services, if any, are governed by article 65 or 10.5 of title 27.

SECTION 174. In Colorado Revised Statutes, 16-11-101.6, **amend** (1) as follows:

16-11-101.6. Collection of fines and fees - methods - charges - judicial collection enhancement fund - definition. (1) If the defendant is assessed any fines, fees, costs, surcharges, or other monetary assessments with regard to the sentencing, disposition, or adjudication of a felony, misdemeanor, juvenile delinquency petition, petty offense, CIVIL INFRACTION, traffic offense, or traffic infraction and does not pay all amounts assessed in full on the date of the assessment, the defendant shall pay to the clerk of the court an additional time payment fee of twenty-five dollars. The time payment fee may be assessed once per case; except that, if amounts owed in the case have still not been paid in full one year after the date of the assessment, said fee shall be assessed annually until the defendant has fully satisfied his or her financial obligation in the case. In addition, there may be assessed against a defendant a late penalty fee of ten dollars each time a payment toward the fines, fees, costs, surcharges, or other amounts owed is not received on or before the date due. If the court determines that the defendant does not have the financial resources to pay a time payment fee or a late penalty fee, the court may waive or suspend a time payment fee or a late penalty fee. Amounts collected shall be credited first against the time payment and any late penalty fees assessed under this subsection (1), then against any fines, and finally against any costs.

SECTION 175. In Colorado Revised Statutes, **amend** 16-19-112 as follows:

16-19-112. Penalty for noncompliance. Any person who delivers to the agent for extradition of the demanding state a person in his OR HER custody under the governor's warrant, in willful disobedience to section 16-19-111, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 176. In Colorado Revised Statutes, 17-26-109, **amend** (1) introductory portion, (1)(a), (1)(b), (1)(c), (2), and (3)(a); and repeal (1)(d), and (1)(e) as follows:

17-26-109. Deductions of time - record keeping - forfeitures - definition. (1) Every person who is sentenced to and imprisoned in any county jail of this state ~~or sentenced to pay a fine and costs or either or all thereof~~ and who performs faithfully the duties assigned to him or her ~~during his or her imprisonment therein~~ AND CONDUCTS HIMSELF OR HERSELF IN ACCORDANCE WITH THE RULES OF THE JAIL earns deductions from the time of his or her sentence as follows:

(a) An inmate receives a ~~one-day~~ SEVEN-DAY deduction for each ~~fifteen~~ THIRTY days on his or her sentence WHICH SHALL BE CALCULATED ON A PRO-RATED BASIS FROM THE COMMENCEMENT OF THE SENTENCE, ALL OR PART OF WHICH IS SUBJECT TO FORFEITURE IF THE INMATE IS FOUND TO HAVE VIOLATED ANY OF THE RULES AND REGULATIONS OF THE JAIL OR HAS NOT FAITHFULLY ACCEPTED OR COMPLETED THE DUTIES ASSIGNED TO HIM OR HER;

(b) In addition to the deduction described in subsection (1)(a) of this section, an inmate may receive a ~~ten-day~~ THREE-DAY deduction for each thirty days on his or her sentence if he or she:

(I) ~~Successfully completes a designated program or educational activity within the jail;~~ or IS DESIGNATED BY THE COUNTY SHERIFF AS A TRUSTY PRISONER;

(II) ~~Demonstrates outstanding progress in any designated program or educational activity within the jail~~ IS ENGAGED IN WORK WITHIN OR OUTSIDE THE WALLS OF THE JAIL;

(III) PERFORMS HIS OR HER WORK IN A CREDIBLE MANNER;

(IV) CONDUCTS HIMSELF OR HERSELF IN ACCORDANCE WITH THE RULES OF THE JAIL; AND

(V) IS APPROVED BY THE SHERIFF TO RECEIVE A DEDUCTION PURSUANT TO THIS SUBSECTION (1)(b).

~~(c) (I) In addition to the deduction described in subsection (1)(a) of this section, an inmate may receive a thirteen-day deduction for each thirty days on his or her sentence if the inmate:~~

~~(f) Is designated by the county sheriff as a trusty prisoner;~~ IN ADDITION TO THE DEDUCTIONS DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, AN INMATE MAY RECEIVE A THREE-DAY MAXIMUM DEDUCTION WHEN THE INMATE TAKES AN UNUSUAL OR EXTRAORDINARY ACTION, AS DETERMINED BY THE COUNTY SHERIFF. THIS DEDUCTION MAY BE GRANTED ON AN INCIDENT-BY-INCIDENT BASIS AND IS NOT SUBJECT TO THE DEDUCTION CAP DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION.

~~(II) Is engaged in work within or outside the walls of the jail;~~ IF A COUNTY SHERIFF AWARDS A DEDUCTION PURSUANT TO THIS SUBSECTION (1)(C), THE COUNTY SHERIFF SHALL NOTIFY THE CHIEF JUDGE OF THE JUDICIAL DISTRICT WHERE THE DEFENDANT WAS CONVICTED OF THE AWARD NOT LATER THAN THREE BUSINESS DAYS AFTER THE DEDUCTION IS AWARDED. WHEN PROVIDING THE NOTICE, THE SHERIFF SHALL INDICATE HOW MANY DAYS WERE DEDUCTED AND THE NATURE OF THE UNUSUAL OR EXTRAORDINARY ACTION TAKEN BY THE INMATE.

~~(III) Performs his or her work in a creditable manner;~~

~~(IV) Conducts himself or herself in accordance with the rules of the jail; and~~

~~(V) Is approved by the sheriff to receive a deduction pursuant to this subsection (1)(c);~~

~~(d) An inmate may receive a deduction of up to thirteen days for each thirty days on his or her sentence if the inmate:~~

~~(F) Is sentenced to the county jail as a direct sentence or as a condition of probation; and~~

~~(H) Is permitted to participate in work, educational programming outside the jail, medical release, home detention, or day reporting programs pursuant to section 18-1.3-106 (1);~~

~~(e) Notwithstanding any other provision of this section, an inmate may not receive a deduction of more than fifteen days in any thirty-day period, regardless of how many programs the inmate participates in, whether the inmate is designated a trusty prisoner or is sentenced as described in subsection (1)(d) of this section;~~

(2) Each county sheriff shall develop and implement a program and schedule for administering reductions of inmates' sentences in his or her county jail, as described in this section and in accordance with the expectations and standards of the community in which he or she serves. Each county jail shall keep a record of each inmate's deductions of time and changes in deductions of time as a result of policy violations by the inmate.

(3) (a) If an inmate is found to have committed a willful violation of any of the rules or regulations of the jail, ~~he or she may forfeit some or all of the deductions from his or her sentence that he or she received up to the time of the violation, as determined by the sheriff of the county in which the jail is situated~~ SHALL DETERMINE WHETHER THE INMATE SHALL FORFEIT SOME OR ALL OF THE DEDUCTIONS FROM THE INMATE'S SENTENCE THROUGH IMPLEMENTATION OF A PROCESS AS OUTLINED IN A POLICY PROVIDED TO ALL INMATES, WHICH IS APPLIED CONSISTENTLY AND COMPLIES WITH THE BEST PRACTICES FOR CORRECTIONAL SETTINGS.

SECTION 177. In Colorado Revised Statutes, 18-1-104, **amend** (2) as follows:

18-1-104. "Offense" defined - offenses classified - common-law crimes abolished. (2) Each offense falls into one of eleven classes, one of six drug offense levels, or one unclassified category. There are six classes of felonies as described in section 18-1.3-401 and four levels of drug felonies as described in section 18-1.3-401.5, ~~three~~ TWO classes of misdemeanors as described in section 18-1.3-501 and two levels of drug misdemeanors as described in section 18-1.3-501, ~~two classes of~~ petty

offenses as described in section 18-1.3-503, CIVIL INFRACTIONS AS DESCRIBED IN SECTION 18-1.3-503, and the category of drug petty offense as described in section 18-1.3-501 (1)(e).

SECTION 178. In Colorado Revised Statutes, 18-1-202, **amend** (7)(b)(II)(P); and **repeal** (7)(b)(II)(L) and (7)(b)(II)(O) as follows:

18-1-202. Place of trial - applicability. (7) (b) (II) The provisions of subsection (7)(b)(I) of this section apply to the following offenses:

~~(L) Procuring food or accommodation with intent to defraud, as defined in section 6-25-103;~~

~~(O) Criminal tampering with a motor vehicle, as defined in section 42-5-103, C.R.S.;~~

~~(P) Theft of motor vehicle parts~~ THEFT OF A LICENSE PLATE, as defined DESCRIBED in section 42-5-104; ~~C.R.S.;~~

SECTION 179. In Colorado Revised Statutes, 18-1-606, **amend** (3) as follows:

18-1-606. Criminal liability of business entities - definitions. (3) Every offense committed by a corporation prior to July 1, 1985, which would be a felony if committed by an individual shall subject the corporation to the payment of a fine of not less than one thousand dollars nor more than fifteen thousand dollars. For such offenses committed on or after July 1, 1985, the corporation shall be subject to the payment of a fine within the presumptive ranges authorized by section 18-1.3-401 (1)(a)(III). Every offense committed by a corporation which would be a misdemeanor, ~~or~~ petty offense, OR CIVIL INFRACTION if committed by an individual shall subject the corporation to the payment of a fine within the minimum and maximum fines authorized by sections 18-1.3-501 and 18-1.3-503 for the particular offense of which the corporation is convicted. For an offense committed on or after July 1, 2003, a business entity shall be subject to the payment of a fine within the presumptive ranges authorized by section 18-1.3-401 (1)(a)(III). An offense committed by a business entity that would be a misdemeanor, ~~or~~ petty offense, OR CIVIL INFRACTION if committed by an individual shall subject the business entity to the payment of a fine within the minimum and maximum fines authorized by sections

18-1.3-501 and 18-1.3-503 for the particular offense of which the business entity is convicted.

SECTION 180. In Colorado Revised Statutes, 18-1-1001, **amend** (3) as follows:

18-1-1001. Protection order against defendant - definitions.

(3) (a) Nothing in this section precludes the defendant from applying to the court at any time for modification or dismissal of the protection order issued pursuant to this section or the district attorney from applying to the court at any time for further orders, additional provisions under the protection order, or modification or dismissal of the same. The trial court retains jurisdiction to enforce, modify, or dismiss the protection order until final disposition of the action. Upon motion of the district attorney or on the court's own motion for the protection of the alleged victim or witness, the court may, in cases involving domestic violence as defined in section 18-6-800.3 (1) and cases involving crimes listed in section 24-4.1-302, except those listed in subsections (1)(cc.5) and (1)(cc.6) of that section, enter any of the following further orders against the defendant:

~~(a)~~ (I) An order to vacate or stay away from the home of the alleged victim or witness and to stay away from any other location where the victim or witness is likely to be found;

~~(b)~~ (II) An order to refrain from contact or direct or indirect communication with the alleged victim or witness;

~~(c)~~ (III) An order prohibiting possession or control of firearms or other weapons;

~~(d)~~ (IV) An order prohibiting possession or consumption of alcohol or controlled substances;

~~(e)~~ (V) An order prohibiting the taking, transferring, concealing, harming, disposing of, or threatening to harm an animal owned, possessed, leased, kept, or held by an alleged victim or witness; and

~~(f)~~ (VI) Any other order the court deems appropriate to protect the safety of the alleged victim or witness.

(b) ANY FURTHER ORDERS ISSUED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION ARE FOR THE PROTECTION OF A VICTIM OR WITNESS AND NOT FOR THE PROTECTION OF THE DEFENDANT, INCLUDING FOR THE PROTECTION OF THE DEFENDANT FROM THE USE OF ALCOHOL OR OTHER SUBSTANCES.

SECTION 181. In Colorado Revised Statutes, 18-1.3-104, **amend** (1)(b.5)(II)(B) as follows:

18-1.3-104. Alternatives in imposition of sentence. (1) (b.5) (II) (B) As used in this section, "nonviolent offender" means a person convicted of a felony other than a crime of violence as defined in section 18-1.3-406 (2), one of the felonies set forth in section 18-3-104, 18-4-203, 18-4-301, or 18-4-401 (2)(c) ~~(2)(d)~~, or (5), or a felony offense committed against a child as set forth in articles 3, 6, and 7 of this ~~title~~ TITLE 18, and who is not subject to the provisions of section 18-1.3-801.

SECTION 182. In Colorado Revised Statutes, 18-1.3-106, **amend** (1)(a)(III), (1)(a)(VI), (1)(b), (2), and (4); and **add** (1)(a)(III.5), (1)(a)(VIII), and (1)(a)(IX) as follows:

18-1.3-106. County jail sentencing alternatives - work, educational, and medical release - home detention - day reporting - definition. (1) (a) Any county may provide a program whereby any person sentenced to the county jail upon conviction for a crime, nonpayment of any fine or forfeiture, or contempt of court may be granted by the court the privilege of leaving the jail during necessary and reasonable hours for any of the following purposes:

~~(III) Conducting his or her own business or other self-employed occupation including housekeeping and attending to the needs of the family~~
WORKING AT A SELF-EMPLOYED JOB OR OCCUPATION, WHEN PROPERLY VERIFIED;

(III.5) WORKING TO PROVIDE CHILD OR FAMILY CARE SERVICES THAT ARE REASONABLE AND NECESSARY TO SUPPORT THE IMMEDIATE NEEDS OF THE FAMILY, WHEN PROPERLY VERIFIED;

(VI) Home detention; ~~or~~

(VIII) BEHAVIORAL HEALTH TREATMENT; OR

(IX) REENTRY PROGRAM.

(b) A court may order a person who would otherwise be sentenced to the county jail upon conviction of a crime to be sentenced directly to an available day reporting program, RESIDENTIAL BEHAVIORAL HEALTH TREATMENT PROGRAM, OR RESIDENTIAL REENTRY PROGRAM if the court deems such a sentence to be appropriate for the offender.

(2) Unless directly sentenced to a day reporting program, RESIDENTIAL BEHAVIORAL HEALTH TREATMENT PROGRAM, OR RESIDENTIAL REENTRY PROGRAM, pursuant to ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section or unless such privilege is otherwise expressly granted by the sentencing court, the prisoner shall be confined as sentenced. The prisoner may petition the court for such privilege at the time of sentencing or thereafter and, in the discretion of the court, may renew his or her petition. The court may withdraw the privilege at any time by order entered with or without notice.

(4) Every prisoner gainfully employed ~~shall~~ MAY be liable for the cost of his or her board in the jail or the cost of the supervision and administrative services if he or she is home-detained, as fixed by the board of county commissioners. If necessarily absent from jail at mealtime, he or she ~~shall~~ MAY, at his or her request, be furnished with an adequate nourishing lunch to carry to work. The sheriff or the director of the alternative sentencing program, as may be applicable, ~~shall~~ MAY charge his or her account, if he or she has one, for such board. If the prisoner is gainfully self-employed, he or she ~~shall~~ MAY pay the sheriff or the director of the alternative sentencing program for such board, in default of which his or her privilege under this section is automatically forfeited. If the jail food is furnished directly by the county, the sheriff or the director of the alternative sentencing program ~~shall~~ MAY account for and pay over such board payments to the county treasurer. The board of county commissioners may, by resolution, provide that the county furnish or pay for the transportation of prisoners employed under this section to and from the place of employment. The sheriff or the director of the alternative sentencing program shall reimburse the county or other disbursing agent for all such expenses incurred in accordance with this section and article 26 of title 17 as soon as adequate funds are available in the prisoner's account and

in accordance with subsection (5)(b) of this section.

SECTION 183. In Colorado Revised Statutes, 18-1.3-201, **amend** (1)(a) as follows:

18-1.3-201. Application for probation. (1) (a) A person who has been convicted of an offense, other than a class 1 felony or a ~~class 2 petty offense~~ CIVIL INFRACTION, is eligible to apply to the court for probation.

SECTION 184. In Colorado Revised Statutes, 18-1.3-301, **amend** (4) as follows:

18-1.3-301. Authority to place offenders in community corrections programs. (4) (a) District courts, county courts, and other local criminal justice officials may enter into agreements with community corrections programs which include the use of such programs to supervise offenders awaiting trial for felony or misdemeanor offenses, offenders convicted of misdemeanors, or offenders under deferred judgments, OR TO ACCEPT FOR RESIDENTIAL PLACEMENT PERSONS CONVICTED OF MISDEMEANOR OFFENSES AS AN ALTERNATIVE SENTENCE TO A COUNTY JAIL SENTENCE. Such agreements are subject to review and approval by the community corrections board of the jurisdiction in which any community corrections program making such agreement is located. Any such use of a community corrections program may be supported with funding from local governments, public or private grants, offender fees, and other sources other than the state general fund.

(b) A district court, county court, and any other criminal justice official may enter into agreements with community corrections programs that provide residential ~~drug~~ SUBSTANCE ABUSE treatment, for the placement and supervision of offenders as a term and condition of probation when assessed treatment need levels indicate that residential ~~drug~~ SUBSTANCE ABUSE treatment is necessary and appropriate. The agreement is subject to review and approval by the community corrections board in the jurisdiction where a community corrections program is located. A community corrections program used pursuant to this ~~paragraph (b)~~ SUBSECTION (4)(b) may receive funds from the correctional treatment cash fund, as well as local funding, public or private grants, or offender fees.

SECTION 185. In Colorado Revised Statutes, 18-1.3-401, **amend**

(1)(a)(III)(F) as follows:

18-1.3-401. Felonies classified - presumptive penalties.

(1) (a) (III) (F) On and after June 6, 2018, if a person is convicted of second degree burglary as described in ~~section 18-4-203 (2)(c)~~; SECTION 18-4-203 (2), in addition to any other sentence, the court may require the person to pay a fine of at least five thousand dollars but not exceeding seven hundred fifty thousand dollars.

SECTION 186. In Colorado Revised Statutes, 18-1.3-501, **amend** (1)(a) introductory portion and (3)(a); and **add** (1)(a.5) and (1)(c.5) as follows:

18-1.3-501. Misdemeanors classified - drug misdemeanors and drug petty offenses classified - penalties - legislative intent - definitions.

(1) (a) Except as otherwise provided in subsection (1)(d) of this section, FOR OFFENSES COMMITTED PRIOR TO MARCH 1, 2022, misdemeanors are divided into three classes that are distinguished from one another by the following penalties that are authorized upon conviction except as provided in subsection (1.5) of this section:

(a.5) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(d) OF THIS SECTION, FOR OFFENSES COMMITTED ON OR AFTER MARCH 1, 2022, MISDEMEANORS ARE DIVIDED INTO TWO CLASSES THAT ARE DISTINGUISHED FROM ONE ANOTHER BY THE FOLLOWING PENALTIES THAT ARE AUTHORIZED UPON CONVICTION:

CLASS	MAXIMUM SENTENCE
1	364 DAYS IMPRISONMENT, NOT MORE THAN A ONE THOUSAND DOLLAR FINE, OR BOTH
2	120 DAYS IMPRISONMENT, NOT MORE THAN A SEVEN HUNDRED FIFTY DOLLAR FINE, OR BOTH

(c.5) THE MAXIMUM CONSECUTIVE SENTENCE TO THE COUNTY JAIL FOR MISDEMEANOR CRIMES CHARGED IN A SINGLE CASE IS TWENTY-FOUR MONTHS.

(3)(a) The general assembly hereby finds that certain misdemeanors COMMITTED PRIOR TO MARCH 1, 2022, which are listed in ~~paragraph (b) of this subsection (3)~~ SUBSECTION (3)(b) OF THIS SECTION, present an

extraordinary risk of harm to society and therefore, in the interest of public safety, the maximum sentence for such misdemeanors shall be increased by six months.

SECTION 187. In Colorado Revised Statutes, 18-1.3-503, **amend** (1); and **add** (1.5) and (1.6) as follows:

18-1.3-503. Petty offense and civil infraction classified - penalties. (1) FOR OFFENSES COMMITTED PRIOR TO MARCH 1, 2022, A VIOLATION OF A STATUTE OF THIS STATE IS A PETTY OFFENSE IF SPECIFICALLY CLASSIFIED AS A CLASS 1 OR CLASS 2 PETTY OFFENSE. THE PENALTY FOR COMMISSION OF A CLASS 1 PETTY OFFENSE, UPON CONVICTION, IS A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS, OR IMPRISONMENT FOR NOT MORE THAN SIX MONTHS OTHER THAN IN STATE CORRECTIONAL FACILITIES, OR BOTH. THE PENALTY FOR COMMISSION OF A CLASS 2 PETTY OFFENSE IS A FINE SPECIFIED IN THE SECTION DEFINING THE OFFENSE. THE PENALTY ASSESSMENT PROCEDURE OF SECTION 16-2-201, ~~C.R.S.~~, IS AVAILABLE FOR THE PAYMENT OF FINES IN CLASS 2 PETTY OFFENSE CASES.

(1.5) FOR OFFENSES COMMITTED ON OR AFTER MARCH 1, 2022, A VIOLATION OF A STATUTE OF THIS STATE IS A PETTY OFFENSE IF SPECIFICALLY CLASSIFIED AS A PETTY OFFENSE. THE PENALTY FOR COMMISSION OF A PETTY OFFENSE, UPON CONVICTION, IS A FINE OF NOT MORE THAN THREE HUNDRED DOLLARS, IMPRISONMENT FOR NOT MORE THAN TEN DAYS IN A COUNTY JAIL, OR BOTH.

(1.6) (a) FOR OFFENSES COMMITTED ON OR AFTER MARCH 1, 2022, A VIOLATION OF A STATUTE OF THIS STATE IS A CIVIL INFRACTION IF SPECIFICALLY CLASSIFIED AS A CIVIL INFRACTION. THE PENALTY FOR COMMISSION OF A CIVIL INFRACTION, UPON CONVICTION, IS A FINE OF NOT MORE THAN ONE HUNDRED DOLLARS, UNLESS OTHERWISE PROVIDED BY STATUTE.

(b) A PEACE OFFICER MAY APPLY THE PENALTY ASSESSMENT PROCEDURE IN SECTION 16-2-201 FOR THE PAYMENT OF A FINE IN A CIVIL INFRACTION CASE.

SECTION 188. In Colorado Revised Statutes, 18-1.3-506, **amend** (1) introductory portion, (2), and (3) as follows:

18-1.3-506. Payment and collection of fines for class 1 or 2

misdemeanors, petty offenses, and civil infractions - release from incarceration. (1) Whenever the court imposes a fine for a nonviolent class 1 OR 2 ~~or 3~~ misdemeanor, ~~or for a class 1 or 2~~ petty offense, OR CIVIL INFRACTION, if the person who committed the offense is unable to pay the fine at the time of the court hearing or if he or she fails to pay any fine imposed for the commission of such offense, in order to guarantee the payment of such fine, the court may:

(2) The state or a political subdivision may appear before a court of record in this state and request that the court order the release from a county jail or a correctional facility of a person who has been incarcerated as a result of the failure to pay a fine or the failure to appear in court in connection with the commission of a nonviolent class 1 OR 2 ~~or 3~~ misdemeanor or a ~~class 1 or 2~~ petty offense upon the condition that the fine and any costs of collection are collected from the person incarcerated by the use of one of the methods set forth in subsection (1) of this section.

(3) For the purposes of this section, "nonviolent class 1 or 2 ~~or 3~~ misdemeanor" means a class 1 or 2 ~~or 3~~ misdemeanor that does not involve cruelty to an animal, as described in section 18-9-202 (1)(a), or the use or threat of physical force on or to a person in the commission of the misdemeanor.

SECTION 189. In Colorado Revised Statutes, 18-1.3-603, **amend** (1) introductory portion as follows:

18-1.3-603. Assessment of restitution - corrective orders.

(1) Every order of conviction of a felony, misdemeanor, petty OFFENSE, CIVIL INFRACTION, or traffic misdemeanor offense, except any order of conviction for a state traffic misdemeanor offense issued by a municipal or county court in which the prosecuting attorney is acting as a special deputy district attorney pursuant to an agreement with the district attorney's office, shall include consideration of restitution. Each such order shall include one or more of the following:

SECTION 190. In Colorado Revised Statutes, 18-2-101, **amend** (6); and **repeal** (7) as follows:

18-2-101. Criminal attempt. (6) Criminal attempt to commit a class 1 misdemeanor OR CLASS 2 MISDEMEANOR is a class 2 misdemeanor.

~~(7) Criminal attempt to commit a misdemeanor other than a class 1 misdemeanor is a class 3 misdemeanor.~~

SECTION 191. In Colorado Revised Statutes, 18-2-201, **amend** (5) as follows:

18-2-201. Conspiracy. (5) If a person conspires to commit a felony which is defined by any statute other than one contained in this title and for which conspiracy no penalty is specifically provided, ~~he~~ THE PERSON ~~is guilty of~~ COMMITS a class 6 felony. If a person conspires to commit a misdemeanor which is defined by any statute other than one contained in this title and for which conspiracy no penalty is specifically provided, ~~he is guilty of a class 3 misdemeanor~~ THE PERSON COMMITS A CLASS 2 MISDEMEANOR.

SECTION 192. In Colorado Revised Statutes, 18-2-206, **amend** (4); and **repeal** (5) as follows:

18-2-206. Penalties for criminal conspiracy - when convictions barred. (4) Conspiracy to commit a class 1 misdemeanor OR CLASS 2 MISDEMEANOR is a class 2 misdemeanor.

~~(5) Conspiracy to commit a misdemeanor other than a class 1 misdemeanor is a class 3 misdemeanor.~~

SECTION 193. In Colorado Revised Statutes, 18-3-106, **amend** (1)(c); and **add** (1)(b)(I.5) and (1)(b)(V) as follows:

18-3-106. Vehicular homicide. (1) (b) (I.5) IF A PERSON OPERATES OR DRIVES A MOTOR VEHICLE WHILE THE PERSON'S ABILITY IS IMPAIRED BY ALCOHOL OR ONE OR MORE DRUGS, OR A COMBINATION OF BOTH ALCOHOL AND ONE OR MORE DRUGS, AND SUCH CONDUCT IS THE PROXIMATE CAUSE OF THE DEATH OF ANOTHER, THE PERSON COMMITS THE CRIME OF VEHICULAR HOMICIDE.

(V) "DRIVING WHILE ABILITY IMPAIRED" MEANS DRIVING A MOTOR VEHICLE OR VEHICLE WHEN A PERSON HAS CONSUMED ALCOHOL OR ONE OR MORE DRUGS, OR A COMBINATION OF BOTH ALCOHOL AND ONE OR MORE DRUGS, THAT AFFECTS THE PERSON TO THE SLIGHTEST DEGREE SO THAT THE PERSON IS LESS ABLE THAN THE PERSON ORDINARILY WOULD HAVE BEEN,

EITHER MENTALLY OR PHYSICALLY, OR BOTH MENTALLY AND PHYSICALLY, TO EXERCISE CLEAR JUDGMENT, SUFFICIENT PHYSICAL CONTROL, OR DUE CARE IN THE SAFE OPERATION OF A MOTOR VEHICLE OR VEHICLE.

(c) Vehicular homicide, in violation of ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(b)(I.5) OF THIS SECTION, IS A CLASS 4 FELONY. VEHICULAR HOMICIDE, IN VIOLATION OF SUBSECTION (1)(a) OF THIS SECTION, IS A CLASS 4 FELONY. Vehicular homicide, in violation of ~~paragraph (b) of this subsection (1)~~ SUBSECTION (1)(b)(I) OF THIS SECTION, IS A CLASS 3 FELONY.

SECTION 194. In Colorado Revised Statutes, 18-3-205, **amend** (1)(c); and **add** (1)(b)(I.5) and (1)(b)(V) as follows:

18-3-205. Vehicular assault. (1) (b) (I.5) IF A PERSON OPERATES OR DRIVES A MOTOR VEHICLE WHILE THE PERSON'S ABILITY IS IMPAIRED BY ALCOHOL OR ONE OR MORE DRUGS, OR A COMBINATION OF BOTH ALCOHOL AND ONE OR MORE DRUGS, AND SUCH CONDUCT IS THE PROXIMATE CAUSE OF THE SERIOUS BODILY INJURY OF ANOTHER, THE PERSON COMMITS THE CRIME OF VEHICULAR ASSAULT.

(V) "DRIVING WHILE ABILITY IMPAIRED" MEANS DRIVING A MOTOR VEHICLE OR VEHICLE WHEN A PERSON HAS CONSUMED ALCOHOL OR ONE OR MORE DRUGS, OR A COMBINATION OF BOTH ALCOHOL AND ONE OR MORE DRUGS, THAT AFFECTS THE PERSON TO THE SLIGHTEST DEGREE SO THAT THE PERSON IS LESS ABLE THAN THE PERSON ORDINARILY WOULD HAVE BEEN, EITHER MENTALLY OR PHYSICALLY, OR BOTH MENTALLY AND PHYSICALLY, TO EXERCISE CLEAR JUDGMENT, SUFFICIENT PHYSICAL CONTROL, OR DUE CARE IN THE SAFE OPERATION OF A MOTOR VEHICLE OR VEHICLE.

(c) Vehicular assault, in violation of ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(b)(I.5) OF THIS SECTION IS A CLASS 5 FELONY. VEHICULAR ASSAULT IN VIOLATION OF SUBSECTION (1)(a) OF THIS SECTION, IS A CLASS 5 FELONY. Vehicular assault, in violation of ~~paragraph (b) of this subsection (1)~~ SUBSECTION (1)(b)(I) OF THIS SECTION, IS A CLASS 4 FELONY.

SECTION 195. In Colorado Revised Statutes, **amend** 18-3-206 as follows:

18-3-206. Menacing. (1) A person commits the crime of menacing

if, by any threat or physical action, he or she knowingly places or attempts to place another person in fear of imminent serious bodily injury. Menacing is a ~~class 3 misdemeanor~~ CLASS 1 MISDEMEANOR, but, it is a class 5 felony if committed

(a) by the use of a ~~deadly weapon or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon~~ FIREARM, KNIFE, BLUDGEON, SIMULATED FIREARM, KNIFE, OR BLUDGEON. ~~or~~

(b) ~~By the person representing verbally or otherwise that he or she is armed with a deadly weapon.~~

SECTION 196. In Colorado Revised Statutes, **amend** 18-3-208 as follows:

18-3-208. Reckless endangerment. A person who recklessly engages in conduct ~~which~~ THAT creates a substantial risk of serious bodily injury to another person commits reckless endangerment, which is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 197. In Colorado Revised Statutes, 18-3-402, **amend** (3) as follows:

18-3-402. Sexual assault. (3) If committed under the circumstances of ~~paragraph (c) of subsection (1)~~ SUBSECTION (1)(e) of this section, sexual assault is a ~~class 1 misdemeanor and is an extraordinary risk crime that is subject to the modified sentencing range specified in section 18-1.3-501 (3)~~ CLASS 6 FELONY. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON CONVICTED OF SUBSECTION (1)(e) OF THIS SECTION IS ELIGIBLE TO PETITION FOR REMOVAL FROM THE REGISTRY IN ACCORDANCE WITH SECTION 16-22-113 (1)(b).

SECTION 198. In Colorado Revised Statutes, 18-3-404, **amend** (2)(a) as follows:

18-3-404. Unlawful sexual contact. (2) (a) Unlawful sexual contact is a class 1 misdemeanor. ~~and is an extraordinary risk crime that is subject to the modified sentencing range specified in section 18-1.3-501 (3).~~

SECTION 199. In Colorado Revised Statutes, 18-3-412.6, **amend** (3) as follows:

18-3-412.6. Failure to verify location as a sex offender.
(3) Failure to verify location as a sex offender is ~~an unclassified misdemeanor punishable by a sentence of up to thirty days in the county jail; except that a third or subsequent violation of this section is an unclassified misdemeanor punishable by up to one year in the county jail~~ A CLASS 2 MISDEMEANOR.

SECTION 200. In Colorado Revised Statutes, 18-4-103, **amend** (2); and **repeal** (3) as follows:

18-4-103. Second degree arson. (2) Second degree arson is: ~~a class 4 felony, if the damage is one hundred dollars or more.~~

(a) A PETTY OFFENSE IF THE VALUE OF THE PROPERTY IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE VALUE OF THE PROPERTY IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE VALUE OF THE PROPERTY IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE VALUE OF THE PROPERTY IS TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE VALUE OF THE PROPERTY IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE VALUE OF THE PROPERTY IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE VALUE OF THE PROPERTY IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE VALUE OF THE PROPERTY IS ONE MILLION DOLLARS OR MORE.

~~(3) Second degree arson is a class 2 misdemeanor, if the damage is less than one hundred dollars.~~

SECTION 201. In Colorado Revised Statutes, 18-4-105, **amend** (3); and **repeal** (4) as follows:

18-4-105. Fourth degree arson. (3) Fourth degree arson is: ~~a class 2 misdemeanor if only property is thus endangered and the value of the property is one hundred dollars or more.~~

(a) A PETTY OFFENSE IF ONLY PROPERTY IS THUS ENDANGERED AND THE VALUE OF THE PROPERTY IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF ONLY PROPERTY IS THUS ENDANGERED AND THE VALUE OF THE PROPERTY IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF ONLY PROPERTY IS THUS ENDANGERED AND THE VALUE OF THE PROPERTY IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF ONLY PROPERTY IS THUS ENDANGERED AND THE VALUE OF THE PROPERTY IS TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF ONLY PROPERTY IS THUS ENDANGERED AND THE VALUE OF THE PROPERTY IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF ONLY PROPERTY IS THUS ENDANGERED AND THE VALUE OF THE PROPERTY IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF ONLY PROPERTY IS THUS ENDANGERED AND THE VALUE OF THE PROPERTY IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF ONLY PROPERTY IS THUS ENDANGERED AND THE VALUE OF THE PROPERTY IS ONE MILLION DOLLARS OR MORE.

~~(4) Fourth degree arson is a class 3 misdemeanor if only property is thus endangered and the value of the property is less than one hundred dollars.~~

SECTION 202. In Colorado Revised Statutes, 18-4-203, **amend** (2) as follows:

18-4-203. Second degree burglary. (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OR (2)(c) OF THIS SECTION, second degree burglary is a class 4 felony.

(b) ~~but~~ it SECOND DEGREE BURGLARY is a class 3 felony if:

~~(a)~~ (I) It is a burglary of a dwelling;

~~(b)~~ (II) The objective of the burglary is the theft of a controlled substance, as defined in section 18-18-102 (5), lawfully kept within any building or occupied structure; or

~~(c)~~ (III) The objective of the burglary is the theft of one or more firearms or ammunition.

(c) SECOND DEGREE BURGLARY IS CLASS 2 MISDEMEANOR IF THE PERSON KNOWINGLY VIOLATED A WRITTEN NOTICE BY A RETAILER OR AN ORDER BY A COURT OF LAWFUL JURISDICTION SPECIFICALLY RESTRAINING A PERSON FROM ENTERING A PARTICULAR RETAIL LOCATION DURING HOURS WHICH THE RETAIL STORE IS OPEN TO THE PUBLIC.

SECTION 203. In Colorado Revised Statutes, 18-4-204, **amend** (2) as follows:

18-4-204. Third degree burglary. (2) Third degree burglary is a ~~class 5 felony~~ CLASS 2 MISDEMEANOR, but it is a ~~class 4 felony~~ CLASS 1 MISDEMEANOR if it is a burglary, the objective of which is the theft of a controlled substance, as defined in section 18-18-102 (5), lawfully kept in or upon the property burglarized.

SECTION 204. In Colorado Revised Statutes, 18-4-205, **amend** (2) as follows:

18-4-205. Possession of burglary tools. (2) Possession of burglary tools is a CLASS 2 MISDEMEANOR, BUT IT IS A class 5 felony IF THE BURGLARY TOOLS WERE KNOWINGLY POSSESSED TO FACILITATE A FORCIBLE ENTRY INTO A RESIDENCE FOR THE PURPOSE OF A PHYSICAL TAKING.

SECTION 205. In Colorado Revised Statutes, 18-4-401, **amend** (1) introductory portion, (2)(b), (2)(c), and (2)(e); and **repeal** (2)(d) as follows:

18-4-401. Theft. (1) A person commits theft when he or she knowingly obtains, retains, or exercises control over anything of value of another without authorization or by threat or deception; ~~or~~ receives, loans money by pawn or pledge on, or disposes of anything of value or belonging to another that he or she knows or believes to have been stolen; OR PROCURES FOOD OR ACCOMMODATIONS FROM A PUBLIC ESTABLISHMENT WITHOUT MAKING PAYMENT THEREFORE, and:

(2) Theft is:

(b) A ~~class 1~~ petty offense if the value of the thing involved is less than ~~fifty~~ THREE HUNDRED dollars;

(c) A ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR if the value of the thing involved is ~~fifty~~ THREE HUNDRED dollars or more but less than ~~three hundred~~ ONE THOUSAND dollars;

(d) ~~A class 2 misdemeanor if the value of the thing involved is three hundred dollars or more but less than seven hundred fifty dollars;~~

(e) A class 1 misdemeanor if the value of the thing involved is ~~seven hundred fifty~~ ONE THOUSAND dollars or more but less than two thousand dollars;

SECTION 206. In Colorado Revised Statutes, 18-4-408, **amend** (3)(a) as follows:

18-4-408. Theft of trade secrets - penalty. (3) (a) Theft of a trade secret is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR. A second or

subsequent offense under this section committed within five years after the date of a prior conviction is a class 5 felony.

SECTION 207. In Colorado Revised Statutes, 18-4-409, **amend** (4)(b) and (4)(c) as follows:

18-4-409. Aggravated motor vehicle theft. (4) A person commits aggravated motor vehicle theft in the second degree if he or she knowingly obtains or exercises control over the motor vehicle of another without authorization or by threat or deception and if none of the aggravating factors in subsection (2) of this section are present. Aggravated motor vehicle theft in the second degree is a:

(b) Class 6 felony if the value of the motor vehicle or motor vehicles involved is ~~one~~ TWO thousand dollars or more but less than twenty thousand dollars;

(c) Class 1 misdemeanor if the value of the motor vehicle or motor vehicles involved is less than ~~one~~ TWO thousand dollars.

SECTION 208. In Colorado Revised Statutes, **amend** 18-4-416 as follows:

18-4-416. Theft by resale of a lift ticket or coupon. Any unauthorized person who, with the intent to profit therefrom, resells or offers to resell any ticket, pass, badge, pin, coupon, or other device which then entitles the bearer to the use, benefit, or enjoyment of any skiing service or skiing facility commits a ~~class 2 petty offense~~ CIVIL INFRACTION. The penalty of a violation of this section shall be a fine in an amount not to exceed three hundred dollars. Under no circumstances shall a person being charged with this ~~class 2 petty offense~~ CIVIL INFRACTION be arrested by any peace officer, and a summons to the appropriate court of jurisdiction shall be issued to the accused person.

SECTION 209. In Colorado Revised Statutes, 18-4-417, **amend** (3) as follows:

18-4-417. Unlawful acts - theft detection devices. (3) Any person who violates any of the provisions of subsection (1) of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 210. In Colorado Revised Statutes, 18-4-501, **amend** (4)(a), (4)(b), (4)(c), and (4)(d) as follows:

18-4-501. Criminal mischief. (4) Criminal mischief is:

(a) A ~~class 3 misdemeanor~~ PETTY OFFENSE when the aggregate damage to the real or personal property is less than three hundred dollars;

(b) A class 2 misdemeanor when the aggregate damage to the real or personal property is three hundred dollars or more but less than ~~seven hundred fifty~~ ONE THOUSAND dollars;

(c) A class 1 misdemeanor when the aggregate damage to the real or personal property is ~~seven hundred fifty~~ ONE THOUSAND dollars or more but less than ~~one~~ TWO thousand dollars;

(d) A class 6 felony when the aggregate damage to the real or personal property is ~~one~~ TWO thousand dollars or more but less than five thousand dollars;

SECTION 211. In Colorado Revised Statutes, **amend** 18-4-502 as follows:

18-4-502. First degree criminal trespass. (1) A person commits the crime of first degree criminal trespass if such person:

(a) Knowingly and unlawfully enters or remains in a dwelling of another; or

(b) ~~if such person~~ Enters any motor vehicle with intent to commit a crime therein. ~~First degree criminal trespass is a class 5 felony.~~

(2)(a) FIRST DEGREE CRIMINAL TRESPASS COMMITTED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION IS A CLASS 1 MISDEMEANOR, BUT IT IS A CLASS 6 FELONY IF THE DWELLING IS INHABITED OR OCCUPIED.

(b) FIRST DEGREE CRIMINAL TRESPASS COMMITTED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

SECTION 212. In Colorado Revised Statutes, 18-4-503, **amend** (2)

as follows:

18-4-503. Second degree criminal trespass. (2) (a) Second degree criminal trespass IN VIOLATION OF SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION is a ~~class 3 misdemeanor~~ PETTY OFFENSE, but

~~(a) It is a class 2 misdemeanor if the premises have been classified by the county assessor for the county in which the land is situated as agricultural land pursuant to section 39-1-102 (1.6), C.R.S.; and~~

~~(b) it is a class 4 felony if the person trespasses on premises so classified as agricultural land with the intent to commit a felony thereon.~~

(b) SECOND DEGREE CRIMINAL TRESPASS IN VIOLATION OF SUBSECTION (1)(c) OF THIS SECTION IS A CLASS 2 MISDEMEANOR.

SECTION 213. In Colorado Revised Statutes, 18-4-504, **amend** (2) introductory portion; and **repeal** (2)(a) as follows:

18-4-504. Third degree criminal trespass. (2) Third degree criminal trespass is a ~~class 1~~ petty offense, but:

~~(a) It is a class 3 misdemeanor if the premises have been classified by the county assessor for the county in which the land is situated as agricultural land pursuant to section 39-1-102 (1.6), C.R.S.; and~~

SECTION 214. In Colorado Revised Statutes, **amend** 18-4-505 as follows:

18-4-505. First degree criminal tampering. Except as provided in sections 18-4-506.3 and 18-4-506.5, a person commits the crime of first degree criminal tampering if, with intent to cause interruption or impairment of a service rendered to the public by a utility or by an institution providing health or safety protection, ~~he~~ THE PERSON tampers with property of a utility or institution. First degree criminal tampering is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 215. In Colorado Revised Statutes, **amend** 18-4-507 as follows:

18-4-507. Defacing or destruction of written instruments. Every person who defaces or destroys any written instrument evidencing a property right, whether vested or contingent, with the intent to defraud commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 216. In Colorado Revised Statutes, 18-4-509, **amend** (2)(a)(I); and **repeal** (1)(a), (1)(b), and (2)(a)(III) as follows:

18-4-509. Defacing a cave - definitions. (1) (a) ~~Any person who destroys, defaces, removes, or damages any historical monument commits the crime of defacing property.~~

~~(b) Any person who defaces or causes, aids in, or permits the defacing of public or private property without the consent of the owner by any method of defacement, including but not limited to painting, drawing, writing, or otherwise marring the surface of the property by use of paint, spray paint, ink, or any other substance or object, commits the crime of defacing property.~~

~~(2) (a) (I) Defacing property A CAVE is a class 2 misdemeanor.; except that:~~

~~(A) A second or subsequent conviction for the offense of defacing property is a class 1 misdemeanor and the court shall impose a mandatory minimum fine of seven hundred fifty dollars upon conviction; and~~

~~(B) If a person violates paragraph (b) of subsection (1) of this section twice or more within a period of six months, the damages caused by two or more of the violations may be aggregated and charged in a single count, in which event the violations so aggregated and charged shall constitute a single offense, and, if the aggregate damages are five hundred dollars or more, it is a class 1 misdemeanor and the court shall impose a mandatory minimum fine of seven hundred fifty dollars upon conviction.~~

~~(III) The court may suspend all or part of the mandatory minimum fine associated with a conviction under this section upon the offender's successful completion of any sentence alternative imposed by the court pursuant to subparagraph (H) of this paragraph (a).~~

SECTION 217. In Colorado Revised Statutes, **amend** 18-4-510 as

follows:

18-4-510. Defacing posted notice. Any person who knowingly mars, destroys, or removes any posted notice authorized by law commits a ~~class 1 petty offense~~ CIVIL INFRACTION.

SECTION 218. In Colorado Revised Statutes, 18-4-511, **amend** (4)(a) as follows:

18-4-511. Littering of public or private property - repeal. (4) (a) Except as otherwise provided in subsection (4)(b)(I) of this section and sections 33-15-108 (2) and 42-4-1406, littering is a ~~class 2 petty offense~~ CIVIL INFRACTION punishable, upon conviction, NOTWITHSTANDING THE PROVISIONS OF SECTION 18-1.3-503, by a mandatory fine of not less than twenty dollars nor more than five hundred dollars upon a first conviction, by a mandatory fine of not less than fifty dollars nor more than one thousand dollars upon a second conviction, and by a mandatory fine of not less than one hundred dollars nor more than one thousand dollars upon a third or subsequent conviction.

SECTION 219. In Colorado Revised Statutes, 18-4-512, **amend** (4) as follows:

18-4-512. Abandonment of a motor vehicle. (4) Abandonment of a motor vehicle is a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 220. In Colorado Revised Statutes, 18-4-513, **amend** (1) as follows:

18-4-513. Criminal use of a noxious substance. (1) Any person who deposits on the land or in the building or vehicle of another, without ~~his~~ THE OTHER PERSON'S consent, any stink bomb or device, irritant, or offensive-smelling substance with the intent to interfere with another's use or enjoyment of the land, building, or vehicle commits a ~~class 3 misdemeanor~~ CIVIL INFRACTION.

SECTION 221. In Colorado Revised Statutes, 18-4-516, **amend** (2) as follows:

18-4-516. Criminal operation of a device in motion picture

theater. (2) Criminal operation of a device in a motion picture theater is a ~~class 1 misdemeanor~~ CIVIL INFRACTION.

SECTION 222. In Colorado Revised Statutes, 18-4-603, **amend** (2) as follows:

18-4-603. Unlawful trafficking in unlawfully transferred articles. (2) Each act of unlawful trafficking in unlawfully transferred articles is a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 223. In Colorado Revised Statutes, 18-4-604 **amend** (2) as follows:

18-4-604. Dealing in unlawfully packaged recorded articles. (2) Dealing in unlawfully packaged recorded articles is a ~~class 1 misdemeanor~~ PETTY OFFENSE. If the offense involves more than one hundred unlawfully packaged recorded articles or the offense is a second or subsequent offense, the court shall assess a fine of at least one thousand dollars.

SECTION 224. In Colorado Revised Statutes, 18-4-604.3, **amend** (4) as follows:

18-4-604.3. Unlawful recording of a live performance. (4) Unlawful recording of a live performance is a ~~class 1 misdemeanor~~ PETTY OFFENSE.

SECTION 225. In Colorado Revised Statutes, 18-4-604.7, **amend** (2) as follows:

18-4-604.7. Trafficking in unlawfully recorded live performance. (2) Each act of trafficking in an unlawfully recorded live performance is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 226. In Colorado Revised Statutes, 18-4-701, **amend** (4) as follows:

18-4-701. Theft of cable service - definitions. (4) Any person who violates this section commits a ~~class 2 misdemeanor~~ PETTY OFFENSE.

SECTION 227. In Colorado Revised Statutes, 18-5-104, **amend** (2) as follows:

18-5-104. Second degree forgery. (2) Second degree forgery is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 228. In Colorado Revised Statutes, 18-5-104.5, **amend** (3) as follows:

18-5-104.5. Use of forged academic record. (3) Use of a forged academic record is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 229. In Colorado Revised Statutes, **amend** 18-5-107 as follows:

18-5-107. Criminal possession of second degree forged instrument. A person commits a ~~class 2 misdemeanor~~ PETTY OFFENSE, when, with knowledge that it is forged, and with intent to defraud, ~~such~~ THE person possesses any forged instrument of a kind covered by section 18-5-104.

SECTION 230. In Colorado Revised Statutes, 18-5-110, **amend** (2) as follows:

18-5-110. Criminal simulation. (2) Criminal simulation is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 231. In Colorado Revised Statutes, 18-5-110.5, **amend** (2)(a) as follows:

18-5-110.5. Trademark counterfeiting. (2) (a) Trademark counterfeiting is:

(I) ~~A class 2 misdemeanor if a person has not previously been convicted under this section and the violation involves fewer than one hundred items that are, bear, or are identified by a counterfeit mark or the total retail value of all goods or services that are, bear, or are identified by a counterfeit mark is less than one thousand dollars;~~ A PETTY OFFENSE IF THE TOTAL RETAIL VALUE OF ALL GOODS OR SERVICES THAT ARE, BEAR, OR ARE IDENTIFIED BY A COUNTERFEIT MARK IS LESS THAN THREE HUNDRED

DOLLARS;

(II) ~~A class 1 misdemeanor if:~~ A CLASS 2 MISDEMEANOR IF THE TOTAL RETAIL VALUE OF ALL GOODS OR SERVICES THAT ARE, BEAR, OR ARE IDENTIFIED BY A COUNTERFEIT MARK IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

~~(A) A person has one or more previous convictions under this section; or~~

~~(B) the violation involves one hundred or more items that are, bear, or are identified by a counterfeit mark or the total retail value of all goods or services that are, bear, or are identified by a counterfeit mark is one thousand dollars or more.~~

(III) A CLASS 1 MISDEMEANOR IF THE TOTAL RETAIL VALUE OF ALL GOODS OR SERVICES THAT ARE, BEAR, OR ARE IDENTIFIED BY A COUNTERFEIT MARK IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(IV) A CLASS 6 FELONY IF THE TOTAL RETAIL VALUE OF ALL GOODS OR SERVICES THAT ARE, BEAR, OR ARE IDENTIFIED BY A COUNTERFEIT MARK IS TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(V) A CLASS 5 FELONY IF THE TOTAL RETAIL VALUE OF ALL GOODS OR SERVICES THAT ARE, BEAR, OR ARE IDENTIFIED BY A COUNTERFEIT MARK IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(VI) A CLASS 4 FELONY IF THE TOTAL RETAIL VALUE OF ALL GOODS OR SERVICES THAT ARE, BEAR, OR ARE IDENTIFIED BY A COUNTERFEIT MARK IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(VII) A CLASS 3 FELONY IF THE TOTAL RETAIL VALUE OF ALL GOODS OR SERVICES THAT ARE, BEAR, OR ARE IDENTIFIED BY A COUNTERFEIT MARK IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(VIII) A CLASS 2 FELONY IF THE TOTAL RETAIL VALUE OF ALL GOODS OR SERVICES THAT ARE, BEAR, OR ARE IDENTIFIED BY A COUNTERFEIT MARK IS ONE MILLION DOLLARS OR MORE.

SECTION 232. In Colorado Revised Statutes, 18-5-111, **amend** (4) as follows:

18-5-111. Unlawfully using slugs. (4) Unlawfully using slugs is a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 233. In Colorado Revised Statutes, 18-5-113, **amend** (1)(b) and (2) as follows:

18-5-113. Criminal impersonation. (1) A person commits criminal impersonation if he or she knowingly:

(b) Assumes a false or fictitious identity or capacity, legal or other, and in such identity or capacity he or she:

(I) Performs an act that, if done by the person falsely impersonated, ~~might subject~~ SUBJECTS such person to an action or special proceeding, civil or criminal, or to liability, charge, forfeiture, or penalty; ~~or~~

(II) PERFORMS AN ACT THAT, IF DONE BY THE PERSON FALSELY IMPERSONATED, MIGHT SUBJECT THE PERSON TO AN ACTION OR SPECIAL PROCEEDING, CIVIL OR CRIMINAL, OR TO LIABILITY, CHARGE, FORFEITURE, OR PENALTY; OR

~~(H)~~ (III) Performs any other act with intent to unlawfully gain a benefit for himself, herself, or another or to injure or defraud another.

(2) (a) Criminal impersonation IN VIOLATION OF SUBSECTION (1)(a) OR (1)(b)(I) OF THIS SECTION is a class 6 felony.

(b) CRIMINAL IMPERSONATION IN VIOLATION OF SUBSECTION (1)(b)(II) OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

(c) CRIMINAL IMPERSONATION IN VIOLATION OF SUBSECTION (1)(b)(III) OF THIS SECTION IS A CLASS 2 MISDEMEANOR.

SECTION 234. In Colorado Revised Statutes, 18-5-114, **amend** (4) as follows:

18-5-114. Offering a false instrument for recording. (4) Offering a false instrument for recording in the second degree is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 235. In Colorado Revised Statutes, 18-5-205, **amend** (3)(a.7), (3)(b), (3)(c), (3)(d), and (3)(e); **repeal** (3)(a.5); and **add** (3)(f), (3)(g), (3)(h), and (3)(i) as follows:

18-5-205. Fraud by check - definitions - penalties. (3) Fraud by check is:

(a.5) ~~A class 1 petty offense if the fraudulent check was for the sum of less than fifty dollars or if the offender is convicted of fraud by check involving the issuance of two or more checks within a sixty-day period in the state of Colorado totaling less than fifty dollars in the aggregate;~~

(a.7) ~~A class 3 misdemeanor~~ PETTY OFFENSE if the fraudulent check was for ~~the sum of fifty dollars or more but~~ less than three hundred dollars or if the offender is convicted of fraud by check involving the issuance of two or more checks within a sixty-day period in the state of Colorado totaling ~~fifty dollars or more but~~ less than three hundred dollars in the aggregate;

(b) A class 2 misdemeanor if the fraudulent check was for the sum of three hundred dollars or more but less than ~~seven hundred fifty~~ ONE THOUSAND dollars or if the offender is convicted of fraud by check involving the issuance of two or more checks within a sixty-day period in the state of Colorado totaling three hundred dollars or more but less than ~~seven hundred fifty~~ ONE THOUSAND dollars in the aggregate;

(c) A class 1 misdemeanor if the fraudulent check was for the sum of ~~seven hundred fifty~~ ONE THOUSAND dollars or more but less than two thousand dollars or if the offender is convicted of fraud by check involving the issuance of two or more checks within a sixty-day period in the state of Colorado totaling ~~seven hundred fifty~~ ONE THOUSAND dollars or more but less than two thousand dollars in the aggregate;

(d) A class 6 felony if the fraudulent check was for the sum of two thousand dollars or more BUT LESS THAN FIVE THOUSAND DOLLARS or if the offender is convicted of fraud by check involving the issuance of two or more checks within a sixty-day period in the state of Colorado totaling two thousand dollars or more BUT LESS THAN FIVE THOUSAND DOLLARS in the aggregate;

(e) A CLASS 5 FELONY IF THE FRAUDULENT CHECK WAS FOR THE SUM OF FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS OR IF THE OFFENDER IS CONVICTED OF FRAUD BY CHECK INVOLVING THE ISSUANCE OF TWO OR MORE CHECKS WITHIN A SIXTY-DAY PERIOD IN THE STATE OF COLORADO TOTALING FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE FRAUDULENT CHECK WAS FOR THE SUM OF TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS OR IF THE OFFENDER IS CONVICTED OF FRAUD BY CHECK INVOLVING THE ISSUANCE OF TWO OR MORE CHECKS WITHIN A SIXTY-DAY PERIOD IN THE STATE OF COLORADO TOTALING TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE FRAUDULENT CHECK WAS FOR THE SUM OF ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS OR IF THE OFFENDER IS CONVICTED OF FRAUD BY CHECK INVOLVING THE ISSUANCE OF TWO OR MORE CHECKS WITHIN A SIXTY-DAY PERIOD IN THE STATE OF COLORADO TOTALING ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS;

(h) A CLASS 2 FELONY IF THE FRAUDULENT CHECK WAS FOR THE SUM OF ONE MILLION DOLLARS OR MORE OR IF THE OFFENDER IS CONVICTED OF FRAUD BY CHECK INVOLVING THE ISSUANCE OF TWO OR MORE CHECKS WITHIN A SIXTY-DAY PERIOD IN THE STATE OF COLORADO TOTALING ONE MILLION DOLLARS OR MORE; AND

(~~e~~) (i) A class 6 felony if the fraudulent check was drawn on an account which did not exist or which has been closed for a period of thirty days or more prior to the issuance of said check.

SECTION 236. In Colorado Revised Statutes, 18-5-206, **amend** (1)(c), (1)(d), (1)(e), (2)(c), (2)(d), and (2)(e); and **repeal** (1)(b) and (2)(b)

as follows:

18-5-206. Defrauding a secured creditor or debtor. (1) If a person, with intent to defraud a creditor by defeating, impairing, or rendering worthless or unenforceable any security interest, sells, assigns, transfers, conveys, pledges, encumbers, conceals, destroys, or disposes of any collateral subject to a security interest, the person commits:

(b) ~~A class 1 petty offense if the value of the collateral is less than fifty dollars;~~

(c) ~~A class 3 misdemeanor~~ PETTY OFFENSE if the value of the collateral is ~~fifty dollars or more but~~ less than three hundred dollars;

(d) A class 2 misdemeanor if the value of the collateral is three hundred dollars or more but less than ~~seven hundred fifty~~ ONE THOUSAND dollars;

(e) A class 1 misdemeanor if the value of the collateral is ~~seven hundred fifty~~ ONE THOUSAND dollars or more but less than two thousand dollars;

(2) If a creditor, with intent to defraud a debtor, sells, assigns, transfers, conveys, pledges, buys, or encumbers a promissory note or contract signed by the debtor, the creditor commits:

(b) ~~A class 1 petty offense if the amount owing on the note or contract is less than fifty dollars;~~

(c) ~~A class 3 misdemeanor~~ PETTY OFFENSE if the amount owing on the note or contract is ~~fifty dollars or more but~~ less than three hundred dollars;

(d) A class 2 misdemeanor if the amount owing on the note or contract is three hundred dollars or more but less than ~~seven hundred fifty~~ ONE THOUSAND dollars;

(e) A class 1 misdemeanor if the amount owing on the note or contract is ~~seven hundred fifty~~ ONE THOUSAND dollars or more but less than two thousand dollars;

SECTION 237. In Colorado Revised Statutes, **amend** 18-5-208 as follows:

18-5-208. Dual contracts to induce loan. It is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR for any person to knowingly make, issue, deliver, or receive dual contracts for the purchase or sale of real property. The term "dual contracts", either written or oral, means two separate contracts, concerning the same parcel of real property, one of which states the true and actual purchase price and one of which states a purchase price in excess of the true and actual purchase price, and is used, or intended to be used, to induce persons to make a loan or a loan commitment on such real property in reliance upon the stated inflated value.

SECTION 238. In Colorado Revised Statutes, 18-5-209, **amend** (4) as follows:

18-5-209. Issuing a false financial statement - obtaining a financial transaction device by false statements. (4) Issuing a false financial statement for purposes of obtaining a financial transaction device when such device is used to obtain property or services or money is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 239. In Colorado Revised Statutes, 18-5-211, **amend** (4) as follows:

18-5-211. Insurance fraud - definitions. (4) Insurance fraud committed in violation of ~~paragraph (a) of subsection (1)~~ SUBSECTION (1)(a) of this section is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR. Insurance fraud committed in violation of ~~paragraphs (b) to (c) of subsection (1)~~ SUBSECTIONS (1)(b) TO (1)(e) of this section or subsection (2) or (3) of this section is a class 5 felony.

SECTION 240. In Colorado Revised Statutes, 18-5-302, **amend** (3) as follows:

18-5-302. Unlawful activity concerning the selling of land. (3) A person who signs a lien waiver for a construction loan under section 38-22-119 ~~C.R.S.~~, and knowingly fails to timely pay any debts resulting from a construction agreement covered by the waiver commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR, unless there is a bona fide dispute as

to the existence or amount of the debt.

SECTION 241. In Colorado Revised Statutes, **amend** 18-5-304 as follows:

18-5-304. False statements as to circulation. It is a ~~class 1 petty offense~~ CIVIL INFRACTION for any person engaged in the publication of any newspaper, magazine, periodical, or other advertising medium published in the state of Colorado or for any employee of any such publisher knowingly to make any statement concerning the circulation of the newspaper, magazine, periodical, or other advertising medium which is untrue or misleading where such publisher fixes his charges for advertising space in the publication on the amount of its circulation.

SECTION 242. In Colorado Revised Statutes, 18-5-305, **amend** (5) as follows:

18-5-305. Identification number - altering - possession.
(5) Altering identification number is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 243. In Colorado Revised Statutes, 18-5-307, **amend** (6) as follows:

18-5-307. Fee paid to private employment agencies. (6) A private employment agency or any employee of such agency commits a ~~misdemeanor~~ CLASS 2 MISDEMEANOR if said agency or employee knowingly violates any provision of this section. ~~An agency found guilty of such a crime shall be subject to a fine of not more than one thousand dollars per conviction, and any employee of such agency found directly responsible for committing acts in violation of this section shall be subject to a fine of not more than one thousand dollars, or by imprisonment for not more than one year in the county jail, or by both such fine and imprisonment.~~

SECTION 244. In Colorado Revised Statutes, 18-5-308, **amend** (3) as follows:

18-5-308. Electronic mail fraud. (3) Electronic mail fraud is a class 2 misdemeanor. ~~except that a second or subsequent offense within two years is a class 1 misdemeanor.~~

SECTION 245. In Colorado Revised Statutes, 18-5-402, **amend** (1) introductory portion and (2) as follows:

18-5-402. Rigging publicly exhibited contests. (1) A person commits a ~~class 3 misdemeanor~~ CIVIL INFRACTION if, with the intent to prevent a publicly exhibited or advertised contest from being conducted in accordance with the rules and usages purporting to govern it, ~~he~~ THE PERSON:

(2) A person commits a ~~class 3 misdemeanor~~ CIVIL INFRACTION if ~~he~~ THE PERSON knowingly engages in, sponsors, produces, judges, or otherwise participates in a publicly exhibited or advertised contest knowing that the contest is not being conducted in compliance with the rules and usages purporting to govern it, by reason of conduct prohibited by this section.

SECTION 246. In Colorado Revised Statutes, **amend** 18-5-502 as follows:

18-5-502. Failure to pay over assigned accounts. (1) ~~Where~~ WHEN, under the terms of an assignment of an account, as defined in section 4-9-102 (a)(2), ~~C.R.S.~~, the assignor, being permitted to collect the proceeds from the debtor, is to pay over to the assignee any of the proceeds and, after collection thereof, the assignor willfully and wrongfully fails to pay over to the assignee the proceeds, ~~amounting to one thousand dollars or more~~, the person commits a ~~class 5 felony~~. ~~Where the amount of the proceeds withheld by the assignor is less than one thousand dollars, the person commits a class 1 misdemeanor.~~ FAILURE TO PAY OVER ASSIGNED ACCOUNTS.

(2) FAILURE TO PAY OVER ASSIGNED ACCOUNTS IS:

(a) A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS MORE THAN TWO THOUSAND DOLLARS BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 247. In Colorado Revised Statutes, **amend** 18-5-504 as follows:

18-5-504. Concealment or removal of secured property. (1) If a person who has given a security interest in personal property, as security interest is defined in section 4-1-201 (b)(35), ~~C.R.S.~~, or other person with actual knowledge of the security interest, during the existence of the security interest, knowingly conceals or removes the encumbered property from the state of Colorado without written consent of the secured creditor, the person commits ~~a class 5 felony where the value of the property concealed or removed is one thousand dollars or more. Where the value of the property concealed or removed is less than one thousand dollars, the person commits a class 1 misdemeanor~~ CONCEALMENT OR REMOVAL OF SECURED PROPERTY.

(2) CONCEALMENT OR REMOVAL OF SECURED PROPERTY IS:

(a) A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS MORE THAN TWO THOUSAND DOLLARS BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 248. In Colorado Revised Statutes, **amend** 18-5-505 as follows:

18-5-505. Failure to pay over proceeds unlawful. (1) ~~Where~~ WHEN, under the terms of an instrument creating a security interest in personal property, as security interest is defined in section 4-1-201 (b)(35), C.R.S., the person giving the security interest and retaining possession of the encumbered property and having liberty of sale or other disposition, is required to account to the secured creditor for the proceeds of the sale or other disposition, and willfully and wrongfully fails to pay to the secured creditor the amounts due on account thereof, the person giving the security interest commits ~~a class 5 felony where the amount of the proceeds withheld is one thousand dollars or more. If the amount of the proceeds withheld is less than one thousand dollars, the person commits a class 1 misdemeanor~~ FAILURE TO PAY OVER PROCEEDS.

(2) FAILURE TO PAY OVER PROCEEDS IS:

(a) A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND

DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS MORE THAN TWO THOUSAND DOLLARS BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 249. In Colorado Revised Statutes, **amend** 18-5-508 as follows:

18-5-508. Duplicate receipt not marked - penalty. A warehouse, as defined in section 4-7-102 (a)(13), ~~C.R.S.~~, or any officer, agent, or servant of a warehouse, that issues or aids in issuing a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods or any part of them is outstanding and uncanceled, without placing upon the face thereof the word "duplicate", except in case of a lost or destroyed receipt after proceedings as provided for in section 4-7-601, ~~C.R.S.~~, commits a ~~class 6 felony~~ CLASS 2 MISDEMEANOR.

SECTION 250. In Colorado Revised Statutes, 18-5-512, **amend** (3) as follows:

18-5-512. Issuance of bad check. (3) Except as provided in section 18-5-205, a person commits a ~~class 3 misdemeanor~~ PETTY OFFENSE if ~~he~~ THE PERSON issues or passes a check or similar sight order for the payment of money, knowing that the issuer does not have sufficient funds in or on deposit with the bank or other drawee for the payment in full of the check or order as well as all other checks or orders outstanding at the time of issuance.

SECTION 251. In Colorado Revised Statutes, 18-5-702, **amend** (3)(c), (3)(d), and (3)(e); and **repeal** (3)(b) as follows:

18-5-702. Unauthorized use of a financial transaction device.

(3) Unauthorized use of a financial transaction device is:

(b) ~~A class 1 petty offense if the value of the cash, credit, property, or services obtained or of the financial payments made is less than fifty dollars;~~

(c) ~~A class 3 misdemeanor~~ PETTY OFFENSE if the value of the cash, credit, property, or services obtained or of the financial payments made is ~~fifty dollars or more but~~ less than three hundred dollars;

(d) A class 2 misdemeanor if the value of the cash, credit, property, or services obtained or of the financial payments made is three hundred dollars or more but less than ~~seven hundred fifty~~ ONE THOUSAND dollars;

(e) A class 1 misdemeanor if the value of the cash, credit, property, or services obtained or of the financial payments made is ~~seven hundred fifty~~ ONE THOUSAND dollars or more but less than two thousand dollars;

SECTION 252. In Colorado Revised Statutes, 18-5-803, **amend** (2) as follows:

18-5-803. Equity skimming of a vehicle. (2) Equity skimming of a vehicle is: ~~a class 6 felony.~~

(a) A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 253. In Colorado Revised Statutes, 18-5-902, **amend** (1)(d), (1)(e), and (2) as follows:

18-5-902. Identity theft. (1) A person commits identity theft if he or she:

(d) Knowingly possesses the personal identifying information or financial identifying information of another without permission or lawful authority to use in applying for or completing an application for a financial device or other extension of credit; OR

(e) Knowingly uses or possesses the personal identifying information of another without permission or lawful authority with the intent to obtain a government-issued document. ~~or~~

(2) (a) Identity theft IN VIOLATION OF SUBSECTION (1)(a) OR (1)(c) OF THIS SECTION is a class 4 felony.

(b) IDENTITY THEFT IN VIOLATION OF SUBSECTION (1)(b), (1)(d), OR (1)(e) OF THIS SECTION IS A CLASS 2 MISDEMEANOR; EXCEPT THAT IT IS A CLASS 6 FELONY IF THE PERSON POSSESSES THREE OR MORE FINANCIAL DEVICES OR THE PERSONAL OR FINANCIAL IDENTIFYING INFORMATION OF THREE OR MORE PERSONS.

SECTION 254. In Colorado Revised Statutes, 18-5-903, **amend** (2)(a) as follows:

18-5-903. Criminal possession of a financial device.

(2) (a) Criminal possession of one financial device is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 255. In Colorado Revised Statutes, 18-5-903.5, **amend** (2)(a) as follows:

18-5-903.5. Criminal possession of an identification document.

(2) (a) Criminal possession of one or more identification documents issued to the same person is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 256. In Colorado Revised Statutes, 18-5.5-102, **amend** (3)(a)(II), (3)(a)(III), (3)(a)(IV), and (3)(c)(I) as follows:

18-5.5-102. Cybercrime. (3) (a) Except as provided in subsections (3)(b), (3)(b.5), and (3)(c) of this section, if the loss, damage, value of services, or thing of value taken, or cost of restoration or repair caused by a violation of this section is:

(II) Less than three hundred dollars, cybercrime is a ~~class 3 misdemeanor~~ PETTY OFFENSE;

(III) Three hundred dollars or more but less than ~~seven hundred fifty~~ ONE THOUSAND dollars, cybercrime is a class 2 misdemeanor;

(IV) ~~Seven hundred fifty~~ ONE THOUSAND dollars or more but less than two thousand dollars, cybercrime is a class 1 misdemeanor;

(c) (I) Cybercrime committed in violation of subsection (1)(g) of this section is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 257. In Colorado Revised Statutes, 18-6-201, **amend** (2) as follows:

18-6-201. Bigamy. (2) Bigamy is a ~~class 6 felony~~ CLASS 2 MISDEMEANOR.

SECTION 258. In Colorado Revised Statutes, **repeal** 18-6-202 as follows:

18-6-202. Marrying a bigamist. ~~Any unmarried person who~~

~~knowingly marries or cohabits with another in this state under circumstances known to him which would render the other person guilty of bigamy under the laws of this state commits marrying a bigamist, which is a class 2 misdemeanor.~~

SECTION 259. In Colorado Revised Statutes, **amend** 18-6-203 as follows:

18-6-203. Definitions. As used in ~~sections 18-6-201 and 18-6-202~~ SECTION 18-6-201, "cohabitation" means to live together under the representation of being married.

SECTION 260. In Colorado Revised Statutes, 18-6-401, **amend** (7)(b)(II) as follows:

18-6-401. Child abuse - definition. (7) (b) Where no death or injury results, the following shall apply:

(II) An act of child abuse when a person acts with criminal negligence is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR; except that, if it is committed under the circumstances described in ~~paragraph (c) of this subsection (7)~~ SUBSECTION (7)(e) OF THIS SECTION, then it is a class 5 felony.

SECTION 261. In Colorado Revised Statutes, 18-6-701, **amend** (1) and (2) as follows:

18-6-701. Contributing to the delinquency of a minor. (1) (a) Any person who induces, aids, or encourages a child to violate any ~~federal or state law municipal or county ordinance, or court order~~ THAT IS A FELONY VICTIMS RIGHTS ACT CRIME AS DEFINED IN SECTION 24-4.1-302 (1) commits FIRST DEGREE contributing to the delinquency of a minor.

~~(b) Any person who induces, aids, or encourages a child to violate any federal or state law, municipal or county ordinance, or court order commits contributing to the delinquency of a minor.~~ ANY PERSON WHO INDUCES, AIDS, OR ENCOURAGES A CHILD TO VIOLATE ANY MUNICIPAL OR COUNTY ORDINANCE, COURT ORDER, OR STATE OR FEDERAL LAW THAT IS NOT A FELONY VICTIMS RIGHTS ACT CRIME AS DEFINED IN SECTION 24-4.1-302 (1) COMMITS SECOND DEGREE CONTRIBUTING TO THE

DELINQUENCY OF A MINOR.

(c) ~~For the purposes of~~ AS USED IN this section, the term "child" means any person under the age of eighteen years.

(2) (a) FIRST DEGREE contributing to the delinquency of a minor is a class 4 felony.

~~(a)~~ (b) SECOND DEGREE CONTRIBUTING TO THE DELINQUENCY OF A MINOR IS A CLASS 1 MISDEMEANOR.

SECTION 262. In Colorado Revised Statutes, 18-6-803.5, **amend** (1.5) (a) and (2)(a) as follows:

18-6-803.5. Crime of violation of a protection order - penalty - peace officers' duties - definitions. (1.5) As used in this section:

(a) "Protected person" means the person or persons identified in the protection order as the person or persons for whose benefit the protection order was issued. "PROTECTED PERSON" DOES NOT INCLUDE THE DEFENDANT.

(2) (a) Violation of a protection order is a class 2 misdemeanor; except that, if the restrained person has previously been convicted of violating this section or a former version of this section or an analogous municipal ordinance, or if the protection order is issued pursuant to section 18-1-1001, OR THE BASIS FOR ISSUING THE PROTECTION ORDER INCLUDED AN ALLEGATION OF STALKING OR THE PARTIES WERE IN AN INTIMATE RELATIONSHIP, the violation is a class 1 misdemeanor.

SECTION 263. In Colorado Revised Statutes, 18-6.5-108, **amend** (1)(c) and (4) as follows:

18-6.5-108. Mandatory reports of mistreatment of at-risk elders and at-risk adults with IDD - list of reporters - penalties. (1) (c) A person who willfully violates ~~paragraph (a) of this subsection~~ (1) SUBSECTION (1)(a) OF THIS SECTION commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished in accordance with section 18-1.3-501.

(4) A person, including but not limited to a person specified in ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section, who knowingly makes a false report of mistreatment of an at-risk elder or an at-risk adult with IDD to a law enforcement agency commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and must be punished as provided in section 18-1.3-501 and is liable for damages proximately caused thereby.

SECTION 264. In Colorado Revised Statutes, 18-7-201, **amend** (3) as follows:

18-7-201. Prostitution prohibited. (3) Prostitution is a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 265. In Colorado Revised Statutes, 18-7-202, **amend** (2) as follows:

18-7-202. Soliciting for prostitution. (2) Soliciting for prostitution is a ~~class 3 misdemeanor~~ PETTY OFFENSE. A person who is convicted of soliciting for prostitution may be required to pay a fine of not more than five thousand dollars in addition to any penalty imposed by the court pursuant to section 18-1.3-501, which additional fine shall be transferred to the state treasurer, who shall transfer the same to the prostitution enforcement cash fund created in section 24-33.5-513. ~~C.R.S.~~

SECTION 266. In Colorado Revised Statutes, 18-7-203, **amend** (2)(b) as follows:

18-7-203. Pandering. (2) (b) Pandering ~~under paragraph (b) of subsection (1) of this section~~ PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR. A person who is convicted of pandering ~~under paragraph (b) of subsection (1) of this section~~ shall be required to pay a fine of not less than five thousand dollars and not more than ten thousand dollars in addition to any penalty imposed by the court pursuant to section 18-1.3-501, which additional fine shall be transferred to the state treasurer, who shall transfer the same to the prostitution enforcement cash fund created in section 24-33.5-513. ~~C.R.S.~~

SECTION 267. In Colorado Revised Statutes, 18-7-205, **amend** (2) as follows:

18-7-205. Patronizing a prostitute. (2) Patronizing a prostitute is a ~~class 1 misdemeanor~~ PETTY OFFENSE. A person who is convicted of patronizing a prostitute may be required to pay a fine of not more than five thousand dollars in addition to any penalty imposed by the court pursuant to section 18-1.3-401 or 18-1.3-503, which additional fine shall be transferred to the state treasurer, who shall transfer the same to the prostitution enforcement cash fund created in section 24-33.5-513. ~~C.R.S.~~

SECTION 268. In Colorado Revised Statutes, **amend** 18-7-207 as follows:

18-7-207. Prostitute making display. Any person who by word, gesture, or action endeavors to further the practice of prostitution in any public place or within public view commits a ~~class 1~~ petty offense.

SECTION 269. In Colorado Revised Statutes, 18-7-301, **amend** (2) as follows:

18-7-301. Public indecency. (2) ~~(a) Except as otherwise provided in paragraph (b) of this subsection (2),~~ Public indecency is a ~~class 1~~ petty offense.

~~(b) Public indecency as described in paragraph (c) of subsection (1) of this section is a class 1 misdemeanor if the violation is committed subsequent to a conviction for a violation of paragraph (c) of subsection (1) of this section or for a violation of a comparable offense in any other state or in the United States, or for a violation of a comparable municipal ordinance.~~

SECTION 270. In Colorado Revised Statutes, 18-7-601, **amend** (3) as follows:

18-7-601. Dispensing violent films to minors - misdemeanors. (3) Any person who violates subsection (1) of this section is guilty of a ~~misdemeanor~~ CIVIL INFRACTION and, upon conviction thereof, shall be punished by a fine of one thousand dollars; except that, for a second or subsequent offense, the fine shall be five thousand dollars.

SECTION 271. In Colorado Revised Statutes, 18-7-901, **amend** (2) as follows:

18-7-901. Unlawful distribution of a suicide recording - definitions - Lil' Von Mercado's law. (2) Posting an image of suicide as described in subsection (1) of this section of a minor is a civil infraction and is punishable by a penalty of one hundred dollars per violation; except that posting an image of suicide of a minor is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR if the person was the first or original person to post, distribute, or disseminate the image.

SECTION 272. In Colorado Revised Statutes, 18-8-104, **add** (1.5) as follows:

18-8-104. Obstructing a peace officer, firefighter, emergency medical service provider, rescue specialist, or volunteer. (1.5) A PERSON SHALL NOT BE CHARGED WITH THE OFFENSE DESCRIBED IN SUBSECTION (1) OF THIS SECTION BECAUSE THE PERSON REMAINED SILENT OR BECAUSE THE PERSON STATED A VERBAL OPPOSITION TO AN ORDER BY A GOVERNMENT OFFICIAL.

SECTION 273. In Colorado Revised Statutes, 18-8-105, **amend** (6) as follows:

18-8-105. Accessory to crime. (6) Being an accessory to crime is a ~~class 1 petty offense~~ if the offender knows that the person being assisted has committed, or has been convicted of, or is charged by pending information, indictment, or complaint with a crime, or is suspected of or wanted for a crime, and if that crime is designated by this code as a misdemeanor of any class.

SECTION 274. In Colorado Revised Statutes, 18-8-106, **amend** (1) introductory portion as follows:

18-8-106. Refusal to permit inspections. (1) A person commits a ~~class 1 petty offense~~ CIVIL INFRACTION if, knowing that a public servant is legally authorized to inspect property:

SECTION 275. In Colorado Revised Statutes, **repeal** 18-8-107 as follows:

18-8-107. Refusing to aid a peace officer. ~~A person, eighteen years of age or older, commits a class 1 petty offense when, upon command by a~~

~~person known to him to be a peace officer, he unreasonably refuses or fails to aid the peace officer in effecting or securing an arrest or preventing the commission by another of any offense.~~

SECTION 276. In Colorado Revised Statutes, 18-8-108, **amend** (3) as follows:

18-8-108. Compounding. (3) Compounding is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 277. In Colorado Revised Statutes, 18-8-111, **amend** (1)(b), (2)(b)(I), and (2)(b)(II) introductory portion; and **repeal** (1)(a)(IV) and (1)(c) as follows:

18-8-111. False reporting to authorities - false reporting of emergency - definition. (1) (a) A person commits false reporting to authorities if:

(IV) ~~He or she knowingly provides false identifying information to law enforcement authorities.~~

(b) ~~False reporting to authorities is a class 3 misdemeanor, except that, if it is committed in violation of subsection (1)(a)(I) of this section and committed during the commission of another criminal offense, it is a class 2 misdemeanor.~~

(c) ~~For purposes of this section, "identifying information" means a person's name, address, birth date, social security number, or driver's license or Colorado identification number.~~

(2) (b) (I) ~~Except as otherwise provided in this subsection (2)(b), false reporting of an emergency is a class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(II) ~~False reporting of an emergency is a class 1 misdemeanor and is an extraordinary risk crime that is subject to the modified sentencing range specified in section 18-1.3-501(3); if:~~

SECTION 278. In Colorado Revised Statutes, **add** 18-8-111.5 as follows:

18-8-111.5. False reporting of identifying information to law enforcement authorities - definition. (1) A PERSON COMMITS FALSE REPORTING OF IDENTIFYING INFORMATION IF THE PERSON KNOWINGLY PROVIDES FALSE IDENTIFYING INFORMATION TO LAW ENFORCEMENT AUTHORITIES.

(2) FALSE REPORTING OF IDENTIFYING INFORMATION IS A CLASS 2 MISDEMEANOR; EXCEPT THAT IT IS A CLASS 6 FELONY IF PROVIDING THE FALSE IDENTIFYING INFORMATION RESULTS IN SUBSTANTIALLY IMPEDING THE INVESTIGATION OR ARREST OF A PERSON FOR THE COMMISSION OF A CRIME AS DEFINED IN SECTION 24-4.1-302 (1) THAT IS A FELONY.

(3) AS USED IN THIS SECTION, "IDENTIFYING INFORMATION" MEANS A PERSON'S NAME, ADDRESS, BIRTH DATE, SOCIAL SECURITY NUMBER, OR DRIVER'S LICENSE OR COLORADO IDENTIFICATION NUMBER.

SECTION 279. In Colorado Revised Statutes, 18-8-113, **amend** (3) as follows:

18-8-113. Impersonating a public servant. (3) Impersonating a public servant is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 280. In Colorado Revised Statutes, 18-8-114, **amend** (1) introductory portion as follows:

18-8-114. Abuse of public records. (1) A person commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR if:

SECTION 281. In Colorado Revised Statutes, 18-8-117, **amend** (3) as follows:

18-8-117. Unlawful sale of publicly provided services or appointments - definitions. (3) Unlawful sale of public services is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR, as defined in section 18-1.3-501.

SECTION 282. In Colorado Revised Statutes, 18-8-201, **amend** (6) as follows:

18-8-201. Aiding escape. (6) Aiding escape is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR if the person aided was in custody or

confinement and charged with, held for, or convicted of a misdemeanor or a petty offense.

SECTION 283. In Colorado Revised Statutes, **repeal** 18-8-202 as follows:

18-8-202. Inducing prisoners to absent selves. ~~Any person who invites, entices, solicits, or induces any prisoner in custody or confinement to absent himself from his work or who substantially delays or hinders a prisoner in his work commits a class 1 petty offense.~~

SECTION 284. In Colorado Revised Statutes, 18-8-203, **amend** (1) as follows:

18-8-203. Introducing contraband in the first degree. (1) A person commits introducing contraband in the first degree if he or she knowingly and unlawfully:

(a) Introduces or attempts to introduce a dangerous instrument ~~malt, vinous, or spirituous liquor, as defined in section 44-3-103; fermented malt beverage, as defined in section 44-4-103; controlled substance, as defined in section 18-18-102 (5); or marijuana or marijuana concentrate, as defined in section 27-80-203 (15) and (16)~~, into a detention facility or at any location where an inmate is or is likely to be located, while the inmate is in the custody and under the jurisdiction of a political subdivision of the state of Colorado or the department of corrections, but not on parole; or

(b) Being a person confined in a detention facility, makes any dangerous instrument. ~~controlled substance, marijuana or marijuana concentrate, or alcohol.~~

SECTION 285. In Colorado Revised Statutes, 18-8-204, **amend** (2) introductory portion, (2)(m), and (3); and **add** (2)(o), (2)(p), and (2)(q) as follows:

18-8-204. Introducing contraband in the second degree - definition. (2) AS USED IN THIS SECTION, "contraband" ~~as used in this section~~ means any of the following, but does not include any article or thing referred to in section 18-8-203:

(m) For purposes of a facility of the department of corrections or any private contract prison, any cigarettes or tobacco products, as defined in section 39-28.5-101 (5); ~~C.R.S.~~; or

(o) A CONTROLLED SUBSTANCE, AS DEFINED IN SECTION 18-18-102 (5);

(p) MALT LIQUORS, VINOUS LIQUORS, OR SPIRITUOUS LIQUORS, AS THOSE TERMS ARE DEFINED IN SECTION 44-3-103, OR FERMENTED MALT BEVERAGE, AS DEFINED IN SECTION 44-4-103; OR

(q) MARIJUANA OR MARIJUANA CONCENTRATE, AS THOSE TERMS ARE DEFINED IN SECTION 27-80-203 (15) AND (16).

(3) (a) Introducing contraband in the second degree THAT INVOLVES CONTRABAND DESCRIBED IN SUBSECTION (2)(a), (2)(b), (2)(e), (2)(f), (2)(h), (2)(k), (2)(n), OR (2)(o) OF THIS SECTION is a class 6 felony.

(b) INTRODUCING CONTRABAND IN THE SECOND DEGREE THAT INVOLVES CONTRABAND DESCRIBED IN SUBSECTION (2)(c), (2)(d), (2)(g), (2)(i), (2)(j), (2)(l), (2)(m), (2)(p), OR (2)(q) OF THIS SECTION IS A CLASS 2 MISDEMEANOR.

SECTION 286. In Colorado Revised Statutes, 18-8-204.1, **amend** (1); and **repeal** (2) as follows:

18-8-204.1. Possession of contraband in the first degree. (1) A person being confined in a detention facility commits the crime of possession of contraband in the first degree if ~~he~~ THE PERSON knowingly obtains or has in ~~his~~ THE PERSON'S possession contraband as listed in section 18-8-203 (1)(a). ~~or alcohol; except that this subsection (1) shall not apply to contraband specified in section 18-18-405.~~

~~(2) Possession of contraband in the first degree, other than a dangerous instrument, is a class 6 felony.~~

SECTION 287. In Colorado Revised Statutes, 18-8-204.2, **amend** (2) as follows:

18-8-204.2. Possession of contraband in the second degree.

~~(2) (a) Possession of contraband in the second degree is a class 1 misdemeanor~~ POSSESSION OF CONTRABAND IN THE SECOND DEGREE THAT INVOLVES CONTRABAND DESCRIBED IN SECTION 18-8-204 (2)(a), (2)(b), (2)(e), (2)(f), (2)(h), (2)(k), (2)(n), OR (2)(o) IS A CLASS 6 FELONY.

(b) POSSESSION OF CONTRABAND IN THE SECOND DEGREE THAT INVOLVES CONTRABAND DESCRIBED IN SECTION 18-8-204 (2)(c), (2)(d), (2)(g), (2)(i), (2)(j), (2)(l), (2)(m), (2)(p), OR (2)(q) IS A CLASS 2 MISDEMEANOR.

SECTION 288. In Colorado Revised Statutes, **repeal** 18-8-205 as follows:

18-8-205. Aiding escape from civil process. ~~Any person who aids, abets, or assists the escape of a person in legal custody under civil process commits a class 1 petty offense.~~

SECTION 289. In Colorado Revised Statutes, 18-8-208, **amend** (4), (4.5), (5), (6) introductory portion, (6)(a), and (6)(b) as follows:

18-8-208. Escapes. (4) A person commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR if, while being in custody or confinement following conviction of a misdemeanor or petty offense or a violation of a municipal ordinance, he or she knowingly escapes from said place of custody or confinement.

(4.5) A person commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR if he or she has been committed to the division of youth services in the department of human services for a delinquent act, is over eighteen years of age, and escapes from a staff secure facility as defined in section 19-1-103 ~~(101.5)~~; other than a state-operated locked facility.

(5) A person commits a ~~class 1~~ petty offense if, while being in custody or confinement and held for or charged with but not convicted of a misdemeanor or petty offense or violation of a municipal ordinance, he or she knowingly escapes from said custody or confinement.

(6) A person who knowingly escapes confinement while being confined pursuant to a commitment under article 8 of title 16: ~~C.R.S.:~~

(a) Commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR if the person had been charged with a misdemeanor at the proceeding in which the person was committed;

(b) Commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR if the person had been charged with a felony at the proceeding in which the person was committed, if in the escape the person does not travel from the state of Colorado;

SECTION 290. In Colorado Revised Statutes, 18-8-208.1, **amend** (3) as follows:

18-8-208.1. Attempt to escape. (3) If a person, while in custody or confinement following conviction of a misdemeanor or petty offense, knowingly attempts to escape from said custody or confinement, ~~he is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not less than two months nor more than four months~~ THE PERSON COMMITS A CLASS 2 MISDEMEANOR. The sentence imposed pursuant to this subsection (3) shall run consecutively with any sentences being served by the offender.

SECTION 291. In Colorado Revised Statutes, 18-8-208.2, **amend** (2)(b) as follows:

18-8-208.2. Unauthorized absence. (2) (b) If a person commits unauthorized absence for a crime other than the crimes listed in section 24-4.1-302 (1) and the crime is not a crime of violence as described in section 18-1.3-406, unauthorized absence is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and an attempt thereof is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 292. In Colorado Revised Statutes, **repeal** 18-8-210 as follows:

18-8-210. Persons in custody or confinement for unclassified offenses. ~~For the purpose of determining the grade and classification of an offense under sections 18-8-201, 18-8-206, and 18-8-208, a person in custody or confinement for an offense which is unclassified or was not classified under this code at the time the custody or confinement began is deemed to have been in custody or confinement for a class 2 misdemeanor~~

~~if such custody or confinement was for a misdemeanor offense or a class 5 felony if such custody or confinement was for a felony offense.~~

SECTION 293. In Colorado Revised Statutes, 18-8-212, **amend** (1) and (2); and **add** (5) as follows:

18-8-212. Violation of bail bond conditions. (1) ~~A person who is released on bail bond of whatever kind, and either before, during, or after release is accused by complaint, information, indictment, or the filing of a delinquency petition of any felony arising from the conduct for which he was arrested, commits a class 6 felony if he knowingly fails to appear for trial or other proceedings in the case in which the bail bond was filed or if he knowingly violates the conditions of the bail bond~~ A PERSON WHO IS CHARGED WITH ANY FELONY AND IS RELEASED ON BOND COMMITS A CLASS 6 FELONY IF THE PERSON KNOWINGLY FAILS TO APPEAR IN THE FELONY CASE FOR WHICH THE PERSON IS ON BOND WITH THE INTENT TO AVOID PROSECUTION.

(2) ~~A person who is released on bail bond of whatever kind, and either before, during, or after release is accused by complaint, information, indictment, or the filing of a delinquency petition of any misdemeanor arising from the conduct for which he was arrested, commits a class 3 misdemeanor if he knowingly fails to appear for trial or other proceedings in the case in which the bail bond was filed or if he knowingly violates the conditions of the bail bond~~ A PERSON WHO IS RELEASED ON BOND AND IS CHARGED WITH ANY FELONY OR MISDEMEANOR ARISING FROM THE CONDUCT FOR WHICH THE PERSON WAS ARRESTED COMMITS A CLASS 2 MISDEMEANOR IF THE PERSON INTENTIONALLY FAILS TO APPEAR IN THE CASE FOR ANY PROCEEDINGS FOR WHICH VICTIMS OR WITNESSES HAVE APPEARED IN COURT.

(5) A VIOLATION OF BOND APPEARANCE CONDITIONS SHALL NOT BE BROUGHT AGAINST ANY PERSON SUBJECT TO THE PROVISIONS OF SECTION 16-4-113 (2).

SECTION 294. In Colorado Revised Statutes, **amend** 18-8-304 as follows:

18-8-304. Soliciting unlawful compensation. A public servant commits a ~~class 2 misdemeanor~~ CLASS 1 MISDEMEANOR if ~~he~~ THE PUBLIC SERVANT requests a pecuniary benefit for the performance of an official

action knowing that ~~he~~ THE PUBLIC SERVANT was required to perform that action without compensation or at a level of compensation lower than that requested.

SECTION 295. In Colorado Revised Statutes, **amend** 18-8-306 as follows:

18-8-306. Attempt to influence a public servant. Any person who attempts to influence any public servant by means of deceit or by threat of violence or economic reprisal against any person or property, with the intent thereby to alter or affect the public servant's decision, vote, opinion, or action concerning any matter which is to be considered or performed by ~~him~~ THE PUBLIC SERVANT or the agency or body of which ~~he~~ THE PUBLIC SERVANT is a member, commits a class 4 felony. A VIOLATION OF THIS SECTION DOES NOT INCLUDE PROVIDING FALSE IDENTIFYING INFORMATION TO LAW ENFORCEMENT AUTHORITIES PURSUANT TO SECTION 18-8-111.5 AND A PERSON WHO COMMITS THE OFFENSE OF PROVIDING FALSE IDENTIFYING INFORMATION TO LAW ENFORCEMENT AUTHORITIES SHALL NOT BE CONVICTED FOR A VIOLATION OF THIS SECTION.

SECTION 296. In Colorado Revised Statutes, 18-8-403, **amend** (2) as follows:

18-8-403. Official oppression. (2) Official oppression is a ~~class 2 misdemeanor~~ CLASS 1 MISDEMEANOR.

SECTION 297. In Colorado Revised Statutes, 18-8-404, **amend** (2) as follows:

18-8-404. First degree official misconduct. (2) First degree official misconduct is a ~~class 2 misdemeanor~~ CLASS 1 MISDEMEANOR.

SECTION 298. In Colorado Revised Statutes, 18-8-405, **amend** (2) as follows:

18-8-405. Second degree official misconduct. (2) Second degree official misconduct is a ~~class 1~~ petty offense.

SECTION 299. In Colorado Revised Statutes, 18-8-408, **amend** (2) as follows:

18-8-408. Designation of insurer prohibited. (2) Any such public servant who violates any of the provisions of subsection (1) of this section commits a ~~class 1 petty offense~~ CIVIL INFRACTION.

SECTION 300. In Colorado Revised Statutes, 18-8-503, **amend** (2) as follows:

18-8-503. Perjury in the second degree. (2) Perjury in the second degree is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 301. In Colorado Revised Statutes, 18-8-504, **amend** (2) as follows:

18-8-504. False swearing. (2) False swearing is a ~~class 1 petty offense~~.

SECTION 302. In Colorado Revised Statutes, 18-8-610, **amend** (3) as follows:

18-8-610. Tampering with physical evidence. (3) (a) Tampering with physical evidence OF A FELONY CRIME is a class 6 felony.

(b) TAMPERING WITH PHYSICAL EVIDENCE OF A MISDEMEANOR CRIME IS A CLASS 1 MISDEMEANOR.

SECTION 303. In Colorado Revised Statutes, 18-8-611, **amend** (2) as follows:

18-8-611. Simulating legal process. (2) Simulating legal process is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 304. In Colorado Revised Statutes, 18-8-612, **amend** (2) as follows:

18-8-612. Failure to obey a juror summons. (2) Failure to obey a juror summons is a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 305. In Colorado Revised Statutes, 18-8-613, **amend** (2) as follows:

18-8-613. Willful misrepresentation of material fact on juror questionnaire. (2) Willful misrepresentation of a material fact on a juror questionnaire is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 306. In Colorado Revised Statutes, 18-8-802, **amend** (1)(c) as follows:

18-8-802. Duty to report use of force by peace officers - duty to intervene. (1) (c) Any peace officer who fails to report such use of force in the manner prescribed in this subsection (1) commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 307. In Colorado Revised Statutes, **amend** 18-9-105 as follows:

18-9-105. Disobedience of public safety orders under riot conditions. A person commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR if, during a riot or when one is impending, ~~he~~ THE PERSON knowingly disobeys a reasonable public safety order to move, disperse, or refrain from specified activities in the immediate vicinity of the riot. A public safety order is an order designed to prevent or control disorder or promote the safety of persons or property issued by an authorized member of the police, fire, military, or other forces concerned with the riot. No such order shall apply to a news reporter or other person observing or recording the events on behalf of the public press or other news media, unless ~~he~~ THE NEWS REPORTER OR OTHER PERSON is physically obstructing efforts by such forces to cope with the riot or impending riot. Inapplicability of the order is an affirmative defense.

SECTION 308. In Colorado Revised Statutes, 18-9-106, **amend** (1)(f) and (3) as follows:

18-9-106. Disorderly conduct. (1) A person commits disorderly conduct if he or she intentionally, knowingly, or recklessly:

(f) Not being a peace officer, displays a ~~deadly weapon~~ REAL OR SIMULATED FIREARM, displays any article used or fashioned in a manner to cause a person to reasonably believe that the article is a ~~deadly weapon~~ FIREARM, or represents verbally or otherwise that he or she is armed with a ~~deadly weapon~~ FIREARM in a public place in a manner calculated to alarm

AND DOES ALARM ANOTHER PERSON.

(3) (a) An offense ~~under paragraph (a) or (c) of subsection (1) of this section~~ PURSUANT TO SUBSECTION (1)(a) OR (1)(c) OF THIS SECTION is a ~~class 1~~ † petty offense; except that, if the offense is committed with intent to disrupt, impair, or interfere with a funeral, or with intent to cause severe emotional distress to a person attending a funeral, it is a class 2 misdemeanor.

(b) An offense ~~under paragraph (d) of subsection (1) of this section~~ PURSUANT TO SUBSECTION (1)(d) OF THIS SECTION is a ~~class 3 misdemeanor~~ PETTY OFFENSE.

(c) An offense ~~under paragraph (e) or (f) of subsection (1) of this section~~ PURSUANT TO SUBSECTION (1)(f) OF THIS SECTION is a class 2 misdemeanor.

(d) AN OFFENSE PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION IS A CLASS 1 MISDEMEANOR.

SECTION 309. In Colorado Revised Statutes, 18-9-107, **amend** (3) as follows:

18-9-107. Obstructing highway or other passageway. (3) An offense under this section is a ~~class 3 misdemeanor~~ PETTY OFFENSE; except that knowingly obstructing the entrance into, or exit from, a funeral or funeral site, or knowingly obstructing a highway or other passageway where a funeral procession is taking place is a class 2 misdemeanor.

SECTION 310. In Colorado Revised Statutes, 18-9-108, **amend** (2) as follows:

18-9-108. Disrupting lawful assembly. (2) Disrupting lawful assembly is a ~~class 3 misdemeanor~~ PETTY OFFENSE; except that, if the actor knows the meeting, procession, or gathering is a funeral, it is a class 2 misdemeanor.

SECTION 311. In Colorado Revised Statutes, 18-9-108.5, **amend** (6) as follows:

18-9-108.5. Residential picketing - legislative declaration. (6) A person who violates subsection (3) of this section commits an ~~unclassified misdemeanor. The court may impose a fine of no more than five thousand dollars~~ A PETTY OFFENSE.

SECTION 312. In Colorado Revised Statutes, 18-9-109, **amend** (5) as follows:

18-9-109. Interference with staff, faculty, or students of educational institutions. (5) (a) Any person who violates any of the provisions of this section, ~~except subsection (6)~~ SUBSECTION (1) OR (6) of this section, commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

(b) A PERSON WHO VIOLATES SUBSECTION (1) OF THIS SECTION COMMITS A PETTY OFFENSE.

SECTION 313. In Colorado Revised Statutes, 18-9-110, **amend** (8) as follows:

18-9-110. Public buildings - trespass, interference - penalty. (8) (a) Any person who violates ~~any of the provisions~~ SUBSECTION (2) OR (4) of this section commits a class 2 misdemeanor.

(b) ANY PERSON WHO VIOLATES SUBSECTION (1), (3), (5), OR (6) OF THIS SECTION COMMITS A PETTY OFFENSE.

SECTION 314. In Colorado Revised Statutes, 18-9-111, **amend** (2) as follows:

18-9-111. Harassment - Kiana Arellano's law. (2) (a) ~~Harassment pursuant to subsection (1) of this section is a class 3 misdemeanor; except that harassment is a class 1 misdemeanor if the offender commits harassment pursuant to subsection (1) of this section with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, as defined in section 18-9-121 (5)(a); or sexual orientation, as defined in section 18-9-121 (5)(b)~~ A PERSON WHO VIOLATES SUBSECTION (1)(a) OR (1)(c) OF THIS SECTION OR VIOLATES ANY PROVISION OF SUBSECTION (1) OF THIS SECTION WITH THE INTENT TO INTIMIDATE OR HARASS ANOTHER PERSON BECAUSE OF THAT PERSON'S ACTUAL OR

PERCEIVED RACE; COLOR; RELIGION; ANCESTRY; NATIONAL ORIGIN; PHYSICAL OR MENTAL DISABILITY, AS DEFINED IN SECTION 18-9-121 (5)(a); OR SEXUAL ORIENTATION, AS DEFINED IN SECTION 18-9-121 (5)(b), COMMITS A CLASS 1 MISDEMEANOR.

(b) A PERSON WHO VIOLATES SUBSECTION (1)(e), (1)(f), (1)(g), OR (1)(h) OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

(c) A PERSON WHO VIOLATES SUBSECTION (1)(b) OF THIS SECTION COMMITS A PETTY OFFENSE.

SECTION 315. In Colorado Revised Statutes, 18-9-112, **amend** (2) as follows:

18-9-112. Loitering - definition - legislative declaration. (2) A person commits a ~~class 1~~ petty offense if he or she, with intent to interfere with or disrupt the school program or with intent to interfere with or endanger schoolchildren, loiters in a school building or on school grounds or within one hundred feet of school grounds when persons under the age of eighteen are present in the building or on the grounds, not having any reason or relationship involving custody of, or responsibility for, a pupil or any other specific, legitimate reason for being there, and having been asked to leave by a school administrator or ~~his~~ THE SCHOOL ADMINISTRATOR'S representative or by a peace officer.

SECTION 316. In Colorado Revised Statutes, 18-9-113, **amend** (1)(a) and (1)(b) as follows:

18-9-113. Desecration of venerated objects. (1) (a) A person commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR if he OR SHE knowingly desecrates any public monument or structure or desecrates in a public place any other object of veneration by the public.

(b) Except as otherwise provided in section 24-80-1305, ~~C.R.S.~~, with respect to the disturbance of an unmarked human burial, a person commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR if he OR SHE knowingly desecrates any place of worship or burial of human remains.

SECTION 317. In Colorado Revised Statutes, **amend** 18-9-114 as follows:

18-9-114. Hindering transportation. A person commits a ~~class 2 misdemeanor~~ PETTY OFFENSE if ~~he~~ THE PERSON knowingly and without lawful authority forcibly stops and hinders the operation of any vehicle used in providing transportation services of any kind to the public or to any person, association, or corporation.

SECTION 318. In Colorado Revised Statutes, 18-9-115, **amend** (1)(c)(II); and **repeal** (1)(b) and (1)(d) as follows:

18-9-115. Endangering public transportation and utility transmission. (1) A person commits endangering public transportation if such person:

~~(b) Stops or boards a public conveyance with the intent of committing a crime thereon; or~~

~~(c) On a public conveyance, knowingly threatens any operator, crew member, attendant, or passenger:~~

~~(II) With a deadly weapon or with words or actions intended to induce belief that such person is armed with a deadly weapon. or~~

~~(d) On a public conveyance:~~

~~(f) Knowingly or recklessly causes bodily injury to another person; or~~

~~(H) With criminal negligence causes bodily injury to another person by means of a deadly weapon.~~

SECTION 319. In Colorado Revised Statutes, **amend** 18-9-115.5 as follows:

18-9-115.5. Violation of a restraining order related to public conveyances. Any violation of an order of court obtained pursuant to rule 65 of the Colorado rules of civil procedure, which order has specifically restrained a person from traveling in or on a particular public conveyance, shall be a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 320. In Colorado Revised Statutes, 18-9-116, **amend** (1)

as follows:

18-9-116. Throwing missiles at vehicles - harassment of bicyclists. (1) Any person who knowingly projects any missile at or against any vehicle or equipment designed for the transportation of persons or property, other than a bicycle, commits a ~~class 1 petty offense~~ CIVIL INFRACTION.

SECTION 321. In Colorado Revised Statutes, 18-9-117, **amend** (3)(a) as follows:

18-9-117. Unlawful conduct on public property. (3) (a) Except as otherwise provided in ~~paragraphs (b) and (c) of this subsection (3)~~ SUBSECTIONS (3)(b) AND (3)(c) OF THIS SECTION, any person who violates subsection (1) of this section is guilty of a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 322. In Colorado Revised Statutes, 18-9-119, **amend** (2) and (3) as follows:

18-9-119. Failure or refusal to leave premises or property upon request of a peace officer - penalties - payment of costs. (2) Any person who barricades or refuses police entry to any premises or property through use of or threatened use of force and who knowingly refuses or fails to leave any premises or property upon being requested to do so by a peace officer who has probable cause to believe a crime is occurring and that such person constitutes a danger to himself OR HERSELF or others commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

(3) Any person who violates subsection (2) of this section and who, in the same criminal episode, knowingly holds another person hostage or who confines or detains such other person without ~~his~~ THAT PERSON'S consent, without proper legal authority, and without the use of a deadly weapon commits a ~~class 2 misdemeanor~~ CLASS 1 MISDEMEANOR.

SECTION 323. In Colorado Revised Statutes, 18-9-122, **amend** (2) and (3) as follows:

18-9-122. Preventing passage to and from a health-care facility - engaging in prohibited activities near facility. (2) A person commits a

~~class 3 misdemeanor~~ PETTY OFFENSE if such person knowingly obstructs, detains, hinders, impedes, or blocks another person's entry to or exit from a health-care facility.

(3) No person shall knowingly approach another person within eight feet of such person, unless such other person consents, for the purpose of passing a leaflet or handbill to, displaying a sign to, or engaging in oral protest, education, or counseling with such other person in the public way or sidewalk area within a radius of one hundred feet from any entrance door to a health-care facility. Any person who violates this subsection (3) commits a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 324. In Colorado Revised Statutes, 18-9-123, **amend** (3) as follows:

18-9-123. Bringing alcohol beverages, bottles, or cans into the major league baseball stadium. (3) Any person who violates subsection (1) of this section commits a ~~class 1 petty offense~~ CIVIL INFRACTION.

SECTION 325. In Colorado Revised Statutes, 18-9-124, **amend** (4) as follows:

18-9-124. Hazing - penalties - legislative declaration. (4) Any person who violates subsection (3) of this section commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 326. In Colorado Revised Statutes, 18-9-204.5, **amend** (3)(b) and (3)(e)(I); and **repeal** (3)(e)(II) as follows:

18-9-204.5. Unlawful ownership of dangerous dog - legislative declaration - definitions. (3) (b) Any owner who violates ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION whose dog inflicts bodily injury upon any person commits a ~~class 3 misdemeanor~~ Any owner involved in a second or subsequent violation under this paragraph (b) commits a ~~class 2 misdemeanor~~ CLASS 2 MISDEMEANOR.

(e) (I) Any owner who violates ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION whose dog injures or causes the death of any domestic animal commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

(II) ~~Any owner of a dog that is involved in a second or subsequent violation under this paragraph (c) commits a class 2 misdemeanor. The minimum fine specified in section 18-1.3-501 for a class 2 misdemeanor shall be mandatory.~~

SECTION 327. In Colorado Revised Statutes, 18-9-207, **amend** (3) as follows:

18-9-207. Tampering or drugging of livestock. (3) Any person who violates the provisions of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR. However, in lieu of the fine provided in section 18-1.3-501, the court may impose a fine of not less than one thousand dollars or more than one hundred thousand dollars.

SECTION 328. In Colorado Revised Statutes, 18-9-209, **amend** (3) as follows:

18-9-209. Immunity for reporting cruelty to animals - false report - penalty. (3) A person who knowingly makes a false report of animal cruelty to a local law enforcement agency or to the state bureau of animal protection commits a ~~class 3 misdemeanor and shall be punished as provided in section 18-1.3-501~~ CIVIL INFRACTION.

SECTION 329. In Colorado Revised Statutes, **amend** 18-9-302 as follows:

18-9-302. Wiretapping and eavesdropping devices prohibited - penalty. Any person who manufactures, buys, sells, or knowingly has in ~~his~~ THE PERSON'S possession any instrument, device, contrivance, machine, or apparatus designed or commonly used for wiretapping or eavesdropping, as prohibited in sections 18-9-303 and 18-9-304, with the intent to unlawfully use or employ or allow the same to be so used or employed, or who knowingly aids, authorizes, agrees with, employs, permits, or conspires with any person to unlawfully manufacture, buy, sell, or have the same in ~~his~~ THE PERSON'S possession is guilty of a ~~class 2 misdemeanor~~ PETTY OFFENSE. Upon commission of a second or subsequent offense, any person committing the same commits a class 5 felony.

SECTION 330. In Colorado Revised Statutes, 18-9-303, **amend** (2) as follows:

18-9-303. Wiretapping prohibited - penalty. (2) Wiretapping is a class 6 felony; except that, if the wiretapping involves a cordless telephone, it is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 331. In Colorado Revised Statutes, 18-9-304, **amend** (2) as follows:

18-9-304. Eavesdropping prohibited - penalty. (2) Eavesdropping is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 332. In Colorado Revised Statutes, 18-9-306, **amend** (1) introductory portion; and **add** (2) as follows:

18-9-306. Abuse of telephone and telegraph service. (1) A person commits a ~~class 3 misdemeanor~~; ABUSE OF TELEPHONE AND TELEGRAPH SERVICE if:

(2) ABUSE OF TELEPHONE AND TELEGRAPH SERVICE IS A CIVIL INFRACTION.

SECTION 333. In Colorado Revised Statutes, **repeal** 18-9-307 as follows:

18-9-307. Refusal to yield party line. ~~(1) The following definitions are applicable to this section:~~

~~(a) "Party line" means a subscribers' line telephone circuit, consisting of two or more main telephone stations connected therewith, each station with a distinctive ring or telephone number.~~

~~(b) "Emergency" means a situation in which property or human safety is in jeopardy and the prompt summoning of aid is essential.~~

~~(2) Any person who willfully refuses to immediately yield or surrender the use of a party line when informed that the line is needed for an emergency call to a fire department, or police department, or sheriff's office or for medical aid or ambulance service commits a class 1 petty offense. This section shall not apply to persons using a party line for such an emergency call.~~

~~(3) Any person who requests the use of a party line on the pretext that an emergency exists, knowing that no emergency in fact exists, commits a class 1 petty offense, punishable by a fine of one hundred dollars.~~

SECTION 334. In Colorado Revised Statutes, **repeal** 18-9-308 as follows:

~~**18-9-308. Telephone directories to contain notice.** Every telephone directory published for distribution to the members of the general public shall contain a notice which explains the provisions of section 18-9-307. Such notice shall be printed in type which is no smaller than ten-point type and shall be preceded by the word "WARNING". The provisions of this section shall not apply to those directories distributed solely for business advertising purposes, commonly known as classified directories. Any person, firm, or corporation providing telephone service which distributes or causes to be distributed in this state telephone directories which are subject to the provisions of this section and which do not contain the notice provided for in this section commits a class 1 petty offense.~~

SECTION 335. In Colorado Revised Statutes, 18-9-309, **amend** (2) introductory portion as follows:

~~**18-9-309. Telecommunications crime.** (2) A person commits a class 3 misdemeanor~~ CIVIL INFRACTION if he or she knowingly:

SECTION 336. In Colorado Revised Statutes, 18-9-311, **amend** (2) as follows:

~~**18-9-311. Automated dialing systems prohibited.** (2) Any person who violates this section commits a class 1 petty offense.~~

SECTION 337. In Colorado Revised Statutes, 18-9-314, **amend** (2) introductory portion as follows:

~~**18-9-314. Interference with lawful distribution of newspapers - definitions.** (2) Interference with lawful distribution of newspapers is an unclassified misdemeanor~~ A CIVIL INFRACTION and shall be punished by a fine of:

SECTION 338. In Colorado Revised Statutes, **amend** 18-10-103 as follows:

18-10-103. Gambling - professional gambling - offenses. (1) A person who engages in gambling commits a ~~class 1~~ petty offense.

(2) A person who engages in professional gambling commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR. If ~~he~~ THE OFFENDER is a repeating gambling offender, it is a class 5 felony.

SECTION 339. In Colorado Revised Statutes, 18-10-106, **amend** (1) as follows:

18-10-106. Gambling information. (1) Whoever knowingly transmits or receives gambling information by telephone, telegraph, radio, semaphore, or other means or knowingly installs or maintains equipment for the transmission or receipt of gambling information commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR. If the offender is a repeating gambling offender, it is a class 6 felony.

SECTION 340. In Colorado Revised Statutes, 18-10-107, **amend** (3) as follows:

18-10-107. Gambling premises. (3) Maintaining gambling premises is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR. If the offender is a repeating gambling offender, it is a class 6 felony.

SECTION 341. In Colorado Revised Statutes, 18-10.5-103, **amend** (2) as follows:

18-10.5-103. Prohibition - penalties - exemptions. (2) Unlawful offering of a simulated gambling device is a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 342. In Colorado Revised Statutes, 18-11-204, **amend** (3) as follows:

18-11-204. Mutilation - contempt of flag - penalty. (3) Any person violating the provisions of this section commits a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 343. In Colorado Revised Statutes, 18-11-205, **amend** (1) as follows:

18-11-205. Unlawful to display flag - exceptions. (1) Any person who displays any flag other than the flag of the United States of America or the state of Colorado or any of its subdivisions, agencies, or institutions on a permanent flagstaff located on a state, county, municipal, or other public building or on its grounds within this state commits a ~~class 1~~ petty offense.

SECTION 344. In Colorado Revised Statutes, 18-12-105, **amend** (1) introductory portion as follows:

18-12-105. Unlawfully carrying a concealed weapon - unlawful possession of weapons. (1) A person commits a ~~class 2 misdemeanor~~ CLASS 1 MISDEMEANOR if such person knowingly and unlawfully:

SECTION 345. In Colorado Revised Statutes, **amend** 18-12-106 as follows:

18-12-106. Prohibited use of weapons - definition. (1) A person commits a ~~class 2 misdemeanor~~ CLASS 1 MISDEMEANOR if:

(a) He knowingly and unlawfully aims a firearm at another person;
or

(b) Recklessly or with criminal negligence he discharges a firearm or shoots a bow and arrow; or

(c) He knowingly sets a loaded gun, trap, or device designed to cause an explosion upon being tripped or approached, and leaves it unattended by a competent person immediately present; or

(d) The person has in his or her possession a firearm while the person is under the influence of intoxicating liquor or of a controlled substance, as defined in section 18-18-102 (5). Possession of a permit issued under section 18-12-105.1, as it existed prior to its repeal, or possession of a permit or a temporary emergency permit issued pursuant to part 2 of this article is no defense to a violation of this subsection (1).

~~(e)~~ (2) (a) ~~He~~ A PERSON COMMITS A CLASS 2 MISDEMEANOR IF THE PERSON knowingly aims, swings, or throws a throwing star or nunchaku as defined in ~~this paragraph (e)~~ SUBSECTION (2)(b) OF THIS SECTION at another person, or ~~he~~ THE PERSON knowingly possesses a throwing star or nunchaku in a public place except for the purpose of presenting an authorized public demonstration or exhibition or pursuant to instruction in conjunction with an organized school or class. When transporting throwing stars or nunchaku for a public demonstration or exhibition or for a school or class, they shall be transported in a closed, nonaccessible container.

(b) For purposes of this ~~paragraph (e)~~ SUBSECTION (2), "nunchaku" means an instrument consisting of two sticks, clubs, bars, or rods to be used as handles, connected by a rope, cord, wire, or chain, which is in the design of a weapon used in connection with the practice of a system of self-defense, and "throwing star" means a disk having sharp radiating points or any disk-shaped bladed object which is hand-held and thrown and which is in the design of a weapon used in connection with the practice of a system of self-defense.

SECTION 346. In Colorado Revised Statutes, **amend** 18-12-108 as follows:

18-12-108. Possession of weapons by previous offenders. (1) A person commits the crime of possession of a weapon by a previous offender if the person knowingly possesses, uses, or carries upon his or her person a firearm as ~~described~~ DEFINED in section 18-1-901 (3)(h) or any other weapon that is subject to the provisions of this ~~article~~ ARTICLE 12 subsequent to the person's conviction for a felony CRIME AS DEFINED IN SECTION 24-4.1-302 (1), or subsequent to the person's conviction for attempt or conspiracy to commit a CRIME AS DEFINED IN SECTION 24-4.1-302 (1) THAT IS A felony, under Colorado or any other state's law or under federal law.

~~(2) (a) Except as otherwise provided by paragraphs (b) and (c) of this subsection (2);~~ A person commits a ~~class 6 felony~~ CLASS 5 FELONY if the person violates subsection (1) OR (3) of this section. A PERSON WHO VIOLATES SUBSECTION (1) OR (3) OF THIS SECTION AND USED OR THREATENED THE USE OF THE FIREARM IN THE COMMISSION OF ANOTHER CRIME IS NOT ELIGIBLE FOR PROBATION OR ANY OTHER ALTERNATIVE SENTENCE AND SHALL BE SENTENCED TO THE DEPARTMENT OF

CORRECTIONS.

~~(b) A person commits a class 5 felony, as provided by section 18-12-102, if the person violates subsection (1) of this section and the weapon is a dangerous weapon, as defined in section 18-12-102 (1).~~

~~(c) A person commits a class 5 felony if the person violates subsection (1) of this section and the person's previous conviction was for burglary, arson, or any felony involving the use of force or the use of a deadly weapon and the violation of subsection (1) of this section occurs as follows:~~

~~(I) From the date of conviction to ten years after the date of conviction, if the person was not incarcerated; or~~

~~(II) From the date of conviction to ten years after the date of release from confinement, if such person was incarcerated or, if subject to supervision imposed as a result of conviction, ten years after the date of release from supervision.~~

~~(d) Any sentence imposed pursuant to this subsection (2) shall run consecutively with any prior sentences being served by the offender.~~

(3) A person commits the crime of possession of a weapon by a previous offender if the person knowingly possesses, uses, or carries upon his or her person a firearm as described DEFINED in section 18-1-901 (3)(h) or any other weapon that is subject to the provisions of this article ARTICLE 12 subsequent to the person's adjudication for an act which, if committed by an adult, would constitute a felony CRIME AS DEFINED IN SECTION 24-4.1-302 (1), or subsequent to the person's adjudication for attempt or conspiracy to commit a CRIME AS DEFINED IN SECTION 24-4.1-302 (1) THAT IS A felony, under Colorado or any other state's law or under federal law IN THE PREVIOUS TEN YEARS.

~~(4) (a) Except as otherwise provided by paragraphs (b) and (c) of this subsection (4), a person commits a class 6 felony if the person violates subsection (3) of this section:~~

~~(b) A person commits a class 5 felony, as provided by section 18-12-102, if the person violates subsection (3) of this section and the~~

~~weapon is a dangerous weapon, as defined in section 18-12-102 (1).~~

~~(c) A person commits a class 5 felony if the person commits the conduct described in subsection (3) of this section and the person's previous adjudication was based on an act that, if committed by an adult, would constitute burglary, arson, or any felony involving the use of force or the use of a deadly weapon and the violation of subsection (3) of this section occurs as follows:~~

~~(I) From the date of adjudication to ten years after the date of adjudication, if the person was not committed to the department of institutions, or on or after July 1, 1994, to the department of human services; or~~

~~(II) From the date of adjudication to ten years after the date of release from commitment, if such person was committed to the department of institutions, or on or after July 1, 1994, to the department of human services or, if subject to supervision imposed as a result of an adjudication, ten years after the date of release from supervision.~~

~~(d) Any sentence imposed pursuant to this subsection (4) shall run consecutively with any prior sentences being served by the offender.~~

~~(5) A second or subsequent offense under paragraphs (b) and (c) of subsection (2) and paragraphs (b) and (c) of subsection (4) of this section is a class 4 felony.~~

~~(6) (a) Upon the discharge of any inmate from the custody of the department of corrections, the department shall provide a written advisement to such inmate of the prohibited acts and penalties specified in this section. The written advisement, at a minimum, shall include the written statement specified in paragraph (c) of this subsection (6) SUBSECTION (6)(c) OF THIS SECTION.~~

~~(b) Any written stipulation for deferred judgment and sentence entered into by a defendant pursuant to section 18-1.3-102 shall contain a written advisement of the prohibited acts and penalties specified in this section. The written advisement, at a minimum, shall include the written statement specified in paragraph (c) of this subsection (6) SUBSECTION (6)(c) OF THIS SECTION.~~

(c) The written statement shall provide that:

(I) (A) A person commits the crime of possession of a weapon by a previous offender in violation of this section if the person knowingly possesses, uses, or carries upon his or her person a firearm as described in section 18-1-901 (3)(h), or any other weapon that is subject to the provisions of this title subsequent to the person's conviction for a felony, or subsequent to the person's conviction for attempt or conspiracy to commit a felony, or subsequent to the person's conviction for a misdemeanor crime of domestic violence as defined in 18 U.S.C. sec. 921 (a)(33)(A), or subsequent to the person's conviction for attempt or conspiracy to commit such misdemeanor crime of domestic violence; and

(B) ~~For the purposes of this paragraph (c)~~ AS USED IN THIS SUBSECTION (6)(c), "felony" means any felony under Colorado law, federal law, or the laws of any other state; and

(II) A violation of this section may result in a sentence of imprisonment or fine, or both.

(d) The act of providing the written advisement described in this subsection (6) or the failure to provide such advisement may not be used as a defense to any crime charged and may not provide any basis for collateral attack on, or for appellate relief concerning, any conviction.

SECTION 347. In Colorado Revised Statutes, 18-12-111, **amend** (2)(b) as follows:

18-12-111. Unlawful purchase of firearms. (2) (b) Any person who violates any provision of this subsection (2) commits a ~~class 2 petty offense and, upon conviction thereof, shall be punished by a fine of two hundred fifty dollars~~ CIVIL INFRACTION.

SECTION 348. In Colorado Revised Statutes, 18-12-112, **amend** (9)(a) as follows:

18-12-112. Private firearms transfers - background check required - penalty - definitions. (9) (a) A person who violates a provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished in accordance with section 18-1.3-501. The person shall

also be prohibited from possessing a firearm for two years, beginning on the date of his or her conviction.

SECTION 349. In Colorado Revised Statutes, 18-12-204, **amend** (2)(a) as follows:

18-12-204. Permit contents - validity - carrying requirements.

(2) (a) A permittee, in compliance with the terms of a permit, may carry a concealed handgun as allowed by state law. The permittee shall carry the permit, together with valid photo identification, at all times during which the permittee is in actual possession of a concealed handgun and shall produce both documents upon demand by a law enforcement officer. Failure to produce a permit upon demand by a law enforcement officer raises a rebuttable presumption that the person does not have a permit. Failure to carry and produce a permit and valid photo identification upon demand as required in this subsection (2) is a ~~class 1~~ petty offense. A charge of failure to carry and produce a permit and valid photo identification upon demand pursuant to this subsection (2) shall be dismissed by the court if, at or before the permittee's scheduled court appearance, the permittee exhibits to the court a valid permit and valid photo identification, both of which were issued to the permittee prior to the date on which the permittee was charged with failure to carry and produce a permit and valid photo identification upon demand.

SECTION 350. In Colorado Revised Statutes, 18-12-210, **amend** (1) as follows:

18-12-210. Maintenance of permit - address change - invalidity of permit. (1) Within thirty days after a permittee changes the address specified on his or her permit or within three business days after his or her permit is lost, stolen, or destroyed, the permittee shall notify the issuing sheriff of the change of address or permit loss, theft, or destruction. Failure to notify the sheriff pursuant to this subsection (1) is a ~~class 1~~ petty offense CIVIL INFRACTION.

SECTION 351. In Colorado Revised Statutes, 18-12-302, **repeal** (1)(b) as follows:

18-12-302. Large-capacity magazines prohibited - penalties - exceptions. (1) (b) ~~Any person who violates this subsection (1) after~~

~~having been convicted of a prior violation of said subsection (1) commits a class 1 misdemeanor.~~

SECTION 352. In Colorado Revised Statutes, **amend** 18-12-403 as follows:

18-12-403. Record - failure to make - penalty. Every individual, firm, or corporation who fails to keep the record provided for in section 18-12-402 or who refuses to exhibit such record when requested by a police officer and any purchaser, lessee, or exchanger of a pistol or revolver who, in connection with the making of such record, gives false information is guilty of a misdemeanor and, ~~upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 353. In Colorado Revised Statutes, 18-12-502, **amend** (2) as follows:

18-12-502. Records - penalty. (2) Any individual who **KNOWINGLY** gives false information in connection with the making of such records commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501.

SECTION 354. In Colorado Revised Statutes, 18-12-504, **amend** (2) as follows:

18-12-504. Posted notice - penalty. (2) Any person violating the provisions of this section commits a ~~class 1 misdemeanor~~ **CLASS 2 MISDEMEANOR** and shall be punished as provided in section 18-1.3-501.

SECTION 355. In Colorado Revised Statutes, 18-13-104, **amend** (1) as follows:

18-13-104. Fighting by agreement - dueling. (1) If two or more persons shall fight by agreement in a public place, except in a sporting event authorized by law, the persons so fighting commit a ~~class 1~~ petty offense.

SECTION 356. In Colorado Revised Statutes, **amend** 18-13-106 as follows:

18-13-106. Unlawful to discard or abandon iceboxes or motor vehicles and similar items. Any person abandoning or discarding, in any public or private place accessible to children, any chest, closet, piece of furniture, refrigerator, icebox, motor vehicle, or other article, having a compartment of a capacity of one and one-half cubic feet or more and having a door or lid which when closed cannot be opened easily from the inside, or who, being the owner, lessee, or manager of such place, knowingly permits such abandoned or discarded article to remain in such condition commits a ~~class 1~~ petty offense.

SECTION 357. In Colorado Revised Statutes, 18-13-107, **amend** (4) as follows:

18-13-107. Interference with persons with disabilities. (4) Violation of the provisions of ~~subsection (1)~~ of this section is a ~~class 1~~ petty offense. ~~Violation of the provisions of subsection (3) of this section is a class 3 misdemeanor.~~

SECTION 358. In Colorado Revised Statutes, 18-13-107.3, **amend** (2) introductory portion as follows:

18-13-107.3. Intentional misrepresentation of entitlement to an assistance animal - penalty - definitions. (2) A person who violates subsection (1) of this section commits a ~~class 2~~ ~~petty offense~~ CIVIL INFRACTION and, upon conviction, NOTWITHSTANDING THE PROVISIONS OF SECTION 18-1.3-503, shall be punished as follows:

SECTION 359. In Colorado Revised Statutes, 18-13-107.7, **amend** (2) introductory portion as follows:

18-13-107.7. Intentional misrepresentation of a service animal for a person with a disability - penalty - sealing of conviction records - definitions. (2) A person who violates subsection (1) of this section commits a ~~class 2~~ petty offense and, upon conviction, NOTWITHSTANDING THE PROVISIONS OF SECTION 18-1.3-503, shall be punished as follows:

SECTION 360. In Colorado Revised Statutes, **amend** 18-13-108 as follows:

18-13-108. Removal of timber from state lands. Any person who

cuts or removes any timber from any state land without lawful authority commits a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 361. In Colorado Revised Statutes, 18-13-109, **amend** (1)(a) as follows:

18-13-109. Firing woods or prairie. (1) (a) Except as otherwise provided in subsection (2) of this section, any person who, without lawful authority and knowingly, recklessly, or with criminal negligence, sets on fire, or causes to be set on fire, any woods, prairie, or grounds of any description, other than his or her own, or who, knowingly, recklessly, or with criminal negligence, permits a fire, set or caused to be set by such person, to pass from his or her own grounds to the injury of any other person commits a ~~class 2 misdemeanor~~ PETTY OFFENSE.

SECTION 362. In Colorado Revised Statutes, 18-13-111, **amend** (5) as follows:

18-13-111. Purchases of commodity metals - violations - commodity metals theft task force - creation - composition - reports - legislative declaration - definitions - repeal. (5) A person who violates subsection (1) of this section by failing to keep a book or register, any person who knowingly gives false information with respect to the information required to be maintained in the book or register provided for in subsection (1) of this section, and any person who violates subsection (1.3), (1.5), or (2) of this section commits:

(a) ~~A class 2 misdemeanor if the value of the commodity metal involved is less than five hundred dollars; or~~ A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) ~~A class 1 misdemeanor if the value of the commodity metal involved is five hundred dollars or more.~~ A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS TWO THOUSAND DOLLARS

OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 363. In Colorado Revised Statutes, 18-13-113, **amend** (4) as follows:

18-13-113. Unlawful to sell metal beverage containers with detachable opening devices. (4) Any person who violates subsection (2) of this section commits a ~~class 2 petty offense~~ CIVIL INFRACTION and, upon conviction thereof, shall be fined not less than fifty dollars nor more than one hundred dollars.

SECTION 364. In Colorado Revised Statutes, 18-13-114, **amend** (6) and (8) as follows:

18-13-114. Sale of secondhand property - record - inspection - crime - definitions. (6) (a) Any secondhand dealer who violates any of the provisions of subsection (1) or (2) of this section commits a ~~class 1 misdemeanor~~ PETTY OFFENSE. Upon a second or subsequent conviction for a violation of subsection (1) or (2) of this section within three years of the date of a prior conviction, a secondhand dealer commits a class 5 felony.

(b) Any buyer or person who trades with a secondhand dealer or any secondhand dealer who knowingly gives false information with respect to the information required by subsection (2) of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(8) In the case of flea markets and similar facilities in which secondhand property is offered for sale or trade, the operator thereof shall

inform each secondhand dealer of the requirements of this section and shall provide the forms for recording the information required by subsection (2) of this section. Any person who violates the provisions of this subsection (8) commits a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 365. In Colorado Revised Statutes, 18-13-114.5, **amend** (4) as follows:

18-13-114.5. Proof of ownership required - penalty - definitions.

(4) A violation of this section is a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 366. In Colorado Revised Statutes, 18-13-115, **amend** (3) as follows:

18-13-115. Notice - penalties. (3) Any secondhand dealer or operator of a flea market or similar facility who violates any of the provisions of subsection (1) of this section commits a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 367. In Colorado Revised Statutes, 18-13-116, **amend** (2) as follows:

18-13-116. Sales tax license. (2) Any person who violates any of the provisions of subsection (1) of this section commits a ~~class 3 misdemeanor~~ PETTY OFFENSE.

SECTION 368. In Colorado Revised Statutes, 18-13-117, **amend** (2) as follows:

18-13-117. Record of sales. (2) (a) Any person who violates any of the provisions of subsection (1)(a) of this section commits a ~~class 3 misdemeanor~~ PETTY OFFENSE.

(b) Any person who violates the provisions of subsection (1)(b) of this section commits a ~~class 3 misdemeanor~~ PETTY OFFENSE if the value of the store credit, gift card, or merchandise card is thirty dollars or greater or if the value of store credits, gift cards, or merchandise cards purchased in one transaction is thirty dollars or greater. Any other violation of the provisions of subsection (1)(b) of this section is a petty offense.

SECTION 369. In Colorado Revised Statutes, 18-13-119, **amend** (4) as follows:

18-13-119. Health-care providers - abuse of health insurance. (4) Abuse of health insurance is a ~~class 1~~ petty offense.

SECTION 370. In Colorado Revised Statutes, 18-13-119.5, **amend** (5) as follows:

18-13-119.5. Abuse of property insurance. (5) Abuse of property insurance is a ~~class 2 misdemeanor~~ PETTY OFFENSE.

SECTION 371. In Colorado Revised Statutes, 18-13-120, **amend** (4) as follows:

18-13-120. Use, transportation, and storage of drip gasoline. (4) Any person who violates subsection (2) or (3) of this section commits a ~~class 2 misdemeanor~~ PETTY OFFENSE.

SECTION 372. In Colorado Revised Statutes, 18-13-121, **amend** (1)(c) as follows:

18-13-121. Furnishing cigarettes, tobacco products, or nicotine products to persons under twenty-one years of age. (1) (c) A person who violates ~~paragraph (a) or (b) of this subsection (1)~~ SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION commits a ~~class 2 petty offense~~ CIVIL INFRACTION and, upon conviction thereof, shall be punished by a fine of two hundred dollars, NOTWITHSTANDING THE PROVISIONS OF SECTION 18-1.3-503.

SECTION 373. In Colorado Revised Statutes, 18-13-124, **amend** (2) as follows:

18-13-124. Dissemination of false information to obtain hospital admittance or care. (2) Any person who commits the offense of dissemination of false information to obtain hospital admittance or care commits a ~~class 1 misdemeanor~~ PETTY OFFENSE and, upon conviction thereof, shall be punished as provided in section 18-1.3-501.

SECTION 374. In Colorado Revised Statutes, 18-13-125, **amend** (4) as follows:

18-13-125. Telephone records - sale or purchase.

(4) Unauthorized trading in telephone records is a ~~class 1 misdemeanor~~ PETTY OFFENSE.

SECTION 375. In Colorado Revised Statutes, 18-13-126, **amend** (2) as follows:

18-13-126. Locating protected persons. (2) A violation of subsection (1) of this section is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR offense.

SECTION 376. In Colorado Revised Statutes, 18-13-130, **amend** (2) as follows:

18-13-130. Bail bond - prohibited activities - penalties. (2) A person who violates subsection (1) of this section is guilty of an unclassified ~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. Any criminal penalty prescribed in this section for a violation of this ~~article~~ ARTICLE 13 is in addition to, and not exclusive of, any other applicable penalty prescribed by law.

SECTION 377. In Colorado Revised Statutes, **amend** 18-14-104 as follows:

18-14-104. Violations - penalty. Any owner, agent, lessee, or manager of any hotel facility who violates, or causes to be violated, any of the provisions of this ~~article~~ ARTICLE 14 commits a ~~class 1 petty offense~~ CIVIL INFRACTION.

SECTION 378. In Colorado Revised Statutes, 18-15-109, **amend** (4) as follows:

18-15-109. Loan finder - definitions - prohibited fees. (4) Any person who violates this section commits a ~~class 1 misdemeanor~~ PETTY OFFENSE. A violation of this section shall also constitute a class 1 public nuisance subject to the provisions of part 3 of article 13 of title 16. ~~C.R.S.~~

SECTION 379. In Colorado Revised Statutes, 18-18-406.3, **amend**

(2)(a), (3), (4), (5), and (7) as follows:

18-18-406.3. Medical use of marijuana by persons diagnosed with debilitating medical conditions - unlawful acts - penalty - medical marijuana program cash fund. (2) (a) Any person who fraudulently represents a medical condition to a physician, the department, or a state or local law enforcement official for the purpose of falsely obtaining a marijuana registry identification card from the department, or for the purpose of avoiding arrest and prosecution for a marijuana-related offense, commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(3) The fraudulent use or theft of any person's marijuana registry identification card, including, but not limited to, any card that is required to be returned to the department pursuant to section 14 of article XVIII of the state constitution, is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(4) The fraudulent production or counterfeiting of, or tampering with, one or more marijuana registry identification cards is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(5) Any person including, but not limited to, any officer, employee, or agent of the department, or any officer, employee, or agent of any state or local law enforcement agency, who releases or makes public any confidential record or any confidential information contained in any such record that is provided to or by the marijuana registry or primary caregiver registry of the department without the written authorization of the marijuana registry patient commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(7) An owner, officer, or employee of a business licensed pursuant to article 10 of title 44, or an employee of the state medical marijuana licensing authority, a local medical marijuana licensing authority, or the department of public health and environment, who releases or makes public a patient's medical record or any confidential information contained in any such record that is provided to or by the business licensed pursuant to article 10 of title 44 without the written authorization of the patient commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR; except that the owner, officer, or employee shall release the records or information upon request by the state or local medical marijuana licensing authority. The records or information produced for review by the state or local licensing authority shall not become public records by virtue of the disclosure and may be used

only for a purpose authorized by article 10 of title 44 or for another state or local law enforcement purpose. The records or information shall constitute medical data as defined by section 24-72-204 (3)(a)(I). The state or local medical marijuana licensing authority may disclose any records or information so obtained only to those persons directly involved with any investigation or proceeding authorized by article 10 of title 44 or for any state or local law enforcement purpose.

SECTION 380. In Colorado Revised Statutes, 18-20-103, **amend** (1)(b) and (1)(c) as follows:

18-20-103. Violations of taxation provisions - penalties. (1) Any person who:

(b) Fails to pay tax due under article 30 of title 44 within thirty days after the date the tax becomes due commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR;

(c) Fails to file a return required by article 30 of title 44 within thirty days after the date the return is due commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR;

SECTION 381. In Colorado Revised Statutes, 18-20-106, **amend** (3) as follows:

18-20-106. Cheating. (3) Any person issued a license pursuant to article 30 of title 44, violating any provision of this section commits a class 6 felony, and any other person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR. If the person is a repeating gambling offender, the person commits a class 5 felony.

SECTION 382. In Colorado Revised Statutes, 18-20-107, **amend** (2) as follows:

18-20-107. Fraudulent acts. (2) Any person issued a license pursuant to article 30 of title 44 violating any provision of this section commits a class 6 felony, and any other person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR. If the person is a repeating gambling offender, the person commits a class 5 felony.

SECTION 383. In Colorado Revised Statutes, 18-20-108, **amend** (2) as follows:

18-20-108. Use of device for calculating probabilities. (2) Any person issued a license pursuant to article 30 of title 44 violating any provision of this section commits a class 6 felony and any other person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR. If the person is a repeating gambling offender, the person commits a class 5 felony.

SECTION 384. In Colorado Revised Statutes, 18-20-111, **amend** (4) as follows:

18-20-111. Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices related to limited gaming - unlawful instruction. (4) Any person issued a license pursuant to article 30 of title 44 violating any provision of this section commits a class 6 felony, and any other person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR. If the person is a repeating gambling offender, the person commits a class 5 felony.

SECTION 385. In Colorado Revised Statutes, 18-23-102, **amend** (2) as follows:

18-23-102. Recruitment of juveniles for a criminal street gang. (2) Recruitment of a juvenile for a criminal street gang IN VIOLATION OF SUBSECTION (1)(b) OF THIS SECTION is a class 1 misdemeanor AND RECRUITMENT OF A JUVENILE FOR A CRIMINAL STREET GANG IN VIOLATION OF SUBSECTION (1)(a) OF THIS SECTION IS A CLASS 2 MISDEMEANOR.

SECTION 386. In Colorado Revised Statutes, 19-1-307, **amend** (1)(c), (2)(k), and (4) as follows:

19-1-307. Dependency and neglect records and information - access - fee - rules - records and reports fund - misuse of information - penalty - adult protective services data system check. (1) (c) Any person who violates any provision of this subsection (1) ~~is guilty of a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars~~ COMMITS A CIVIL INFRACTION.

(2) Records and reports - access to certain persons - agencies. Except as otherwise provided in section 19-1-303, only the following persons or agencies shall have access to child abuse or neglect records and reports:

(k) The state department of human services, when requested in writing by any operator of a facility or agency that is licensed by the state department of human services pursuant to section 26-6-107, ~~C.R.S.~~, to check records or reports of child abuse or neglect for the purpose of screening an applicant for employment or a current employee. Any such operator who requests such information concerning an individual who is neither a current employee nor an applicant for employment commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~ Within ten days of the operator's request, the state department of human services shall provide the date of the report of the incident, the location of investigation, the type of abuse and neglect, and the county which investigated the incident contained in the confirmed reports of child abuse and neglect. Any such operator who releases any information obtained under this ~~paragraph (k)~~ SUBSECTION (2)(k) to any other person shall be deemed to have violated the provisions of subsection (4) of this section and shall be subject to the penalty therefor.

(4) Any person who improperly releases or who willfully permits or encourages the release of data or information contained in the records and reports of child abuse or neglect to persons not permitted access to such information by this section or by section 19-1-303 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 387. In Colorado Revised Statutes, 19-2-104, **add** (9) as follows:

19-2-104. Jurisdiction. (9) IF A JUVENILE IS CHARGED WITH A CIVIL INFRACTION AND IS NOT CHARGED WITH AN ADDITIONAL OFFENSE THAT WOULD CONSTITUTE A CRIMINAL OFFENSE IF CHARGED AGAINST AN ADULT, THE COUNTY COURT HAS JURISDICTION OVER THE CIVIL INFRACTION.

SECTION 388. In Colorado Revised Statutes, 19-2.5-103, **as added by Senate Bill 21-059 add** (9) as follows:

19-2.5-103. [Formerly 19-2-104] Jurisdiction. (9) IF A JUVENILE IS CHARGED WITH A CIVIL INFRACTION AND IS NOT CHARGED WITH AN ADDITIONAL OFFENSE THAT WOULD CONSTITUTE A CRIMINAL OFFENSE IF CHARGED AGAINST AN ADULT, THE COUNTY COURT HAS JURISDICTION OVER THE CIVIL INFRACTION.

SECTION 389. In Colorado Revised Statutes, 19-3-304, **amend** (4)(a) as follows:

19-3-304. Persons required to report child abuse or neglect. (4) Any person who willfully violates the provisions of subsection (1) of this section or who violates the provisions of subsection (3.5) of this section:

(a) Commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501; ~~C.R.S.~~; AND

SECTION 390. In Colorado Revised Statutes, 19-5-207, **amend** (9) as follows:

19-5-207. Written consent and home study report for public adoptions - fingerprint-based criminal history record checks - investigation - rules. (9) If the child is being placed in an adoptive home by a licensed child placement agency, such agency shall file an affidavit with the court stating that the agency's license is in good standing with the department. A licensed child placement agency involved in an adoption proceeding pursuant to this ~~article~~ ARTICLE 5 shall immediately notify the court in writing of any suspension, revocation, or denial of its license or of any disciplinary action taken against the agency by the state of Colorado. Failure of the agency to provide such notification ~~shall be a class 3 misdemeanor punishable by a fine of five thousand dollars~~ IS A CLASS 2 MISDEMEANOR. The department shall, by rule, adopt a mechanism by which a child placement agency shall notify the court of any disciplinary action against the agency.

SECTION 391. In Colorado Revised Statutes, 19-5-213, **amend** (2) as follows:

19-5-213. Compensation for placing child prohibited. (2) Any person who violates the provisions of this section is ~~guilty of a~~

~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment for ninety days in the county jail, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 392. In Colorado Revised Statutes, 19-5-304, **amend** (6) as follows:

19-5-304. Confidential intermediaries - confidential intermediary services. (6) Any person acting as a confidential intermediary who knowingly fails to comply with the provisions of subsections (3) and (4) of this section commits a ~~class 2 petty offense and, upon conviction thereof, shall be punished by a fine of five hundred dollars~~ CIVIL INFRACTION.

SECTION 393. In Colorado Revised Statutes, 20-1-308, **amend** (1) introductory portion as follows:

20-1-308. Compensation and expenses - special prosecutors. (1) The compensation and expenses of special prosecutors appointed pursuant to section ~~13-1-128~~ or 16-5-209 C.R.S., or section 20-1-107 shall be paid as follows:

SECTION 394. In Colorado Revised Statutes, **amend** 22-32-123 as follows:

22-32-123. Penalty. Any officer or employee who refuses to perform a duty required by law when specifically directed to perform such duty by the board of education is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 395. In Colorado Revised Statutes, 22-61-101, **amend** (2) as follows:

22-61-101. Discrimination in employment prohibited. (2) Any person who or any agency, bureau, corporation, or association which violates any of the provisions of subsection (1) of this section, or aids or

incites the violation of any of said provisions, is liable for each violation to a penalty of not less than one hundred dollars nor more than five hundred dollars, to be recovered by the person aggrieved thereby, in any court of competent jurisdiction in any county in which the plaintiff or defendant resides; and such person and the manager or owner of or each officer of such agency, bureau, corporation, or association, as the case may be, for every such offense is also guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment ALSO COMMITS A PETTY OFFENSE.

SECTION 396. In Colorado Revised Statutes, **amend** 22-61-105 as follows:

22-61-105. Penalty. A person who, being in charge of a public school, state university, college, local district college, community college, or technical college within the state of Colorado, allows or permits a teacher to enter upon the discharge of his or her duties or give instruction therein, unless such teacher shall have taken the oath or affirmation or signed the pledge as provided in sections 22-61-103 and 22-61-104 is guilty of a misdemeanor and, upon conviction thereof, must be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment COMMITS A PETTY OFFENSE.

SECTION 397. In Colorado Revised Statutes, 23-1-108, **amend** (9) as follows:

23-1-108. Duties and powers of the commission with regard to systemwide planning - reporting - definitions. (9) The state-supported institutions of higher education shall provide the commission with such data as the commission deems necessary upon its formal request, including but not limited to any data requested pursuant to subsection (1.7) of this section. Data for individual students or personnel shall not be divulged or made known in any way by the director of the commission or by any commission employee, except in accordance with judicial order or as otherwise provided by law. Any person who violates this subsection (9) commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~ Such person shall, in addition thereto, be subject to removal or dismissal from public service on grounds of malfeasance in

office.

SECTION 398. In Colorado Revised Statutes, 23-2-103.1, **amend** (1)(d) as follows:

23-2-103.1. Commission - department - duties - limitation - reciprocity. (1) The commission shall:

(d) Establish policies to require private colleges and universities and seminaries and religious training institutions to submit to the department, upon request, data that is directly related to student enrollment and degree completion and, if applicable, student financial aid and educator preparation programs as described in section 23-1-121. The director of the commission and an employee of the department of higher education shall not divulge or make known in any way data for individual students or personnel, except in accordance with judicial order or as otherwise provided by law. A person who violates this ~~paragraph (d)~~ SUBSECTION (1)(d) commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501, ~~C.R.S.~~, and shall be removed or dismissed from public service on the grounds of malfeasance in office.

SECTION 399. In Colorado Revised Statutes, **repeal** 23-2-105 as follows:

~~**23-2-105. Violation.** Any person, partnership, corporation, company, society, association, or agent thereof doing business or maintaining a place of business in the state of Colorado who violates the provisions of section 23-2-103 commits a class 3 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~

SECTION 400. In Colorado Revised Statutes, **amend** 23-16-214 as follows:

23-16-214. Criminal penalties. An athlete agent who violates section 23-16-213 is guilty of a class 2 misdemeanor, as provided in section 18-1.3-501, ~~C.R.S.~~, ~~for a first offense and is guilty of a class 6 felony, as provided in section 18-1.3-401, C.R.S., for a second or subsequent offense.~~

SECTION 401. In Colorado Revised Statutes, **amend** 23-64-109 as follows:

23-64-109. Duties of private occupational schools. A private occupational school shall provide the division with such data as the board deems necessary upon written request of the board. Data pertaining to individual students or personnel shall not be divulged or made known in any way by a member of the board, by the director, or by any division or school employee, except in accordance with judicial order or as otherwise provided by law. A person who violates this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. In addition, the person shall be subject to removal or dismissal from public service on grounds of malfeasance in office.

SECTION 402. In Colorado Revised Statutes, **amend** 23-64-128 as follows:

23-64-128. Violations - criminal - penalty. Any person, group, or entity, or any owner, officer, agent, or employee thereof, who willfully violates the provisions of section 23-64-113 or who willfully fails or refuses to deposit with the division the records required by section 23-64-125 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or both. It is the duty of the district attorney to prosecute all violations of this section that occur within his or her district. COMMITS A CLASS 2 MISDEMEANOR.

SECTION 403. In Colorado Revised Statutes, 24-4.1-302, **add** (1)(jj.5) as follows:

24-4.1-302. Definitions. As used in this part 3, and for no other purpose, including the expansion of the rights of any defendant:

(1) "Crime" means any of the following offenses, acts, and violations as defined by the statutes of the state of Colorado, whether committed by an adult or a juvenile:

(jj.5) SECOND DEGREE BURGLARY OF A DWELLING, IN VIOLATION OF SECTION 18-4-203 (2)(a);

SECTION 404. In Colorado Revised Statutes, 24-6-309, **amend** (1) as follows:

24-6-309. Offenses - penalties - injunctions. (1) Any person who violates any of the provisions of this part 3, except for the commission of any of the practices listed in section 24-6-308 (1)(b) to (1)(e) and (1)(h) to (1)(n), willfully files any document provided for in this part 3 that contains any materially false statement or material omission, or willfully fails to comply with any material requirement of this part 3 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than twelve months, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 405. In Colorado Revised Statutes, **amend** 24-18-206 as follows:

24-18-206. Penalty. A person who knowingly commits an act proscribed in this part 2 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~ In addition to the penalties provided in section 18-1.3-501, ~~C.R.S.~~, the court may impose a fine of no more than twice the amount of the benefit the person obtained or was attempting to obtain in violating a provision of this part 2.

SECTION 406. In Colorado Revised Statutes, 24-21-531, **amend** (1) as follows:

24-21-531. Official misconduct by a notary public - liability of notary or surety. (1) A notary public who knowingly and willfully violates the duties imposed by this part 5 commits official misconduct and is guilty of a ~~class 2 misdemeanor~~ PETTY OFFENSE.

SECTION 407. In Colorado Revised Statutes, **amend** 24-21-532 as follows:

24-21-532. Willful impersonation. A person who acts as, or otherwise willfully impersonates, a notary public while not lawfully appointed and commissioned to perform notarial acts ~~is guilty of a class 2 misdemeanor~~ COMMITS A PETTY OFFENSE and shall be punished as specified in ~~section 18-1.3-501~~ SECTION 18-1.3-503.

SECTION 408. In Colorado Revised Statutes, **amend** 24-21-533

as follows:

24-21-533. Wrongful possession of journal or seal. A person who unlawfully possesses and uses a notary's journal, an official seal, a notary's electronic signature, or any papers, copies, or electronic records relating to notarial acts ~~is guilty of a class 3 misdemeanor~~ COMMITS A PETTY OFFENSE and shall be punished as specified in ~~section 18-1.3-501~~ SECTION 18-1.3-503.

SECTION 409. In Colorado Revised Statutes, **amend** 24-21-629 as follows:

24-21-629. Penalties for violation. Every licensee and every officer, agent, or employee of the licensee and every other person or corporation who willfully violates or who procures, aids, or abets in the willful violation of this part 6 commits a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501~~ SECTION 18-1.3-503; except that, if the underlying factual basis of the violation constitutes a crime as defined by any other provision of law, then the person may be charged, prosecuted, and punished in accordance with such other provision of law.

SECTION 410. In Colorado Revised Statutes, **amend** 24-22-109 as follows:

24-22-109. Willful refusal to pay warrant or check - penalty. If the state treasurer willfully refuses to pay any warrant or any check lawfully drawn upon him or her, ~~he or she~~ THE STATE TREASURER shall forfeit and pay to the holder thereof four times the amount thereof, which forfeiture may be recovered by action of debt against ~~him or her~~ THE STATE TREASURER and the sureties on his or her official bond, or otherwise according to law, and ~~he or she is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than one year~~ THE STATE TREASURER COMMITS A CLASS 2 MISDEMEANOR.

SECTION 411. In Colorado Revised Statutes, 24-30-202, **amend** (14) and (17) as follows:

24-30-202. Procedures - vouchers, warrants, and checks - rules

- penalties - definitions. (14) If the controller or any other state employee knowingly draws or issues any warrant or check upon the state treasurer not authorized by law, he or she is ~~guilty of a misdemeanor in office and, upon conviction thereof, shall be punished by a fine of a sum four-fold the amount of such warrant or check, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

(17) Any state officer or employee who willfully neglects or refuses to perform ~~his~~ **THE OFFICER'S OR EMPLOYEE'S** duty as prescribed in this section or as prescribed in the fiscal rules promulgated by the controller in conformity with this section is ~~guilty of a misdemeanor in office and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars~~ **COMMITTS A CIVIL INFRACTION.**

SECTION 412. In Colorado Revised Statutes, 24-30-1105, **amend** (2)(b) as follows:

24-30-1105. Powers of the executive director - penalties. (2) (b) Officials or employees of the state who violate this subsection (2) are ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars, or by imprisonment in the county jail for not less than six months nor more than two years, or by both such fine and imprisonment~~ **COMMIT A CLASS 2 MISDEMEANOR.** Such persons shall, in addition to these penalties, be subject to removal or dismissal from public service on grounds of malfeasance in office.

SECTION 413. In Colorado Revised Statutes, 24-30-1111, **amend** (2) as follows:

24-30-1111. Postage meters - penalty for private use. (2) Any person who uses a state-installed postage meter for private purposes commits a ~~class 3 misdemeanor~~ **CIVIL INFRACTION** and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ **SECTION 18-1.3-503.**

SECTION 414. In Colorado Revised Statutes, 24-30-1406, **amend** (2) and (3) as follows:

24-30-1406. Criminal liability. (2) Any person providing

professional services who offers to pay or does pay any fee, commission, gift, or other consideration contingent upon or resulting from the making of a contract for professional services with a state agency or state institution of higher education commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

(3) Any state agency or state institution of higher education official or employee who solicits or secures or offers to solicit or secure a contract for professional services with a state agency or state institution of higher education and who is paid any fee, commission, gift, or other consideration contingent upon the making of such contract commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 415. In Colorado Revised Statutes, 24-31-704, **amend** (2)(b) as follows:

24-31-704. Access to records - confidentiality - public access - immunity. (2) (b) Each member of the review board, each member of a review team, and each invited participant at a meeting shall sign a statement indicating an understanding of and adherence to confidentiality requirements. A person who knowingly violates confidentiality requirements commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and, upon conviction, shall be punished as provided in ~~section 18-1.3-501~~ SECTION 18-1.3-503.

SECTION 416. In Colorado Revised Statutes, 24-31-808, **amend** (3)(a), (3)(c), and (3)(d); and **repeal** (3)(b) as follows:

24-31-808. Medicaid fraud and waste - penalties - definition. (3) Medicaid fraud in violation of subsections (1)(a) to (1)(c) or (1)(f) of this section is:

(a) A ~~class 1~~ petty offense ~~where~~ IF the aggregate amount of payments illegally claimed or received is less than ~~fifty~~ THREE HUNDRED dollars;

(b) ~~A class 3 misdemeanor where the aggregate amount of payments illegally claimed or received is fifty dollars or more but less than three hundred dollars;~~

(c) A class 2 misdemeanor ~~where~~ IF the aggregate amount of payments illegally claimed or received is three hundred dollars or more but less than ~~seven hundred fifty~~ ONE THOUSAND dollars;

(d) A class 1 misdemeanor ~~where~~ IF the aggregate amount of payments illegally claimed or received is ~~seven hundred fifty~~ ONE THOUSAND dollars or more but less than two thousand dollars;

SECTION 417. In Colorado Revised Statutes, 24-31-809, **amend** (3) as follows:

24-31-809. Unlawful remuneration - penalties. (3) A violation of this section is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 418. In Colorado Revised Statutes, **amend** 24-32-909 as follows:

24-32-909. Violation - penalty. Any person violating any provision of this part 9 is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 419. In Colorado Revised Statutes, 24-33.5-219, **amend** (2) as follows:

24-33.5-219. Badges - uniforms - unauthorized use. (2) All officers of the Colorado state patrol, when on duty, shall be dressed in full distinctive uniform and display the official badge of their office except when they are authorized by the chief to work in plain clothes. Neither the chief nor any other person shall issue a badge or like uniform to any person who is not a duly authorized, classified, and regularly paid officer of the Colorado state patrol. Any person who, without authority, wears the badge of a member of the Colorado state patrol or in any manner attempts to duplicate the official uniform or equipment with the intent of representing himself or herself as a member of the Colorado state patrol commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 420. In Colorado Revised Statutes, 24-33.5-226, **amend**

(2.5)(b) as follows:

24-33.5-226. Athletic or special events - closure of highways by patrol or municipality or county - payment of costs. (2.5) (b) Any person who conducts an athletic or special event on a state highway when a permit for said event has not been issued or any person conducting said event who violates the terms of a permit which has been issued for an athletic or special event commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 421. In Colorado Revised Statutes, 24-33.5-424, **amend** (10)(b) as follows:

24-33.5-424. National instant criminal background check system - state point of contact - fee - grounds for denial of firearm transfer - appeal - rule-making - unlawful acts - instant criminal background check cash fund - creation. (10) (b) Any person who violates the provisions of ~~paragraph (a) of this subsection~~ (10) SUBSECTION (10)(a) OF THIS SECTION commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 422. In Colorado Revised Statutes, **amend** 24-33.5-1206.5 as follows:

24-33.5-1206.5. Unlawful acts - criminal penalties. (1) Any person who violates any of the provisions of section 24-33.5-1206.1 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and, if a natural person, shall, upon conviction thereof, be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503, and, if a corporation, shall be punished by a fine of not more than five thousand dollars. ~~Any natural person who violates any provision of section 24-33.5-1206.1 subsequent to a prior conviction for such a violation commits a class 2 misdemeanor and shall, upon conviction thereof, be punished as provided in section 18-1.3-501, C.R.S.~~

(2) Any person who knowingly and willfully makes any false statement whatsoever or who conceals a material fact in any application, form, claim, advertisement, contract, warranty, guarantee, or statement, either written or oral, with the intent to influence the actions or decisions of

any owner or contractor negotiating or contracting for the installation, alteration, or repair of any fire suppression system, or to any bonding agent, commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall, upon conviction thereof, be punished as provided in section 18-1.3-501. C.R.S.

SECTION 423. In Colorado Revised Statutes, **amend** 24-33.5-2010 as follows:

24-33.5-2010. Violations - penalty. Any person who violates this part 20 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501~~ SECTION 18-1.3-503.

SECTION 424. In Colorado Revised Statutes, **amend** 24-34-705 as follows:

24-34-705. Penalty. Any person who violates any of the provisions of this part 7 or who aids in, incites, causes, or brings about in whole or in part the violation of any of such provisions, for each and every violation thereof is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. The penalty provided by this section shall be an alternative to the relief authorized by section 24-34-306 (9), and a person who seeks redress under this section shall not be permitted to seek relief from the commission.

SECTION 425. In Colorado Revised Statutes, 24-34-804, **amend** (2) as follows:

24-34-804. Service animals - violations - penalties. (2) (a) Any person who violates ~~any provision of subsection (1)~~ SUBSECTION (1)(a), (1)(b), OR (1)(c) of this section commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

(b) ANY PERSON WHO VIOLATES SUBSECTION (1)(d) OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

SECTION 426. In Colorado Revised Statutes, 24-37.5-603, **amend**

(2)(b) as follows:

24-37.5-603. Powers of the chief information officer - penalty for breach of confidentiality. (2) (b) Any person who violates the provisions of ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~ In addition, such person shall be subject to removal or dismissal from state employment on grounds of malfeasance in office.

SECTION 427. In Colorado Revised Statutes, 24-48.5-102, **amend** (4) as follows:

24-48.5-102. Small business assistance center. (4) Any person who provides information developed by the center and charges any fee for such information shall disclose in at least ten-point type, before any obligation is incurred, that such information is available at no cost from the center. Any person who knowingly fails to make the disclosure required by this subsection (4) commits a ~~class 3 misdemeanor~~ CIVIL INFRACTION and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 428. In Colorado Revised Statutes, **amend** 24-70-217 as follows:

24-70-217. Who prohibited from holding contract. No contract shall be let under the provisions of this part 2 for furnishing any work or material to any person holding any state office in this state or a seat in the general assembly or to any person employed in any of the executive offices of the state, nor shall any state officer or member of the general assembly become directly in any way whatever interested in any such contract, and a violation of any of the provisions of this section shall work a forfeiture of such contract. The person violating the provisions of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 429. In Colorado Revised Statutes, **amend** 24-70-228 as follows:

24-70-228. Penalty. Any person violating any provision of this part

2, as well as any person consenting to such violation is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, except as otherwise provided in this part 2~~ COMMITS A CIVIL INFRACTION.

SECTION 430. In Colorado Revised Statutes, 24-72-110, **amend** (2) as follows:

24-72-110. Evidence admissible, when - charges. (2) Any such person shall furnish such abstracts or copies to the person applying therefor, in the order of application and without unnecessary delay, for a reasonable consideration to be allowed therefor. Any person so engaged, whose business is declared to stand upon a like footing with that of a common carrier, who refuses to so furnish if tender of payment is made to him OR HER of the amount demanded for such abstract or copy, not to exceed said reasonable consideration, as soon as such amount is made known or ascertained, or of a sum adequate to cover such amount before its ascertainment is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars~~ COMMITS A CIVIL INFRACTION and shall be liable in any proper form of action or suit for any and all damages, loss, or injury which any person applying therefor may suffer or incur by reason of such failure to furnish such abstract or copy.

SECTION 431. In Colorado Revised Statutes, **amend** 24-72-309 as follows:

24-72-309. Violation - penalty. Any person who willfully and knowingly violates the provisions of this part 3 is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 432. In Colorado Revised Statutes, 24-80-409, **amend** (1) as follows:

24-80-409. Penalty - injunction - temporary restraining order. (1) Any person who knowingly appropriates, excavates, injures, or destroys any historical, prehistorical, or archaeological resource on land owned by

the state or any county, city and county, city, town, district, or other political subdivision of the state without a valid permit ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. All articles and materials illegally taken and all ~~moneys~~ MONEY and materials derived from the sale or trade of the same shall be forfeited to the society.

SECTION 433. In Colorado Revised Statutes, **amend** 24-80-801 as follows:

24-80-801. Penalty for damaging monuments. Any person who destroys, defaces, removes, or injures the monuments or marks erected to mark a historic trail under this part 8 in the state of Colorado ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one hundred dollars, or by imprisonment in the county jail for not less than thirty nor more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 434. In Colorado Revised Statutes, **amend** 24-80-902 as follows:

24-80-902. Punishment for illegal use. Any person who illegally uses or affixes the seal of this state to any written or printed document whatever, or fraudulently forges, defaces, corrupts, or counterfeits the same, or affixes said forged, defaced, corrupted, or counterfeited seal to any commission, deed, warrant, pardon, certificate, or other written or printed instrument, or has in his or her possession or custody any such seal, knowing it to be falsely made and counterfeited, and willfully conceals the same, ~~commits a class 5 felony and shall be punished as provided in section 18-1.3-401, C.R.S.~~ PETTY OFFENSE.

SECTION 435. In Colorado Revised Statutes, **amend** 24-80-908 as follows:

24-80-908. Violation a misdemeanor - penalty. Any person who violates any provision of section 24-80-907 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five nor more than fifty dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 436. In Colorado Revised Statutes, **amend** 24-80-1202 as follows:

24-80-1202. Destruction of ghost town - penalty. No person shall destroy, damage, deface, or take anything from an area designated and marked as a ghost town by the state historical society, except by the owner or the designated agent of the owner of such property. Any person violating this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than two thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 437. In Colorado Revised Statutes, 24-80-1305, **amend** (2) as follows:

24-80-1305. Violation and penalty. (2) Any person who has knowledge that an unmarked human burial is being unlawfully disturbed and fails to notify the local law enforcement agency with jurisdiction in the area where the unmarked human burial is located commits a ~~class 2 misdemeanor~~ **PETTY OFFENSE** and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ **SECTION 18-1.3-503.**

SECTION 438. In Colorado Revised Statutes, **repeal** 24-90-117 as follows:

24-90-117. Theft or mutilation of library property. ~~Any person who takes, without complying with the appropriate check-out procedures, or who willfully retains any property belonging to any publicly supported library for thirty days after receiving notice in writing to return the same, given after the expiration of the time that by the rules of such institution such property may be kept, or who mutilates such property commits a class 3 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~

SECTION 439. In Colorado Revised Statutes, 24-90-119, **amend** (3) as follows:

24-90-119. Privacy of user records. (3) Any library official, employee, or volunteer who discloses information in violation of this section commits a ~~class 2 petty offense~~ **CIVIL INFRACTION** and, upon

conviction thereof, shall be punished by a fine of not more than three hundred dollars.

SECTION 440. In Colorado Revised Statutes, 24-92-207, **amend** (2) as follows:

24-92-207. Prevailing wage rates - posting. (2) A contractor or subcontractor who fails to comply with this section ~~shall be deemed guilty of a class 3 misdemeanor~~ **COMMITTS A PETTY OFFENSE** and shall pay to the director one hundred dollars for each calendar day of noncompliance as determined by the director.

SECTION 441. In Colorado Revised Statutes, 25-1-114, **amend** (4) as follows:

25-1-114. Unlawful acts - penalties. (4) Except as provided in subsection (5) of this section, any person, association, or corporation, or the officers thereof, who violates any provision of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ **COMMITTS A CLASS 2 MISDEMEANOR** and ~~in addition to such fine and imprisonment, shall be~~ **IS ALSO** liable for any expense incurred by health authorities in removing any nuisance, source of filth, or cause of sickness. Conviction under the penalty provisions of this part 1 or any other public health law shall not relieve any person from any civil action in damages that may exist for an injury resulting from any violation of the public health laws.

SECTION 442. In Colorado Revised Statutes, 25-1-122, **amend** (6) as follows:

25-1-122. Named reporting of certain diseases and conditions - access to medical records - confidentiality of reports and records. (6) Any officer or employee or agent of the state department of public health and environment or a county, district, or municipal public health agency who violates this section by releasing or making public confidential public health reports or records or by otherwise breaching the confidentiality requirements of subsection (4) or (5) of this section ~~commits a class 1 misdemeanor~~ **CLASS 2 MISDEMEANOR** and, upon conviction thereof, shall be punished as provided in section 18-1.3-501 (1). ~~C.R.S.~~

SECTION 443. In Colorado Revised Statutes, 25-1-516, **amend** (3) as follows:

25-1-516. Unlawful acts - penalties. (3) Any person, association, or corporation, or the officers thereof, who violates any provision of this section ~~is guilty of a class 1 misdemeanor~~ **COMMITTS A CLASS 2 MISDEMEANOR** and, upon conviction thereof, shall be punished pursuant to the provisions of section 18-1.3-501. ~~C.R.S.~~ In addition to the fine or imprisonment, the person, association, or corporation shall be liable for any expense incurred by health authorities in removing any nuisance, source of filth, or cause of sickness. Conviction under the penalty provisions of this part 5 or any other public health law shall not relieve any person from any civil action in damages that may exist for an injury resulting from any violation of the public health laws.

SECTION 444. In Colorado Revised Statutes, 25-2-112.7, **amend** (3) as follows:

25-2-112.7. Crime of misrepresentation of material information in the preparation of a birth certificate - definitions. (3) ~~A person who commits~~ The crime of misrepresentation of material information in the preparation of a birth certificate is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ **A PETTY OFFENSE.**

SECTION 445. In Colorado Revised Statutes, 25-2-113.5, **amend** (8) as follows:

25-2-113.5. Limited access to information upon consent of all parties - voluntary adoption registry. (8) Any person who knowingly uses, publishes, or divulges information obtained through operation of the registry to any person in a manner not authorized by this section commits a ~~class 2 petty offense and, upon conviction thereof, shall be punished by a fine of five hundred dollars~~ **CIVIL INFRACTION.**

SECTION 446. In Colorado Revised Statutes, **amend** 25-2-118 as follows:

25-2-118. Penalties. (1) Except as otherwise provided for in section

25-2-112.7 with respect to misrepresentation of material information in the preparation of a birth certificate, any person who knowingly and willfully makes any false statement in or supplies any false information for or for purposes of deception applies for, alters, mutilates, uses, attempts to use, applies for amendments thereto, or furnishes to another for deceptive use any vital statistics certificate, and any person who knowingly and willfully and for purposes of deception uses or attempts to use or furnishes for use by another any vital statistics certificate knowing that such certificate contains false information or relates to a person other than the person with respect to whom it purports to relate, and any person who manufactures, advertises for sale, sells, or alters any vital statistics certificate knowing or having reason to know that such document establishes or may be used to establish a false status, occupation, membership, license, privilege, or identity for himself OR HERSELF or any other person, and any person who uses any such document to commit a crime ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

(2) Any person who willfully violates any of the provisions of this ~~article~~ ARTICLE 2 or refuses or neglects to perform any of the duties imposed upon ~~him~~ THE PERSON by this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment ARTICLE 2 COMMITS A PETTY OFFENSE.

SECTION 447. In Colorado Revised Statutes, **amend** 25-3.5-306 as follows:

25-3.5-306. Violation - penalty. Any person who violates any provision of this part 3 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 448. In Colorado Revised Statutes, **amend** 25-4-106 as follows:

25-4-106. Nuisances - misdemeanor. If any such building, room,

basement, enclosure, or premises occupied, used, or maintained for the purposes stated in sections 25-4-101 to 25-4-105 or if the floors, sidewalls, ceilings, furniture, receptacles, utensils, implements, appliances, or machinery of any such establishment shall be constructed, kept, maintained, or permitted to remain in a condition contrary to any of the provisions of sections 25-4-101 to 25-4-105, the same is declared a nuisance. Any toilet room, lavatory, or washroom which shall be constructed, kept, maintained, or permitted to remain in a condition contrary to the requirements of section 25-4-105 is declared a nuisance. Any car, truck, or vehicle used in the moving or transportation of any food product which shall be kept or permitted to remain in an unclean, unhealthful, or unsanitary condition is declared a nuisance. Whoever unlawfully maintains, or allows or permits to exist, a nuisance as defined in this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 25-4-111~~ COMMITS A PETTY OFFENSE.

SECTION 449. In Colorado Revised Statutes, **amend** 25-4-111 as follows:

25-4-111. Penalty. Any person who violates any of the provisions of this part 1 or refuses to comply with any lawful order or requirement of the department of public health and environment, duly made in writing as provided in section 25-4-109 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished for the first offense by a fine of not more than two hundred dollars and for the second and subsequent offenses by a fine of not more than two hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE. Each day of noncompliance after the expiration of the time limit for abating unsanitary conditions and completing improvements to abate such conditions, as ordered by the department of public health and environment, constitutes a separate offense.

SECTION 450. In Colorado Revised Statutes, **amend** 25-4-414 as follows:

25-4-414. Penalties. (1) A health-care provider, laboratory employee, or other person who is required to make a report pursuant to section 25-4-405 and who fails to make such a report commits a ~~class 2 petty offense~~ CIVIL INFRACTION and, upon conviction, shall be punished by a fine of not more than three hundred dollars.

(2) A health-care provider, officer or employee of the state department, officer or employee of a local public health agency, or a person, firm, or corporation that violates section 25-4-406 by breaching the confidentiality requirements of such section is ~~guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than five hundred dollars but not more than five thousand dollars or by imprisonment in the county jail for not less than six months but not more than twenty-four months or by both fine and imprisonment as ordered by a court~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 451. In Colorado Revised Statutes, 25-4-509, **amend** (1) as follows:

25-4-509. Violations - penalty. (1) Any person who, after service upon him or her of an order of a health officer directing his or her isolation or examination as provided in sections 25-4-506 and 25-4-507, violates or fails to comply with the order is ~~guilty of a misdemeanor and, upon conviction thereof, in addition to any and all other penalties that may be imposed by law upon such convictions, the court may make an appropriate order providing for examination, isolation, or treatment~~ COMMITS A PETTY OFFENSE.

SECTION 452. In Colorado Revised Statutes, **amend** 25-4-614 as follows:

25-4-614. Penalties. Any person who refuses to comply with or who violates any of the provisions of this part 6 is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days for each offense~~ COMMITS A PETTY OFFENSE.

SECTION 453. In Colorado Revised Statutes, 25-4-713, **amend** (1) as follows:

25-4-713. Penalty for violations - assessments. (1) Any person who violates any of the provisions of this part 7 is guilty of a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501. C.R.S.~~ SECTION 18-1.3-503.

SECTION 454. In Colorado Revised Statutes, **amend** 25-4-1312

as follows:

25-4-1312. Violation - penalty. Any retail food store owner violating any of the provisions of this part 13 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE. It is the duty of the district attorneys of the several districts of this state to prosecute for violations of this part 13 as for other crimes and misdemeanors.

SECTION 455. In Colorado Revised Statutes, **amend** 25-4-1813 as follows:

25-4-1813. Criminal penalties. Any person who violates any of the provisions of section 25-4-1808 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501 (1), C.R.S.~~ SECTION 18-1.3-503.

SECTION 456. In Colorado Revised Statutes, 25-4-2403, **amend** (5)(a) and (5)(b) as follows:

25-4-2403. Department of public health and environment - powers and duties - immunization tracking system - rules - definitions. (5) (a) An officer, employee, or agent of the department of public health and environment or any other person who violates this section by releasing or making public confidential immunization records or epidemiological information in the immunization tracking system or by otherwise breaching the confidentiality requirements of this section or releasing such information without authorization commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and, upon conviction thereof, shall be punished as provided in section 18-1.3-501 (1). ~~C.R.S.~~ The unauthorized release of each record shall constitute a separate offense.

(b) A natural person who, in exchange for money or any other thing of value, violates this section by wrongfully releasing or making public confidential immunization records or epidemiological information in the immunization tracking system or by otherwise breaching the confidentiality requirements of this section or releasing such information without authorization commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and,

upon conviction thereof, shall be punished as provided in section 18-1.3-501 (1). ~~C.R.S.~~

SECTION 457. In Colorado Revised Statutes, **amend** 25-5-206 as follows:

25-5-206. Penalty. Any person who violates any of the provisions of this part 2 or the orders, OR rules ~~or regulations~~ promulgated by the department under authority thereof ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine for each offense of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days~~ **COMMITTS A PETTY OFFENSE.**

SECTION 458. In Colorado Revised Statutes, 25-5-405, **amend** (1) and (4) as follows:

25-5-405. Penalties. (1) Any person who violates any of the provisions of section 25-5-403 (1) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; but, if the violation is committed after a conviction of such person under this section has become final, such person shall be subject to a fine of not more than two thousand dollars, or to imprisonment for not more than one year, or to both such fine and imprisonment for each succeeding offense~~ **COMMITTS A CLASS 2 MISDEMEANOR.** Each violation shall be considered a separate offense.

(4) Any person who violates section 25-5-403 (2) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than seven hundred fifty dollars~~ **COMMITTS A CIVIL INFRACTION.**

SECTION 459. In Colorado Revised Statutes, 25-5-411, **amend** (1)(n) as follows:

25-5-411. Definitions of "misbranding". (1) A food shall be deemed to be misbranded:

(n) If it is meat imported from without the boundaries of the United States or if it is a meat product containing such meat, unless it bears labeling stating the fact that it is imported meat or that it contains imported

meat. Any person who sells or offers for sale in this state any meat imported from without the boundaries of the United States, or any meat product containing such imported meat, without labeling such meat or meat product stating that it is imported, or contains imported meat ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 460. In Colorado Revised Statutes, 25-5-504, **amend** (1) as follows:

25-5-504. Penalties. (1) Any person who violates any of the provisions of section 25-5-503 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment; but, for offenses committed with intent to defraud or mislead, or for second and subsequent offenses, the penalty shall be imprisonment for not more than one year, or a fine of not more than three thousand dollars, or both such imprisonment and fine~~ COMMITS A CLASS 2 MISDEMEANOR. Each violation shall be considered a separate offense.

SECTION 461. In Colorado Revised Statutes, **amend** 25-5.5-114 as follows:

25-5.5-114. Interference with officer - penalty. Any person who refuses to allow the inspections provided for in this part 1 or in any way hinders or obstructs the proper officers from performing their duties under this part 1 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days~~ COMMITS A PETTY OFFENSE.

SECTION 462. In Colorado Revised Statutes, **amend** 25-5.5-116 as follows:

25-5.5-116. Penalty. Any person or any agent or servant thereof who violates any of the provisions of this part 1, if the punishment for the violation is not elsewhere prescribed in this part 1, ~~is guilty of a~~

~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than two hundred dollars and by imprisonment in the county jail for not more than sixty days for each such offense~~ COMMITS A PETTY OFFENSE.

SECTION 463. In Colorado Revised Statutes, **amend** 25-5.5-209 as follows:

25-5.5-209. Penalty. Any person who violates any of the provisions of this part 2 or who directs or knowingly permits such violation or aids or assists therein ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 464. In Colorado Revised Statutes, **amend** 25-5.5-312 as follows:

25-5.5-312. Violations - penalty. Any person, firm, or corporation that willfully violates any of the provisions of this part 3 and any officer, agent, or employee thereof who directs or knowingly permits such violation or who aids or assists therein ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 465. In Colorado Revised Statutes, 25-8-601, **amend** (2) as follows:

25-8-601. Division to be notified of suspected violations and accidental discharges - penalty. (2) Any person engaged in any operation or activity which results in a spill or discharge of oil or other substance which may cause pollution of the waters of the state contrary to the provisions of this ~~article~~ ARTICLE 8, as soon as ~~he~~ THE PERSON has knowledge thereof, shall notify the division of such discharge. Any person who fails to notify the division as soon as practicable ~~is guilty of a misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR and ~~upon conviction thereof, shall be punished by a fine of not more than ten thousand dollars. or by imprisonment in the county jail for not more than one year, or by both~~

~~such fine and imprisonment.~~ Notification received pursuant to this subsection (2) or information obtained by the exploitation of such notification shall not be used against any such person in a criminal case except prosecution for perjury, for false swearing, or for failure to comply with a clean-up order issued pursuant to section 25-8-606.

SECTION 466. In Colorado Revised Statutes, 25-8-609, **amend** (3)(a) as follows:

25-8-609. Criminal pollution - penalties. (3) Any person who commits criminal pollution of state waters shall be penalized as follows:

(a) For a violation committed with criminal negligence or recklessly, as both terms are defined in section 18-1-501, the violator ~~is guilty of a misdemeanor;~~ **COMMITTS A CLASS 2 MISDEMEANOR** punishable by a maximum fine of twenty-five thousand dollars per day for each day the violation occurs. ~~imprisonment of up to three hundred sixty-four days, or both.~~

SECTION 467. In Colorado Revised Statutes, 25-8-610, **amend** (1) and (3) as follows:

25-8-610. Falsification and tampering - penalties. (1) Any person who knowingly makes any material false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this article 8 or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this article 8 ~~is guilty of a class 5 felony and, upon conviction thereof, shall be punished as specified in section 18-1.3-401~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

(3) If two separate offenses under this section occur in two separate occurrences during a period of two years, notwithstanding ~~section 18-1.3-401~~ **SECTION 18-1.3-501**, the maximum fine and period of imprisonment for the second offense are double the amounts specified in ~~section 18-1.3-401~~ **SECTION 18-1.3-501.**

SECTION 468. In Colorado Revised Statutes, 25-10-113, **amend** (1) introductory portion as follows:

25-10-113. Penalties. (1) Any person who commits any of the following acts or violates this ~~article~~ ARTICLE 10 commits a ~~class 1 petty offense~~ CIVIL INFRACTION and shall be punished as provided in section 18-1.3-503: ~~C.R.S.:~~

SECTION 469. In Colorado Revised Statutes, 25-11-107, **amend** (3) as follows:

25-11-107. Prohibited acts - violations - penalties - rules - cease-and-desist orders. (3) Any person who violates the provisions of subsection (1), (2), or (2.5) of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 470. In Colorado Revised Statutes, 25-12-106, **amend** (3) as follows:

25-12-106. Noise restrictions - sale of new vehicles. (3) Any person selling or offering for sale a motor vehicle or other vehicle in violation of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 471. In Colorado Revised Statutes, 25-12-110, **amend** (5) as follows:

25-12-110. Off-highway vehicles. (5) A person who violates this section commits a ~~class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars~~ CIVIL INFRACTION.

SECTION 472. In Colorado Revised Statutes, **amend** 25-13-114 as follows:

25-13-114. Penalty for violation. Any person who violates any of the provisions of this ~~article~~ is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars~~ ARTICLE 13 COMMITS A CIVIL INFRACTION.

SECTION 473. In Colorado Revised Statutes, 25-14-208, **amend** (3) as follows:

25-14-208. Unlawful acts - penalty - disposition of fines and surcharges. (3) Except as otherwise provided in section 25-14-208.5, a person who violates this part 2 is guilty of a ~~class 2~~ petty offense. ~~and, upon conviction thereof, shall be punished by a fine not to exceed two hundred dollars for a first violation within a calendar year, a fine not to exceed three hundred dollars for a second violation within a calendar year, and a fine not to exceed five hundred dollars for each additional violation within a calendar year.~~ Each day of a continuing violation shall be deemed a separate violation.

SECTION 474. In Colorado Revised Statutes, **amend** 25-15-211 as follows:

25-15-211. Violation - criminal penalty. Any person who violates any provision of this part 2 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503. Each day of violation shall be deemed a separate offense under this section. Except in regard to matters of statewide concern as expressed in section 25-15-200.2 (1), nothing in this part 2 shall preclude or preempt a county, a city, a city and county, or an incorporated town from the enforcement of its local resolutions or ordinances or of its land use plans, policies, or regulations.

SECTION 475. In Colorado Revised Statutes, **amend** 25-15-513 as follows:

25-15-513. Violation - criminal penalty. Any person who violates any provision of this part 5 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 476. In Colorado Revised Statutes, **amend** 25-20-107 as follows:

25-20-107. Falsifying identification or misrepresenting condition. Any person who, with intent to deceive, provides, wears, uses, or possesses a false identifying device or identification card of the type

~~described in section 25-20-103 (2) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than ninety days, or by a fine of not more than three hundred dollars, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 477. In Colorado Revised Statutes, 25-20.5-408, **amend** (2)(b) as follows:

25-20.5-408. Access to records. (2) Public access to records and information. (b) Confidentiality. Each member of the state review team, each member of a local or regional review team, and each invited participant at a meeting shall sign a statement indicating an understanding of and adherence to confidentiality requirements. A person who knowingly violates confidentiality requirements commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and, upon conviction, shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 478. In Colorado Revised Statutes, 25-27-103, **amend** (1)(a) as follows:

25-27-103. License required - criminal and civil penalties. (1) On or after July 1, 2002, it is unlawful for any person, partnership, association, or corporation to conduct or maintain an assisted living residence without having obtained a license therefor from the department of public health and environment. Any person who violates this provision:

~~(a) Is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars;~~ COMMITS A CIVIL INFRACTION;

SECTION 479. In Colorado Revised Statutes, 25-41-101, **amend** (6) as follows:

25-41-101. Restroom access - retail establishments - liability - penalty - short title - definitions. (6) A retail establishment or an employee of a retail establishment that violates this ~~article~~ ARTICLE 41 is guilty of a petty offense. ~~and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars.~~

SECTION 480. In Colorado Revised Statutes, 25-52-105, **amend**

(2)(e) as follows:

25-52-105. Access to health records related to maternal mortalities. (2) (e) Each committee member shall sign a confidentiality agreement that requires the member's adherence to subsections (2)(a) and (2)(b) of this section. A member who knowingly violates the confidentiality agreement commits a ~~class 3 misdemeanor and shall be punished in accordance with section 18-1.3-501~~ PETTY OFFENSE.

SECTION 481. In Colorado Revised Statutes, 25.5-1-116, **amend** (4) as follows:

25.5-1-116. Records confidential - authorization to obtain records of assets - release of location information to law enforcement agencies - outstanding felony arrest warrants. (4) Any person who violates subsection (1) or (2) of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 482. In Colorado Revised Statutes, **amend** 25.5-3-111 as follows:

25.5-3-111. Penalties. Any person who represents that any medical service is reimbursable or subject to payment under this part 1 when he or she knows that it is not COMMITS A PETTY OFFENSE, and any person who represents that he or she is eligible for assistance under this part 1 when he or she knows that he or she is not commits a class 2 misdemeanor and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 483. In Colorado Revised Statutes, 25.5-6-206, **amend** (8)(c) and (8)(d) as follows:

25.5-6-206. Personal needs benefits - amount - patient personal needs trust fund required - funeral and burial expenses - penalty for illegal retention and use. (8) (c) Unlawful retention of patient personal needs funds is: ~~a class 3 misdemeanor. When a person commits unlawful retention of patient personal needs funds twice or more within a period of six months without having been placed in jeopardy for the prior offense or~~

~~offenses, unlawful retention of patient personal needs funds is a class 1 misdemeanor.~~

(I) A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(II) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(III) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(IV) A CLASS 6 FELONY IF THE AMOUNT IS TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(V) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(VI) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(VII) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(VIII) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

(d) Unlawful use of a patient personal needs trust fund is:

~~(I) A class 2 misdemeanor, if the amount involved is less than five hundred dollars~~ A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

~~(II) A class 1 misdemeanor, if the amount involved is five hundred dollars or more but less than one thousand dollars~~ A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

~~(III) A class 4 felony, if the amount involved is one thousand dollars or more but less than twenty thousand dollars~~ A CLASS 1 MISDEMEANOR IF

THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(IV) ~~A class 3 felony, if the amount involved is twenty thousand dollars or more.~~ A CLASS 6 FELONY IF THE AMOUNT IS TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(V) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(VI) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(VII) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(VIII) A CLASS 2 FELONY IF AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 484. In Colorado Revised Statutes, 26-1-114, **amend** (5) as follows:

26-1-114. Records confidential - authorization to obtain records of assets - release of location information to law enforcement agencies - outstanding felony arrest warrants. (5) Any person who violates subsection (1) or (3) of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ **COMMITTS A PETTY OFFENSE.**

SECTION 485. In Colorado Revised Statutes, 26-1-127, **amend** (2)(a) and (3) as follows:

26-1-127. Fraudulent acts. (2) (a) If, at any time during the continuance of public assistance under this ~~title~~ TITLE 26, the recipient thereof acquires any property or receives any increase in income or property, or both, in excess of that declared at the time of determination or redetermination of eligibility or if there is any other change in circumstances affecting the recipient's eligibility, it shall be the duty of the

recipient to notify the county department within thirty days in writing or take steps to secure county assistance to prepare such notification in writing of the acquisition of such property, receipt of such income, or change in such circumstances; and any recipient of such public assistance who knowingly fails to do so commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503. If such property or income is received infrequently or irregularly and does not exceed a total value of ninety dollars in any calendar quarter, such property or income shall be excluded from the thirty-day written reporting requirement but shall be reported at the time of the next redetermination of eligibility of a recipient.

(3) Any recipient or vendor who falsifies any report required under this ~~title~~ TITLE 26 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 486. In Colorado Revised Statutes, 26-2-305, **amend** (2) as follows:

26-2-305. Fraudulent acts - penalties. (2) If, at any time during the continuance of participation in the food stamp program, the recipient of food stamp coupons or authorization to purchase cards knowingly acquires any property or receives any increase in income or property, or both, in excess of that declared at the time of determination or redetermination of eligibility or if there is any other change in circumstances affecting the recipient's eligibility or the amount of food stamp coupons or authorization to purchase cards to which he or she is entitled, it is the duty of the recipient to notify the county department, or the state department in food stamp districts administered by the state department, of any such acquisition, receipt, or change in accordance with state department regulations; and any recipient of food stamp coupons or authorization to purchase cards who knowingly fails to do so, and who by such failure receives benefits in excess of those to which he or she was in fact entitled, commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 487. In Colorado Revised Statutes, 26-2-306, **amend** (2)(b), (2)(b.5), (2)(c), and (2)(d); and **add** (2)(b.7), (2)(e), (2)(f), and (2)(g) as follows:

26-2-306. Trafficking in food stamps. (2) Trafficking in food stamps is:

(b) ~~A class 2 misdemeanor under section 18-1.3-501, C.R.S., if the value of the food stamps is less than five hundred dollars~~ A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b.5) ~~A class 1 misdemeanor under section 18-1.3-501, C.R.S., if the value of the food stamps is five hundred dollars or more but less than one thousand dollars~~ A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(b.7) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(c) ~~A class 4 felony under section 18-1.3-401, C.R.S., if the value of the food stamps is one two thousand dollars or more but less than twenty thousand dollars~~ A CLASS 6 FELONY IF THE AMOUNT IS TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS;

(d) ~~A class 3 felony under section 18-1.3-401, C.R.S., if the value of the food stamps is twenty thousand dollars or more.~~ A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(e) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(f) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(g) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 488. In Colorado Revised Statutes, 26-3.1-102, **amend** (4) and (7)(c) as follows:

26-3.1-102. Reporting requirements. (4) A person, including a person specified in subsection (1) of this section, shall not knowingly make a false report of mistreatment or self-neglect to a county department or local

law enforcement agency. Any person who willfully violates the provisions of this subsection (4) commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501 C.R.S., and shall be liable for damages proximately caused thereby.

(7) (c) Any person who violates any provision of this subsection (7) is ~~guilty of a class 2 petty offense. and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 489. In Colorado Revised Statutes, 26-3.1-111, **amend** (6)(e), (6)(e.3), and (6)(e.7) as follows:

26-3.1-111. Access to CAPS - employment checks - confidentiality - fees - rules - legislative declaration - definitions. (6) (e) Any person who improperly releases or who willfully permits or encourages the release of data or information obtained through a CAPS check to persons not permitted access to the information pursuant to this article 3.1 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and is punished as provided in section 18-1.3-501.

(e.3) Any person who requests a CAPS check for a person who is not an employee or volunteer or not being considered for employment or who is not a care provider or being considered as a care provider for a recipient of consumer directed attendant support services pursuant to article 10 of title 25.5 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished pursuant to section 18-1.3-501.

(e.7) An employee who knowingly provides inaccurate information to his or her employer for a CAPS check, or an employer or other person or entity conducting an employee screening on behalf of the employer that knowingly provides inaccurate information in the request for a CAPS check, commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished pursuant to section 18-1.3-501.

SECTION 490. In Colorado Revised Statutes, 26-8.3-105, **amend** (3) as follows:

26-8.3-105. Violations - penalty. (3) On and after October 1, 1979, any person who violates any of the provisions of this section commits a

~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 491. In Colorado Revised Statutes, **amend** 28-3-507 as follows:

28-3-507. Interference with duty - arrest - penalty. Any person who obstructs or interferes with a member of the National Guard in the performance of his or her duty may be placed under guard by the officer in command. As soon as possible, such officer shall either release such person or turn him or her over to any peace officer of the city or place where such duty is being performed, and such peace officer shall thereupon deliver such offender for examination and trial before any court having jurisdiction. Any person violating the provisions of this section ~~is guilty of a class 3 misdemeanor~~ **COMMITS A CLASS 2 MISDEMEANOR.**

SECTION 492. In Colorado Revised Statutes, **amend** 28-3-702 as follows:

28-3-702. Misuse of property - generally - penalty. Every person, whether a member of the military forces or not, who willfully destroys, damages, sells or disposes of, or buys or receives any arms, equipment, or accouterments issued by the United States or the state for the use of military forces or refuses to deliver or pay for the same upon lawful demand ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than six months~~ **COMMITS A CLASS 2 MISDEMEANOR.**

SECTION 493. In Colorado Revised Statutes, 28-3.1-312, **amend** (1) as follows:

28-3.1-312. Refusal to appear or testify. (1) Any person not subject to this code who has been subpoenaed to appear as a witness or to produce books and records before a military court or before a military or civil officer designated to take a deposition to be read in evidence before such a court and who willfully neglects or refuses to appear, refuses to qualify as a witness, refuses to testify, or refuses to produce any evidence commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 494. In Colorado Revised Statutes, 29-7-101, **amend** (2) as follows:

29-7-101. City or county may own and operate. (2) Any county through its board of county commissioners shall have the power, authority, and jurisdiction to regulate and control public recreation lands and facilities owned or operated by the county by the promulgation of rules and regulations pursuant to a lawfully adopted resolution. The rules and regulations may include but are not limited to the following: Removal, destruction, mutilation, or defacing of any natural object or man-made object owned by the county; explosives or any form of firearm; animal control; any public use, including boating, fishing, camping, or hunting; and polluting or littering. Any person violating any rule or regulation lawfully adopted pursuant to this subsection (2) commits a ~~class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars~~ CIVIL INFRACTION. It is the duty of the sheriff and the sheriff's undersheriff and deputies, in their respective counties, as well as any county enforcement personnel authorized and appointed as described in subsection (3) OF THIS SECTION, to enforce the rules and regulations adopted pursuant to this subsection (2), and the county courts in their respective counties have jurisdiction in the prosecution of any violation of a rule or regulation adopted pursuant to this subsection (2). If authorized by resolution, the penalty assessment procedure provided in section 16-2-201 ~~C.R.S.~~, may be followed by any arresting law enforcement officer for any violation of a rule or regulation adopted pursuant to this subsection (2). As part of a resolution authorizing the penalty assessment procedure, the board of county commissioners may adopt a graduated fine schedule for violations. The graduated fine schedule may provide for increased penalty assessments for repeat offenses by the same person. All fines and forfeitures for the violation of county regulations adopted pursuant to this subsection (2) shall be paid into the treasury of the county at such times and in such manner as may be prescribed by resolution; or, if there is no resolution providing for the payment, it THEY shall be paid to the county treasurer at once.

SECTION 495. In Colorado Revised Statutes, 29-11.8-113, **amend** (1) as follows:

29-11.8-113. Violations - penalty. (1) Any person violating any of the provisions of this article 11.8 is ~~guilty of a misdemeanor and, upon~~

~~conviction thereof, shall be punished by a fine of not more than five thousand dollars for each offense, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. In addition to any other penalties, the court trying such offense may decree that any license theretofore issued under the provisions of this article 11.8 be suspended or revoked and may decree that no such license shall thereafter be issued to any such person for a period not to exceed five years.

SECTION 496. In Colorado Revised Statutes, 29-11.9-104, **amend** (4) and (5); and **add** (6) as follows:

29-11.9-104. Prohibited acts - penalties. (4) Except as otherwise provided in this section, any pawnbroker who violates any of the provisions of this article 11.9 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~and upon a second or subsequent conviction of a violation of this article 11.9 within three years after the date of a prior conviction, a pawnbroker commits a class 6 felony and shall be punished as provided in section 18-1.3-401.~~

(5) Any customer who knowingly gives false information with respect to the information required by section 29-11.9-103 (1) commits: a ~~class 6 felony and shall be punished as provided in section 18-1.3-401.~~

(a) A PETTY OFFENSE IF THE FAIR MARKET VALUE OF THE ITEM OR ITEMS IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE FAIR MARKET VALUE OF THE ITEM OR ITEMS IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE FAIR MARKET VALUE OF THE ITEM OR ITEMS IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE FAIR MARKET VALUE OF THE ITEM OR ITEMS IS MORE THAN TWO THOUSAND DOLLARS BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE FAIR MARKET VALUE OF THE ITEM OR

ITEMS IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE FAIR MARKET VALUE OF THE ITEM OR ITEMS IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE FAIR MARKET VALUE OF THE ITEM OR ITEMS IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE FAIR MARKET VALUE OF THE ITEM OR ITEMS IS ONE MILLION DOLLARS OR MORE.

(6) WHEN A CUSTOMER VIOLATES SUBSECTION (5) OF THIS SECTION TWICE OR MORE WITHIN THE STATUTE OF LIMITATIONS OF THE EARLIEST OFFENSE, TWO OR MORE OF THE VIOLATIONS MAY BE AGGREGATED AND CHARGED IN A SINGLE COUNT, IN WHICH EVENT THE VIOLATIONS AGGREGATED AND CHARGED CONSTITUTE A SINGLE OFFENSE, THE PENALTY FOR WHICH IS BASED ON THE AGGREGATE VALUE OF THE ITEM OR ITEMS INVOLVED, PURSUANT TO SUBSECTION (5) OF THIS SECTION.

SECTION 497. In Colorado Revised Statutes, 29-22-107, **amend** (2)(c)(III) as follows:

29-22-107. Legislative finding - hazardous substance listing required. (2) (c) (III) The person who, without the express written consent required in ~~subparagraph (H) of this paragraph (c)~~ SUBSECTION (2)(c)(II) OF THIS SECTION, releases information required to be provided by this subsection (2) commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 498. In Colorado Revised Statutes, **amend** 30-1-117 as follows:

30-1-117. Refusal to pay fees to treasurer - penalty. Any officer failing or refusing to pay over to the county treasurer or to the state treasurer the fees of ~~his~~ THE TREASURER'S office, as provided in section 30-1-112, is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the~~

~~county jail for not more than one year, or by both such fine and imprisonment, and may be removed from office by the court before which the conviction is had~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 499. In Colorado Revised Statutes, **amend** 30-10-315 as follows:

30-10-315. Penalty for acting without bond or insurance. If any county commissioner acts as such officer, performs any of the duties, or exercises any of the rights or privileges of county commissioner without being bonded or insured pursuant to section 30-10-311, or after judgment of removal from such office has been entered, the commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred nor more than five thousand dollars, and by imprisonment in the county jail for not less than thirty days nor more than six months COMMITS A CLASS 2 MISDEMEANOR.

SECTION 500. In Colorado Revised Statutes, 30-10-619, **amend** (4) as follows:

30-10-619. Conflicts of interest of county coroners. (4) Any person who knowingly violates subsection (1) of this section commits a class 2 misdemeanor PETTY OFFENSE and shall be punished as provided in section 18-1.3-501, C.R.S. SECTION 18-1.3-503.

SECTION 501. In Colorado Revised Statutes, 30-15-102, **amend** (1) as follows:

30-15-102. Violations - penalties. (1) Any violation of any provision of a county resolution adopted pursuant to this part 1 not involving bodily injury to any person shall be a class 2 petty offense, and, notwithstanding the provisions of section 18-1.3-503, C.R.S., punishable, upon conviction, by a fine of not more than one thousand dollars pursuant to section 30-15-402 (1), or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment for each separate offense IS A PETTY OFFENSE. If authorized by the county resolution, the penalty assessment procedure provided in section 16-2-201 C.R.S., may be followed by an animal control officer or any arresting law enforcement officer for any such violation. As part of said county resolution authorizing the penalty assessment procedure, the board of county commissioners may

adopt a graduated fine schedule for violations of said resolution not involving bodily injury to any person. Such graduated fine schedule may provide for increased penalty assessments for repeat offenses by the same individual.

SECTION 502. In Colorado Revised Statutes, 30-15-201, **amend** (1)(b) as follows:

30-15-201. Penalty for leaving campfire unattended. (1) (b) (I) A person who commits the offense of leaving a campfire unattended commits a ~~class 2~~ petty offense. ~~and, upon conviction of the offense, shall be punished by a fine of fifty dollars.~~

(II) A person who commits the offense of leaving a campfire unattended where the campfire is located in a forested or grassland area commits a ~~class 3 misdemeanor and, upon conviction of the offense, shall be punished by a minimum sentence of a fifty dollar fine up to a maximum sentence of six months imprisonment or a seven hundred fifty dollar fine, or both.~~ CLASS 2 MISDEMEANOR.

SECTION 503. In Colorado Revised Statutes, **amend** 30-15-202 as follows:

30-15-202. Penalty for defacing or destroying notices. Any person who willfully destroys, removes, injures, or defaces any such notice erected on any such highway, or willfully injures or defaces any inscription or device comprising such notice, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 504. In Colorado Revised Statutes, **amend** 30-15-303 as follows:

30-15-303. Violation - penalty. Any person violating any provisions of this part 3 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars~~ COMMITS A PETTY OFFENSE.

SECTION 505. In Colorado Revised Statutes, 30-15-402, **amend** (1) as follows:

30-15-402. Violations - penalty - surcharges - victim and witness assistance - brain injury trust fund. (1) Any person who violates any county ordinance adopted pursuant to this part 4 commits a ~~class 2 petty offense~~ CIVIL INFRACTION or, in the case of traffic offenses, commits a traffic infraction, and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars for each separate violation. If authorized by the county ordinance, the penalty assessment procedure provided in section 16-2-201 ~~C.R.S.~~, may be followed by any arresting law enforcement officer for any such violation. As part of said county ordinance authorizing the penalty assessment procedure, the board of county commissioners may adopt a graduated fine schedule for such violations. Such graduated fine schedule may provide for increased penalty assessments for repeat offenses by the same individual. In the case of county traffic ordinance violations, the provisions of sections 42-4-1701 and 42-4-1703, ~~C.R.S.~~, and sections 42-4-1708 to 42-4-1718, ~~C.R.S.~~, shall apply; except that the fine or penalty for a violation charged and the surcharge thereon if authorized by county ordinance shall be paid to the county.

SECTION 506. In Colorado Revised Statutes, **amend** 30-15-504 as follows:

30-15-504. Penalty. Any person violating any of the provisions of this part 5 is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars for each offense, or by imprisonment in the county jail for not less than ten days nor more than thirty days for each offense, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 507. In Colorado Revised Statutes, **amend** 30-20-114 as follows:

30-20-114. Violation - penalty. Any person who violates any provision of this part 1 is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE. Nothing in

this part 1 shall preclude or preempt a municipality from enforcement of its local ordinances. Each day of violation shall be deemed a separate offense under this section.

SECTION 508. In Colorado Revised Statutes, **amend** 30-20-1010 as follows:

30-20-1010. Violation - penalty. Any person who violates any provision of this part 10 ~~is guilty of a petty offense and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars.~~ Nothing in this part 10 shall preclude or preempt a municipality from enforcement of its local ordinances **COMMITTS A CIVIL INFRACTION.** Each day of violation shall be deemed a separate offense under this section.

SECTION 509. In Colorado Revised Statutes, 30-28-124, **amend** (1)(a) and (1)(b)(I) as follows:

30-28-124. Penalties. (1) (a) It is unlawful to erect, construct, reconstruct, or alter any building or structure in violation of any regulation in, or of any provisions of, any zoning resolution, or any amendment thereof, enacted or adopted by the board of county commissioners under the authority of this part 1. Any person, firm, or corporation violating any such regulation, provision, or amendment thereof, or any provision of this part 1 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment~~ **COMMITTS A CIVIL INFRACTION.** Each day during which such illegal erection, construction, reconstruction, or alteration continues shall be deemed a separate offense.

(b) (I) It is unlawful to use any building, structure, or land in violation of any regulation in, or of any provision of, any zoning resolution, or any amendment thereto, enacted or adopted by any board of county commissioners under the authority of this part 1. Any person, firm, or corporation violating any such regulation, provision, or amendment thereof ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment~~ **COMMITTS A CIVIL INFRACTION.** Each day during which such illegal use of any building, structure, or land continues shall be deemed a

separate offense.

SECTION 510. In Colorado Revised Statutes, 30-28-209, **amend** (1)(a) and (1)(b)(I) as follows:

30-28-209. Violation - injunction and other remedies. (1) (a) It is unlawful to erect, construct, reconstruct, or alter any building or structure in a manner that results in a violation of any regulation in, or of any provisions of, the area building code, or any amendment thereof, enacted or adopted by the board of county commissioners under the authority of this part 2. Any person, firm, or corporation violating any such regulation, provision, or amendment thereof, or any provision of this part 2, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment~~ **COMMITTS A CIVIL INFRACTION.** Each day during which such illegal erection, construction, reconstruction, or alteration continues shall be deemed a separate offense.

(b) (I) It is unlawful to use any building or structure in violation of any regulation in, or of any provision of, the area building code, or any amendment thereto, enacted or adopted by any board of county commissioners under the authority of this part 2. Any person, firm, or corporation violating any such regulation, provision, or amendment thereof ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment~~ **COMMITTS A CIVIL INFRACTION.** Each day during which such illegal use of any building or structure continues shall be deemed a separate offense. Nothing in this ~~subparagraph (I) shall be construed to prohibit~~ **SUBSECTION (1)(b)(I) PROHIBITS** the use of any building or structure in violation of an otherwise applicable building code where the use complies with any building code that was in effect at the time the building or structure was erected, constructed, reconstructed, or altered.

SECTION 511. In Colorado Revised Statutes, 31-4-503, **amend** (5) as follows:

31-4-503. Petition in sections - signing - affidavit - review - tampering with petition. (5) Any person who willfully destroys, defaces,

mutilates, or suppresses any recall petition or who willfully neglects to file or delays the delivery of the recall petition or who conceals or removes any recall petition from the possession of the person authorized by law to have the custody thereof, or who aids, counsels, procures, or assists any person in doing any of said acts commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 512. In Colorado Revised Statutes, **amend** 31-10-1508 as follows:

31-10-1508. Tampering with nomination papers. Any person who, being in possession of nomination papers entitled to be filed under this ~~article~~ ARTICLE 10, wrongfully or willfully destroys, defaces, mutilates, suppresses, neglects, or fails to cause the same to be filed by the proper time in the clerk's office or who files any such paper knowing the same, or any part thereof, to be falsely made commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 513. In Colorado Revised Statutes, **amend** 31-10-1509 as follows:

31-10-1509. Bribery of petition signers. Any person who offers or knowingly permits any person to offer for his OR HER benefit any bribe or promise of gain to an elector to induce ~~him~~ THE ELECTOR to sign any nomination petition or other election paper, or any person who accepts any such bribe or promise of gain of any kind in the nature of a bribe as consideration for signing the same, whether such bribe or promise of gain in the nature of a bribe is offered or accepted before or after signing, commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 1 MISDEMEANOR.

SECTION 514. In Colorado Revised Statutes, **amend** 31-10-1511 as follows:

31-10-1511. Custody and delivery of ballots and other election papers. (1) Any election official having charge of official ballots, tally sheets, the registration book or list, and the pollbook who destroys, conceals, or suppresses the same, except as expressly permitted by this

~~article~~ ARTICLE 10, commits a misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504 CLASS 1 MISDEMEANOR.

(2) Any election official who has undertaken to deliver the official ballots, the tally sheets, the registration book or list, and the pollbook to the clerk and who neglects or refuses to do so within the time prescribed by law or who fails to account fully for all official ballots and other papers in his THE ELECTION OFFICIAL'S charge commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 1 MISDEMEANOR.

SECTION 515. In Colorado Revised Statutes, **amend** 31-10-1512 as follows:

31-10-1512. Destroying, removing, or delaying delivery of ballots and other election papers. Any person who willfully destroys or defaces any ballot or tally sheet, or who willfully delays the delivery of the ballots, tally sheets, registration book or list, or pollbook, or who conceals or removes any ballot, ballot box, or tally sheet from the polling place or from the possession of the person authorized by law to have the custody thereof, or who aids, counsels, procures, or assists any person in doing any of said acts commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 516. In Colorado Revised Statutes, **amend** 31-10-1513 as follows:

31-10-1513. Unlawfully refusing or permitting to vote. Any election judge who willfully and maliciously refuses or neglects to receive the ballot of any registered elector who has taken or offered to take the oath prescribed in section 31-10-1105 or knowingly and willfully permits any person to vote who is not entitled to vote at any election commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 1 MISDEMEANOR.

SECTION 517. In Colorado Revised Statutes, **amend** 31-10-1514 as follows:

31-10-1514. Revealing how elector voted. Any election official,

watcher, or person who assists an individual with a disability in voting and who reveals how the individual with a disability voted commits a misdemeanor and, upon conviction thereof, shall be punished as provided in ~~section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 518. In Colorado Revised Statutes, **amend** 31-10-1515 as follows:

31-10-1515. Violation of duty. Any municipal official election official or other person upon whom any duty is imposed by this ~~article~~ ARTICLE 10 who violates, neglects, or omits to perform such duty or is guilty of corrupt conduct in the discharge of the same, or any notary public or other officer authorized by law to administer oaths who administers an oath knowing it to be false or who knowingly makes a false certificate in regard to an election matter, commits a ~~misdemeanor for each offense and, upon conviction thereof,~~ shall be punished as provided in ~~section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 519. In Colorado Revised Statutes, 31-10-1516, **amend** (2) as follows:

31-10-1516. Unlawful receipt of money. (2) Each offense mentioned in subsection (1) of this section is a ~~misdemeanor, and, upon conviction thereof,~~ the offender shall be punished as provided in ~~section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 520. In Colorado Revised Statutes, 31-10-1517, **amend** (3) as follows:

31-10-1517. Disclosing or identifying vote. (3) Any person violating subsection (1) of this section commits a ~~misdemeanor and, upon conviction thereof,~~ shall be punished as provided in ~~section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 521. In Colorado Revised Statutes, 31-10-1518, **amend** (4) as follows:

31-10-1518. Delivering and receiving ballots at polls. (4) Each violation of the provisions of this section is a ~~misdemeanor, and, upon conviction thereof,~~ the offender shall be punished as provided in ~~section~~

~~31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 522. In Colorado Revised Statutes, **amend** 31-10-1519 as follows:

31-10-1519. Voting twice. Any person who votes more than once or, having voted once, offers to vote again or offers to deposit in the ballot box more than one ballot ~~shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ COMMITTS A CLASS 2 MISDEMEANOR.

SECTION 523. In Colorado Revised Statutes, **amend** 31-10-1520 as follows:

31-10-1520. Voting in the wrong precinct. Any person who, at any municipal election, fraudulently votes or offers to vote in any precinct in which he or she does not reside ~~shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ COMMITTS A CLASS 2 MISDEMEANOR.

SECTION 524. In Colorado Revised Statutes, **amend** 31-10-1521 as follows:

31-10-1521. Electioneering near polls. Any person who does any electioneering on election day within any polling place or in any public street or room or in any public manner within one hundred feet of any building in which a polling place is located commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 525. In Colorado Revised Statutes, 31-10-1522, **amend** (2) as follows:

31-10-1522. Employer's unlawful acts. (2) Each offense mentioned in subsection (1) of this section is a ~~misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 31-10-1504~~ CLASS 1 MISDEMEANOR.

SECTION 526. In Colorado Revised Statutes, **amend** 31-10-1523 as follows:

31-10-1523. Intimidation. It is unlawful for any person directly or indirectly, by himself OR HERSELF, or any other person in his OR HER behalf, to make use of any force, violence, restraint, abduction, duress, or forcible or fraudulent device or contrivance, or to inflict or threaten the infliction of any injury, damage, harm, or loss, or in any manner to practice intimidation upon or against any person in order to impede, prevent, or otherwise interfere with the free exercise of the elective franchise of any qualified elector, or to compel, induce, or prevail upon any qualified elector either to give or refrain from giving ~~his~~ THE ELECTOR'S vote at any municipal election or to give or refrain from giving ~~his~~ THE ELECTOR'S vote for any particular person or measure at any such election. Each such offense is a misdemeanor, ~~and, upon conviction thereof, the offender shall be punished as provided in section 31-10-1504~~ CLASS 1 MISDEMEANOR.

SECTION 527. In Colorado Revised Statutes, 31-10-1524, **amend** (2) as follows:

31-10-1524. Unlawfully giving or promising money. (2) Each offense mentioned in subsection (1) of this section is a ~~misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 31-10-1504~~ CLASS 1 MISDEMEANOR.

SECTION 528. In Colorado Revised Statutes, **amend** 31-10-1525 as follows:

31-10-1525. Corrupt means of influencing vote. If any person, by bribery, menace, or other corrupt means or device whatsoever, either directly or indirectly, attempts to influence any voter of this state in giving ~~his~~ THE VOTER'S vote or ballot, or deters ~~him~~ THE VOTER from giving the same, or disturbs or hinders ~~him~~ THE VOTER in the free exercise of the right of suffrage at any municipal election in this state, or fraudulently or deceitfully changes or alters a ballot, such person so offending commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 1 MISDEMEANOR.

SECTION 529. In Colorado Revised Statutes, **amend** 31-10-1526 as follows:

31-10-1526. Interference with voter while voting. Any person who interferes with any voter when inside the immediate voting area or when marking a ballot or operating a voting machine commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 530. In Colorado Revised Statutes, **repeal** 31-10-1527 as follows:

31-10-1527. Introducing liquor into polls. ~~It is unlawful for any person to introduce into any polling place or to use therein or offer to another for use therein at any time while any election is in progress or the results thereof are being ascertained by the counting of the ballots any intoxicating malt, spirituous, or vinous liquors. Each such offense is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 31-10-1504.~~

SECTION 531. In Colorado Revised Statutes, **amend** 31-10-1528 as follows:

31-10-1528. Inducing defective ballot. Any person who willfully causes a ballot to misstate in any way the wishes of the voter casting the same or who causes any other deceit to be practiced with intent fraudulently to induce such voter to deposit a defective ballot so as to have the ballot thrown out and not counted commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 532. In Colorado Revised Statutes, **amend** 31-10-1529 as follows:

31-10-1529. Personating elector. Any person who falsely personates any registered elector and votes under the name of such elector ~~shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 533. In Colorado Revised Statutes, **amend** 31-10-1530 as follows:

31-10-1530. Altering posted abstract of votes. Any person who defaces, mutilates, alters, or unlawfully removes the abstract of votes posted outside of a polling place commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 534. In Colorado Revised Statutes, **amend** 31-10-1531 as follows:

31-10-1531. Wagers with electors. It is unlawful for any person, including any candidate for public office, before or during any municipal election, to make any bet or wager with a qualified elector or take a share or interest in, or in any manner become a party to, any such bet or wager or provide or agree to provide any money to be used by another in making such bet or wager upon any event or contingency whatever arising out of such election. For each such offense, the offender commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 535. In Colorado Revised Statutes, **amend** 31-10-1532 as follows:

31-10-1532. Tampering with notices or supplies. Any person who, prior to a municipal election, willfully defaces, removes, or destroys any notice of election posted in accordance with the provisions of this ~~article~~ ARTICLE 10, or who, during an election, willfully defaces, removes, or destroys any card of instruction or sample ballot posted for the instruction of voters, or who, during an election, willfully removes or destroys any of the supplies or conveniences furnished to enable a voter to prepare ~~his~~ THE VOTER'S ballot commits a ~~misdemeanor for each offense and, upon conviction thereof, shall be punished as provided in section 31-10-1504~~ CLASS 2 MISDEMEANOR.

SECTION 536. In Colorado Revised Statutes, **amend** 31-10-1533 as follows:

31-10-1533. Tampering with registration book, registration list, or pollbook. Any person who mutilates or erases any name, figure, or word on any registration book, registration list, or pollbook, or who removes such registration book, registration list, or pollbook or any part thereof from the

place where it has been deposited with an intention to destroy the same, or to procure or prevent the election of any person, or to prevent any registered elector from voting, or who destroys any registration book or pollbook or part thereof commits a misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504 CLASS 2 MISDEMEANOR.

SECTION 537. In Colorado Revised Statutes, **amend** 31-10-1534 as follows:

31-10-1534. Tampering with voting machine. Any person who tampers with a voting machine before, during, or after any municipal election with intent to change the tabulation of votes thereon to reflect other than an accurate accounting commits a misdemeanor and, upon conviction thereof, shall be punished as provided in section 31-10-1504 CLASS 1 MISDEMEANOR.

SECTION 538. In Colorado Revised Statutes, **amend** 31-10-1535 as follows:

31-10-1535. Interference with election official. Any person who at any municipal election intentionally interferes with any election official in the discharge of his THE ELECTION OFFICIAL'S duty, or who induces any election official to violate or refuse to comply with his THE ELECTION OFFICIAL'S duty, or who aids, counsels, procures, advises, or assists any person to do so commits a misdemeanor for each offense and, upon conviction thereof, shall be punished as provided in section 31-10-1504 CLASS 2 MISDEMEANOR.

SECTION 539. In Colorado Revised Statutes, **amend** 31-10-1536 as follows:

31-10-1536. Unlawful qualification as taxpaying elector. It is unlawful to take or place title to property in the name of another, or to pay the taxes, or to take or issue a tax receipt in the name of another for the purpose of attempting to qualify such person as a "qualified taxpaying elector", or to aid or assist any person to do so. The ballot of any such person violating this section shall be void. Each person violating any of the provisions of this section commits a misdemeanor for each offense and, upon conviction thereof, shall be punished as provided in section 31-10-1504 CLASS 2 MISDEMEANOR.

SECTION 540. In Colorado Revised Statutes, **amend** 31-10-1537 as follows:

31-10-1537. Absentee voting. Any election official or other person who knowingly violates any of the provisions of this ~~article~~ ARTICLE 10 relative to the casting of absent voters' ballots or who aids or abets fraud in connection with any absent vote cast or to be cast ~~shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 541. In Colorado Revised Statutes, 31-11-114, **amend** (2) as follows:

31-11-114. Unlawful acts - penalty. (2) Any person, upon conviction of a violation of any provision of this section ~~shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than one year in the county jail, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 542. In Colorado Revised Statutes, **amend** 31-20-407 as follows:

31-20-407. Neglect in keeping register or paying - penalty. Any city or town treasurer, or ~~his~~ CITY OR TOWN TREASURER'S deputy, who fails or neglects to keep such registry or who fails or neglects to register any warrant or certificate of indebtedness of such city or town as is entitled to registry or neglects or refuses to pay such warrants or certificates in order of payments, there being then money in the treasury applicable to the payment thereof or from which the same ought to be paid, commits a ~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars~~ CLASS 2 MISDEMEANOR.

SECTION 543. In Colorado Revised Statutes, **amend** 31-35-712 as follows:

31-35-712. Owner to obtain permit - penalty. Any person making or causing to be made a connection of sewers serving property in any unincorporated territory, directly or indirectly, with a sewerage system of

any city or town without a permit from said city or town and after the passage of the ordinance provided for in section 31-35-701 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment in the county jail for not less than twenty days nor more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 544. In Colorado Revised Statutes, 32-1-910, **amend** (7) introductory portion as follows:

32-1-910. Petition in sections - signing - affidavit - review - tampering with petition. (7) A person commits a misdemeanor and, upon conviction thereof, ~~shall be punished as provided in section 1-13-111~~ CLASS 2 MISDEMEANOR if such person willfully:

SECTION 545. In Colorado Revised Statutes, 32-1-1002, **amend** (4)(b) as follows:

32-1-1002. Fire protection districts - additional powers and duties. (4) (b) Any person who violates any provision of this subsection (4) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished for each offense by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 546. In Colorado Revised Statutes, 32-4-545, **amend** (1) as follows:

32-4-545. Misdemeanors and civil rights. (1) Any person who wrongfully or purposely fills up, cuts, damages, injures, or destroys, or in any manner impairs, the usefulness of any reservoir, canal, ditch, lateral, drain, dam, intercepting sewer, outfall sewer, force main, other sewer, sewage treatment works, sewage treatment plant, sewer system, sewage disposal system, or any part thereof, or other work, structure, improvement, equipment, or other property acquired under the provisions of this part 5, or wrongfully and maliciously interferes with any officer, agent, or employee of the district in the proper discharge of ~~his~~ THE OFFICER'S, AGENT'S, OR EMPLOYEE'S duties, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by~~

~~both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 547. In Colorado Revised Statutes, 32-9-160, **amend** (1) as follows:

32-9-160. Misdemeanors. (1) Any person who wrongfully damages, injures, or destroys, or in any manner impairs the usefulness of any facility, property, structure, improvement, equipment, or other property of the district acquired under the provisions of this ~~article~~ ARTICLE 9, or who wrongfully interferes with any officer, agent, or employee of the district in the proper discharge of ~~his~~ THE OFFICER'S, AGENT'S, OR EMPLOYEE'S duties, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 548. In Colorado Revised Statutes, **amend** 32-11-815 as follows:

32-11-815. Misdemeanors. Any person who wrongfully or purposely fills up, cuts, damages, injures, or destroys or in any manner impairs the usefulness of the facilities of the district or any property pertaining to any project, or any part thereof, or any other work, structure, improvement, equipment, or other property acquired under the provisions of this ~~article~~ ARTICLE 11, or wrongfully and maliciously interferes with any officer, agent, or employee of the district in the proper discharge of ~~his~~ THE OFFICER'S, AGENT'S, OR EMPLOYEE'S duties, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 549. In Colorado Revised Statutes, 33-4-101, **amend** (11) as follows:

33-4-101. License agents - reports - board of claims - penalty for failure to account. (11) Any license agent who fails, upon demand of the division, to account for licenses or who fails to pay over to the division or its authorized representative ~~moneys~~ MONEY received from the sales of licenses COMMITS THEFT AS DESCRIBED IN SECTION 18-4-401.

~~(a) When the amount in question is less than two hundred dollars, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment;~~

~~(b) When the amount in question is two hundred dollars or more, commits a class 6 felony and shall be punished as provided in section 18-1.3-401, C.R.S., which punishment shall include a fine in an amount set out in section 18-1.3-401 (1)(a)(III), C.R.S.~~

SECTION 550. In Colorado Revised Statutes, 33-4-101.3, **amend** (6) as follows:

33-4-101.3. Black bears - declaration of intent - spring season hunting prohibited - prohibited means of taking - penalty. (6) Any person who violates any provision of this section ~~is guilty of a class 1 misdemeanor~~ **COMMITTS A CLASS 2 MISDEMEANOR** and, upon conviction thereof, shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~ In addition, persons convicted pursuant to this section shall have their wildlife license privileges suspended for five years and persons convicted of a second or subsequent offense pursuant to this section shall have their wildlife license privileges suspended permanently.

SECTION 551. In Colorado Revised Statutes, 33-6-107, **amend** (3.5), (4), and (5) as follows:

33-6-107. Licensing violations - penalties - rule. (3.5) Except as provided in subsection (9) of this section, it is unlawful for any person under sixteen years of age to hunt wildlife with a youth license issued pursuant to section 33-4-102 (1.4)(x) unless such person is at all times personally accompanied by, and in voice and reasonable visual contact with, a person eighteen years of age or older who holds a valid hunter education certificate or who was born before January 1, 1949. Any person who violates this subsection (3.5) ~~is guilty of a misdemeanor~~ **COMMITTS A CIVIL INFRACTION** and, upon conviction thereof, shall be punished by a fine of fifty dollars and ~~an assessment of~~ **IS ASSESSED** five license suspension points.

(4) It is unlawful for any person under twelve years of age to hunt

or take big game, and it is unlawful for persons between the ages of twelve and fifteen years of age to hunt or take big game except when at all times personally accompanied by, and in voice and reasonable visual contact with, a person eighteen years of age or older who holds a valid hunter education certificate or who was born before January 1, 1949. Any person who violates this subsection (4) ~~is guilty of a misdemeanor~~ COMMITS A CIVIL INFRACTION and, upon conviction thereof, shall be punished by a fine of fifty dollars and ~~an assessment of~~ IS ASSESSED ten license suspension points.

(5) Any person who possesses live wildlife in this state and who is required by commission rule to have a license for possession of live wildlife shall have the required license at the site where the wildlife is kept. Any person who violates this subsection (5) ~~is guilty of a misdemeanor~~ COMMITS A PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of one hundred dollars and ~~an assessment of~~ IS ASSESSED ten license suspension points.

SECTION 552. In Colorado Revised Statutes, 33-6-111, **amend** (4) as follows:

33-6-111. Inspection of license and wildlife - check stations - failure to tag - eluding an officer. (4) It is unlawful for any person to elude or attempt to elude by any means a Colorado wildlife officer or other peace officer after having received a visual or audible signal such as a red or red and blue light, siren, or voice command directing ~~him~~ THE PERSON to stop. Any person who violates this subsection (4) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars~~ COMMITS A CLASS 2 MISDEMEANOR and ~~an assessment of~~ IS ASSESSED ten license suspension points. In addition, the court shall require the person to pay for any damages caused to any public or private real or personal property damaged while eluding an officer.

SECTION 553. In Colorado Revised Statutes, 33-6-113, **amend** (2)(b) as follows:

33-6-113. Illegal sale of wildlife. (2) Any person who violates this section:

(b) With respect to all other wildlife ~~is guilty of a misdemeanor and,~~

~~upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, COMMITS A CLASS 2 MISDEMEANOR and an assessment of IS ASSESSED twenty license suspension points.~~

SECTION 554. In Colorado Revised Statutes, 33-6-113.5, **amend** (2) as follows:

33-6-113.5. Illegal businesses on division property. (2) A person who violates this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, COMMITS A PETTY OFFENSE and an assessment of IS ASSESSED twenty license suspension points.~~

SECTION 555. In Colorado Revised Statutes, 33-6-114.5, **amend** (7)(a) and (7)(b) as follows:

33-6-114.5. Native and nonnative fish - possession, transportation, importation, exportation, and release - penalties. (7) (a) Any person who violates subsection ~~(2), (3), or (4)~~ of this section is ~~guilty of a class 1 misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars~~ COMMITS A CLASS 2 MISDEMEANOR.

(b) Any person who violates subsection ~~(2), (3), (5) or (6)~~ of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars. Such person is liable for all damages and costs associated with such unlawful release, including but not limited to the costs of eradication or removal.

SECTION 556. In Colorado Revised Statutes, 33-6-115.5, **amend** (3) as follows:

33-6-115.5. Hunting, trapping, and fishing - intentional interference with lawful activities. (3) Any person who violates this section commits a misdemeanor ~~and, upon conviction, shall be punished by~~

~~a fine of not less than five hundred dollars nor more than one thousand dollars~~ CLASS 2 MISDEMEANOR and ~~an assessment of IS ASSESSED~~ twenty license suspension points.

SECTION 557. In Colorado Revised Statutes, 33-6-117, **amend** (1)(b)(II) as follows:

33-6-117. Willful destruction of wildlife - legislative intent.

(1) (b) A person who violates this subsection (1), with respect to:

(II) ~~All other wildlife species is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment;~~ COMMITS A CLASS 2 MISDEMEANOR and ~~an assessment of IS ASSESSED~~ twenty license suspension points.

SECTION 558. In Colorado Revised Statutes, 33-6-119, **amend** (2) as follows:

33-6-119. Pursuit of wounded game - waste of edible game wildlife - use of wildlife as bait. (2) Except as otherwise provided in articles 1 to 6 of this ~~title~~ TITLE 33 or by rule of the commission, it is unlawful for a person to fail to reasonably attempt to dress or care for and provide for human consumption the edible portions of game wildlife. A person who violates this subsection (2) ~~is guilty of a misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR and, upon conviction thereof, shall, with respect to big game, be punished by a fine of three hundred dollars and an assessment of fifteen license suspension points or shall, with respect to all other game wildlife, be punished by a fine of one hundred dollars and an assessment of ten license suspension points.

SECTION 559. In Colorado Revised Statutes, 33-6-128, **amend** (2) as follows:

33-6-128. Damage or destruction of dens or nests - harassment of wildlife. (2) Unless otherwise allowed by commission rule or regulation, it is unlawful for any person to knowingly or negligently allow or direct a dog which ~~he~~ THE PERSON owns or which is under ~~his~~ THE PERSON'S control to harass wildlife, whether or not the wildlife is actually injured by such

dog. Any person who violates this subsection (2) ~~is guilty of a misdemeanor~~ COMMITS A PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of two hundred dollars.

SECTION 560. In Colorado Revised Statutes, 33-6-129, **amend** (1) as follows:

33-6-129. Damage to property or habitat under division control.

(1) It is unlawful for any person to remove, damage, deface, or destroy any real or personal property or wildlife habitat under the control of the division. Any person who violates this subsection (1) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. In addition, the court may require the defendant to reimburse the division for any damages.

SECTION 561. In Colorado Revised Statutes, 33-6-130, **amend** (1) as follows:

33-6-130. Explosives, toxicants, and poisons not to be used.

(1) Unless permitted by law or by the division, it is unlawful for any person to use toxicants, poisons, drugs, dynamite, explosives, or any stupefying substances for the purpose of hunting, taking, or harassing any wildlife. Any person who violates this subsection (1) ~~is guilty of a misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR and, upon conviction thereof, shall be punished by a fine of two hundred dollars and ~~an assessment of~~ IS ASSESSED twenty license suspension points.

SECTION 562. In Colorado Revised Statutes, 33-6-203, **amend** (2) and (3) as follows:

33-6-203. General prohibition - penalties. (2) Except as otherwise provided in this part 2, any person who attempts to take wildlife using any leghold trap, instant kill body-gripping design trap, poison, or snare commits a ~~class 1~~ petty offense and, upon conviction thereof, shall be punished by a fine of forty dollars and ~~an assessment of~~ IS ASSESSED four license suspension points.

(3) An owner or lessee of private property or an employee of such

owner or lessee, as such terms are defined and used in sections 33-6-207 and 33-6-208, who takes wildlife using any leghold trap, instant kill body-gripping design trap, poison, or snare on such private property under circumstances that give rise to the exemption set forth in section 33-6-207 (1) but without complying with the notice and certification requirements of section 33-6-208 (1)(c) commits a ~~class 2~~ petty offense and, upon conviction thereof, shall be punished by a fine of twenty-five dollars; except that, upon conviction of a second or subsequent offense, the fine shall be fifty dollars.

SECTION 563. In Colorado Revised Statutes, 33-10.5-105, **amend** (2)(a)(I) and (3)(b) as follows:

33-10.5-105. Prohibition of aquatic nuisance species - rules - penalties. (2) (a) A person who knowingly or willfully violates subsection (1) of this section:

(I) For a first offense ~~is guilty of a class 2 petty offense, as defined by section 18-1.3-503~~ COMMITS A PETTY OFFENSE, and, upon conviction, shall be fined five hundred dollars and issued a warning from the division of the increased penalties for subsequent violations;

(3) (b) A person who violates subsection (3)(a) of this section ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 564. In Colorado Revised Statutes, **amend** 33-11-112 as follows:

33-11-112. Trails enforcement. It is unlawful for any person, except a parks and recreation officer or other peace officer, to operate a motorized vehicle on a signed and designated nonmotorized trail. Any person who violates this section ~~is guilty of a class 2 petty offense~~ COMMITS A PETTY OFFENSE and, upon conviction, shall be punished by a fine of one hundred fifty dollars.

SECTION 565. In Colorado Revised Statutes, 33-12-104, **amend** (11) as follows:

33-12-104. Pass and registration agents - reports - board of

claims - unlawful acts - rules. (11) Any pass or registration agent who fails, upon demand of the division or its authorized representative, to account for passes and registrations or who fails to pay over to the division or its authorized representative ~~moneys~~ MONEY received from the sale of passes and registrations **COMMITTS**:

(a) ~~When the amount in question is less than two hundred dollars, is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment;~~ A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) ~~When the amount in question is two hundred dollars or more, commits a class 6 felony and shall be punished as provided in section 18-1.3-401, C.R.S., which punishment shall include a fine in an amount set out in section 18-1.3-401 (1)(a)(III), C.R.S.~~ A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS MORE THAN TWO THOUSAND DOLLARS BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 566. In Colorado Revised Statutes, **amend** 33-12-105 as follows:

33-12-105. Licensing violations. (1) Except as otherwise provided in section 33-12-104 or by a commission rule regarding the manner by which a pass may be transferred, it is unlawful for any person to transfer, sell, or assign any pass or registration issued under articles 10 to 15 of this title 33 to another person. Any person who violates this subsection (1) is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of two hundred dollars.

(2) Any person who makes any false statement or gives any false information in connection with purchasing or selling a pass or registration or who makes any alteration of a pass or registration is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of two hundred dollars, and any such statement, information, or alteration shall render such pass or registration void.

(3) Any person who fails to obtain or make readily available for inspection by a parks and recreation officer or other peace officer an appropriate and valid pass is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of twenty-five dollars.

SECTION 567. In Colorado Revised Statutes, 33-13-103, **amend** (4) and (5) as follows:

33-13-103. Numbering of vessels required - rules. (4) Any person who violates subsection (1) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

(5) It is unlawful for any person to operate or use a canoe, kayak, sailboard, or nonmotorized raft ~~which~~ THAT is not required to be registered under subsection (1) of this section on the waters of this state unless it has been marked with the owner's name and current address in a legible, clearly visible, and durable fashion. Any person who violates this subsection (5) is ~~guilty of a petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction thereof, shall be punished by a fine of fifteen dollars.

SECTION 568. In Colorado Revised Statutes, 33-13-104, **amend** (1) and (2) as follows:

33-13-104. Application for vessel number. (1) The owner of each vessel requiring numbering by this state shall file an application for a number with the division or any representative approved by the division on forms approved and furnished by the division. The owner of the vessel must sign the application and pay an application fee as specified by the commission by rule; except that those vessels owned and operated by the state or any political subdivision of the state must be registered without payment of a registration fee. Upon receipt of the application in approved form, the division or its representative shall issue to the applicant a registration stating the number issued to the vessel. The number issued shall be painted on or attached to each side of the bow on the forward half of the vessel or, if there are no such sides, at a corresponding location on both sides of the foredeck of the vessel for which it is issued. The number issued must read from left to right in block characters of good proportion having a minimum of three inches in height, excluding border or trim, and of a color that contrasts with the color of the background, and must remain clearly visible and legible. Other numbers must not be carried on the bow of the vessel. Any person who fails to display a vessel number as required in this subsection (1) ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of twenty-five dollars.

(2) The registration shall be of pocket size and shall be on board and available at all times for inspection whenever the vessel for which it is issued is in operation in this state. Any person who violates this subsection (2) ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of fifty dollars. If a registration is lost or destroyed, the owner shall, within fifteen days, notify the division. The notification shall be in writing, shall describe the circumstances of the loss or destruction, and shall be accompanied by a fee for a replacement registration as required under section 33-12-101.

SECTION 569. In Colorado Revised Statutes, 33-13-106, **amend** (5) as follows:

33-13-106. Equipment requirements. (5) Any person who violates this section ~~is guilty of a class 2 petty offense~~ COMMITS A PETTY OFFENSE and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 570. In Colorado Revised Statutes, **amend** 33-13-107

as follows:

33-13-107. Vessel liveries. (1) The owner or operator of a vessel livery shall keep a record of the name and address of each person who hires any vessel that is designed or permitted to be operated as a vessel, the hull identification number of the vessel, and the departure date and time and the expected date and time of return of the vessel. Such records shall be preserved for at least thirty days after the vessel is to be returned and shall be subject to inspection by the division. Any person who violates this subsection (1) ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

(2) Neither the owner ~~or~~ NOR operator of a vessel livery nor such owner's or operator's agent or employee shall permit any vessel to depart from his or her premises unless such vessel is equipped and registered as required by this ~~article~~ ARTICLE 13 and rules promulgated pursuant to this ~~article~~ ARTICLE 13. Any person who violates this subsection (2) ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 571. In Colorado Revised Statutes, 33-13-107.1, **amend** (5) as follows:

33-13-107.1. Minimum age of motorboat operators - youth education. (5) Any person who violates this section ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction thereof, shall be punished by a fine of one hundred dollars.

SECTION 572. In Colorado Revised Statutes, 33-13-108, **amend** (1)(b), (2)(b), and (3) as follows:

33-13-108. Prohibited vessel operations - rules. (1) (b) Any person who violates subsection (1)(a) or (1)(a.5) of this section ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction thereof, shall be punished by a fine of one hundred dollars.

(2) (b) Any person who violates subsection (2)(a) of this section ~~is guilty of a class 2 petty offense~~ COMMITS A PETTY OFFENSE and, upon conviction thereof, shall be punished by a fine of two hundred dollars.

(3) It is unlawful for any person to operate a vessel in a reckless manner. Any person who violates this subsection (3) ~~is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 573. In Colorado Revised Statutes, 33-13-108.1, **amend** (1)(a) introductory portion, (12)(a), (12)(b), (12)(c), and (13)(b) as follows:

33-13-108.1. Operating a vessel while under the influence - definitions. (1) (a) It is a ~~misdemeanor~~ VIOLATION for any person to operate or be in actual physical control of a MOTORIZED, WIND-POWERED, OR FLYING vessel in this state while:

(12) (a) Every person who is convicted of a violation of subsection (1) of this section shall be punished by imprisonment in the county jail for not less than five days nor more than one year, and, in addition, the court may impose a fine of not less than ~~two~~ SIX hundred dollars nor more than one thousand dollars AND THE COURT HAS THE DISCRETION TO SUSPEND THE FINE. Except as provided in ~~paragraph (c) of this subsection (12)~~ SUBSECTION (12)(c) OF THIS SECTION, the minimum period of imprisonment provided for the violation shall be mandatory. In addition to any other penalty that is imposed, every person who is convicted of a violation to which this ~~paragraph (a)~~ SUBSECTION (12)(a) applies shall perform AT LEAST FORTY-EIGHT HOURS BUT no more than ninety-six hours of useful public service.

(b) Upon a conviction of a subsequent violation of subsection (1) of this section, ~~that occurred within five years of the date of a previous violation of subsection (1) of this section,~~ the offender shall be punished by imprisonment in the county jail for not less than sixty days nor more than one year, and, in addition, the court may impose a fine of not less than ~~five~~ SIX hundred dollars nor more than one thousand ~~five hundred~~ dollars AND THE COURT HAS THE DISCRETION TO SUSPEND THE FINE. The minimum period of imprisonment as provided for the violation shall be mandatory, but the court may suspend up to ~~fifty-five~~ FIFTY days of the period of imprisonment if the offender complies with ~~paragraph (c) of this subsection (12)~~ SUBSECTION (12)(c) OF THIS SECTION. In addition to any other penalty that is imposed, every person convicted of a violation to which this

~~paragraph (b)~~ SUBSECTION (12)(b) applies shall perform not less than ~~sixty~~ FORTY-EIGHT hours nor more than one hundred twenty hours of useful public service. The performance of the minimum period of service shall be mandatory, and the court shall have no discretion to suspend the mandatory minimum period of performance of the service.

(c) The MANDATORY MINIMUM sentence of any person subject to ~~paragraph (a) or (b) of this subsection (12)~~ SUBSECTION (12)(a) OF THIS SECTION may be suspended to the extent provided for in said paragraphs if the offender receives a presentence alcohol and drug evaluation and, based on that evaluation, if the offender satisfactorily completes AND MEETS ALL FINANCIAL OBLIGATIONS OF an appropriate level I or level II alcohol and drug driving safety education or treatment program ~~and abstains from the use of alcohol for a period of one year from the date of sentencing. The abstinence shall be monitored by the treatment facility by the administration of disulfiram or by any other means that the director of the treatment facility deems appropriate~~ AS IS DETERMINED TO BE APPROPRIATE BY THE ALCOHOL AND DRUG EVALUATION PURSUANT TO SECTION 42-4-1301.3. If, at any time during the one-year period, the offender does not satisfactorily comply with the conditions of the suspension, that sentence shall be reimposed, and the offender shall ~~spend~~ SERVE that portion of the sentence that was suspended. ~~in the county jail.~~ THE COURT, AT ANY TIME, HAS THE DISCRETION TO EMPLOY SENTENCING ALTERNATIVES DESCRIBED IN SECTION 18-1.3-106.

(13) (b) Any person who is ~~convicted of a violation of paragraph (a) of this subsection (13) is guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment in the county jail for not more than one year, or by a fine of not less than two hundred dollars nor more than one thousand dollars, or by both fine and imprisonment~~ VIOLATES SUBSECTION (13)(a) OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

SECTION 574. In Colorado Revised Statutes, 33-13-108.2, **amend** (1) as follows:

33-13-108.2. Operating a vessel while the privilege to operate is suspended. (1) Any person who operates a vessel in this state at a time when a court-ordered suspension of the operator's vessel operating privilege is in effect for a conviction of an alcohol- or drug-related operating offense pursuant to section 33-13-108.1 (1) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for~~

~~not less than three days nor more than one hundred eighty days and, in the discretion of the court, by a fine of not less than three hundred dollars nor more than one thousand dollars. Upon a subsequent conviction, the person shall be punished by imprisonment in the county jail for not less than ninety days nor more than one year and, in the discretion of the court, by a fine of not less than five hundred dollars nor more than three thousand dollars. The minimum jail sentence imposed by this subsection (1) shall be mandatory, and the court shall not grant probation or a suspended sentence~~ COMMITS A CLASS 2 MISDEMEANOR. However, in a case where the defendant is convicted and it is established that it was necessary to operate the vessel in violation of this subsection (1) because of an emergency, the mandatory jail sentence shall not apply, and, for a conviction, the court may impose a sentence of imprisonment in the county jail for a period of not more than one year and, in the discretion of the court, a fine of not more than one thousand dollars, and, for a subsequent conviction, the court may impose a sentence of imprisonment in the county jail for a period of not more than two years and, in the discretion of the court, a fine of not more than three thousand dollars.

SECTION 575. In Colorado Revised Statutes, 33-13-109, **amend** (6) as follows:

33-13-109. Collisions, accidents, and casualties - rules. (6) Any person who violates subsection (1) or (3) of this section ~~is guilty of a class 2 petty offense~~ COMMITS A PETTY OFFENSE and, upon conviction, shall be punished by a fine of seventy-five dollars.

SECTION 576. In Colorado Revised Statutes, 33-13-110, **amend** (1)(c), (2)(d), and (3)(b) as follows:

33-13-110. Water skis, aquaplanes, surfboards, inner tubes, stand-up paddleboards, and similar devices - rules. (1) (c) Any person who violates this subsection (1) ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of two hundred dollars.

(2) (d) Any person who violates this subsection (2) ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

(3) (b) Any person who violates this subsection (3) ~~is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CIVIL INFRACTION.

SECTION 577. In Colorado Revised Statutes, 33-13-111, **amend** (3) as follows:

33-13-111. Authority to close waters - rules. (3) Any person who fails to obey an order issued under this section ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 578. In Colorado Revised Statutes, 33-14-102, **amend** (2)(a) and (9) as follows:

33-14-102. Snowmobile registration - fees - applications - requirements - penalties - exemptions - rules. (2) (a) Every dealer shall require a purchaser of a new or used snowmobile sold at retail from the dealer's inventory to complete a registration application and pay the registration fee before the snowmobile leaves the dealer's premises, except for those snowmobiles purchased for use exclusively outside of this state. Any dealer who does not comply with this ~~paragraph (a) is guilty of a class 2 petty offense~~ SUBSECTION (2)(a) COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

(9) Any person who operates a snowmobile in violation of this section ~~is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of one hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 579. In Colorado Revised Statutes, 33-14-104, **amend** (8) as follows:

33-14-104. Issuance of registration. (8) (a) Any person who violates subsection (5) of this section ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of twenty-five dollars.

(b) Any person who violates subsection (6) of this section ~~is guilty~~

~~of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of fifty dollars.

SECTION 580. In Colorado Revised Statutes, 33-14-109, **amend** (3) as follows:

33-14-109. Restrictions on young operators. (3) Any person who violates this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 581. In Colorado Revised Statutes, 33-14-111, **amend** (3) as follows:

33-14-111. Snowmobile operation on right-of-way of streets, roads, or highways. (3) Any person who violates this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 582. In Colorado Revised Statutes, 33-14-112, **amend** (3) as follows:

33-14-112. Crossing roads, highways, and railroad tracks. (3) Any person who violates this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 583. In Colorado Revised Statutes, **amend** 33-14-113 as follows:

33-14-113. Operation of snowmobiles on private property. No snowmobile shall be operated on private property other than that owned or leased by the operator or except when prior permission has been obtained from the owner, lessee, or agent of the owner or lessee. Any person who violates this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 584. In Colorado Revised Statutes, 33-14-114, **amend** (3) as follows:

33-14-114. Required equipment - snowmobiles. (3) Any person who violates this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 585. In Colorado Revised Statutes, 33-14-115, **amend** (4) as follows:

33-14-115. Notice of accident. (4) (a) Any person who violates subsection (1) ~~or (3)~~ of this section is ~~guilty of a class 2 petty offense~~ COMMITS A PETTY OFFENSE and, upon conviction, shall be punished by a fine of seventy-five dollars.

(b) ANY PERSON WHO VIOLATES SUBSECTION (3) OF THIS SECTION COMMITS A CIVIL INFRACTION.

SECTION 586. In Colorado Revised Statutes, 33-14-116, **amend** (5), (6), and (7) as follows:

33-14-116. Other operating restrictions. (5) Any person who violates subsection (1) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A PETTY OFFENSE and, upon conviction, shall be punished by a fine of two hundred dollars.

(6) Any person who violates subsection (2) or (3) of this section is ~~guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 1 MISDEMEANOR.

(7) Any person who violates subsection (4) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A PETTY OFFENSE and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 587. In Colorado Revised Statutes, 33-14-117, **amend** (3) as follows:

33-14-117. Hunting, carrying weapons on snowmobiles - prohibitions. (3) Any person who violates subsection (1) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon

conviction, shall be punished by a fine as follows:

(a) For a violation of ~~paragraph (a) of subsection (1)~~ SUBSECTION (1)(a) of this section, two hundred dollars;

(b) For a violation of subsection (1)(b) of this section, one hundred dollars; and

(c) For a violation of ~~paragraph (c) of subsection (1)~~ SUBSECTION (1)(c) of this section, two hundred dollars.

SECTION 588. In Colorado Revised Statutes, 33-14.5-102, **amend** (7), (8), and (9)(f) as follows:

33-14.5-102. Off-highway vehicle registration - nonresident-owned or -operated off-highway vehicle permits - fees - applications - requirements - exemptions - rules. (7) Any person who operates an off-highway vehicle in violation of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

(8) Any dealer who does not comply with ~~paragraph (a) of subsection (2)~~ SUBSECTION (2)(a) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

(9) (f) Any person who violates this subsection (9) is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction thereof, shall be punished by a fine of one hundred dollars.

SECTION 589. In Colorado Revised Statutes, 33-14.5-104, **amend** (7) as follows:

33-14.5-104. Issuance of registration. (7) (a) Any person who violates subsection (5) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of twenty-five dollars.

(b) Any person who violates subsection (6) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon

conviction, shall be punished by a fine of fifty dollars.

SECTION 590. In Colorado Revised Statutes, 33-14.5-108, **amend** (2) as follows:

33-14.5-108. Off-highway vehicle operation prohibited on streets, roads, and highways. (2) Any person who violates subsection (1) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of fifty dollars.

SECTION 591. In Colorado Revised Statutes, 33-14.5-108.5, **amend** (3) as follows:

33-14.5-108.5. Crossing roads, highways, and railroad tracks. (3) A person who violates this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 592. In Colorado Revised Statutes, 33-14.5-109, **amend** (2) as follows:

33-14.5-109. Required equipment - off-highway vehicles. (2) A person who violates subsection (1) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of fifty dollars; except that the fine for a violation relating to a spark arrester is one hundred fifty dollars.

SECTION 593. In Colorado Revised Statutes, 33-14.5-112, **amend** (6) as follows:

33-14.5-112. Off-highway use permit - fees - applications - requirements - exemptions - rules. (6) Any person who violates subsection (1)(b) of this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 594. In Colorado Revised Statutes, 33-14.5-113, **amend** (4) as follows:

33-14.5-113. Notice of accident. (4) Any person who violates subsection (1) or (3) of this section ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of seventy-five dollars.

SECTION 595. In Colorado Revised Statutes, 33-15-101, **amend** (2) as follows:

33-15-101. Powers of officers. (2) When the public health, safety, welfare, or necessity requires, any officer having the power to enforce the provisions of articles 10 to 15 and 32 of this ~~title~~ TITLE 33 shall have the authority to make use of any motor vehicle or other means of transportation, whether privately or publicly owned, to aid such officer in the performance of such officer's duties. In such a case, payment of reasonable compensation shall be made for the use of such motor vehicle or other means of transportation. Any person who refuses to comply with the provisions of this subsection (2) ~~is guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction thereof, shall be punished by a fine of fifty dollars.

SECTION 596. In Colorado Revised Statutes, 33-15-102, **amend** (1) introductory portion as follows:

33-15-102. Imposition of penalty - procedures. (1) A person is ~~guilty of a class 2 petty offense~~ COMMITS A PETTY OFFENSE and, upon conviction, shall be punished by a fine of one hundred dollars for a violation of any of the following for which there is not an associated statutory penalty listed:

SECTION 597. In Colorado Revised Statutes, **amend** 33-15-105 as follows:

33-15-105. Eluding. It is unlawful for any person to elude or attempt to elude by any means a parks and recreation officer or other commissioned officer of the division after having received a visual or audible signal such as a red or red and blue light, a siren, or a voice command directing ~~him~~ THE PERSON to stop. Any person who violates this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of three hundred dollars~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 598. In Colorado Revised Statutes, 33-15-106, **amend** (2)(a) and (2)(b) as follows:

33-15-106. Fires. (2) (a) Any person who violates subsection (1)(a) of this section ~~is guilty of a class 3 misdemeanor and, upon conviction thereof, shall be punished by a minimum sentence of a fifty-dollar fine up to a maximum sentence of six months imprisonment or a seven-hundred-fifty-dollar fine, or both~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

(b) Except as otherwise provided in ~~paragraph (c) of this subsection~~ **(2) SUBSECTION (2)(c) OF THIS SECTION**, any person who violates ~~paragraph (b) of subsection (1)~~ **SUBSECTION (1)(b) OF THIS SECTION** is guilty of a class 2 misdemeanor. ~~and, upon conviction thereof, shall be punished by a fine of not less than two hundred fifty dollars and not greater than one thousand dollars. The fine imposed by this paragraph (b) shall be mandatory and not subject to suspension. Nothing in this paragraph (b) shall be construed to limit the court's discretion in exercising other available sentencing alternatives in addition to the mandatory fine.~~

SECTION 599. In Colorado Revised Statutes, **amend** 33-15-107 as follows:

33-15-107. Camping. (1) It is unlawful for any person to camp on land or water located in a state park or state recreation area unless the area is so designated and posted pursuant to rule of the commission. Any person who violates this subsection (1) ~~is guilty of a class 2 petty offense~~ **COMMITTS A CIVIL INFRACTION** and, upon conviction, shall be punished by a fine of one hundred dollars.

(2) A person who occupies an area designated for camping without having obtained a valid permit for the campsite ~~is guilty of a class 2 petty offense~~ **COMMITTS A CIVIL INFRACTION** and, upon conviction, shall be punished by a fine equal to five times the cost of a permit for the campsite.

SECTION 600. In Colorado Revised Statutes, 33-15-108, **amend** (1) as follows:

33-15-108. Littering. (1) It is unlawful for any person to litter any land or water under the control of the division. Except as otherwise provided in subsection (2) of this section, any person who violates this

section commits a ~~class 2~~ petty offense. ~~and, upon conviction thereof, shall be punished as provided in section 18-4-511, C.R.S.~~

SECTION 601. In Colorado Revised Statutes, 33-15-110, **amend** (2) as follows:

33-15-110. Vehicles and vessels - operation on state property.

(2)(a) Any person who violates SUBSECTION (1)(a), (1)(b), OR (1)(c) OF this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

(b) ANYONE WHO VIOLATES SUBSECTION (1)(d) OF THIS SECTION COMMITS A PETTY OFFENSE AND, UPON CONVICTION SHALL BE PUNISHED BY A FINE OF ONE HUNDRED DOLLARS.

SECTION 602. In Colorado Revised Statutes, **amend** 33-15-112 as follows:

33-15-112. Motor vehicles - careless operation. It is unlawful for any person to operate a motor vehicle on any property under the control of the division in a careless or imprudent manner without due regard for the width, grade, corners, or curves of, the traffic on, or the traffic regulations governing public roads and without due regard for all other attendant circumstances. Any person who violates this section is ~~guilty of a class 2 petty offense~~ COMMITS A CIVIL INFRACTION and, upon conviction, shall be punished by a fine of one hundred dollars.

SECTION 603. In Colorado Revised Statutes, **amend** 33-15-114 as follows:

33-15-114. Commercial use of state property. It is unlawful to operate any commercial business or to solicit business on any property owned or managed by the division without first obtaining written permission from the division or the commission pursuant to this title TITLE 33 or any applicable rules promulgated by the commission. Any person who violates this section is ~~guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 604. In Colorado Revised Statutes, 33-32-107, **amend** (2) as follows:

33-32-107. River outfitters - prohibited operations - penalties.

(2) It is unlawful for any river outfitter, guide, trip leader, or guide instructor to:

(a) Violate the safety equipment provisions of section 33-13-106. Any person who violates the provisions of this ~~paragraph (a)~~ SUBSECTION (2)(a) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of one hundred dollars; except that any person who fails to have one personal flotation device for each person on board as required by section 33-13-106 (3)(a) commits a ~~class 3 misdemeanor and, upon conviction thereof, shall be punished as provided in section 18-1.3-501,~~ **C.R.S. CLASS 2 MISDEMEANOR.**

(b) Operate a vessel in a careless or imprudent manner without due regard for river conditions or other attending circumstances or in such a manner as to endanger any person, property, or wildlife. Any person who violates the provisions of this ~~paragraph (b) is guilty of a class 3 misdemeanor and, upon conviction thereof, shall be punished as provided in section 18-1.3-501,~~ **C.R.S. SUBSECTION (2)(b) COMMITS A PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF ONE HUNDRED DOLLARS.**

(b.5) Allow another person to operate a vessel without due regard for river conditions or other attending circumstances or in such a manner as to endanger any person, property, or wildlife. A person who violates this subsection (2)(b.5) commits a ~~class 3 misdemeanor and, upon conviction thereof, shall be punished as provided in section 18-1.3-501~~ **PETTY OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF ONE HUNDRED DOLLARS.**

(c) Operate a vessel with wanton or willful disregard for the safety of persons or property. Any person who violates the provisions of this ~~paragraph (c) is guilty of~~ SUBSECTION (2)(c) **COMMITS** a class 2 misdemeanor and, upon conviction thereof, shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 605. In Colorado Revised Statutes, 33-44-109, **amend**

(12) as follows:

33-44-109. Duties of skiers - penalties. (12) (a) Any person who violates ~~any of the provisions of subsection (3), (9), (10), or (11) of this section is guilty of a class 2 petty offense and, upon conviction thereof,~~ COMMITS A CIVIL INFRACTION AND shall be punished by a fine of not more than one thousand dollars.

(b) ANY PERSON WHO VIOLATES SUBSECTION (10) OF THIS SECTION COMMITS A PETTY OFFENSE.

SECTION 606. In Colorado Revised Statutes, 34-24-110, **amend** (1) and (3) as follows:

34-24-110. Abandoned mine to be covered - penalty. (1) Every abandoned or inactive mine endangering the life of man or beast shall be securely covered or fenced. It is the duty of the operator of such mine, upon the abandonment or cessation of operations therein or thereon, to securely cover or fence the same and post a "No Trespassing" sign bearing the name and address of the owner or operator. Anyone failing to securely cover or fence such mine or any person removing such fence or covering without permission of the operator ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed three hundred dollars~~ COMMITS A CIVIL INFRACTION. Such fine when assessed and paid shall be distributed as follows: Seventy-five percent to the office of active and inactive mines to be used to cover or fence mines ~~which~~ THAT are dangerous to man or beast; twenty-five percent to the general fund of the state.

(3) It is unlawful for any person to trespass into any mine. Any person so trespassing ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 607. In Colorado Revised Statutes, **amend** 34-24-111 as follows:

34-24-111. Penalty for removing covering or fencing. Any person

removing or destroying any covering or fencing placed around or over any mine as provided for in section 34-24-110 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment COMMITS A PETTY OFFENSE.

SECTION 608. In Colorado Revised Statutes, 34-24-112, **amend** (3) as follows:

34-24-112. When visitors allowed underground. (3) Any person violating any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than ten days, or by both such fine and imprisonment COMMITS A PETTY OFFENSE.

SECTION 609. In Colorado Revised Statutes, 34-33-122, **amend** (9) as follows:

34-33-122. Inspections and monitoring. (9) No employee of the division performing any function or duty under this ~~article~~ ARTICLE 33 shall have a direct or indirect financial interest in any underground or surface coal mining operation. Whoever knowingly violates the provisions of this subsection (9) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than twenty-five hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment COMMITS A CLASS 2 MISDEMEANOR.

SECTION 610. In Colorado Revised Statutes, **amend** 34-53-102 as follows:

34-53-102. False weights - scales - penalty. Any person, association, or corporation, or the agent of any person, association, or corporation, engaged in the business of milling, sampling, concentrating, reducing, shipping, or purchasing ores who keeps or uses any false or fraudulent scales or weights for weighing ore, or who keeps or uses any false or fraudulent assay scales or weights for ascertaining the assay value of ore, knowing them to be false, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one

~~thousand dollars nor less than one hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 611. In Colorado Revised Statutes, **amend** 34-53-103 as follows:

34-53-103. Altering value - certificate - penalty. Any person, corporation, or association, or the agent of any person, corporation, or association, engaged in the milling, sampling, concentrating, reducing, shipping, or purchasing of ores in this state who in any manner knowingly alters or changes the true value of any ores delivered to him OR HER, so as to deprive the seller of the result of the correct value of the same, or who substitutes other ores for those delivered to him OR HER, or who issues any bill of sale or certificate of purchase that does not exactly and truthfully state the actual weight, assay value, and total amount paid for any lot of ore purchased, or who, by any secret understanding or agreement with another, issues a bill of sale or certificate of purchase that does not truthfully and correctly set forth the weight, assay value, and total amount paid for any lot of ore purchased by him ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars nor less than one hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ OR HER COMMITS A CLASS 2 MISDEMEANOR.

SECTION 612. In Colorado Revised Statutes, **amend** 34-54-106 as follows:

34-54-106. Penalty. Any person who violates any of the provisions of this article ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for a term of not more than six months, or by both such fine and imprisonment~~ ARTICLE 54 COMMITS A CLASS 2 MISDEMEANOR.

SECTION 613. In Colorado Revised Statutes, 34-60-121, **amend** (2) and (3) as follows:

34-60-121. Violations - penalties - rules - legislative declaration. (2) If any person, for the purpose of evading this ~~article~~ ARTICLE 60 or any

rule, regulation, or order of the commission, makes or causes to be made any false entry or statement in a report required by this ~~article~~ ARTICLE 60 or by any such rule, regulation, or order, or makes or causes to be made any false entry in any record, account, or memorandum required by this ~~article~~ ARTICLE 60 or by any such rule, regulation, or order, or omits or causes to be omitted from any such record, account, or memorandum full, true, and correct entries as required by this ~~article~~ ARTICLE 60 or by any such rule, regulation, or order, or removes from this state or destroys, mutilates, alters, or falsifies any such record, account, or memorandum, such person is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment COMMITS A CLASS 2 MISDEMEANOR.

(3) Any person knowingly aiding or abetting any other person in the violation of any provision of this ~~article~~ ARTICLE 60 or any rule, regulation, or order of the commission shall be subject to the same penalty as that prescribed by this ~~article~~ for the violation by such other person COMMITS A CLASS 2 MISDEMEANOR.

SECTION 614. In Colorado Revised Statutes, **amend** 34-61-108 as follows:

34-61-108. Violation - penalty - disposition of fines. Any person who violates any of the provisions of this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than six months in the county jail, or by both such fine and imprisonment ARTICLE 61 COMMITS A CLASS 2 MISDEMEANOR. In all cases where fines are collected, one-half of the amount shall be paid to the treasury department and be placed to the credit of the general fund.

SECTION 615. In Colorado Revised Statutes, **amend** 35-2-106 as follows:

35-2-106. Reports confidential. The reports made to the commissioner of agriculture by individuals, firms, or corporations, or to any of the several state, county, city, town, school district, or institutional officers specified in section 35-2-101, shall be regarded as confidential and not for the purpose of disclosing personal or corporate affairs. In the reports

of the commissioner, no use shall be made of the names of individuals, firms, or corporations supplying the information called for in this ~~article~~ ARTICLE 2. Any officer or employee of the state agricultural commission disclosing such information is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars and costs of prosecution or by imprisonment in the county jail for a period of not more than one year~~ COMMITS A PETTY OFFENSE.

SECTION 616. In Colorado Revised Statutes, **amend** 35-4-114 as follows:

35-4-114. Penalties. Except for sections 35-4-107 and 35-4-110.5, any person who violates any of the provisions of this ~~article~~ ARTICLE 4 commits a ~~class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars~~ CIVIL INFRACTION. The commissioner or a board of county commissioners may refer such cases to the district attorney of the county in which such violation is alleged to have occurred for such action as may be deemed necessary. The conviction of a violation of any of the provisions of this ~~article~~ ARTICLE 4 shall be cause for revocation of any certificate, permit, or appointment issued under this ~~article~~ ARTICLE 4.

SECTION 617. In Colorado Revised Statutes, 35-9-123, **amend** (3) as follows:

35-9-123. Embargo. (3) Any person who removes or disposes of such detained or embargoed pesticide or device by sale or otherwise, without prior permission, or removes or alters the tag or marking commits a ~~class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~ CLASS 2 MISDEMEANOR. In addition, such person may be subjected to appropriate administrative proceedings.

SECTION 618. In Colorado Revised Statutes, 35-9-125, **amend** (2) and (3); and **repeal** (4) as follows:

35-9-125. Criminal penalties. (2) Any person who violates any of the provisions of section 35-9-120 (1)(a), (1)(b), (1)(c), (1)(e), (1)(f), (1)(h), (1)(j), (1)(k), (2)(a), (2)(b), (2)(c), or (2)(g) or 35-9-123 (3) commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

(3) Any person who violates section 35-9-120 (1)(g), (2)(d), ~~(2)(e)~~, or (2)(f) commits a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

~~(4) Any person who violates any of the provisions of section 35-9-120 (2)(e) commits a class 3 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~

SECTION 619. In Colorado Revised Statutes, 35-10-123, **amend** (2) as follows:

35-10-123. Criminal penalties. (2) Any person who violates any of the provisions of section 35-10-117 (1)(a), (1)(b), (1)(c), (1)(e), (1)(g), (1)(i), (1)(j), (2)(a), (2)(b), (2)(c), (2)(d), (3)(a), or (4)(a) commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 620. In Colorado Revised Statutes, 35-14-132, **amend** (1) as follows:

35-14-132. Criminal penalties. (1) Any person who willfully makes, installs, sells or offers to sell, or uses or allows to be used on his or her weights or measures any counterfeit seal, or seal of the commissioner without proper authority, commits a ~~class 2 misdemeanor~~ CIVIL INFRACTION and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 621. In Colorado Revised Statutes, **amend** 35-23-110 as follows:

35-23-110. Malfeasance of inspectors - penalty. Any inspector employed under this ~~article~~ ARTICLE 23 who knowingly makes a wrong or improper inspection of any fruit, vegetable, or other agricultural product, or knowingly and improperly certifies that the grade, quality, or condition of a fruit, vegetable, or other agricultural product does or does not conform to the standards established under this ~~article~~ ARTICLE 23, or fails to bring action to prosecute any violators of this ~~article~~ ARTICLE 23, or accepts money or other consideration directly or indirectly for an incorrect or improper performance of ~~his~~ THE INSPECTOR'S duty, and any person who improperly influences any such inspector in the performance of ~~his~~ THE

~~INSPECTOR'S duty is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 622. In Colorado Revised Statutes, **amend** 35-23-116 as follows:

35-23-116. Penalty. Any person, firm, corporation, or other organization ~~which~~ THAT violates any of the provisions of this ~~article~~ ARTICLE 23 or willfully interferes with the commissioner or ~~his~~ THE COMMISSIONER'S deputies, inspectors, or employees in the performance or on account of the execution of ~~his~~ THE COMMISSIONER'S duties as provided by this ~~article~~ is ~~guilty of a misdemeanor~~ ARTICLE 23 COMMITS A PETTY OFFENSE. IN ADDITION TO THE CRIMINAL PENALTY, any person convicted under this ~~article~~ ARTICLE 23 shall be punished by the revoking of ~~his~~ THE PERSON'S license by the commissioner. ~~and by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.~~

SECTION 623. In Colorado Revised Statutes, **amend** 35-25-111 as follows:

35-25-111. Penalties. In addition to civil penalties ~~which~~ THAT may be imposed pursuant to section 35-25-103 (5), any person violating any provision of this ~~article~~ is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars for the first offense~~ ARTICLE 25 COMMITS A CIVIL INFRACTION and, for any offense thereafter, is guilty of a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 624. In Colorado Revised Statutes, 35-26-109, **amend** (1) as follows:

35-26-109. Penalties. (1) Any person who intentionally violates any provision of this ~~article~~ ARTICLE 26 or the rules or regulations promulgated pursuant to this ~~article~~ ARTICLE 26 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 625. In Colorado Revised Statutes, 35-27-113, **amend** (6) introductory portion as follows:

35-27-113. Prohibitions. (6) A person commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501 ~~C.R.S.~~, when such person:

SECTION 626. In Colorado Revised Statutes, **amend** 35-27.5-107 as follows:

35-27.5-107. Penalties. Any person who intentionally violates any provision of this ~~article~~ ARTICLE 27.5 or the rules or regulations promulgated pursuant to section 35-27.5-103 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 627. In Colorado Revised Statutes, 35-28-116, **amend** (2) as follows:

35-28-116. Administration and enforcement. (2) Every person who violates any provision of this ~~article~~ ARTICLE 28 or any provision of any marketing order duly issued by the commissioner under this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than six months, or by both such fine and imprisonment ARTICLE 28 COMMITS A PETTY OFFENSE. Each day during which any such violations continue constitutes a separate offense.

SECTION 628. In Colorado Revised Statutes, **amend** 35-29-109 as follows:

35-29-109. Penalties. Any person violating any of the provisions of this ~~article~~ is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment ARTICLE 29 COMMITS A PETTY OFFENSE.

SECTION 629. In Colorado Revised Statutes, 35-31-104, **amend** (1) as follows:

35-31-104. Penalty. (1) Any person, whether acting individually or otherwise, in such person's own behalf, or as the agent, employee, servant, director, or officer of any other person, partnership, firm, association, or corporation, or any corporation who violates any of the provisions of this part 1 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 630. In Colorado Revised Statutes, 35-33-206, **amend** (5) as follows:

35-33-206. License required - application - inspection - issuance. (5) Any person who operates a custom processing facility without a valid license therefor commits a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 631. In Colorado Revised Statutes, **amend** 35-35-104 as follows:

35-35-104. Penalty. Any corporation, partnership, association, or individual violating any of the provisions of this ~~article, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars~~ ARTICLE 35 COMMITS A CIVIL INFRACTION.

SECTION 632. In Colorado Revised Statutes, 35-36-106, **amend** (1) and (2) as follows:

35-36-106. Penalties. (1) A person who violates section 35-36-217 (1)(a) to (1)(e) or (1)(j) or section 35-36-313 (1)(a) to (1)(e) commits a class 6 felony and shall be punished as provided in section 18-1.3-401. A person who violates section 35-36-217 (1)(f) or 35-36-313 (1)(f) or (1)(j) commits theft, as defined in section 18-4-401. A person who violates section 35-36-217 (1)(l) or 35-36-313 (1)(k) commits fraud by check, as defined in section 18-5-205. A person who violates section 35-36-217 (1)(g) to (1)(i) commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

(2) A person who violates any other provision of this article 36

commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 633. In Colorado Revised Statutes, 35-36-217, **amend** (1)(g), (1)(h), and (1)(i) as follows:

35-36-217. Unlawful acts - definition. (1) It is unlawful and a violation of this part 2 for a person to:

(g) Commit fraud or deception in the procurement or attempted procurement of a license. Violation of this subsection (1)(g) is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(h) Fail to comply with any lawful order of the commissioner concerning the administration of this part 2. Violation of this subsection (1)(h) is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(i) Interfere with or hinder an authorized representative of the department while performing the person's duties under this part 2. Violation of this subsection (1)(i) is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 634. In Colorado Revised Statutes, 35-36-313, **amend** (1)(g), (1)(h), (1)(i), (1)(l), and (1)(m) as follows:

35-36-313. Unlawful acts - definition. (1) It is unlawful and a violation of this part 3 for any person to:

(g) Commit fraud or deception in the procurement or attempted procurement of a license. Violation of this subsection (1)(g) is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(h) Fail to comply with a lawful order of the commissioner concerning the administration of this part 3. Violation of this subsection (1)(h) is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(i) Interfere with or hinder an authorized representative of the commissioner while performing the authorized representative's duties under this part 3. Violation of this subsection (1)(i) is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(l) If acting as a dealer who has signed an affidavit in accordance with section 35-36-303 (1)(a)(I), fail to make payment in cash or by one of the other means specified in section 35-36-304 (1)(c) for any transaction without first complying with the bonding requirements of section 35-36-304. Violation of this subsection (1)(l) is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

(m) If licensed as a small-volume dealer, purchase twenty thousand dollars' worth or more of farm products in one year from the owner for processing or resale. Violation of this subsection (1)(m) is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 635. In Colorado Revised Statutes, **amend** 35-41.5-115 as follows:

35-41.5-115. Criminal penalties. Any person who violates any of the provisions of section 35-41.5-109 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501 (1). ~~C.R.S.~~

SECTION 636. In Colorado Revised Statutes, 35-42.5-101, **amend** (3) as follows:

35-42.5-101. Duties and restrictions relating to shelters and pounds - legislative declaration. (3) Any person who violates the provisions of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 637. In Colorado Revised Statutes, 35-43-105, **amend** (3) as follows:

35-43-105. Fee to record brands - unlawful use - penalty. (3) Any person, association, or corporation or any employee thereof who violates any of the provisions of subsection (2) of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 638. In Colorado Revised Statutes, 35-43-118, **amend** (2) as follows:

35-43-118. Maverick defined - branding penalty. (2) Any person who marks, brands, or causes to be marked or branded, or in any way converts to his THE PERSON'S use any animal known and designated by law as a maverick, if not by law authorized to do so, or who knowingly allows such marking, branding, or conversion, as is prohibited by this section, to be done by his THE PERSON'S employee or agent in his THE PERSON'S behalf ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not less than three months nor more than one year~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 639. In Colorado Revised Statutes, **amend** 35-43-123 as follows:

35-43-123. Thoroughbred rams must be herded. It is the duty of any owner or agent of any owner of thoroughbred rams of any description to herd them or keep them enclosed. Any owner or agent who refuses to comply with the provisions of this section ~~shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars~~ **COMMITTS A CIVIL INFRACTION.**

SECTION 640. In Colorado Revised Statutes, 35-43-129, **amend** (4) as follows:

35-43-129. Branding of calves required - exceptions. (4) Any person, company, or corporation who violates any of the provisions of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars and by imprisonment in the county jail for not more than ninety days. For a second or subsequent violation, such person, company, or corporation shall be punished by a mandatory fine of not less than five hundred dollars and by imprisonment in the county jail for of not less than ten days~~ **COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 641. In Colorado Revised Statutes, 35-43-130, **amend** (2) as follows:

35-43-130. Cattle in feedlots. (2) Any lessee, lessor, commercial

feedlot owner, or established livestock owner who violates any of the provisions of this section commits a ~~class 1~~ petty offense and shall be punished as provided in section 18-1.3-503. ~~C.R.S. For a second or subsequent violation, such person described in this subsection (2) commits a class 3 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~

SECTION 642. In Colorado Revised Statutes, **amend** 35-43-212 as follows:

35-43-212. Violations - penalties. (1) Except as otherwise provided in this part 2, any person violating this part 2 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

(2) Except as otherwise provided in this part 2, any person that violates this part 2 within three years after a previous violation of this part 2 by that same person commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

(3) A person who unlawfully butchers an animal belonging to another person commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 643. In Colorado Revised Statutes, **amend** 35-45-104 as follows:

35-45-104. Contents and posting of notice - violations - penalties. Whenever any such portion of such public domain is decreed as a sheep or cattle range or it is decreed that the same is entitled to be used by sheep or cattle owners, as the case may be, the court shall enter an order directing the clerk of the court to give notice of the establishment of such range, which notice shall describe the area or boundaries of the range involved, pursuant to the terms of the decree, and state in substance the findings of the court. Three copies of said notice shall be posted at conspicuous places upon said range by the sheriff of the county in which said range is situated and return made to the clerk of said court, and thereafter it is unlawful for any person, whether acting in ~~his~~ THE PERSON'S own behalf or as the agent, servant, or employee of another, to graze or herd stock not entitled to be herded or

grazed thereon. Each such person violating this ~~article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ ARTICLE 45 COMMITS A PETTY OFFENSE. Each day that any such person violates this ~~article~~ ARTICLE 45 constitutes a separate offense.

SECTION 644. In Colorado Revised Statutes, 35-46-105, **amend** (2) as follows:

35-46-105. Grazing on roads and in municipalities - penalty.

(2) Any person violating this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than two hundred dollars for each offense~~ COMMITS A CIVIL INFRACTION. It is the duty of every Colorado state trooper, sheriff, or other peace officer to prefer charges against any person violating this section and take custody of such livestock and place them on feed and water. Such livestock may be placed by such officer in the custody of a responsible person who shall care for the same pending disposition of any court action under this section. The livestock may be held in case of conviction of the owner or other person in charge for the payment of any reasonable costs of handling, care, and feed and of court and for the payment of all fines which may be levied against said owner or other person in charge. In the event such costs and fine are not paid within ten days after the entry of judgment, such court, after reasonable notice to such owner and any known persons in interest as determined by the court, may order sufficient numbers of such livestock sold to pay such costs and fine.

SECTION 645. In Colorado Revised Statutes, **amend** 35-46-109 as follows:

35-46-109. Taking into custody or release unlawful - penalty.

It is unlawful for any person to take into ~~his~~ THE PERSON'S custody any livestock without complying with the provisions of sections 35-46-102 to 35-46-105 unless such taking be done in good faith. It is unlawful for any person, forcibly or by trickery, fraud, or deceit, or without the knowledge and consent of the person having possession of any livestock taken under such provisions, to remove the same from the possession of such person. Any person violating the provisions of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of~~

~~not less than ten dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 646. In Colorado Revised Statutes, **amend** 35-47-103 as follows:

35-47-103. Penalty. Any person who knowingly permits any of said animals to run at large ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 647. In Colorado Revised Statutes, 35-48-103, **amend** (3) as follows:

35-48-103. Inferior bulls or rams. (3) Any person violating any of the provisions of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars for each offense~~ COMMITS A CIVIL INFRACTION.

SECTION 648. In Colorado Revised Statutes, **amend** 35-50-119 as follows:

35-50-119. Criminal penalties. (1) Except as set forth in subsection (2) of this section, any person, firm, partnership, association, or corporation, and any officer or agent thereof, who violates any of the provisions of this ~~article~~ ARTICLE 50 or any lawful order or rule of the commissioner commits a misdemeanor and, upon conviction thereof, shall be punished by a fine of ~~not less than five hundred dollars and not more than two thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ CLASS 2 MISDEMEANOR.

(2) A person who moves or causes to be moved any single head or any herd of cattle, horses, sheep, goats, swine, poultry, or other livestock from a hold or quarantined area in violation of a hold or quarantine order or who knowingly or unlawfully introduces a reportable disease into the state commits a class 1 misdemeanor and, upon conviction thereof, shall be punished pursuant to title 18, C.R.S. ~~In the case of a second or subsequent conviction under this section, a sentence of imprisonment within the minimum and maximum terms shall be mandatory and shall not be subject~~

~~to suspension.~~ A plea of nolo contendere accepted by the court shall be considered a conviction for the purposes of this section.

SECTION 649. In Colorado Revised Statutes, **amend** 35-51-102 as follows:

35-51-102. Penalty for violation. It is unlawful to manufacture or sell animal biological products as defined in section 35-51-101, except in compliance with the provisions of this ~~article~~ ARTICLE 51, and any person, firm, or corporation violating the provisions of this ~~article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment~~ ARTICLE 51 COMMITS A CLASS 2 MISDEMEANOR.

SECTION 650. In Colorado Revised Statutes, **amend** 35-52-111 as follows:

35-52-111. Penalty. Any person, firm, partnership, or corporation violating the provisions of this ~~article is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars~~ ARTICLE 52 COMMITS A CIVIL INFRACTION.

SECTION 651. In Colorado Revised Statutes, **amend** 35-53-103 as follows:

35-53-103. False report - certificate - penalty. Any inspector who knowingly makes any false certificate under the provisions of section 35-53-102 to the state board of stock inspection commissioners ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 652. In Colorado Revised Statutes, **amend** 35-53-106 as follows:

35-53-106. Substitution of animals - penalty. Any person, firm, association, or corporation, or any agent or employee thereof, who ships any

animals other than those described in the certificate provided by the brand inspector inspecting such animals, as provided in section 35-53-105, or who removes any of said animals and substitutes others therefor without the knowledge of said inspector is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 653. In Colorado Revised Statutes, 35-53-111, **amend** (2) as follows:

35-53-111. Sanitary rules as to movement of livestock - quarantine - penalty. (2) All fees connected with such examinations are to be paid by the owner of such stock so examined; but no fee shall be collected from the owner of any animals entering this state by railroad, in direct route to other states or territories, which do not remain in the state of Colorado for a longer period than is required for feeding and watering in transit. Any person, firm, or corporation who violates or disregards any of the provisions of a proclamation issued by the governor in compliance with this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than three hundred dollars nor more than three thousand dollars, or by imprisonment in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 654. In Colorado Revised Statutes, 35-53-112, **amend** (1) as follows:

35-53-112. Shipping prior to inspection - penalty. (1) Any person, firm, association, partnership, or corporation, or any employee thereof, who willfully violates any provision of sections 35-53-101 to 35-53-112, except as otherwise provided in said sections, or who moves or causes to be moved any single head or any herd of cattle, horses, or mules within this state or beyond the boundaries of this state without having had the same inspected and cleared by a Colorado brand inspector is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than ninety days nor more than one year, or by both such fine and imprisonment. Upon conviction of a~~

~~second violation of this section, such person shall be fined not less than five hundred dollars nor more than one thousand dollars and imprisoned in the county jail for not less than ninety days nor more than one year. Neither such fine nor imprisonment shall be suspended by the court, nor shall such person be granted probation by the court. Any person who commits a third or subsequent violation of this section commits a class 6 felony and shall be punished as provided in section 18-1.3-401, C.R.S. Nothing in sections 35-53-101 to 35-53-112 shall be construed as repealing the laws now in force respecting the theft of livestock~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 655. In Colorado Revised Statutes, **amend** 35-53-120 as follows:

35-53-120. Penalty. Any person, whether acting in ~~his~~ THE PERSON'S own behalf or as agent, servant, officer, or employee of any firm, association, or corporation, who violates any provisions of sections 35-53-113 to 35-53-119 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment, except where otherwise provided in said sections~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 656. In Colorado Revised Statutes, **amend** 35-53-124 as follows:

35-53-124. Penalty. Any person who makes a false or forged permit as specified in section 35-53-121 or a false or forged statement as specified in section 35-53-122, or who knowingly exhibits or causes to be exhibited to any peace officer any such false or forged permit or statement, or who, upon request of any peace officer of the state of Colorado, refuses or neglects to exhibit a permit or make a statement as provided in section 35-53-122 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 657. In Colorado Revised Statutes, **amend** 35-53-126 as follows:

35-53-126. Inspection at market - penalty. All cattle that are

subject to inspection in the state by virtue of any law or regulation, on arrival at any market, shall be inspected by a duly authorized brand inspector, whether or not they have been previously inspected at the point of origin, before they are taken to the scales for weighing or are weighed at such market unless such cattle are released by an authorized brand inspector. Any person, whether acting in his OR HER own behalf or as an agent, servant, officer, or employee of any person, firm, corporation, or association, who violates any provisions of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 658. In Colorado Revised Statutes, 35-53-129, **amend** (1) as follows:

35-53-129. Permanent permit for rodeo and other horses - rules.

(1) Competition horses, other than contractor-owned bucking horses, that are used in rodeo and horse show competitions, registered breed show horses, racehorses, special drill and pleasure horses, and Colorado farm or ranch work or saddle horses shall be eligible to receive a permanent transportation permit that shall be valid for both interstate and intrastate movement if positive proof of ownership is established to the state board of stock inspection commissioners or a duly authorized Colorado brand inspector. Upon completion of an application form, approved by the board, which shall give a thorough physical description showing all brands, no brands, tattoos, or other characteristics carried by the horse, accompanied by a copy of the brand inspection certificate and a transportation permit fee in an amount determined by the board by rule made payable to the state board of stock inspection commissioners, a permanent hauling transportation permit shall be issued that shall be good for the life of the horse unless a change of ownership takes place, in which case the permit will become void. The new owner may make application for permit by the same full compliance as the prior owner. Any person fraudulently using a transportation permit issued under this section commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 659. In Colorado Revised Statutes, 35-53-130, **amend** (1) as follows:

35-53-130. Annual transportation permit for cattle or alternative livestock - rules. (1) Bovine livestock, as defined in section 35-41-100.3 (1.4), and alternative livestock, as defined in section 35-41.5-102 (1), shall be eligible to receive an annual transportation permit that shall be valid for both interstate and intrastate movement if positive proof of ownership is established to the state board of stock inspection commissioners or a duly authorized Colorado brand inspector. Upon completion of an application form, approved by the state board of stock inspection commissioners, which shall give a thorough physical description showing all brands, no brands, tattoos, or other characteristics carried by the animal, accompanied by a copy of the brand inspection certificate and a transportation permit fee in an amount determined by the board by rule made payable to the board, an annual hauling transportation permit shall be issued that shall be good for one year after the date of issuance unless a change of ownership takes place, in which case the permit will become void. The new owner may make application for permit by the same full compliance as the prior owner. Any person fraudulently using a transportation permit issued under this section commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 660. In Colorado Revised Statutes, **amend** 35-53-132 as follows:

35-53-132. Failure to give notice. Any owner or foreman who segregates, forms flocks of, transports, or drives any sheep from authorized inspection districts without giving due notice to an authorized inspector as required by section 35-53-131 (3) commits a ~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ PETTY OFFENSE.

SECTION 661. In Colorado Revised Statutes, **amend** 35-54-102 as follows:

35-54-102. Penalty. Any person who violates or fails to comply with any of the provisions of section 35-54-101 is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months, or~~

~~by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 662. In Colorado Revised Statutes, **amend** 35-55-117 as follows:

35-55-117. Penalty. Any person, partnership, or corporation who violates any provision or requirement of this ~~article~~ ARTICLE 55 or any rule or regulation adopted by the state board of stock inspection commissioners is ~~guilty of a class 3 misdemeanor and any person, partnership, or corporation who commits a second or subsequent violation of any provision or requirement of this article or any rule or regulation adopted by the state board of stock inspection commissioners commits a class 1 misdemeanor and any such offender shall be punished as provided in section 18-1.3-501, C.R.S.~~ COMMITS A CLASS 2 MISDEMEANOR. It is the duty of the district attorney of the district in which such offense is committed, upon complaint of any private person, or of a sanitary or brand inspector, or of the state board of stock inspection commissioners, to prosecute the same if, after investigation, ~~he or she~~ THE DISTRICT ATTORNEY believes a violation has occurred. The state board of stock inspection commissioners, upon its own initiative, or upon complaint of any person, through the attorney general may bring an action in the district court of the district where such offense is committed in the name of the people of this state for an injunction against any person violating any of the provisions of this ~~article~~ ARTICLE 55 or of any rule or regulation adopted by the state board of stock inspection commissioners.

SECTION 663. In Colorado Revised Statutes, **amend** 35-56-104 as follows:

35-56-104. Penalty. Any person who offers for sale at auction any animal named in section 35-56-101, without first complying with the requirements of this ~~article~~ ARTICLE 56 as to registration ~~upon conviction thereof, shall be punished by a fine of twenty-five dollars, to be collected as other fines, and~~ COMMITS A CIVIL INFRACTION AND THE FINE MUST BE paid into the county treasury for the use of the county.

SECTION 664. In Colorado Revised Statutes, **amend** 35-56-107 as follows:

35-56-107. Penalty. Any person violating any of the provisions of

~~this article shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, to be recovered in any court of competent jurisdiction, with cost of suit~~ ARTICLE 56 COMMITS A CIVIL INFRACTION.

SECTION 665. In Colorado Revised Statutes, 35-60-112, **amend** (6) as follows:

35-60-112. Penalties. (6) Any person who uses to ~~his or her~~ THE PERSON'S own advantage, or reveals to state officials other than the commissioner, or to the courts when relevant in any judicial proceeding, any information acquired under the authority of this ~~article~~ ARTICLE 60, concerning any methods, records, formulations, or processes that are trade secrets and entitled to protection under the law ~~is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than one hundred dollars, or imprisoned in the county jail for not less than thirty days, or both~~ COMMITS A PETTY OFFENSE; except that nothing in this subsection (6) shall be construed to prohibit the commissioner from exchanging information of a regulatory nature with duly appointed officials of the United States or other state governments who are similarly prohibited by law from revealing this information.

SECTION 666. In Colorado Revised Statutes, **amend** 35-65-109 as follows:

35-65-109. Authorization of peace officers to preserve order and protect exhibits. The board of directors or executive committee of any agricultural, horticultural, or stock society of this state is authorized to contract with a city, town, county, or city and county in whose jurisdiction the grounds of said society are located to provide peace officers, as provided in section 16-2.5-101, ~~C.R.S.~~, whose duty it is to preserve order within and around the grounds of said society, to protect the property within said grounds, and to eject all persons who are improperly within the grounds of said society who are guilty of disorderly conduct or who neglect or refuse to pay the fee or observe the rules prescribed by the society. Said peace officers have the same power, during the time said exhibition continues, that a sheriff has by law to keep the peace. ~~and, in addition, during such time, may arrest any person for the commission of any offense mentioned in section 35-65-110.~~

SECTION 667. In Colorado Revised Statutes, **repeal** 35-65-110 as

follows:

35-65-110. Penalty. ~~Any person who willfully destroys the property of exhibitors, visitors, or lessees on the fairgrounds, or hinders or obstructs the officers or policemen in the performance of their duties, or wrongfully or maliciously gains admission to the fairgrounds contrary to the rules of said society or without paying the established fees during any fair of said society is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than twenty-five dollars, or by imprisonment in the county jail for not more than thirty days. All fines so imposed and collected under this section shall be paid into the treasury of the county in which such trial is held.~~

SECTION 668. In Colorado Revised Statutes, 35-80-110, **amend** (5)(c) as follows:

35-80-110. Inspections - investigations - access - subpoena - duty to report suspected animal cruelty or animal fighting - immunity. (5)(c) A commissioner or a commissioner's designee who willfully violates the provisions of this subsection (5) commits a ~~class 1~~ petty offense, punishable as provided in section 18-1.3-503. ~~C.R.S.~~

SECTION 669. In Colorado Revised Statutes, 36-1-121, **amend** (1) as follows:

36-1-121. Trespass - penalty - bond. (1) Any corporation, company, or person using or occupying any state or school lands without lease, and any corporation, company, or person who shall use or occupy state or school lands for more than thirty days after the cancellation or expiration of a lease, and any corporation, company, or person who constructs a reservoir, ditch, railroad, public highway, telegraph or telephone line, or in any manner occupies or enters upon lands belonging to the state, without first having secured the authority and permission of the state board of land commissioners to so occupy the land for such purpose, shall be regarded as ~~trespassers and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, and each day shall be considered a separate offense~~ A TRESPASSER AND COMMITS A CIVIL INFRACTION.

SECTION 670. In Colorado Revised Statutes, 36-7-201, **amend** (7)

as follows:

36-7-201. Colorado state forest created - penalty. (7) Any person or corporation who shall trespass, commit depredations, or by negligence be responsible for any fires, or who shall cut or remove any timber from the state forest lands without authority so to do from the board, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 671. In Colorado Revised Statutes, 36-20-126, **amend** (2) as follows:

36-20-126. Penalties. (2) Any person who makes a false statement in the application for a permit, who fails to file any report as required by this ~~article~~ ARTICLE 20, or who violates any other provisions of this ~~article~~ ARTICLE 20, except as otherwise provided in section 36-20-123 and subsection (1) of this section, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. Each such violation shall be a separate offense.

SECTION 672. In Colorado Revised Statutes, **amend** 37-48-131 as follows:

37-48-131. Access to lands - penalty. The board of directors or its employees or agents, including contractors and their employees and appraisers retained by the board and their assistants, may enter upon lands within or without the district in order to make surveys and examinations to accomplish the necessary preliminary purposes of the district or to have access to the work, being liable, however, for actual damage done; but no unnecessary damage shall be done. Any person or corporation preventing such entry commits a ~~class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars~~ CIVIL INFRACTION.

SECTION 673. In Colorado Revised Statutes, **amend** 37-84-121 as follows:

37-84-121. Penalty for refusal to deliver water. Any superintendent or any person having charge of said ditch who willfully neglects or refuses to deliver water, as provided in sections 37-84-118 to 37-84-123, or any person who prevents or interferes with the proper delivery of water to the persons having the right thereto ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each offense, or by imprisonment in the county jail for not more than one month, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE. The money thus collected shall be paid into the general fund of the county in which the ~~misdemeanor~~ PETTY OFFENSE has been committed. The owners of such ditches shall be liable in damages to the persons deprived of the use of the water to which they were entitled as provided in sections 37-84-118 to 37-84-123.

SECTION 674. In Colorado Revised Statutes, **amend** 37-84-122 as follows:

37-84-122. Division engineer to measure water. Any division engineer, or ~~his~~ THE DIVISION ENGINEER'S deputy or assistant, who willfully neglects or refuses, after being called upon, to promptly measure water from the stream or other source of supply into the irrigating canals or ditches, in ~~his~~ THE DIVISION ENGINEER'S division, according to their respective priorities, to the extent to which water may be actually necessary for the irrigation of lands under such canals or ditches ~~is guilty of a misdemeanor and, upon conviction thereof, shall be subject to the same penalty as provided in section 37-84-121~~ COMMITS A PETTY OFFENSE.

SECTION 675. In Colorado Revised Statutes, **amend** 37-85-109 as follows:

37-85-109. Penalty for collecting excessive rate. Every person owning or controlling, or claiming to own or control, any ditch, canal, or reservoir, who, after demand in writing made upon ~~him~~ THE PERSON for the supply or delivery of water for irrigation, mining, milling, or domestic purposes, to be delivered from the canal, ditch, or reservoir, owned, possessed, or controlled by ~~him~~ THE PERSON, and after tender of the lawful rate of compensation therefor in lawful money, shall demand, require, bargain for, accept, receive, or retain from the party making such application any money or other thing of value, or any promise or contract,

or any valuable consideration whatever, as such royalty, bonus, or premium prerequisite or condition precedent, as is prohibited by section 37-85-108, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five thousand dollars, or by imprisonment in the county jail for not less than three months nor more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 676. In Colorado Revised Statutes, **amend** 37-85-110 as follows:

37-85-110. Penalty for refusal to deliver water. Every person owning or controlling, or claiming to own or control, any ditch, canal, or reservoir, such as is mentioned in section 37-85-108, who, after demand in writing made upon ~~him~~ THE PERSON for the supply or delivery of water for irrigation, mining, milling, or domestic purposes, to be delivered from the canal, ditch, or reservoir, owned, possessed, or controlled by ~~him~~ THE PERSON, and after tender of the lawful rate of compensation therefor in lawful money, refuses to furnish or carry and deliver from such ditch, canal, or reservoir any water so applied for, which water may be by use of reasonable diligence in that behalf and, within the carrying or storage capacity of such ditch, canal, or reservoir, be lawfully furnished and delivered without infringement of prior rights ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five thousand dollars, or by imprisonment in the county jail for not less than three months nor more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 677. In Colorado Revised Statutes, **amend** 37-88-107 as follows:

37-88-107. Penalty for damaging state reservoirs. Any person interfering with or damaging any state reservoir, or parts or appurtenances thereof, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars or by imprisonment in the county jail for not more than one year~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 678. In Colorado Revised Statutes, **amend** 37-89-101

as follows:

37-89-101. Penalty for cutting or breaking gate, bank, or flume.

Any person who knowingly and willfully cuts, digs, breaks down, or opens any gate, bank, embankment, or side of any ditch, canal, flume, feeder, or reservoir, or who knowingly and willfully breaks, cuts, checks, or otherwise interferes with the flow of water in any drainage ditch, box drain, or tile drain, or any manhole, or other opening in any box drain or tile drain, in which such person may be a joint owner, or which may be the property of another, or in the lawful possession of another and used for the purpose of drainage, irrigation, manufacturing, mining, or domestic purposes, with intent to injure any person, association, or corporation, or for personal gain, unlawfully, with intent of stealing, taking, or causing to run or pour out of or into such ditch, canal, reservoir, feeder, flume, drainage ditch, box drain, or tile drain any water for personal profit, benefit, or advantage, or with intent to check or change the flow in any such ditch, canal, feeder, flume, drainage ditch, box drain, or tile drain, to the injury of any other person, association, or corporation, lawfully in the use of such water or of such ditch, canal, reservoir, feeder, flume, drainage ditch, box drain, or tile drain is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than seven hundred fifty dollars or by imprisonment in the county jail for not more than ninety days COMMITS A CLASS 2 MISDEMEANOR. The court shall further order that such person make full restitution to the victim of ~~his or her~~ THE PERSON'S conduct for the actual damages that were sustained. The amount of such restitution shall be equal to the actual pecuniary damages sustained by the victim. The court shall fix the manner and time in which such restitution shall be made.

SECTION 679. In Colorado Revised Statutes, 37-89-103, **amend** (1) as follows:

37-89-103. Penalty for interfering with adjusted headgates.

(1) Every person who willfully and without authority opens, closes, changes, or interferes with any headgate of any ditch, or any water box or measuring device of any ditch for the receiving or delivery of water, after the headgate of the ditch has been adjusted by and is in the control of the division engineer, or after such water box or measuring device has been adopted by the ditch officer in charge is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than

~~sixty days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 680. In Colorado Revised Statutes, 37-91-111, **amend** (2) as follows:

37-91-111. Violations and penalties. (2) Any person who violates any provision of subsection (1) of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 681. In Colorado Revised Statutes, 38-13-1304, **amend** (2) as follows:

38-13-1304. Agreements to locate reported property - overbids from foreclosure sales. (2) A person who induces or attempts to induce another person to enter into an agreement described in this section that does not comply with all requirements of subsection (1) of this section is ~~guilty of a misdemeanor, as defined in section 18-1.3-504, and, upon conviction, shall be punished by imprisonment in the county jail for up to six months, a fine of up to ten thousand dollars, or both~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 682. In Colorado Revised Statutes, 38-29-112, **amend** (2) as follows:

38-29-112. Certificate of title - transfer. (2) Any person who violates any of the provisions of subsection (1) of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two hundred fifty dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than ten days nor more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 683. In Colorado Revised Statutes, 38-29-118, **amend** (1) as follows:

38-29-118. Surrender and cancellation of certificate - purge of

certificate - penalty for violation. (1) The owner of any manufactured home for which a Colorado certificate of title has been issued, upon the destruction or dismantling of said manufactured home or upon its being sold or otherwise disposed of as salvage, shall surrender ~~his or her~~ THE OWNER'S certificate of title thereto to the director with the request that such certificate of title be cancelled and shall submit a certificate of destruction as set forth in section 38-29-204, and such certificate of title may thereupon be cancelled. Any person who violates any of the provisions of this subsection (1) commits a ~~class 1~~ petty offense and, upon conviction thereof, shall be punished as provided in section 18-1.3-503. ~~C.R.S.~~

SECTION 684. In Colorado Revised Statutes, **amend** 38-29-120 as follows:

38-29-120. Where to apply for certificate of title. Except as may be otherwise provided by rule of the director, it is unlawful for any person who is a resident of the state to procure a certificate of title to a manufactured home in any county of this state other than the county in which such home is to be used as a residence. Any person who violates any of the provisions of this section or any rule of the director relating thereto, made pursuant to the authority conferred upon ~~him~~ THE DIRECTOR in this article, ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than six months, or by both such fine and imprisonment~~ ARTICLE 29 COMMITS A CLASS 2 MISDEMEANOR.

SECTION 685. In Colorado Revised Statutes, 38-29-141, **amend** (2) as follows:

38-29-141. Penalties. (2) Any person who violates any of the provisions of subsection (1) of this section for which no other penalty is expressly provided ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 686. In Colorado Revised Statutes, 38-38-111, **amend** (2.5)(c) as follows:

38-38-111. Treatment of an overbid - agreements to assist in recovery of overbid prohibited - penalty - definition. (2.5) (c) An agreement to pay compensation to recover or assist in recovering an amount due to the owner from the public trustee under subsection (2) of this section is not enforceable. A person who induces or attempts to induce another person to enter into such an agreement commits a ~~misdemeanor, as defined in section 18-1.3-504, C.R.S., and is subject to imprisonment in county jail for up to six months, a fine of up to ten thousand dollars, or both~~ CLASS 2 MISDEMEANOR.

SECTION 687. In Colorado Revised Statutes, 38-39-105, **amend** (2) as follows:

38-39-105. Removal of improvements from encumbered property. (2) Any person who violates the provisions of subsection (1) of this section commits: ~~a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~

(a) A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS MORE THAN TWO THOUSAND DOLLARS BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR

MORE.

SECTION 688. In Colorado Revised Statutes, **amend** 39-1-116 as follows:

39-1-116. Penalty for divulging confidential information. Except when pursuant to an order of any court of competent jurisdiction or as otherwise provided by law, any person who divulges or makes known in any way the contents of any private document, as specified in section 39-4-103, 39-5-120, or 39-7-101 (4), to any person not authorized to have access to such documents ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 689. In Colorado Revised Statutes, 39-5-203, **amend** (3)(b) as follows:

39-5-203. Mobile homes - determination of value. (3) (b) A person who knowingly fails to provide an itemized list of household furnishings as required by this subsection (3) commits a ~~class 2 petty offense and, upon conviction thereof, shall be fined two hundred dollars;~~ CIVIL INFRACTION; except that, upon conviction of a second or subsequent such offense, such person commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 690. In Colorado Revised Statutes, 39-10-106, **amend** (4)(b)(III) as follows:

39-10-106. Payment of taxes on fractional interests in lands. (4) (b) (III) The tax liability of the owner of any fractional interest in such unit whose proportionate share of tax was withheld from royalty or working interest payments by the unit operator or the first purchaser but was not remitted by the unit operator or by the first purchaser to the treasurer shall be deemed satisfied to the extent of the amount withheld, and such owner shall not be subject to any collection and enforcement remedies and procedures provided by law for the collection of such delinquent tax for which an amount was withheld from royalty or working interest payments

pursuant to the provisions of this section. Any unit operator or first purchaser who has collected the tax from the fractional interest owners pursuant to the provisions of this section but has failed to remit such tax collected commits ~~embezzlement, as defined in sections 18-4-401 and 18-4-403, C.R.S.~~ A CLASS 2 MISDEMEANOR.

SECTION 691. In Colorado Revised Statutes, 39-11-151, **amend** (3) as follows:

39-11-151. County officials and employees may not acquire a tax lien or property by sale of a tax lien. (3) Any county official, county employee, or member of the immediate family of any such person, or the agent of any such county official or employee, who knowingly purchases any tax lien or receives a conveyance of property in violation of the provisions of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 692. In Colorado Revised Statutes, 39-13-106, **amend** (2) as follows:

39-13-106. Unlawful acts - penalty. (2) Any person who commits either of the acts set forth in subsection (1) of this section is ~~guilty of a~~ COMMITS AN UNCLASSIFIED misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars. ~~or by imprisonment in the county jail for not less than ten days nor more than three months, or by both such fine and imprisonment.~~

SECTION 693. In Colorado Revised Statutes, 39-26-102, **amend** (22) as follows:

39-26-102. Definitions. As used in this article 26, unless the context otherwise requires:

(22) Should a dispute arise between the purchaser and seller as to whether or not any such sale is exempt from taxation, nevertheless the seller shall collect and the purchaser shall pay such tax, and the seller shall thereupon issue to the purchaser a receipt or certificate, on forms prescribed by the executive director of the department of revenue, showing the names of the seller and purchaser, the items purchased, the date, price, amount of

tax paid, and a brief statement of the claim of exemption. The purchaser thereafter may apply to the said executive director for a refund of such taxes, and it is ~~his~~ THE EXECUTIVE DIRECTOR'S duty to determine the question of exemption, subject to review by the courts, as provided in section 39-21-105. ~~It is a misdemeanor, punishable as provided in this article, for~~ IF any seller ~~to fail~~ FAILS to collect or purchaser ~~to fail~~ FAILS to pay the tax levied by this ~~article~~ ARTICLE 26 and on sales on which exemption is disputed, THE SELLER OR PURCHASER COMMITS:

(a) A PETTY OFFENSE IF THE AMOUNT IS LESS THAN THREE HUNDRED DOLLARS;

(b) A CLASS 2 MISDEMEANOR IF THE AMOUNT IS THREE HUNDRED DOLLARS OR MORE BUT LESS THAN ONE THOUSAND DOLLARS;

(c) A CLASS 1 MISDEMEANOR IF THE AMOUNT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN TWO THOUSAND DOLLARS;

(d) A CLASS 6 FELONY IF THE AMOUNT IS MORE THAN TWO THOUSAND DOLLARS BUT LESS THAN FIVE THOUSAND DOLLARS;

(e) A CLASS 5 FELONY IF THE AMOUNT IS FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS;

(f) A CLASS 4 FELONY IF THE AMOUNT IS TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS;

(g) A CLASS 3 FELONY IF THE AMOUNT IS ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS; AND

(h) A CLASS 2 FELONY IF THE AMOUNT IS ONE MILLION DOLLARS OR MORE.

SECTION 694. In Colorado Revised Statutes, 39-26-103, **amend** (4) as follows:

39-26-103. Licenses - fee - revocation - definition. (4) The executive director of the department of revenue, after reasonable notice and a full hearing, may revoke the license of any person found by ~~him or her~~ THE EXECUTIVE DIRECTOR to have violated any provision of this ~~article~~

ARTICLE 26. Any retailer who makes retail sales without securing a license therefor commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished according to ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503. Any retailer who makes retail sales without a license may also be subject to a civil penalty of fifty dollars per day to a maximum penalty of one thousand dollars. Such penalty shall be assessed by the executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S authorized agent and shall be waived or reduced if such failure to obtain such license is due to reasonable cause and not willful neglect or intent to defraud.

SECTION 695. In Colorado Revised Statutes, **amend** 39-26-108 as follows:

39-26-108. Tax cannot be absorbed. It is unlawful for any retailer to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof imposed by this part 1 will be assumed or absorbed by the retailer or that it will not be added to the selling price of the property sold or if added that it or any part thereof will be refunded. Any person violating any of the provisions of sections 39-26-105 to 39-26-113 ~~is guilty of a misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 696. In Colorado Revised Statutes, 39-26-120, **amend** (3) as follows:

39-26-120. False or fraudulent return, statement - penalty. (3) In addition to the foregoing penalties, any person who knowingly and willfully swears to or verifies any false statement ~~is guilty of perjury in the second degree and, upon conviction thereof, shall be punished in the manner provided by law~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 697. In Colorado Revised Statutes, 39-27-103, **amend** (3)(c) as follows:

39-27-103. Refunds - penalties - checkoff - limits on collections. (3) (c) Refund permits shall be cancelled by the department of revenue if no claim is filed by the permit holder for a period of twenty-four months. If any person makes any false statement in an application for a permit or upon any claim for refund or submits with any claim for refund an invoice that does not represent a bona fide purchase of gasoline or special fuel at the time and place and in the quantity indicated on the invoice, or if any dealer

or other person prepares an invoice that does not represent a bona fide sale of gasoline or special fuel at the time and place and in the quantity indicated in the invoice, or if any person uses gasoline or special fuel on which refunds are claimed in any motor vehicle on the public highways of this state, except as provided in subsection (2) of this section, said person or dealer ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR. In addition, the executive director shall forthwith cancel the permit of such person, and such person shall not be issued a new permit within one year after such cancellation.

SECTION 698. In Colorado Revised Statutes, 39-28-104.5, **amend** (5) as follows:

39-28-104.5. Federal requirements - placement of labels - penalty. (5) The violation of any provision of this section is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 699. In Colorado Revised Statutes, 39-28.5-111, **amend** (5) as follows:

39-28.5-111. Federal requirements - affixing labels - penalty. (5) The violation of any provision of this section is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 700. In Colorado Revised Statutes, **amend** 40-7-108 as follows:

40-7-108. Violations by individuals - penalty. Every person who, either individually or acting as an officer, agent, or employee of a corporation other than a public utility, violates any provision of articles 1 to 7 of this ~~title~~ TITLE 40 or who fails to observe, obey, or comply with any order, decision, rule, direction, demand, or requirement of the commission or any part or portion thereof, or who procures, aids, or abets any such public utility in its violation of articles 1 to 7 of this ~~title~~ TITLE 40 or in its failure to obey, observe, or comply with any such order, decision, rule, direction, demand, or requirement or any part or portion thereof in a case in which a penalty has not been provided for, such person commits a ~~class 2~~

~~misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 701. In Colorado Revised Statutes, **amend** 40-10.1-113 as follows:

40-10.1-113. Penalty for violations. Any person who provides transportation in intrastate commerce without first obtaining a certificate or permit, violates any of the terms thereof, fails or refuses to make any return or report required by the commission, denies to the commission access to the books and records of such person, or makes any false return or report commits a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in section 40-10.1-114~~ A CLASS 2 MISDEMEANOR.

SECTION 702. In Colorado Revised Statutes, 40-10.1-114, **amend** (2) as follows:

40-10.1-114. Penalty for violation of article. (2) An individual who is employed by or who contracts with a motor carrier and who operates a motor vehicle for the motor carrier's business in violation of section 40-10.1-110 commits a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 703. In Colorado Revised Statutes, **amend** 40-27-113 as follows:

40-27-113. Evidence destroyed - penalty. Any person who in any way conceals the evidence of the killing or wounding of any animal by any railroad train, engine, or cars on any railroad in this state or who in any way destroys or covers up the evidence that may lead to the identification of any animal so killed or injured is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than two hundred dollars for each offense, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment~~ COMMITS A CLASS 2 MISDEMEANOR.

SECTION 704. In Colorado Revised Statutes, 41-2-102, **amend** (2)(a), (7)(a), and (7)(d)(I); and **repeal** (1)(b) as follows:

41-2-102. Operating an aircraft under the influence - operating

an aircraft with excessive alcohol content - tests - penalties - useful public service program - definition. (1) (b) ~~It is a misdemeanor for any person who is an habitual user of any controlled substance, as defined in section 18-18-102 (5), C.R.S., to operate any aircraft in this state.~~

(2) (a) It is a ~~misdemeanor~~ CLASS 1 MISDEMEANOR for any person to operate any aircraft in this state when the amount of alcohol in such person's blood, as shown by analysis of the person's blood or breath, is 0.04 or more grams of alcohol per hundred milliliters of blood or 0.04 or more grams of alcohol per two hundred ten liters of breath at the time of operating an aircraft or within two hours after such operation. During a trial, if the state's evidence raises the issue, or if a defendant presents some credible evidence, that ~~he~~ THE DEFENDANT consumed alcohol between the time that ~~he~~ THE DEFENDANT stopped operating an aircraft and the time that testing occurred, such issue shall be an affirmative defense, and the prosecution must establish beyond a reasonable doubt that the minimum 0.04 blood or breath alcohol content required in this ~~paragraph (a)~~ SUBSECTION (2)(a) was reached as a result of alcohol consumed by the defendant before ~~he~~ THE DEFENDANT stopped operating an aircraft.

(7) (a) (I) Every person who is convicted of a violation of subsection (1) ~~or subsection (2)~~ of this section shall be punished by imprisonment in the county jail for not less than five days nor more than one year, and, in addition, the court may impose a fine of not less than three hundred dollars nor more than one thousand dollars. Except as provided in ~~subparagraph (H) of paragraph (d) of this subsection (7)~~ SUBSECTION (7)(d)(II) OF THIS SECTION, the minimum period of imprisonment provided for such violation shall be mandatory. In addition to any other penalty which is imposed, every person who is convicted of a violation to which this ~~subparagraph (I)~~ SUBSECTION (7)(a)(I) applies shall perform not less than forty-eight hours nor more than ninety-six hours of useful public service. The performance of the minimum period of service shall be mandatory, and the court shall have no discretion to suspend the mandatory minimum period of performance of such service.

(II) Upon a conviction of a violation of subsection (1) ~~or subsection (2)~~ of this section, which violation occurred within five years of the date of a previous violation, for which there has been a conviction, of subsection (1) or (2) of this section, the offender shall be punished by imprisonment in the county jail for not less than ninety days nor more than one year, and, in

addition, the court may impose a fine of not less than five hundred dollars nor more than one thousand five hundred dollars. The minimum period of imprisonment as provided for such violation shall be mandatory, but the court may suspend up to eighty-three days of the period of imprisonment if the offender complies with the provisions of ~~subparagraph (f) of paragraph (d) of this subsection (7)~~ SUBSECTION (7)(d)(I) OF THIS SECTION. In addition to any other penalty which is imposed, every person who is convicted of a violation to which this ~~subparagraph (f)~~ SUBSECTION (7)(a)(I) applies shall perform not less than sixty hours nor more than one hundred twenty hours of useful public service. The performance of the minimum period of service shall be mandatory, and the court shall have no discretion to suspend the mandatory minimum period of performance of such service.

(d) (I) Upon conviction of a violation of subsection (1) ~~or (2)~~ of this section, the court shall sentence the defendant in accordance with the provisions of ~~paragraph (a) of this subsection (7)~~ SUBSECTION (7)(a) OF THIS SECTION. The court shall consider the alcohol and drug evaluation required pursuant to subsection (8) of this section prior to sentencing; except that the court may proceed to immediate sentencing without considering such alcohol and drug evaluation if the defendant has no prior or pending charges under this section and neither the defendant nor the prosecuting attorney objects. If the court proceeds to immediate sentencing, without considering such alcohol and drug evaluation, such alcohol and drug evaluation shall be conducted after sentencing, and the court shall order the defendant to complete the education and treatment program recommended in such alcohol and drug evaluation. If the defendant disagrees with the education and treatment program recommended in such alcohol and drug evaluation, ~~he~~ THE DEFENDANT may request the court to hold a hearing to determine which education and treatment program should be completed by the defendant.

SECTION 705. In Colorado Revised Statutes, **amend** 42-1-207 as follows:

42-1-207. No supplies for private purposes - penalty. ~~No~~ AN officer or employee SHALL NOT, at any time, ~~shall~~ use for private or pleasure purposes any of the equipment or supplies furnished for the discharge of such officer or employee's duties. The use of ~~such~~ equipment for private or personal use is ~~declared to be a misdemeanor, and, upon conviction thereof, the violator shall be punished by a fine of not more than three hundred~~

~~dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment and by dismissal from office, A CIVIL INFRACTION or punishable by both fine and dismissal.~~

SECTION 706. In Colorado Revised Statutes, 42-2-101, **amend** (10) as follows:

42-2-101. Licenses for drivers required. (10) Any person who violates any provision of subsection (1) or (4) of this section ~~is guilty of a class 2 misdemeanor traffic offense~~ **COMMITTS A CLASS A TRAFFIC INFRACTION.** Any person who violates any provision of subsection (2), (3), or (5) of this section commits a class B traffic infraction.

SECTION 707. In Colorado Revised Statutes, 42-2-115, **amend** (2) as follows:

42-2-115. License, permit, or identification card to be exhibited on demand. (2) Any person who violates any provision of this section commits a ~~class 2 misdemeanor traffic offense~~ **CLASS A TRAFFIC INFRACTION.**

SECTION 708. In Colorado Revised Statutes, 42-2-132.5, **amend** (11)(c) as follows:

42-2-132.5. Mandatory and voluntary restricted licenses following alcohol convictions - rules. (11) **Tampering with an approved ignition interlock device.** (11)(c) A person violating any provision of this subsection (11) commits a ~~class 1 misdemeanor~~ **CLASS 2 MISDEMEANOR** and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 709. In Colorado Revised Statutes, 42-2-136, **amend** (6) as follows:

42-2-136. Unlawful possession or use of license. (6) (a) Any person who violates any provision of subsections (1) to (5) of this section commits a class 2 misdemeanor. ~~traffic offense.~~

(b) Any person who violates any provision of subsection (5.5) of this section commits a ~~class 3 misdemeanor~~ **PETTY OFFENSE** and, upon conviction thereof, shall be punished as provided in ~~section 18-1.3-501,~~

SECTION 710. In Colorado Revised Statutes, 42-2-138, **amend** (1)(a) and (1)(d)(I) as follows:

42-2-138. Driving under restraint - penalty. (1) (a) Except as provided in subsection (1.5) of this section, any person who drives a motor vehicle or off-highway vehicle upon any highway of this state with knowledge that the person's license or privilege to drive, either as a resident or a nonresident, is under restraint for any reason other than conviction of DUI, DUI per se, DWAI, or UDD is guilty of a misdemeanor. ~~A court may sentence a person convicted of this misdemeanor to imprisonment in the county jail for a period of not more than six months and may impose a fine of not more than five hundred dollars~~ CLASS A TRAFFIC INFRACTION.

(d) (I) A person who drives a motor vehicle or off-highway vehicle upon any highway of this state with knowledge that the person's license or privilege to drive, either as a resident or nonresident, is restrained under section 42-2-126 (3), is restrained solely or partially because of a conviction of DUI, DUI per se, DWAI, or UDD, or is restrained in another state solely or partially because of an alcohol-related driving offense ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not less than thirty days nor more than one year and, in the discretion of the court, by a fine of not less than five hundred dollars nor more than one thousand dollars~~ COMMITS A CLASS 2 MISDEMEANOR TRAFFIC OFFENSE. Upon a second or subsequent conviction, the person shall be punished ~~by imprisonment in the county jail for not less than ninety days nor more than two years and, in the discretion of the court,~~ by a fine of not less than five hundred dollars nor more than three thousand dollars. The minimum county jail sentence imposed by this ~~subparagraph~~ ~~(I)~~ SUBSECTION (1)(d)(I) shall be mandatory, and the court shall not grant probation or a suspended sentence thereof; but, in a case where the defendant is convicted although the defendant established that ~~he or she~~ THE DEFENDANT had to drive the motor vehicle in violation of this ~~subparagraph~~ ~~(I)~~ SUBSECTION (1)(d)(I) because of an emergency, the mandatory jail sentence, if any, shall not apply, and, for a first conviction, the court may impose a sentence of imprisonment in the county jail for a period of not more than one year and, in the discretion of the court, a fine of not more than one thousand dollars, and, for a second or subsequent conviction, the court may impose a sentence of imprisonment in the county jail for a period

of not more than two years and, in the discretion of the court, a fine of not more than three thousand dollars.

SECTION 711. In Colorado Revised Statutes, 42-2-206, **amend** (1)(a) and (1)(b)(II) as follows:

42-2-206. Driving after revocation prohibited. (1) (a) (I) It is unlawful for any person to operate any motor vehicle in this state while the revocation of the department prohibiting the operation remains in effect. Any person found to be an habitual offender, who operates a motor vehicle in this state while the revocation of the department prohibiting such operation is in effect, commits a ~~class 1 misdemeanor~~ CLASS 2 TRAFFIC MISDEMEANOR.

(II) ~~Notwithstanding the provisions of section 18-1.3-501, C.R.S.,~~ Any person convicted of violating ~~subparagraph (I) of this paragraph (a)~~ SUBSECTION (1)(a)(I) OF THIS SECTION shall be sentenced to a mandatory minimum term of imprisonment in the county jail for thirty days, or a mandatory minimum fine of three thousand dollars, or both. The minimum jail sentence and fine required by this ~~subparagraph (H)~~ SUBSECTION (1)(a)(II) shall be in addition to any other penalty provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 42-4-1701. The court may suspend all or a portion of the mandatory jail sentence or fine if the defendant successfully completes no less than forty hours, and no greater than three hundred hours, of useful public service. In no event shall the court sentence the convicted person to probation. Upon the defendant's successful completion of the useful public service, the court shall vacate the suspended sentence. In the event the defendant fails or refuses to complete the useful public service ordered, the court shall impose the jail sentence, fine, or both, as required under this ~~subparagraph (H)~~ SUBSECTION (1)(a)(II).

(b) (II) Aggravated driving with a revoked license is a ~~class 1 misdemeanor, punishable as provided in section 18-1.3-501, C.R.S.,~~ CLASS 1 TRAFFIC MISDEMEANOR; except that a court shall sentence the offender to a mandatory minimum term of imprisonment of sixty days in the custody of a county jail.

SECTION 712. In Colorado Revised Statutes, **amend** 42-2-307 as follows:

42-2-307. Change of address. (1) Any registrant who acquires an address different from the address shown on the identification card issued to the registrant shall, within thirty days thereafter, notify the department of such change as specified in section 42-2-119 (1)(a). The department may thereupon take any action deemed necessary to ensure that the identification card reflects the proper address of the registrant.

(2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CIVIL INFRACTION.

SECTION 713. In Colorado Revised Statutes, 42-2-309, **add** (2) as follows:

42-2-309. Unlawful acts. (2) (a) NOTWITHSTANDING SECTION 42-2-310, A PERSON WHO VIOLATES SUBSECTION (1)(a) OR (1)(e) OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501.

(b) A PERSON WHO VIOLATES SUBSECTION (1)(b), (1)(c), (1)(d), (1)(f), (1)(g), OR (1)(h) OF THIS SECTION COMMITS A PETTY OFFENSE AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-503.

SECTION 714. In Colorado Revised Statutes, **amend** 42-2-310 as follows:

42-2-310. Violation. Any person who violates any of the provisions of this part 3 commits a ~~class 3 misdemeanor~~ PETTY OFFENSE, as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 715. In Colorado Revised Statutes, 42-2-404, **amend** (3) as follows:

42-2-404. License for drivers - limitations - rules. (3) In addition to any applicable federal penalty concerning commercial motor vehicle operators, any person who violates subsection (1) or (2) of this section, or any rule or regulation promulgated by the department pursuant to this part 4, is guilty of a ~~misdemeanor~~ CLASS A TRAFFIC INFRACTION and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one thousand dollars, or by imprisonment in the

county jail for not more than one year, or by both such fine and imprisonment.

SECTION 716. In Colorado Revised Statutes, 42-2-408, **amend** (2) as follows:

42-2-408. Unlawful acts - penalty. (2) Any person who violates the provisions of this section ~~is guilty of a misdemeanor~~ **COMMITTS A PETTY OFFENSE** and, upon conviction thereof, shall be punished ~~by a fine of not less than twenty-five dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ **AS PROVIDED IN SECTION 18-1.3-503.**

SECTION 717. In Colorado Revised Statutes, 42-2-409, **amend** (2) as follows:

42-2-409. Unlawful possession or use of a commercial driver's license. (2) (a) A person who violates ~~a provision of subsection (1)~~ **SUBSECTIONS (1)(a) TO (1)(f)** of this section commits a ~~misdemeanor and shall be punished as follows:~~ **PETTY OFFENSE.**

~~(a) Imposition of a fine of not less than five hundred dollars and not more than one thousand dollars for a first offense; or~~

~~(b) Imposition of a fine of not less than one thousand dollars and not more than two thousand dollars for a second or subsequent offense within five years after the first offense.~~ **A PERSON WHO VIOLATES SUBSECTION (1)(g) OF THIS SECTION COMMITTS A CLASS 2 MISDEMEANOR.**

SECTION 718. In Colorado Revised Statutes, 42-3-103, **repeal** (1)(c) as follows:

42-3-103. Registration required - exemptions. (1) (c) ~~A person who violates this subsection (1) two or more times in five years commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~

SECTION 719. In Colorado Revised Statutes, 42-3-105, **amend** (1)(d)(II) as follows:

42-3-105. Application for registration - tax. (1) (d) (II) Any person who knowingly provides fraudulent information or documents ~~under subparagraph (f) of this paragraph (d)~~ PURSUANT TO SUBSECTION (1)(d)(I) OF THIS SECTION to obtain registration of a motor vehicle or low-power scooter ~~is guilty of a misdemeanor~~ COMMITS A CLASS 2 MISDEMEANOR, and is subject to the ~~criminal and~~ civil penalties provided under section 42-6-139 ~~(3) and (4)~~.

SECTION 720. In Colorado Revised Statutes, 42-3-116, **amend** (7)(d) as follows:

42-3-116. Manufacturers or dealers - definition. (7) (d) A person who violates this subsection (7) commits a ~~class 2 misdemeanor, and shall be punished as provided in section 18-1.3-501, C.R.S.~~ CLASS A TRAFFIC INFRACTION.

SECTION 721. In Colorado Revised Statutes, 42-3-122, **amend** (2) as follows:

42-3-122. Perjury on a motor vehicle registration application. (2) Perjury on a motor vehicle registration application is a ~~class 1~~ petty offense.

SECTION 722. In Colorado Revised Statutes, 42-3-308, **amend** (3)(b) as follows:

42-3-308. Taxpayer statements - payment of tax - estimates - penalties - deposits - delinquency proceedings. (3) (b) A person who willfully fails or refuses to make the report required by this section, or who makes a false or fraudulent return, or who willfully fails to pay any tax owed by such person ~~shall be punished as provided by section 39-21-118, C.R.S.~~ COMMITS A CLASS A TRAFFIC INFRACTION.

SECTION 723. In Colorado Revised Statutes, 42-4-227, **amend** (3)(b) as follows:

42-4-227. Windows unobstructed - certain materials prohibited - windshield wiper requirements. (3) (b) Any person who installs, covers, or treats a windshield or window so that the windshield or window does not meet the requirements of ~~paragraph (a) of subsection (1)~~ SUBSECTION (1)(a)

~~of this section is guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars nor more than five thousand dollars~~
COMMITTS A CLASS A TRAFFIC INFRACTION.

SECTION 724. In Colorado Revised Statutes, 42-4-238, **amend** (3) as follows:

42-4-238. Blue and red lights - illegal use or possession. (3) A violation of this section is a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR.

SECTION 725. In Colorado Revised Statutes, 42-4-241, **amend** (2) as follows:

42-4-241. Unlawful removal of tow-truck signage - unlawful usage of tow-truck signage. (2) A person who violates subsection (1) of this section commits a ~~class 3 misdemeanor~~ CLASS A TRAFFIC INFRACTION.

SECTION 726. In Colorado Revised Statutes, 42-4-313, **amend** (1)(c) and (2)(b) as follows:

42-4-313. Penalties. (1) (c) Any person who violates any provision of this subsection (1) is guilty of a ~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ CLASS A TRAFFIC INFRACTION.

(2) (b) Any emissions inspector or emissions mechanic who issues a certification of emissions control in violation of ~~paragraph (a) of this subsection (2) is guilty of a~~ SUBSECTION (2)(a) OF THIS SECTION COMMITTS A CLASS 2 misdemeanor and, upon conviction thereof, shall be punished ~~by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ AS PROVIDED IN SECTION 18-1.3-501.

SECTION 727. In Colorado Revised Statutes, 42-4-412, **amend** (1)(a) introductory portion as follows:

42-4-412. Air pollution violations. (1) (a) A person commits a ~~class 2 petty offense, as specified in section 18-1.3-503, C.R.S.,~~ CLASS A

TRAFFIC INFRACTION if the person causes or permits the emission into the atmosphere from:

SECTION 728. In Colorado Revised Statutes, 42-4-510, **amend** (12)(a), (12)(b), and (12)(d) as follows:

42-4-510. Permits for excess size and weight and for manufactured homes - rules - definition. (12) (a) Any person holding a permit issued pursuant to this section or any person operating a vehicle pursuant to such permit who violates any provision of this section, any ordinance or resolution of a local authority, or any standards or rules or regulations promulgated pursuant to this section, except the provisions of ~~subparagraph (IV) of paragraph (b) of subsection (2)~~ SUBSECTION (2)(b)(IV) of this section, commits a class 2 misdemeanor. ~~traffic offense.~~

(b) Any person who violates the provisions of ~~subparagraph (IV) of paragraph (b) of subsection (2)~~ SUBSECTION (2)(b)(IV) of this section commits a class 2 petty offense. ~~and, upon conviction thereof, shall be fined two hundred dollars; except that, upon conviction of a second or subsequent such offense, such person commits a class 3 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~

(d) A driver or holder of a permit issued ~~under~~ PURSUANT TO subsection (1.7) of this section who fails to comply with the terms of the permit or subsection (1.7) of this section commits a ~~class 1 misdemeanor traffic offense and shall be punished as provided in section 42-4-1701~~ (3)(a)(H) CLASS 2 MISDEMEANOR.

SECTION 729. In Colorado Revised Statutes, 42-4-611, **amend** (3) as follows:

42-4-611. Paraplegic persons or persons with disabilities - distress flag. (3) Any person who is not a paraplegic person or a person with a disability who uses such flag as a signal or for any other purpose is guilty of a misdemeanor and, ~~upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS A TRAFFIC INFRACTION.

SECTION 730. In Colorado Revised Statutes, 42-4-705, **amend** (3)(b)(II) as follows:

42-4-705. Operation of vehicle approached by emergency vehicle - operation of vehicle approaching stationary emergency vehicle, stationary towing carrier vehicle, or stationary public utility service vehicle. (3) (b) (II) If the person violates subsection (2) of this section and the person's actions are the proximate cause of bodily injury to another person, the person commits a ~~class 1 misdemeanor and shall be punished as described in section 18-1.3-501~~ CLASS 1 TRAFFIC MISDEMEANOR.

SECTION 731. In Colorado Revised Statutes, 42-4-1210, **amend** (3) as follows:

42-4-1210. Designated areas on private property for authorized vehicles. (3) Any person who violates the provisions of subsection (2) of this section is ~~guilty of a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of twenty-five dollars~~ COMMITS A CLASS A TRAFFIC INFRACTION. The disposition of fines and forfeitures shall be paid into the treasury of the county at such times and in such manner as may be prescribed by the board of county commissioners.

SECTION 732. In Colorado Revised Statutes, 42-4-1301, **amend** (1)(a), (1)(b), and (2)(a) as follows:

42-4-1301. Driving under the influence - driving while impaired - driving with excessive alcoholic content - definitions - penalties. (1) (a) A person who drives a motor vehicle or vehicle under the influence of alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, commits driving under the influence. Driving under the influence is a TRAFFIC misdemeanor, but it is a class 4 felony if the violation occurred after three or more prior convictions, arising out of separate and distinct criminal episodes, for DUI, DUI per se, or DWAI; vehicular homicide, as described in section 18-3-106 (1)(b); ~~C.R.S.~~; vehicular assault, as described in section 18-3-205 (1)(b); ~~C.R.S.~~; or any combination thereof.

(b) A person who drives a motor vehicle or vehicle while impaired by alcohol or by one or more drugs, or by a combination of alcohol and one or more drugs, commits driving while ability impaired. Driving while ability impaired is a TRAFFIC misdemeanor, but it is a class 4 felony if the violation

occurred after three or more prior convictions, arising out of separate and distinct criminal episodes, for DUI, DUI per se, or DWAI; vehicular homicide, as described in section 18-3-106 (1)(b); ~~C.R.S.~~; vehicular assault, as described in section 18-3-205 (1)(b); ~~C.R.S.~~; or any combination thereof.

(2) (a) A person who drives a motor vehicle or vehicle when the person's BAC is 0.08 or more at the time of driving or within two hours after driving commits DUI per se. During a trial, if the state's evidence raises the issue, or if a defendant presents some credible evidence, that the defendant consumed alcohol between the time that the defendant stopped driving and the time that testing occurred, such issue shall be an affirmative defense, and the prosecution must establish beyond a reasonable doubt that the minimum 0.08 blood or breath alcohol content required in this ~~paragraph (a)~~ SUBSECTION (2)(a) was reached as a result of alcohol consumed by the defendant before the defendant stopped driving. DUI per se is a TRAFFIC misdemeanor, but it is a class 4 felony if the violation occurred after three or more prior convictions, arising out of separate and distinct criminal episodes, for DUI, DUI per se, or DWAI; vehicular homicide, as described in section 18-3-106 (1)(b); ~~C.R.S.~~; vehicular assault, as described in section 18-3-205 (1)(b); ~~C.R.S.~~; or any combination thereof.

SECTION 733. In Colorado Revised Statutes, 42-4-1307, **amend** (5)(a)(I), (6)(a)(I)(A), (6.5)(b)(I), and (6.5)(b)(II); and **add** (6)(a)(I.5), (6)(d), and (6.7) as follows:

42-4-1307. Penalties for traffic offenses involving alcohol and drugs - legislative declaration - definitions - repeal. (5) Second offenses. (a) Except as otherwise provided in subsection (6) of this section, a person who is convicted of DUI, DUI per se, or DWAI who, at the time of sentencing, has a prior conviction of DUI, DUI per se, DWAI, vehicular homicide pursuant to section 18-3-106 (1)(b), vehicular assault pursuant to section 18-3-205 (1)(b), aggravated driving with a revoked license pursuant to section 42-2-206 (1)(b)(I)(A) or (1)(b)(I)(B), as that crime existed before August 5, 2015, or driving while the person's driver's license was under restraint pursuant to section 42-2-138 (1)(d), shall be punished by:

(I) Imprisonment in the county jail for at least ten consecutive days but no more than one year; except that the court shall have discretion to employ the sentencing alternatives described in section 18-1.3-106. During the mandatory ten-day period of imprisonment, the person is not eligible for

deductions of ~~his or her~~ THE PERSON'S sentence pursuant to section 17-26-109, or for trusty prisoner status pursuant to ~~section 17-26-109(1)(c)~~ SECTION 17-26-109 (1)(b); except that the person receives credit for any time that ~~he or she~~ THE PERSON served in custody for the violation prior to ~~his or her~~ THE PERSON'S conviction.

(6) **Third and subsequent offenses.** (a) Except as provided in section 42-4-1301 (1)(a), (1)(b), and (2)(a), a person who is convicted of DUI, DUI per se, or DWAI who, at the time of sentencing, has two or more prior convictions of DUI, DUI per se, DWAI, vehicular homicide pursuant to section 18-3-106 (1)(b), vehicular assault pursuant to section 18-3-205 (1)(b), aggravated driving with a revoked license pursuant to section 42-2-206 (1)(b)(I)(A) or (1)(b)(I)(B), as that crime existed before August 5, 2015, or driving while the person's driver's license was under restraint pursuant to section 42-2-138 (1)(d) shall be punished by:

(I) Imprisonment in the county jail for at least sixty consecutive days but no more than one year. During the mandatory sixty-day period of imprisonment, the person is not eligible for deductions of ~~his or her~~ THE PERSON'S sentence pursuant to section 17-26-109, or for trusty prisoner status pursuant to ~~section 17-26-109(1)(c)~~ SECTION 17-26-109 (1)(b) ; except that a person receives credit for any time that ~~he or she~~ THE PERSON served in custody for the violation prior to ~~his or her~~ THE PERSON'S conviction. During the mandatory period of imprisonment, the court does not have discretion to employ any sentencing alternatives described in section 18-1.3-106; except that the person may participate in a WORK RELEASE program pursuant to section 18-1.3-106 (1)(a)(II), **(1)(a)(III)**, **(1)(a)(III.5)**, (1)(a)(IV), or (1)(a)(V), ~~C.R.S.~~; OR COMMUNITY CORRECTIONS PLACEMENT PURSUANT TO SECTION 18-1.3-301 (4)(a) OR (4)(b), only if the program is available through the county in which the person is imprisoned and only for the purpose of:

(A) Continuing ~~a position of employment~~ WORK that the person held at the time of sentencing for said violation;

(I.5) IN A JURISDICTION THAT DOES NOT HAVE A WORK RELEASE PROGRAM OR OTHER REASONABLE SUBSTITUTION FOR A WORK RELEASE PROGRAM, SUCH AS AN ALTERNATIVE SENTENCE SERVED IN COMMUNITY CORRECTIONS PURSUANT TO THE PROVISIONS OF SECTION 18-1.3-301(4) (a) OR (4) (b), THE COURT MAY SENTENCE THE OFFENDER TO HOME DETENTION

AS PROVIDED IN SECTION 18-1.3-106 BUT ONLY IF THE COURT FINDS THAT AN ALTERNATIVE SENTENCE OF HOME DETENTION IS NECESSARY TO ADDRESS THE INDIVIDUAL CIRCUMSTANCES OF THE CASE AND FULFILL THE STATUTORY PURPOSES OF SENTENCING AS PROVIDED IN SECTION 18-1-102.5, AND WHEN A SENTENCE TO HOME DETENTION WILL NOT UNDERMINE THE SERIOUSNESS OF THE OFFENSE.

(d) OFFENDERS PLACED IN COMMUNITY CORRECTIONS AS AN ALTERNATIVE SENTENCE PURSUANT TO THE PROVISIONS OF THIS SECTION MUST REMAIN IN RESIDENTIAL PLACEMENT FOR ANY MANDATORY TIME PERIOD OF THEIR SENTENCE AS REQUIRED BY THE PROVISIONS OF THIS SECTION.

(6.5) **Felony offenses.** (b) If the court sentences the defendant to a term of probation as provided by section 18-1.3-202, the court shall order as a condition of probation one of the following:

(I) Require the defendant to serve at least ninety days but not more than one hundred eighty days imprisonment in the county jail. During the mandatory ninety-day period of imprisonment, the defendant is not eligible for deductions of his or her sentence pursuant to section 17-26-109 or for trusty prisoner status pursuant to ~~section 17-26-109 (1)(e)~~ SECTION 17-26-109 (1)(b); except that a defendant receives credit for any time that he or she served in custody for the violation prior to his or her conviction. During this mandatory period of imprisonment, the court does not have discretion to employ any sentencing alternatives described in section 18-1.3-106.

(II) Require the defendant to serve at least one hundred twenty days but not more than two years of imprisonment in the county jail through participation in a program pursuant to section 18-1.3-106 (1)(a)(II) or (1)(a)(IV) if the program is available through the county in which the defendant is imprisoned and only for the purposes of continuing a position of employment that the defendant held at the time of sentencing for the violation or for continuing attendance at an educational institution at which the defendant was enrolled at the time of sentencing for the violation. During the mandatory one-hundred-twenty-day period of imprisonment, the defendant is not eligible for deductions of his or her sentence pursuant to section 17-26-109 or for trusty prisoner status pursuant to ~~section 17-26-109 (1)(e)~~ SECTION 17-26-109 (1)(b); except that a defendant receives credit for

any time that he or she served in custody for the violation prior to his or her conviction. During this mandatory period of imprisonment, the court does not have discretion to employ any other sentencing alternatives described in section 18-1.3-106; except that a court may grant permission for a defendant to leave the jail to obtain medical treatment, pursuant to section 18-1.3-106 (1)(a)(V).

(6.7) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS SECTION, IF A JUDGE FINDS THERE ARE EXCEPTIONAL CIRCUMSTANCES WHICH WOULD MAKE INCARCERATION IN A JAIL A SUBSTANTIAL AND IMMINENT RISK TO THE HEALTH OR SAFETY OF A OFFENDER, OR, WHEN SO ADVISED BY THE SHERIFF, TO THE HEALTH, SAFETY, OR SECURITY OF THE JAIL OPERATIONS OR PERSONS IN THE JAIL, THE COURT SHALL MAKE FINDINGS ON THE RECORD OF THE EXCEPTIONAL CIRCUMSTANCES AND MAY EMPLOY ANY ALTERNATIVE SENTENCES, INCLUDING HOME DETENTION. IF AN OFFENDER REQUESTS THE COURT FIND EXCEPTIONAL CIRCUMSTANCES BASED ON THE RISK TO THE OFFENDER'S HEALTH OR SAFETY SHALL EXPRESSLY WAIVE ANY CONFIDENTIALITY AS TO THE MEDICAL OR OTHER HEALTH INFORMATION THAT ESTABLISHES THE BASIS FOR THE EXCEPTIONAL CIRCUMSTANCES.

SECTION 734. In Colorado Revised Statutes, 42-4-1406, **amend** (5)(b)(I) as follows:

42-4-1406. Foreign matter on highway prohibited. (5) (b) (I) Any person who violates ~~any provision of paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section commits a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 735. In Colorado Revised Statutes, 42-4-1701, **amend** (4)(a)(VIII) introductory portion, (4)(a)(IX), and (4)(a)(X) as follows:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (VIII) A person who violates section 42-3-204 (7)(f)(II) or section 42-4-1208 (3)(a), (3)(a.5), or (4) commits a ~~misdemeanor~~ CLASS A TRAFFIC INFRACTION and, upon conviction, shall be punished by a surcharge of thirty-two dollars under sections 24-4.1-119 (1)(f) and 24-4.2-104 (1)(b)(I), and:

(IX) A person who violates section 42-4-1208 (3) by parking a

vehicle owned by a commercial carrier is ~~guilty of a misdemeanor and, upon conviction, shall be punished by the surcharge and a fine of up to twice the penalty imposed in subparagraph (VIII) of this paragraph (a)~~ COMMITS A CLASS A TRAFFIC INFRACTION.

(X) (A) A person who violates section 42-4-1208 (5) of this section is ~~guilty of a class 1 misdemeanor and, upon conviction, shall be punished as provided in section 18-1.3-501, C.R.S.~~ COMMITS A CLASS A TRAFFIC INFRACTION.

(B) A person who willfully receives remuneration for violating section 42-4-1208 (5) is ~~guilty of a class 1 misdemeanor and, upon conviction, shall be punished by twice the civil and criminal penalties that would be imposed under section 18-1.3-501, C.R.S.~~ COMMITS CLASS A TRAFFIC INFRACTION.

SECTION 736. In Colorado Revised Statutes, 42-4-1701, **amend** (4)(a)(I) as follows:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (I) Except as provided in subsection (5)(c) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of this title 42 to which subsection (5)(a) or (5)(b) of this section applies shall be fined or penalized and have a surcharge levied in accordance with sections 24-4.1-119 (1)(f) and 24-4.2-104 (1)(b)(I), in accordance with the penalty and surcharge schedule set forth in subsections (4)(a)(I)(A) to ~~(4)(a)(I)(P)~~ **(4)(a)(I)(S)** of this section; or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions is fifteen dollars, and the surcharge is four dollars. These penalties and surcharges apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by subsection (5)(a) of this section, is found guilty by a court of competent jurisdiction, or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections are as follows:

Section Violated	Penalty	Surcharge
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(A) **Drivers' license violations:**

42-2-101 (1) or (4)	\$ 35.00	\$ 10.00
42-2-101 (2), (3), or (5)	15.00	6.00
42-2-103	15.00	6.00
42-2-105	70.00	10.00
42-2-105.5 (4)	65.00	10.00
42-2-106	70.00	10.00
42-2-115	35.00	10.00
42-2-116 (6)(a)	30.00	6.00
42-2-119	15.00	6.00
42-2-134	35.00	10.00
42-2-136	35.00	10.00
42-2-138	100.00	15.00
42-2-139	35.00	10.00
42-2-140	35.00	10.00
42-2-141	35.00	10.00
42-2-204	70.00	10.00

(B) Registration and taxation violations:

42-3-103	\$ 50.00	\$ 16.00
42-3-113	15.00	6.00
42-3-202	15.00	6.00
42-3-116	50.00	16.00
42-3-121 (1)(a)	75.00	24.00
42-3-121 (1)(c)	35.00	10.00
42-3-121 (1)(f), (1)(g), and (1)(h)	75.00	24.00
42-3-304 to 42-3-306	50.00	16.00
42-3-308	50.00	16.00

(C) Traffic regulation generally:

42-4-1412	\$ 15.00	\$ 6.00
42-4-109 (13)(a)	15.00	6.00
42-4-109 (13)(b)	100.00	15.00
42-4-1211	30.00	6.00
42-4-1405	15.00	6.00

(D) Equipment violations:

42-4-201	\$ 35.00	\$ 10.00
42-4-202	35.00	10.00
42-4-204	15.00	6.00
42-4-205	15.00	6.00
42-4-206	15.00	6.00
42-4-207	15.00	6.00
42-4-208	15.00	6.00
42-4-209	15.00	6.00
42-4-210	15.00	6.00
42-4-211	15.00	6.00
42-4-212	15.00	6.00
42-4-213	15.00	6.00
42-4-214	15.00	6.00
42-4-215	15.00	6.00
42-4-216	15.00	6.00
42-4-217	15.00	6.00
42-4-218	15.00	6.00
42-4-219	15.00	6.00
42-4-220	15.00	6.00
42-4-221	15.00	6.00
42-4-222 (1)	15.00	6.00
42-4-223	15.00	6.00
42-4-224	15.00	6.00
42-4-225 (1)	15.00	6.00
42-4-226	15.00	6.00
42-4-227 (†)	50.00	16.00
42-4-227 (2)	15.00	6.00
42-4-228 (1), (2), (3), (5), or (6)	15.00	6.00
42-4-229	15.00	6.00
42-4-230	15.00	6.00
42-4-231	15.00	6.00
42-4-232	15.00	6.00
42-4-233	75.00	24.00
42-4-234	15.00	6.00
42-4-235	50.00	16.00
42-4-236	65.00	16.00
42-4-237	65.00	6.00
42-4-241	65.00	16.00
42-4-1411	15.00	6.00

42-4-1412	15.00	6.00
42-4-1901	35.00	10.00

(E) Emissions inspections:

42-4-313 (3)(c)	\$ 50.00 100.00	\$ 16.00 15.00
42-4-313 (3)(d)	15.00	6.00

(E.5) DIESEL INSPECTIONS:

42-4-412	\$50.00	\$ 16.00
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(F) Size, weight, and load violations:

42-4-502	\$ 75.00	\$ 24.00
42-4-503	15.00	6.00
42-4-504	75.00	24.00
42-4-505	75.00	24.00
42-4-506	15.00	6.00
42-4-509	50.00	16.00
42-4-510 (12)(a)	35.00	10.00
42-4-106 (1), (3), (4), (6), or (7)	35.00	10.00
42-4-106 (4.5)(b)(I)	1,000.00	156.00
42-4-106 (4.5)(b)(II)	1,500.00	156.00
42-4-106 (5)(a)(I)	100.00	32.00
42-4-106 (5)(a)(II)	500.00	156.00
42-4-106 (5)(a)(III)	500.00	78.00
42-4-106 (5)(a)(IV)	1,000.00	156.00
42-4-512	75.00	24.00
42-8-105 (1) to (5)	50.00	16.00
42-8-106	50.00	16.00

(G) Signals, signs, and markings violations:

42-4-603	\$ 100.00	\$ 10.00
42-4-604	100.00	10.00
42-4-605	70.00	10.00
42-4-606	15.00	6.00

42-4-607 (1)	50.00	16.00
42-4-607 (2)(a)	100.00	32.00
42-4-608 (1)	70.00	6.00
42-4-608 (2)	15.00	6.00
42-4-609	15.00	6.00
42-4-610	15.00	6.00
42-4-611	100.00	15.00
42-4-612	70.00	10.00
42-4-613	35.00	10.00

(H) Rights-of-way violations:

42-4-701	\$ 70.00	\$ 10.00
42-4-702	70.00	10.00
42-4-703	70.00	10.00
42-4-704	70.00	10.00
42-4-705	70.00	16.00
42-4-706	70.00	10.00
42-4-707	70.00	10.00
42-4-708	35.00	10.00
42-4-709	70.00	10.00
42-4-710	70.00	10.00
42-4-711	100.00	10.00
42-4-712	70.00	10.00
42-4-714	70.00	10.00

(I) Pedestrian violations:

42-4-801	\$ 15.00	\$ 6.00
42-4-802 (1)	30.00	6.00
42-4-802 (3)	15.00	6.00
42-4-802 (4)	30.00	6.00
42-4-802 (5)	30.00	6.00
42-4-803	15.00	6.00
42-4-805	15.00	6.00
42-4-806	70.00	10.00
42-4-807	70.00	10.00
42-4-808	70.00	10.00

(J) Turning and stopping violations:

42-4-901	\$ 70.00	\$ 10.00
42-4-902	70.00	10.00
42-4-903	70.00	10.00

(K) Driving, overtaking, and passing violations:

42-4-1001	\$ 70.00	\$ 10.00
42-4-1002	100.00	10.00
42-4-1003	100.00	10.00
42-4-1004	100.00	10.00
42-4-1005	100.00	10.00
42-4-1006	70.00	10.00
42-4-1007	100.00	10.00
42-4-1008	100.00	10.00
42-4-1009	70.00	10.00
42-4-1010	70.00	10.00
42-4-1011	200.00	32.00
42-4-1012 (3)(a)	65.00	(NONE)
42-4-1012 (3)(b)	125.00	(NONE)
42-4-1013	100.00	(NONE)

(L) Speeding violations:

42-4-1101 (1) or (8)(b)(1 to 4 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	\$ 30.00	\$ 6.00
42-4-1101 (1) or (8)(b)(5 to 9 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	70.00	10.00
42-4-1101 (1) or (8)(b)(10 to 19 miles per hour over the reasonable and prudent speed or over the maximum lawful speed limit of 75 miles per hour)	135.00	16.00
42-4-1101 (1) or (8)(b)(20 to 24 miles per hour over the reasonable and		

prudent speed or over the maximum lawful speed limit of 75 miles per hour)	200.00	32.00
42-4-1101 (8)(g)(1 to 4 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)	50.00	6.00
42-4-1101 (8)(g)(5 to 9 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)	75.00	10.00
42-4-1101 (8)(g)(greater than 9 miles per hour over the maximum lawful speed limit of 40 miles per hour driving a low-power scooter)	100.00	16.00
42-4-1101 (3)	100.00	10.00
42-4-1103	50.00	6.00
42-4-1104	30.00	6.00

(M) Parking violations:

42-4-1201	\$ 30.00	\$ 6.00
42-4-1202	30.00	6.00
42-4-1204	15.00	6.00
42-4-1205	15.00	6.00
42-4-1206	15.00	6.00
42-4-1207	15.00	6.00
42-4-1208 (3)(b), (3)(c); and (3)(d)	150.00	32.00
42-4-1210	50.00	10.00
42-4-1213	150.00	32.00

(N) Other offenses:

42-4-1301 (2)(d)	\$ 100.00	\$ 16.00
42-4-1305	50.00	16.00
42-4-1305.5 (2)	50.00	7.80
42-4-1402	150.00	16.00
42-4-1403	30.00	6.00
42-4-1404	15.00	6.00

42-4-1406	35.00	10.00
42-4-1407 (3)(a)	35.00	10.00
42-4-1407 (3)(b)	100.00	30.00
42-4-1407 (3)(c)	500.00	200.00
42-4-314 (1) and (2)	35.00	10.00
42-4-314 (6)(a)	100.00	10.00
42-4-1408	15.00	6.00
42-4-1414 (2)(a)	500.00	156.00
42-4-1414 (2)(b)	1,000.00	312.00
42-4-1414 (2)(c)	5,000.00	1,560.00
42-4-1416 (3)	75.00	4.00
42-20-109 (2)	250.00	66.00

(O) Motorcycle violations:

42-4-1502 (1), (2), (3), or (4)	\$ 30.00	\$ 6.00
42-4-1502 (4.5)	100.00	15.00
42-4-1503	30.00	6.00
42-4-1504	30.00	6.00

(P) Offenses by persons controlling vehicles:

42-4-239 (5)(a)	\$ 50.00	\$ 6.00
42-4-239 (5)(b)	100.00	6.00
42-4-239 (5.5)	300.00	6.00
42-4-1704	15.00	6.00

(Q) CERTIFICATES OF TITLE:

<i>42-6-110</i>	<i>\$ 100.00</i>	<i>\$ 15.00</i>
<i>42-6-112</i>	<i>100.00</i>	<i>15.00</i>

(R) PROOF OF FINANCIAL RESPONSIBILITY:

<i>42-7-422</i>	<i>\$ 100.00</i>	<i>\$ 15.00</i>
<i>42-7-506</i>	<i>50.00</i>	<i>15.00</i>
<i>42-7-507</i>	<i>100.00</i>	<i>15.00</i>
<i>42-7-510</i>	<i>100.00</i>	<i>15.00</i>

(S) UNINSURED MOTORIST IDENTIFICATION DATABASE

PROTECTION:

42-7-606

\$ 100.00

15.00

SECTION 737. In Colorado Revised Statutes, **add** 42-4-1708.5 as follows:

42-4-1708.5 Traffic infractions - proper court for hearing, burden of proof - appeal - collateral attack. (1) EVERY HEARING IN COUNTY COURT FOR THE ADJUDICATION OF A CIVIL INFRACTION MUST BE HELD BEFORE A COUNTY COURT MAGISTRATE APPOINTED PURSUANT TO PART 5 OF ARTICLE 6 OF TITLE 13, OR BEFORE A COUNTY JUDGE ACTING AS A MAGISTRATE; EXCEPT THAT, IF THE CHARGE INCLUDES A CRIME AND CIVIL INFRACTION IN THE SAME SUMMONS AND COMPLAINT, ALL CHARGES MUST BE MADE RETURNABLE BEFORE A JUDGE OR MAGISTRATE HAVING JURISDICTION OVER THE CRIME AND THE RULES OF CRIMINAL PROCEDURE SHALL APPLY.

(2) WHEN A COURT OF COMPETENT JURISDICTION DETERMINES THAT A PERSON CHARGED WITH A MISDEMEANOR OR PETTY OFFENSE IS GUILTY OF A LESSER-INCLUDED OFFENSE THAT IS A CIVIL INFRACTION, THE COURT MAY ENTER A JUDGMENT AS TO THE LESSER INCLUDED OFFENSE.

(3) THE BURDEN OF PROOF IS ON THE PEOPLE, AND THE MAGISTRATE SHALL ENTER JUDGMENT IN FAVOR OF THE DEFENDANT UNLESS THE PEOPLE PROVE THE LIABILITY OF THE DEFENDANT BEYOND A REASONABLE DOUBT. THE DISTRICT ATTORNEY OR THE DISTRICT ATTORNEY'S DEPUTY MAY, IN THE DISTRICT ATTORNEY'S DISCRETION, ENTER CIVIL INFRACTION CASES FOR THE PURPOSE OF ATTEMPTING TO NEGOTIATE A PLEA OR A STIPULATION TO PRETRIAL DIVERSION OR DEFERRED JUDGMENT AND SENTENCE BUT SHALL NOT BE REQUIRED TO SO ENTER BY ANY PERSON, COURT, OR LAW. THE DISTRICT ATTORNEY SHALL NOT REPRESENT THE STATE AT HEARINGS CONDUCTED BY A MAGISTRATE OR A COUNTY JUDGE ACTING AS A MAGISTRATE ON CIVIL INFRACTION MATTERS. THE MAGISTRATE OR COUNTY JUDGE ACTING AS A MAGISTRATE MAY CALL AND QUESTION ANY WITNESS AND SHALL ACT AS THE FACT FINDER AT HEARINGS ON CIVIL INFRACTION MATTERS.

(4) APPEAL FROM FINAL JUDGMENT ON A CIVIL INFRACTION MATTER MUST BE TAKEN TO THE DISTRICT COURT FOR THE COUNTY IN WHICH THE

MAGISTRATE OR JUDGE ACTING AS MAGISTRATE IS LOCATED.

(5) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5)(b) OF THIS SECTION, A PERSON AGAINST WHOM A JUDGMENT IS ENTERED FOR A CIVIL INFRACTION MAY NOT COLLATERALLY ATTACK THE VALIDITY OF THAT JUDGMENT UNLESS THE PERSON COMMENCES THE ATTACK WITHIN SIX MONTHS AFTER THE DATE OF ENTRY OF THE JUDGMENT.

(b) IN RECOGNITION OF THE DIFFICULTIES ATTENDING THE LITIGATION OF STALE CLAIMS AND THE POTENTIAL FOR FRUSTRATING VARIOUS STATUTORY PROVISIONS DIRECTED AT REPEAT OFFENDERS, FORMER OFFENDERS, AND HABITUAL OFFENDERS, THE ONLY EXCEPTIONS TO THE TIME LIMITATION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION ARE CASES IN WHICH THE COURT HEARING THE COLLATERAL ATTACK FINDS:

(I) THAT THE COURT ENTERING JUDGMENT DID NOT HAVE JURISDICTION OVER THE SUBJECT MATTER OF THE ALLEGED INFRACTION;

(II) THAT THE COURT ENTERING JUDGMENT DID NOT HAVE JURISDICTION OVER THE PERSON OF THE VIOLATOR;

(III) BY A PREPONDERANCE OF THE EVIDENCE THAT THE FAILURE TO SEEK RELIEF WITHIN THE TIME LIMITATION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION WAS THE RESULT OF AN ADJUDICATION OF INCOMPETENCE OR BY COMMITMENT OR CERTIFICATION OF THE VIOLATOR TO AN INSTITUTION FOR TREATMENT AS A PERSON WITH A MENTAL HEALTH DISORDER; OR

(IV) THAT THE FAILURE TO SEEK RELIEF WITHIN TIME LIMITATION SPECIFIED IN SUBSECTION (5)(a) OF THIS SECTION WAS THE RESULT OF WAS THE RESULT OF CIRCUMSTANCES AMOUNTING TO JUSTIFIABLE EXCUSE OR EXCUSABLE NEGLECT.

SECTION 738. In Colorado Revised Statutes, 42-4-1716, **amend** (2); **repeal** (4)(b) as follows:

42-4-1716. Notice to appear or pay fine - failure to appear - penalty. (2) ~~Except as otherwise provided in subsection (4) of this section,~~ A person commits a class 2 misdemeanor traffic offense if the person fails to appear to answer any offense other than a traffic infraction charged under

this part 17.

(4) (b) ~~A person who violates any provision of paragraph (a) of subparagraph (I) of this subsection (4) commits a class 1 petty offense and shall be punished pursuant to section 18-1.3-503, C.R.S.~~

SECTION 739. In Colorado Revised Statutes, **amend** 42-4-1811 as follows:

42-4-1811. Penalty. Unless otherwise specified in this part 18, any person who knowingly violates any of the provisions of this part 18 commits a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 740. In Colorado Revised Statutes, 42-4-1904, **amend** (3) as follows:

42-4-1904. Regulations for school buses - regulations on discharge of passengers - penalty - exception. (3) Any person who violates any provision of this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 741. In Colorado Revised Statutes, **amend** 42-4-2110 as follows:

42-4-2110. Penalty. Unless otherwise specified in this part 21, any person who knowingly violates any of the provisions of this part 21 commits a ~~class 2 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 742. In Colorado Revised Statutes, 42-4-2202, **amend** (3) as follows:

42-4-2202. Transfer for recycling. (3) Any person who violates this section is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars for the first offense and one thousand dollars for each subsequent offense~~ COMMITS A

PETTY OFFENSE.

SECTION 743. In Colorado Revised Statutes, 42-4-2204, **amend** (3) as follows:

42-4-2204. Theft discovered - duties - liability. (3) A person who fails to comply with subsection (1) of this section commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and, upon conviction thereof, shall be punished in accordance with section 18-1.3-501, C.R.S. ~~A person who fails to comply with subsection (1) of this section two times within five years commits a class 2 misdemeanor and, upon conviction thereof, shall be punished in accordance with section 18-1.3-501, C.R.S. A person who fails to comply with subsection (1) of this section three or more times within five years commits a class 1 misdemeanor and, upon conviction thereof, shall be punished in accordance with section 18-1.3-501, C.R.S.~~

SECTION 744. In Colorado Revised Statutes, 42-4-2402, **amend** (5) as follows:

42-4-2402. Event data recorders. (5) A person who violates subsection (2) or (3) of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 745. In Colorado Revised Statutes, **repeal** 42-5-103 as follows:

42-5-103. Tampering with a motor vehicle. (1) ~~Any person who with criminal intent does any of the following to a motor vehicle or to any part, equipment, attachment, accessory, or appurtenance contained in or forming a part thereof without the knowledge and consent of the owner of such motor vehicle commits tampering with a motor vehicle:~~

~~(a) Tightens or loosens any bolt, bracket, wire, screw, or other fastening contained in, contained on, or forming a part of such motor vehicle; or~~

~~(b) Shifts or changes the gears or brakes of such motor vehicle; or~~

~~(c) Scratches, mars, marks, or otherwise damages such motor vehicle or any part thereof; or~~

~~(d) Adds any substance or liquid to the gas tank, carburetor, oil, radiator, or any other part of such motor vehicle; or~~

~~(e) Aids, abets, or assists in the commission or attempted commission of any such unlawful act or acts enumerated in this subsection (1).~~

~~(2) Tampering with a motor vehicle is:~~

~~(a) A class 1 misdemeanor if the damage is less than one thousand dollars;~~

~~(b) A class 5 felony if the damage is one thousand dollars or more but less than twenty thousand dollars;~~

~~(c) A class 3 felony if the damage is twenty thousand dollars or more or causes bodily injury to a person.~~

SECTION 746. In Colorado Revised Statutes, 42-5-104, **amend** (4); and **repeal** (1), (2), and (3) as follows:

42-5-104. Theft of a license plate. (1) ~~Any person who with criminal intent removes, detaches, or takes from a motor vehicle which is the property of another any part, equipment, attachment, accessory, or appurtenance contained therein, contained thereon, or forming a part thereof or any person who aids, abets, or assists in the commission of any such act or acts is guilty of theft of motor vehicle parts.~~

~~(2) Theft of motor vehicle parts is:~~

~~(a) A class 1 misdemeanor if the value of the thing involved is less than one thousand dollars;~~

~~(b) A class 5 felony if the value of the thing involved is one thousand dollars or more but less than twenty thousand dollars;~~

~~(c) A class 3 felony if the value of the thing involved is twenty thousand dollars or more.~~

~~(3) When a person commits theft of motor vehicle parts two times~~

~~or more within a period of six months without having been placed in jeopardy for the prior offense or offenses and the aggregate value of the things involved is one thousand dollars or more but less than twenty thousand dollars, it is a class 5 felony; however, if the aggregate value of the things involved is twenty thousand dollars or more, it is a class 4 felony.~~

(4) (a) ~~Any person who steals a license plate shall be in violation of paragraph (a) of subsection (2) of this section.~~ ANY PERSON WHO KNOWINGLY AND WITH CRIMINAL INTENT REMOVES, DETACHES, OR TAKES FROM A MOTOR VEHICLE THAT IS THE PROPERTY OF ANOTHER A LICENSE PLATE OR WHO AID, ABETS, OR ASSISTS IN THE COMMISSION OF SUCH AN ACT OR ACTS IS GUILTY OF THEFT OF A LICENSE PLATE.

(b) THEFT OF A LICENSE PLATE IS A CLASS 2 MISDEMEANOR.

SECTION 747. In Colorado Revised Statutes, 42-5-105, **amend** (4) as follows:

42-5-105. Daily record. (4) Any person violating any provision of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 748. In Colorado Revised Statutes, **amend** 42-5-106 as follows:

42-5-106. Duties of dealers - assembled motor vehicles. It is the duty of every dealer and of every proprietor of a garage to examine, without charge, the engine or vehicle identification number of every motor vehicle bought, taken in trade, repaired, or stored by them. Such dealer shall not be required to examine the engine or vehicle identification number of the same motor vehicle more than once in the same calendar year when such dealer knows that the person in possession of such motor vehicle is the lawful owner thereof. It is the further duty of the dealer, proprietor of a garage, or ~~his or her~~ THE DEALER OR PROPRIETOR'S agent, promptly and without delay, to report to or notify in person, or by telephone or telegraph, or by special messenger the nearest police station or peace officer if the engine or vehicle identification number of said motor vehicle has been altered, changed, or so obliterated as to make the number indecipherable or if the engine or vehicle identification number or the state registration license number of said

motor vehicle does not correspond with the engine or vehicle identification number of the motor vehicle state registration certificate of the driver of said motor vehicle. Any person violating any of the provisions of this section commits a ~~class 1~~ petty offense and shall be punished as provided in section 18-1.3-503. ~~C.R.S.~~

SECTION 749. In Colorado Revised Statutes, **amend** 42-5-108 as follows:

42-5-108. Penalty. Any person violating any of the provisions of this part 1, unless otherwise specifically provided for in this part 1, commits a ~~class 3 misdemeanor~~ PETTY OFFENSE and shall be punished as provided in ~~section 18-1.3-501, C.R.S.~~ SECTION 18-1.3-503.

SECTION 750. In Colorado Revised Statutes, **amend** 42-5-109 as follows:

42-5-109. Report of stored or parked motor vehicles - when. Whenever any motor vehicle of a type subject to registration in this state has been stored, parked, or left in a garage, a trailer park, or any type of storage or parking lot for a period of over thirty days, the owner of such garage, trailer park, or lot shall report the make, engine number, vehicle identification number, and serial number of such motor vehicle in writing to the Colorado state patrol auto theft section, Denver, Colorado, and the sheriff of the county in which the garage, trailer park, or lot is located. Nothing in this section shall apply where arrangements have been made for continuous storage or parking by the owner of the motor vehicle so parked or stored and where the owner of said motor vehicle so parked or stored is personally known to the owner or operator of such garage, trailer park, or storage or parking lot. Any person who fails to submit the report required under this section at the end of thirty days ~~shall forfeit~~ FORFEITS all claims for storage of such motor vehicles; and ~~shall be subject to a fine of not more than twenty-five dollars;~~ COMMITS A CIVIL INFRACTION; and each day's failure to make such a report as required under this section shall constitute a separate offense.

SECTION 751. In Colorado Revised Statutes, **amend** 42-5-111 as follows:

42-5-111. Proof of authorized possession. (1) Whenever any

motor vehicle or major component part of a motor vehicle is transported, shipped, towed, or hauled by any means in this state, said vehicle or component part shall be accompanied by proper authorization of possession from the legal owner or a law enforcement agency. Such authorization may include, but need not be limited to, bills of lading, shipment invoices, towing requests, or other specific authorization which readily identifies the rightful owner and conveys said owner's authorization of possession to the person transporting the motor vehicle or component part.

(2) A PERSON WHO VIOLATES THIS SECTION COMMITS A CIVIL INFRACTION.

SECTION 752. In Colorado Revised Statutes, 42-6-110, **amend** (2) as follows:

42-6-110. Certificate of title - transfer - department records - rules. (2) A person who violates subsection (1) of this section ~~is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than ten dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than six months, or by both such fine and imprisonment~~ COMMITS A CLASS A TRAFFIC INFRACTION.

SECTION 753. In Colorado Revised Statutes, **amend** 42-6-112 as follows:

42-6-112. Initial registration of a vehicle - dealer responsibility to timely forward certificate of title to purchaser or holder of a chattel mortgage. (1) A dealer of motor or off-highway vehicles shall, within thirty days after the sale, deliver or facilitate the delivery of the certificate of title to a purchaser or the holder of a chattel mortgage on the motor or off-highway vehicle subject to section 42-6-109.

(2) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS A TRAFFIC INFRACTION.

SECTION 754. In Colorado Revised Statutes, 42-6-136, **amend** (1)(d) as follows:

42-6-136. Surrender and cancellation of certificate - penalty for violation. (1) (d) A person who violates this section commits a ~~class 1~~ petty

offense and shall be punished as provided in section 18-1.3-503. ~~C.R.S.~~

SECTION 755. In Colorado Revised Statutes, 42-6-136.5, **amend** (2)(c)(I) introductory portion as follows:

42-6-136.5. Salvage title. (2) (c) (I) Except as provided in ~~subparagraph (H) of this paragraph (c)~~ SUBSECTION (2)(c)(II) OF THIS SECTION, a person commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and, upon conviction, shall be punished as provided in section 18-1.3-501 ~~C.R.S.~~; if the person:

SECTION 756. In Colorado Revised Statutes, 42-6-139, **amend** (3) as follows:

42-6-139. Registration and title application - where made. (3) A person who knowingly violates any of the provisions of subsection (2) of this section, section 42-3-103 (4)(a), or section 42-6-140, or any rule of the director promulgated pursuant to this part 1, ~~is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of one thousand dollars~~ COMMITS A PETTY OFFENSE.

SECTION 757. In Colorado Revised Statutes, 42-6-142, **amend** (2) as follows:

42-6-142. Penalties. (2) A person who violates subsection (1) of this section for which no other penalty is expressly provided ~~is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than six months, or by both such fine and imprisonment~~ COMMITS A PETTY OFFENSE.

SECTION 758. In Colorado Revised Statutes, 42-6-146, **amend** (2) as follows:

42-6-146. Repossession of motor vehicle or off-highway vehicle - owner must notify law enforcement agency - definition - penalty. (2) A reposessor who violates subsection (1) of this section ~~is guilty of a class 2 misdemeanor and, upon conviction, shall be punished as provided in section 18-1.3-501, C.R.S.~~ COMMITS A PETTY OFFENSE.

SECTION 759. In Colorado Revised Statutes, 42-6-202, **add** (6) as follows:

42-6-202. Prohibited acts - penalty. (6) (a) A PERSON WHO VIOLATES SUBSECTION (1), (2), OR (5) OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

(b) A PERSON WHO VIOLATES SUBSECTION (3) OF THIS SECTION COMMITS A PETTY OFFENSE.

SECTION 760. In Colorado Revised Statutes, **repeal** 42-6-203 as follows:

~~**42-6-203. Penalty.** A violation of any of the provisions of section 42-6-202 is a class 1 misdemeanor.~~

SECTION 761. In Colorado Revised Statutes, 42-6-206, **amend** (4) as follows:

42-6-206. Disclosure requirements upon transfer of ownership of a salvage vehicle. (4) (a) EXCEPT AS PROVIDED IN SUBSECTION (4)(b) OF THIS SECTION, any owner, seller, or transferor of a vehicle rebuilt from salvage who fails to comply with the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine for a first offense not to exceed one thousand five hundred dollars and a fine of five thousand dollars for each subsequent offense.

(b) A PERSON WHO VIOLATES SUBSECTION (2)(a) OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR.

SECTION 762. In Colorado Revised Statutes, 42-7-301.5, **amend** (1) and (2) as follows:

42-7-301.5. Proof of financial responsibility. (1) Any person who presents an altered or counterfeit letter or altered or counterfeit insurance identification card from an insurer or agent for the purpose of proving financial responsibility for purposes of this ~~article~~ ARTICLE 7 shall be in violation of section 18-5-104, ~~C.R.S.~~, and the minimum fine shall be one thousand dollars. ~~A second or subsequent presentation is a violation of section 18-5-104, C.R.S., and the minimum fine shall be one thousand five~~

~~hundred dollars.~~

(2) Any person who alters or creates a counterfeit letter or insurance identification card for another violates section 18-5-104 C.R.S., and shall be punished by a minimum fine of one thousand dollars. ~~A second or subsequent alteration or creation of a counterfeit letter or insurance identification card is a violation of section 18-5-104, C.R.S., and the fine shall be one thousand five hundred dollars.~~

SECTION 763. In Colorado Revised Statutes, **amend** 42-7-422 as follows:

42-7-422. No proof when proof required. Any person whose license or other privilege to operate a motor vehicle has been suspended, cancelled, or revoked, and restoration thereof or issuance of a new license is contingent upon the furnishing of proof of financial responsibility for the future, and who, during such suspension or revocation or in the absence of proper authorization from the director, drives any motor vehicle upon any highway in Colorado except as permitted under this article ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not less than five days nor more than six months and, in the discretion of the court, a fine of not less than fifty dollars nor more than five hundred dollars may be imposed~~ ARTICLE 7 COMMITS A CLASS A TRAFFIC INFRACTION. ~~The minimum sentence imposed by this section shall be mandatory, and the court shall not grant probation or a suspended sentence, in whole or in part, or reduce or suspend the fine, except in a case where the defendant has established that the defendant had to drive the motor vehicle in violation of this section because of an emergency, in which case the mandatory jail sentence does not apply. Such minimum sentence need not be five consecutive days but may be served during any thirty-day period.~~

SECTION 764. In Colorado Revised Statutes, **amend** 42-7-505 as follows:

42-7-505. Forging ability to respond in damages. Any person who forges or without authority signs any evidence of ability to respond in damages or who furnishes the director with a false statement evidencing that such person is insured under an automobile liability policy or bond, as required by the director in the administration of this article ~~is guilty of a~~

~~misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ ARTICLE 7, COMMITS A CLASS 2 MISDEMEANOR.

SECTION 765. In Colorado Revised Statutes, 42-7-506, **amend** (1) as follows:

42-7-506. Surrender of license. (1) Any person whose license has been suspended as provided in this ~~article~~ ARTICLE 7 and has not been reinstated shall immediately return such license held by such person to the director. Any person willfully failing to comply with this requirement is ~~guilty of a misdemeanor~~ COMMITS A CLASS A TRAFFIC INFRACTION.

SECTION 766. In Colorado Revised Statutes, **amend** 42-7-507 as follows:

42-7-507. Penalty. Any person who violates any provision of this ~~article~~ ARTICLE 7 for which another penalty is not prescribed by law is ~~guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment~~ COMMITS A CLASS A TRAFFIC INFRACTION.

SECTION 767. In Colorado Revised Statutes, 42-7-510, **amend** (3) as follows:

42-7-510. Insurance or bond required. (3) Any person who violates any provision of this section is ~~guilty of a misdemeanor and shall be punished according to the provisions of section 42-7-507~~ COMMITS A CLASS A TRAFFIC INFRACTION. If any violation of this section is committed on behalf of a partnership or corporation, any director, officer, partner, or high managerial agent thereof who authorized, ordered, permitted, or otherwise participated in, by commission or omission, such violation is also ~~guilty of a misdemeanor and shall be punished according to the provisions of section 42-7-507~~ A CLASS 1 TRAFFIC INFRACTION.

SECTION 768. In Colorado Revised Statutes, 42-7-606, **amend** (2) as follows:

42-7-606. Disclosure of insurance information - penalty. (2) Any person or agency who knowingly discloses information from the database for a purpose or to a person other than those authorized in this section commits a ~~class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.~~ CLASS A TRAFFIC INFRACTION.

SECTION 769. In Colorado Revised Statutes, 42-9-112, **amend** (1), (2), (2.5), and (4) as follows:

42-9-112. Criminal penalties. (1) Except as provided in subsection (2) of this section, any motor vehicle repair facility or any employee of such facility that fails to provide a completed written or oral estimate as required under section 42-9-104 (2), OR VIOLATES THE PROVISIONS OF SECTION 42-9-105, or an invoice as required under section 42-9-108, ~~is guilty of a misdemeanor. and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars nor more than two thousand dollars per violation~~ COMMITS A PETTY OFFENSE. ~~No portion of the minimum fine for repeat offenders shall be suspended.~~

(2) Except as otherwise provided in subsection (4) of this section, any motor vehicle repair facility or any employee of such facility who violates section 42-9-111 ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars per violation~~ COMMITS A PETTY OFFENSE. No portion of the minimum fine for repeat offenders shall be suspended.

(2.5) Any motor vehicle repair facility or any employee of such facility who violates any provision of this ~~article~~ ARTICLE 9 other than the provisions for which penalties are provided in subsections (1), (2), and (4) of this section ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of five hundred dollars per violation~~ COMMITS A PETTY OFFENSE.

(4) Any motor vehicle repair facility or any employee of such facility who violates the provisions of section 42-9-111 (1)(j) ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two thousand five hundred dollars and not more than five thousand dollars per violation, or imprisonment in the county jail for up to one year, or both~~ COMMITS A PETTY OFFENSE.

SECTION 770. In Colorado Revised Statutes, **amend** 42-13-105 as follows:

42-13-105. Release of impounded vehicles - penalty. Any owner, operator, or employee of any garage or service station or any appointed custodian who releases any vehicle impounded or ordered held by an officer of the Colorado state patrol without a release from an officer of the Colorado state patrol or a bona fide court order commits a ~~class 3 misdemeanor~~ and shall be punished as provided in section 18-1.3-501, ~~C.R.S.~~ PETTY OFFENSE.

SECTION 771. In Colorado Revised Statutes, 42-20-109, **amend** (1) as follows:

42-20-109. Penalty for violations. (1) Any person who violates a rule or regulation promulgated by the chief pursuant to section 42-20-104 commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 772. In Colorado Revised Statutes, **amend** 42-20-111 as follows:

42-20-111. Additional penalties. Any person, corporation, partnership, or other entity which intentionally or knowingly authorizes, solicits, requests, commands, conspires in, or aids and abets in the violation of any of the provisions of part 1, 2, or 3 of this ~~article~~ ARTICLE 42 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 773. In Colorado Revised Statutes, 42-20-113, **amend** (4) as follows:

42-20-113. Hazardous materials spill - abandonment of vehicle containing hazardous material - penalty. (4) Any person who violates the provisions of subsection (3) of this section commits a ~~class 3 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 774. In Colorado Revised Statutes, 42-20-204, **amend** (1) and (3) as follows:

42-20-204. Permit violations - penalties. (1) Any person who transports hazardous materials without a permit in violation of any of the provisions of section 42-20-201 commits a ~~misdemeanor traffic offense~~ CLASS 2 MISDEMEANOR and shall be assessed a penalty of two hundred fifty dollars in accordance with the procedure set forth in section 42-20-105 (2). Any person who intentionally transports hazardous materials without a permit in violation of any of the provisions of section 42-20-201 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~ For the purposes of this subsection (1), if any person who previously has acknowledged guilt or has been convicted of a misdemeanor pursuant to this subsection (1) subsequently transports hazardous materials without a permit in violation of any of the provisions of section 42-20-201, a permissive inference is created that such subsequent transportation without a permit was intentional.

(3) Any person who knowingly violates any of the terms and conditions of an annual or single trip hazardous materials transportation permit commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 775. In Colorado Revised Statutes, **amend** 43-2-141 as follows:

43-2-141. Violation of sections - penalties. Any person or corporation who places or maintains any road signs, guide boards, billboards, or bulletin boards on any road constituting the county system in violation of section 43-2-139 ~~upon conviction thereof, shall be punished by a fine of not less than fifteen dollars nor more than fifty dollars~~ COMMITS A CIVIL INFRACTION. Any person or corporation which injures, defaces, or destroys any road sign placed on any county road, as provided by law, ~~shall be punished by a fine of not less than fifteen dollars nor more than fifty dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 776. In Colorado Revised Statutes, 43-2-201.1, **amend** (1) as follows:

43-2-201.1. Closure of public highways extending to public lands - penalty. (1) Any person, other than a governing body of a municipality or county acting pursuant to part 3 of this ~~article~~ ARTICLE 2, who intentionally blocks, obstructs, or closes any public highway, as described

in section 43-2-201, that extends to any public land, including public land belonging to the federal government, thereby closing public access to public lands, without good cause therefor, commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~

SECTION 777. In Colorado Revised Statutes, 43-4-814, **amend** (4) as follows:

43-4-814. Military deployment. (4) Violations. A person shall not operate the motor vehicle during the time covered by the affidavit filed under subsection (2) of this section. A violation of this section is a ~~class B traffic infraction~~ CIVIL INFRACTION.

SECTION 778. In Colorado Revised Statutes, **amend** 43-5-205 as follows:

43-5-205. Allowing stolen motor vehicle to be stored - penalty. Any person who knowingly allows or permits any stolen motor vehicle to be stored, kept, parked, or maintained in any licensed auto camp or hotel facility within the state of Colorado ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars~~ COMMITS A CIVIL INFRACTION. This provision shall not be exclusive of any other penalties prescribed by any existing or future laws for the theft or unauthorized taking of a motor vehicle.

SECTION 779. In Colorado Revised Statutes, **amend** 43-5-207 as follows:

43-5-207. Penalty. Any person violating any of the provisions of this part 2, except as set forth in section 43-5-205, ~~is guilty of a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 780. In Colorado Revised Statutes, **amend** 43-5-301 as follows:

43-5-301. Obstructing highway - penalty. No person or corporation shall erect any fence, house, or other structure, or dig pits or holes in or upon any highway, or place thereon or cause or allow to be

placed thereon any stones, timber, or trees or any obstruction whatsoever. No person or corporation shall tear down, burn, or otherwise damage any bridge of any highway, or cause wastewater or the water from any ditch, road, drain, flume, agricultural crop sprinkler system, or other source to flow or fall upon any road or highway so as to damage the same or to cause a hazard to vehicular traffic. Any person or corporation so offending is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than three hundred dollars ~~COMMITTS A CIVIL INFRACTION~~ and shall also be liable to any person, unit of government, or corporation in a civil action for any damages resulting therefrom. ~~Upon a third conviction therefor, the offender shall be punished by a fine of not less than ten dollars nor more than three hundred dollars or by imprisonment in the county jail for not more than three days and shall also be liable to any person, unit of government, or corporation in a civil action for any damages resulting therefrom. Each day such condition is allowed to continue upon any highway shall be deemed a separate offense.~~

SECTION 781. In Colorado Revised Statutes, **amend** 43-5-303 as follows:

43-5-303. Overflowing highways - penalty. ~~No~~ A person or corporation shall NOT repeatedly, willfully, or negligently cause or allow water to flow, fall, or sprinkle from any ditch, lateral, canal, waste ditch, reservoir, pond, drain, flume, or agricultural crop sprinkler system upon any public road or highway so as to damage the same or to cause a hazard to vehicular traffic. Any person or corporation so offending ~~is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than three hundred dollars. Upon a third conviction therefor, the offender shall be punished by a fine of not less than ten dollars nor more than three hundred dollars or by imprisonment in the county jail for not more than three days~~ **COMMITTS A CIVIL INFRACTION.** Each day that water is so allowed to flow upon any public road or highway shall be deemed a separate offense. Agricultural crop sprinkler systems upon which generally accepted devices are installed or preventive practices are carried out and when due diligence has been exercised to prevent the end gun from discharging water upon the highway shall not be deemed to be in violation of this section, nor shall acts of God, including but not limited to wind, be deemed a violation of this section.

SECTION 782. In Colorado Revised Statutes, 43-5-308, **amend**

(1)(a) as follows:

43-5-308. Flagpersons - definition - penalty. (1) (a) A person shall not fail or refuse to obey the visible instructions, signals, or direction displayed or given by a flagperson. A person who violates this ~~paragraph (a)~~ SUBSECTION (1)(a) commits a ~~class A~~ traffic infraction.

SECTION 783. In Colorado Revised Statutes, 43-10-117, **amend** (5) as follows:

43-10-117. Towers - marking - definitions. (5) Any person who violates a provision of this section and a collision with the tower at issue results in the injury or death of another person is guilty of a ~~class 2 misdemeanor~~ CLASS 1 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. ~~C.R.S.~~ Any person who violates a provision of this section and the violation does not result in the injury or death of another person is ~~guilty of a misdemeanor and shall be punished by a fine of not more than two hundred fifty dollars~~ COMMITS A CIVIL INFRACTION.

SECTION 784. In Colorado Revised Statutes, 44-3-904, **amend** (1)(a) and (3) as follows:

44-3-904. Violations - penalties. (1) (a) EXCEPT AS PROVIDED IN SUBSECTIONS (2), (3), AND (4) OF THIS SECTION, any person violating any of the provisions of this article 3 or article 4 or 5 of this title 44 or any of the rules authorized and adopted pursuant to such articles is ~~guilty of a class 2 petty offense and, upon conviction, thereof, shall be punished by a fine of not more than two hundred fifty dollars for each offense~~ COMMITS A CIVIL INFRACTION.

(3) A person violating the provisions of section 44-3-901 (1)(b) commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 785. In Colorado Revised Statutes, 44-10-201, **amend** (4) as follows:

44-10-201. State licensing authority - creation. (4) Any person who discloses confidential records or information in violation of the provisions of this article 10 commits a ~~class 1 misdemeanor~~ CLASS 2

MISDEMEANOR and shall be punished as provided in section 18-1.3-501. Any criminal prosecution pursuant to the provisions of this section must be brought within five years from the date the violation occurred.

SECTION 786. In Colorado Revised Statutes, 44-10-701, **amend** (9) as follows:

44-10-701. Unlawful acts - exceptions. (9) A person who commits any acts that are unlawful pursuant to this article 10 commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501. ~~except that a violation of subsection (5)(a) of this section is a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501.~~ For violations that would also constitute a violation of title 18, the violation shall be charged and prosecuted pursuant to title 18.

SECTION 787. In Colorado Revised Statutes, **amend** 44-20-128 as follows:

44-20-128. Penalty. (1) Except as provided in subsection (2) of this section, any person who willfully violates this part 1 or who willfully commits any offense in this part 1 declared to be unlawful commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

(2) (a) Any person who willfully violates section 44-20-124 (2) by acting as a manufacturer, distributor, or manufacturer representative without proper authorization commits a ~~class 3 misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars or more than one thousand dollars for each separate offense; except that, if the violator is a corporation, the fine shall be not less than five hundred dollars or more than two thousand five hundred dollars for each separate offense. A second conviction shall be punished by a fine of two thousand five hundred dollars~~ PETTY OFFENSE.

(b) Any person who willfully violates section 44-20-124 (2) by acting as a motor vehicle dealer, wholesaler, used motor vehicle dealer, buyer agent, wholesale motor vehicle auction dealer, business disposer, or motor vehicle salesperson without proper authorization commits a ~~class 3 misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one thousand dollars and a penalty of twenty-five hours of~~

~~useful public service, neither of which the court may suspend, for each separate offense; except that, if the violator is a corporation, the corporation shall be punished by a fine of not less than five thousand dollars nor more than twenty-five thousand dollars for each separate offense. A second conviction for an individual shall be punished by a fine of not less than five thousand dollars nor more than twenty-five thousand dollars for each separate offense, which the court may not suspend~~ PETTY OFFENSE.

SECTION 788. In Colorado Revised Statutes, **amend** 44-20-429 as follows:

44-20-429. Penalty. (1) Except as provided in subsection (2) of this section, a person who willfully violates this part 4 commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

(2) (a) A person who willfully violates section 44-20-423 (2) by acting as a powersports vehicle manufacturer, powersports vehicle distributor, or powersports vehicle manufacturer representative without proper authorization commits a ~~class 3 misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars for each separate offense, or if the violator is a corporation, the fine shall be not less than five hundred dollars nor more than two thousand five hundred dollars for each separate offense. A second conviction shall be punished by a fine of two thousand five hundred dollars~~ PETTY OFFENSE.

(b) A person who willfully violates section 44-20-423 (2) by acting as a wholesaler, powersports vehicle dealer, used powersports vehicle dealer, or powersports vehicle salesperson without proper authorization commits a ~~class 3 misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one thousand dollars and a penalty of twenty-five hours of useful public service, neither of which the court may suspend, for each separate offense; except that, if the violator is a corporation, the corporation shall be punished by a fine of not less than five thousand dollars nor more than twenty-five thousand dollars for each separate offense. A second conviction for an individual shall be punished by a fine of not less than five thousand dollars nor more than twenty-five thousand dollars for each separate offense, which the court may not suspend~~ PETTY OFFENSE.

SECTION 789. In Colorado Revised Statutes, 44-30-526, **amend** (4)(a) as follows:

44-30-526. Records - confidentiality - exceptions. (4) (a) Any person who discloses confidential records or information in violation of the provisions of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. Any criminal prosecution pursuant to the provisions of this section must be brought within five years from the date the violation occurred.

SECTION 790. In Colorado Revised Statutes, 44-30-603, **amend** (1)(b) and (1)(c) as follows:

44-30-603. Violations of taxation provisions - penalties. (1) Any person who:

(b) Fails to pay tax due under this article 30 within thirty days after the date the tax becomes due commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501;

(c) Fails to file a return required by this article 30 within thirty days after the date the return is due commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501;

SECTION 791. In Colorado Revised Statutes, 44-30-817, **amend** (2) as follows:

44-30-817. Failure to pay winners. (2) Any person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501.

SECTION 792. In Colorado Revised Statutes, 44-30-821, **amend** (3) as follows:

44-30-821. Cheating - definition. (3) Any person issued a license pursuant to this article 30 violating any provision of this section commits a class 6 felony and shall be punished as provided in section 18-1.3-401, and any other person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. If the person is a repeating gambling offender, the

person commits a class 5 felony and shall be punished as provided in section 18-1.3-401.

SECTION 793. In Colorado Revised Statutes, 44-30-822, **amend** (2) as follows:

44-30-822. Fraudulent acts. (2) Any person issued a license pursuant to this article 30 violating any provision of this section commits a class 6 felony and shall be punished as provided in section 18-1.3-401, and any other person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. If the person is a repeating gambling offender, the person commits a class 5 felony and shall be punished as provided in section 18-1.3-401.

SECTION 794. In Colorado Revised Statutes, 44-30-823, **amend** (2) as follows:

44-30-823. Use of device for calculating probabilities. (2) Any person issued a license pursuant to this article 30 violating any provision of this section commits a class 6 felony and shall be punished as provided in section 18-1.3-401, and any other person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. If the person is a repeating gambling offender, the person commits a class 5 felony and shall be punished as provided in section 18-1.3-401.

SECTION 795. In Colorado Revised Statutes, 44-30-826, **amend** (4) as follows:

44-30-826. Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming - unlawful instruction. (4) Any person issued a license pursuant to this article 30 violating any provision of this section commits a class 6 felony and shall be punished as provided in section 18-1.3-401, and any other person violating any provision of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. If the person is a repeating gambling offender, the person commits a class 5 felony and shall be punished as provided in section 18-1.3-401.

SECTION 796. In Colorado Revised Statutes, **amend** 44-30-831 as follows:

44-30-831. Violation of article as misdemeanor. Any person violating any of the provisions of this article 30, or any of the rules promulgated pursuant thereto, commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501, except as may otherwise be specifically provided in this article 30.

SECTION 797. In Colorado Revised Statutes, 44-30-1507, **amend** (4)(a) as follows:

44-30-1507. Records - confidentiality - exceptions. (4) (a) A person who discloses confidential records or information in violation of this section commits a ~~class 1 misdemeanor~~ CLASS 2 MISDEMEANOR and shall be punished as provided in section 18-1.3-501. A criminal prosecution pursuant to this section must be brought within five years after the date the violation occurred.

SECTION 798. In Colorado Revised Statutes, 44-32-601, **amend** (3) as follows:

44-32-601. Underage wagering. (3) Any person who violates this section commits a ~~class 2 petty offense, and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars~~ CIVIL INFRACTION.

SECTION 799. In Colorado Revised Statutes, 44-32-801, **amend** (2) as follows:

44-32-801. Criminal and civil penalties. (2) Any person who violates any rule of the commission promulgated under the authority granted in this article 32, other than those that also constitute crimes under the "Colorado Criminal Code", title 18, commits a ~~class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars~~ CIVIL INFRACTION.

SECTION 800. In Colorado Revised Statutes, 11-61-102, **amend as added by House Bill 21-1048** (3) as follows:

11-61-102. Retailers' acceptance of United States currency.

(3) Failing to accept United States currency from a buyer as required by subsection (1) of this section is a ~~class 2 petty offense~~ CIVIL INFRACTION and, upon conviction, shall be punished by a fine of not more than two hundred fifty dollars per transaction or attempted transaction.

SECTION 801. In Colorado Revised Statutes, 33-1-126, **amend as added by Senate Bill 21-135** (5) as follows:

33-1-126. Prohibiting certain animals in a traveling animal act - short title - definitions. (5) A person who violates this section is guilty of a AN UNCLASSIFIED misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two hundred fifty dollars and not more than one thousand dollars per violation.

SECTION 802. Appropriation. (1) For the 2021-22 state fiscal year, \$95,340 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of \$35,940 from the general fund and \$59,400 from the licensing services cash fund created in section 42-2-114.5 (1), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) \$22,460 from the general fund for personal services related to driver services, which amount is based on an assumption that the division will require an additional 0.6 FTE.

(b) \$13,480 from the general fund for operating expenses related to driver services; and

(c) \$59,400 from the licensing services cash fund for DRIVES maintenance and support.

SECTION 803. Act subject to petition - effective date - applicability. (1) This act takes effect March 1, 2022; 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 the ninety-day period after final adjournment of the general assembly, 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 2022 and, in such case, will take effect March 1, 2022, or on the date of the official declaration of the

vote thereon by the governor, whichever is later.

(2) This act applies to offenses committed on or after the applicable effective date of this act.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO