

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

FY21-SR #01. Revise Misdemeanor Sentencing and Offenses [Statutory]**Recommendation FY21-SR#01**

Amends, appends, deletes and replaces several provisions of statute related to misdemeanor sentencing and offenses. This recommendation comprises three elements with an extensive array of associated statutory revisions and supporting documents:

- Change the misdemeanor sentencing scheme [ELEMENT 1.1, p. 1]
- Align current misdemeanor crimes [ELEMENT 1.2, p. 2]
- Reclassify felony offenses [ELEMENT 1.3, p. 3]

Each “**ELEMENT**” (1.1 through 1.3) is briefly described below, followed by a brief **Discussion** (p. 3). Supporting materials that accompany each ELEMENT are included in the **Appendix** (pages 5-180).

ELEMENT 1.1: Change the misdemeanor sentencing scheme

The current structure ranges are disproportionately large compared with other states and the sentencing structure requires updates and simplification in order to create more truth, certainty and consistency in sentencing. **[See Supporting Materials in Appendix, p. 5 - 11]**

- **1.1.a. New sentencing grid.** In the new misdemeanor grid, the drug, traffic and criminal misdemeanors are consistent. The recommended sentencing range of up to 364 days is the most common range in all 50 states.¹ The grid is based on extensive analysis and discussion of misdemeanor charges filed across the spectrum of misdemeanor crime-types by Colorado criminal law prosecution and defense attorneys. **[See Appendix p. 5]**
- **1.1.b. Jail time credits.** In an effort to address disparities in jail sentences across the state, these statutory changes would require every jail in the state to follow a similar protocol in determining an individual’s release. Specifically, based on the direction from the Governor, a jail sentence in “County X” would be generally consistent with a sentence in “County Z.” **[See Appendix p. 6-7]**
- **1.1.c. Fine ranges.** Fines are infrequently used in criminal cases, as opposed to victim restitution and other fees and surcharges. Revised fine ranges are proposed for each level of offense, consistent with the above direction from the Governor’s Office. The proposed fine ranges address misdemeanor, traffic, and civil infractions. **[See Appendix p. 8]**
- **1.1.d. Clarification of alternative sentencing language for misdemeanors.** The goal is to update the alternative sentencing options allowed under law and, where necessary, to recommend additional options to counties that afford defendants more opportunities for alternative sentences, specifically with regard to treatment options. Additionally, some cleanup language is included in this component. **[See Appendix p. 9-11]**
- **1.1.e. Effective date: March 1, 2022.** This effective date is necessary to allow the modifications necessary to charge codes, case management systems, and court documents. Additionally, the time is required to allow for training of law enforcement, prosecutors, and defense attorneys. This time period will also provide an opportunity for additional analysis and possible corrections. **[See Appendix p. 11]**

¹ Seven (7) states have less (Arizona, California, Idaho, North Carolina, Ohio, Wisconsin and Wyoming) and five (5) states have higher than 364 days. (Iowa, New Jersey, Pennsylvania, South Carolina and Vermont.)

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

ELEMENT 1.2: Align current misdemeanor crimes

Misdemeanor crimes (criminal and traffic) require alignment with the new sentencing structure (introduced above) and elimination/revision of certain statutory language to reflect better crime definition, practices and proper classification. More than 1000 criminal offenses were reviewed using the criteria listed above. **[See Supporting Materials in Appendix, p. 12 - 171]**

- **1.2.a. Title 18 and Additional Title 18.** A careful and thorough crime severity analysis of all the misdemeanor offenses listed in Title 18 was conducted. Generally, the proposal groups crimes against persons into the M1 category and crimes against property into the M2 category. For those offenses involving financial loss to a victim, it is recommended that those offenses mirror the value thresholds outlined in the Theft statute. The associated Appendix **Title 18** table of offenses includes the statutory citation, offense title, current crime classification and recommended crime classification. Additionally, certain crimes were re-written to better clarify, define, and classify the seriousness of offense and these may be found below in the **Additional Title 18** table. **[See Appendix Title 18, p. 12 - 32; Additional Title 18, p. 32 - 35]**
- **1.2.b. Title 42 and Additional Title 42.** Title 42 is often referred to as traffic offenses, but a significant number of the offenses listed in Title 42 do not involve the operation of a motor vehicle. For driving offenses, it is recommended that the offenses be categorized as Traffic Misdemeanor 1, 2, or Infractions. For non-driving offenses, the goal is to mirror the revisions made to any similar offenses from Title 18. Subsequent to the initial review of Title 42 offenses, a subsequent review yielded additional offenses in this title that were compiled into another table, **Additional Title 42** offenses. **[See Appendix Title 42, p. 36 - 41; Additional Title 42, p. 42 - 44]**
- **1.2.b(i). DUI.** Based on input from local jurisdictions, it is recommended that the sentencing structure remain unchanged for Driving Under the Influence, except for a revision of certain provisions related to work release and alternative sentences when extraordinary circumstances are determined by the Court. This specific change is limited in scope because the DUI statutes were not amended. **[See Appendix p. 45 - 46]**
- **1.2.c. Misdemeanor offenses contained in other titles - Title 1 through Title 44.** Using the grid contained in **1.1.a.**, it is recommended that the included offenses be classified based on the level of harm caused. Also, offenses in Titles 1 through 44 were eliminated if they were redundant with offenses that are also included in Title 18. **[See Appendix p. 47 - 167; "Title table" on p. 47]**
- **1.2.d. Misdemeanor and petty offenses - Miscellaneous.** Using the grid contained in **1.1.a.**, it is recommended that the included offenses be classified based on the level of harm caused. This section includes two tables: (a) Miscellaneous Class 1 and 2 Misdemeanors and (b) Miscellaneous Class 3 Misdemeanors and Petty Offenses. **[See Appendix p. 168 - 171]**
- **1.2.e. Unclassified misdemeanors with fine only.** Fine-only offenses are recommended to remain as unclassified misdemeanors. Unclassified misdemeanors with jail time as a possible sentence have been adjusted based on the analysis outlined above. **[See Appendix p. 171]**

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

ELEMENT 1.3: Reclassify felony offenses

A limited group of offenses were identified that were obviously over or under classified based upon the experience of the practitioners and review by the Task Force. After robust discussion and analysis, it is recommended that certain felony offenses be declassified to misdemeanors based on value, harm, the practical use of these offenses, and duplication. The associated sentence ranges were adjusted for greater consistency and reasonableness.² **[See Supporting Materials in Appendix, p. 172 - 180]**

- **1.3.a. False Information offenses.** A focused review and analysis was conducted on the offense(s) that should be charged when an individual provides false information to a member of law enforcement. Currently, this behavior is charged in a few different ways, which has been addressed, and these revised offenses have been classified based on their severity. **[See Appendix p. 172 - 173]**
- **1.3.b. Felony offenses to be reclassified.** Felony offenses identified across several statutory Titles were identified for reclassification to misdemeanor offenses. **[See Appendix p. 174 - 179]**
- **1.3.c. Introduction of contraband.** Under current law, the highest charge for “Introduction of Contraband” is a Class 4 felony. This applies equally to such contraband as alcohol, explosives, marijuana, and guns. In an effort construct a more sensible structure, “dangerous instruments” (for example, weapons or “weaponizable” items) are in Class 4 felony, items that might facilitate escape or controlled substances in Class 6 felony, and all other items in Class 1 Misdemeanor. **[See Appendix p. 179 - 180]**

DISCUSSION

This recommendation is in response to the request by the Governor in the 2020 Biennial Letter to the Commission.³ The Governor directed the Commission, in part, to recognize the finite resource of available beds in DOC prisons, as well as the administration’s effort to eliminate private prison capacity, to develop a guideline approach to structuring dispositions, to ensure statewide consistency in the application of sentencing guidelines that mitigate the effects of individual discretion by system actors, and to determine the appropriate degree of sentence determinacy and where to strike a balance between “truth in sentencing” and ensuring that there are incentives for success throughout an offender’s sentence. The Governor emphasized that some of the work be completed to allow consideration by the General Assembly during the 2021 legislative session.

With the above in mind, the Commission seated the Sentencing Reform Task Force, which subsequently formed several working groups, including the Sentence Structure Working Group. This “Structure

² Some misdemeanor offenses should be reclassified as felony offenses due to the severity of the conduct and these offenses will be reviewed in the next phase of work on the felony sentencing structure during Summer/Fall 2021.

³ The “Biennial Letter” is pursuant to House Bill 2018 - 1287; see also, §16-11.3-103(7), C.R.S. Statute requires that in even-numbered years the Commission request a letter from the Governor regarding topics of study. The Governor is encouraged to consult with the Chief Justice of the Colorado Supreme Court and the Majority and Minority Leaders of the Colorado House of Representatives and the Senate. The first of these letters was received June 24, 2020 and encouraged the Commission to study, discuss, and return recommendations to the Governor on a variety of sentencing-related topics.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

Working Group” prioritized the analysis of all misdemeanor and petty level offenses in Colorado with a plan to submit a recommendation for those crimes to the Commission in early 2021. The misdemeanor sentencing ranges must be established in order to determine whether a criminal offense is a felony or a misdemeanor. Therefore, the Structure Working Group began its investigation and analysis with misdemeanor offenses in order to develop a foundation for the subsequent work on felony offenses, which will be addressed subsequently during the summer and fall of 2021.

In addition to the goals summarized above, in its review of crimes, the Structure Working Group sought to balance rehabilitation and punishment, simplify crimes and sentencing ranges, adjust sentence ranges to more consistent and reasonable ranges, eliminate repetitive and unnecessary crimes and re-classify crimes as needed.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

APPENDIX

ELEMENT 1.1. Change the misdemeanor sentencing scheme

1.1.a. New sentencing grid

Misdemeanor Reclassification Grid		
Misdemeanor 1	Up to 364 days	Fine amount
Misdemeanor 2	Up to 120 days	Fine amount
Petty Offense	Up to 10 days	Fine amount
Infraction (fine only)	No jail	Fine amount

The maximum consecutive sentence to the county jail for misdemeanor crimes is 24 months.

*Note: The court may require UPS (Useful Public Service), Jail-based behavioral services (JBBS), or other treatment options. Reference to treatment options, may also be found below in **ELEMENT 1.1.d. Clarification of alternative sentencing language for misdemeanors.***

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

1.1.b. Jail time credits

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 earns~~ **AND CONDUCTS HIMSELF OR HERSELF IN ACCORDANCE WITH THE RULES OF THE JAIL SHALL EARN** deductions from the time of his or her sentence as follows:

(a) SEVEN DAYS DEDUCTION FOR EACH THIRTY DAYS ON HIS OR HER 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 HIM.

~~(a) An inmate receives a one day deduction for each fifteen days on his or her sentence;~~

(b) IN ADDITION TO THE DEDUCTION DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, AN INMATE MAY RECEIVE AN ADDITIONAL THREE DAY DEDUCTION FOR EACH THIRTY DAYS ON HIS OR HER SENTENCE IF HE OR SHE:

(I) IS DESIGNATED BY THE COUNTY SHERIFF AS A TRUSTY PRISONER;

(II) IS ENGAGED IN WORK WITHIN OR OUTSIDE THE WALLS OF THE JAIL;

(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)(b);

~~(b) In addition to the deduction described in subsection (1)(a) of this section, an inmate may receive a ten 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~~

~~(II) Demonstrates outstanding progress in any designated program or educational activity within the jail;~~

(c) (I) In addition to the deductions described in subsections (1)(a), ~~(1)(b)~~, ~~(1)(c)~~, and ~~(1)(d)~~ 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) If a county sheriff awards a deduction pursuant to this subsection (1)(b), he or she shall notify the chief judge of the judicial district of such fact not later than three business days after the deduction is awarded. In providing such notice, the sheriff shall indicate how many days were deducted and the nature of the unusual or extraordinary action taken by the inmate.

~~(c) 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:~~

~~(I) Is designated by the county sheriff as a trusty prisoner;~~

~~(II) Is engaged in work within or outside the walls of the jail;~~

~~(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);~~

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

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

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

~~(II) 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;~~

~~(f)~~

~~(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 HIS OR HER SENTENCE THROUGH THE IMPLEMENTATION OF A PROCESS AS OUTLINED IN A POLICY PROVIDED TO ALL INMATES, WHICH IS APPLIED CONSISTENTLY AND IS IN COMPLIANCE WITH BEST PRACTICES FOR CORRECTIONAL SETTINGS.**

(b) If an inmate escapes or attempts to escape from a jail or an alternative sentence program, he or she forfeits all deductions from his or her sentence that he or she received up to the time of the escape or attempted escape.

(4) An inmate who is sentenced to any alternative sentence pursuant to section 18-1.3-106 arising out of a sentence pursuant to section 42-4-1307 (5)(a)(I), (5)(b), or (6)(a)(I) may receive a sentence deduction pursuant to this section only after serving any mandatory period of time pursuant to those sections.

(5) As used in this section, "day" means a twenty-four-hour calendar day.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

1.1.c. Fine ranges

Fines for Misdemeanors	
Offense	Fine
M1	Up to \$1,000 (currently \$5,000)
M2	Up to \$750, currently 1K
M3	\$750
TM1	Up to \$1,000
TM2	Up to \$750
DM1	up to \$1,000 (currently \$5,000)
DM 2	up to \$750 (currently \$750)
Civil Infraction	\$100.00
DUI is a carve out so that statute remains the same.	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

1.1.d. Clarification of alternative sentencing language for misdemeanors

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:

- (I) Seeking employment;
- (II) Working at his or her employment;
- (III) Conducting his or her own business or other self-employed occupation including housekeeping and attending to the needs of the family;
- (IV) Attendance at an educational institution;
- (V) Medical treatment;
- (VI) Home detention; or
- (VII) Day reporting; ~~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, RESIDENTIAL REENTRY PROGRAM**, if the court deems such a sentence to be appropriate for the offender.

(1.1) For purposes of this section, "home detention" means an alternative correctional sentence or term of legal supervision wherein a defendant charged or convicted of a misdemeanor, felony, nonpayment of any fine, or contempt of court is allowed to serve his or her sentence or term of supervision, or a portion thereof, within his or her home or other approved residence. Such sentence or term of supervision shall cause the defendant to remain within such defendant's approved residence at all times except for approved employment, court-ordered activities, and medical needs. Supervision of the defendant shall include personal monitoring by an agent or designee of the referring unit of government and monitoring by electronic or global positioning devices that are capable of detecting and reporting the defendant's absence or presence within the approved residence.

(1.3) Before a court may grant a person sentenced to the county jail the privilege of leaving the jail to attend a postsecondary educational institution, the court shall first notify the prosecuting attorney and the postsecondary educational institution of its intention to grant the privilege and request their comments thereon. The notice shall include all relevant information pertaining to the person and the crime for which he or she was convicted. Both the prosecuting attorney and the postsecondary institution shall reply to the court in writing within fourteen days after receipt of the notification or within such other reasonable time in excess of fourteen days as specified by the court. The postsecondary educational institution's reply shall include a statement of whether or not it will accept the person as a student. Acceptance by a state postsecondary educational institution shall be pursuant to section 23-5-106, C.R.S.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

(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) 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.

(3) The sheriff or the director of an alternative sentencing program may endeavor to secure employment for unemployed prisoners under this section. If a prisoner is employed for wages or salary, the sheriff may collect the same or require the prisoner to turn over his or her wages or salary in full when received, and the sheriff shall deposit the same in a trust checking account and shall keep a ledger showing the status of the account of each prisoner.

(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~~ **MUST** 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.

(5) By order of the court, the wages or salaries of employed prisoners shall be disbursed by the sheriff for the following purposes, in the order stated:

- (a) Payment of any current child support order;
- (b) Payment of any child support arrearage;
- (b.3) Payment of any child support debt order;
- (c) Payment of any spousal maintenance;
- (d) Payment of costs for the crime victim compensation fund, pursuant to section 24-4.1-119, C.R.S.;
- (e) Payment of surcharges for the victims and witnesses assistance and law enforcement fund, pursuant to section 24-4.2-104, C.R.S.;
- (f) Payment of restitution;
- (g) Payment of a time payment fee;
- (h) Payment of late fees;
- (i) Payment of any other fines, fees, or surcharges;
- (j) Payment of the board of the prisoner;
- (k) Payment of the supervision and administrative services provided to the prisoner during his or her home detention;
- (l) Payment of necessary travel expense to and from work and other incidental expenses of the prisoner;
- (m) Payment, either in full or ratably, of the prisoner's obligations acknowledged by him or her in writing or which have been reduced to judgment; and
- (n) The balance, if any, to the prisoner upon his or her discharge.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

(6) The court may by order authorize the sheriff to whom the prisoner is committed to arrange with another sheriff for the employment or home detention of the prisoner in the other's county and, while so employed or so detained, for the prisoner to be in the other's custody but in other respects to be and continue subject to the commitment.

(7) If the prisoner was convicted in a court in another county, the court of record having criminal jurisdiction may, at the request or with the concurrence of the committing court, make all determinations and orders under this section which might otherwise be made by the sentencing court after the prisoner is received at the jail.

(8) The board of county commissioners may, by resolution, direct that functions of the sheriff pursuant to either subsection (3) or (5) of this section, or both, be performed by the county department of human or social services; or, if the board of county commissioners has not so directed, a court of record may order that the prisoner's earnings be collected and disbursed by the clerk of the court. Such order must remain in force until rescinded by the board or the court, whichever made it.

(9) The county department of human or social services shall, at the request of the court, investigate and report to the court the amount necessary for the support of the prisoner's dependents.

(10) The sheriff may refuse to permit the prisoner to exercise his or her privilege to leave the jail as provided in subsection (1) of this section for any breach of discipline or other violation of jail regulations. Any such breach of discipline or other violation of jail regulations shall be reported to the sentencing court.

(11) A prisoner who has been convicted of one of the crimes of violence as defined in section 18-1.3-406 (2), who has been convicted of a sex offense as defined in sections 18-1.3-903 (5) and 18-3-411, who has been convicted of a crime, the underlying factual basis of which was found by the court to include an act of domestic violence, as defined in section 18-6-800.3 (1), or who has been convicted of a class 1 misdemeanor in which a deadly weapon is used shall not be eligible for home detention pursuant to this section.

(12) Repealed.

1.1.e. Effective date: March 1, 2022

This effective date is necessary to allow the modifications necessary to charge codes, case management systems, and court documents. Additionally, the time is required to allow for training of law enforcement, prosecutors, and defense attorneys. This time period will also provide an opportunity for additional analysis and possible corrections.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

ELEMENT 1.2. Align current misdemeanor crimes
1.2.a. Title 18

This section includes two lists: **Title 18 Offenses to be Reclassified** and **Additional Title 18 Offenses to be Reclassified** (See below, page 32.)

Title 18 Offenses to be Reclassified

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
ASSAULT 3-FIRST RESPONDER	18-3-204(1)(a); 18-1.3-501(1.5)	M1	M1
ASSAULT 3-KNOW/RECK INJ MENTAL HLTH PRO	18-3-204(1)(a); 18-1.3-501(1.7)	M1	M1
RECKLESS ENDANGERMENT- MENTAL HEALTH PRO	18-3-208; 18-1.3-501(1.7)	M1	M3
ASSAULT 3-KNOW/RECKLESS-VIC PREGNANT	18-3-204(1)(a); 18-1.3-501(6)	M1	M1
ASSAULT 3-NEG-DEADLY WEAPON-VIC PREGNANT	18-3-204(1)(a); 18-1.3-501(6)	M1	M1
ASSAULT 3-FLUIDS-FIRST RESPONDER	18-3-204(1)(b); 18-1.3-501(1.5)	M1	M1
DISABLED-SERVICE ANIMALS- VIOLATION	24-34-804(1)(d); 18-2-101	M2	M3
UNLICENSED ASSISTED LIVING RESIDENCE-ATT	25-27-103; 18-2-101	civil infraction already fine only	M
DEFACING PROPERTY-OF ANOTHER-2D OFF-ATT	18-4-509(1)(b) and (2)(a)(I)(A); 18-2-101	M2	M2
WILDLIFE-ILLEGAL POSSESS FOREIGN-AGG-ATT	33-6-109(2); 18-2-101	Unclass. M	M
FLYING WHILE HABITUAL DRUG USER-ATT	41-2-102(1)(b); 18-2-101	delete	M
FLYING W/ EXCESSIVE ALCOHOL CONTENT -ATT	41-2-102(2)(a); 18-2-101	M1	M
DEFRAUDING AN INKEEPER-\$1000 OR LESS-ATT	6-25-103; 18-2-101	classification per misdo cut points - 3 levels - 1 to 300, 301 to 1000, 1001 to 2000	M
SOUND RECORDINGS-DEAL UNLAWFUL PACK-ATT	18-4-604; 18-2-101	civil infraction	M2
DEFACING PROPERTY-HISTOR MONUMENT-2D-ATT	18-4-509(1)(a) and (2)(a)(I)(A); 18-2-101	eliminate - is criminal mischief	M2
UNLICENSED ASSISTED LIVING RESIDENCE-CSP	25-27-103; 18-2-201	civil infraction - is fine only	M
TRANSFER/SELL LAND SUBDIV W/O PLAT-CSP	30-28-110(4)(a); 18-2-201	civil infraction fine only	M3

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
WILDLIFE-ILLEGAL POSSESS FOREIGN-AGG-CSP	33-6-109(3.4); 18-2-201	M2	M
DEFACING PROPERTY-HISTOR MONUMENT-2D-CSP	18-4-509(1)(a) and (2)(a)(I)(A); 18-2-201	delete - is crim mischief	M2
DEFACING PROPERTY-OF ANOTHER-2D OFF-CSP	18-4-509(1)(b) and (2)(a)(I)(A); 18-2-201	delete	M2
SOUND RECORDINGS-DEAL UNLAWFUL PACK-CSP	18-4-604; 18-2-201	petty	M2
FLYING WHILE HABITUAL DRUG USER-CSP	41-2-102(1)(b); 18-2-201	delete	M
FLYING W/ EXCESSIVE ALCOHOL CONTENT -CSP	41-2-102(2)(a); 18-2-201	M1	M
DEFRAUDING AN INKEEPER-\$1000 OR LESS-CSP	6-25-103; 18-2-201	classification per misdemeanor cut point - 3 levels - 1 to 300, 301 to 1000, 1001 to 2000	M
ASSAULT 3-KNOW/RECKLESS CAUSE INJURY	18-3-204(1)(a)	M1	M1
ASSAULT 3-NEGLIGENT-DEADLY WEAPON	18-3-204(1)(a)	M1	M1
MENACING	18-3-206	M1	M3
RECKLESS ENDANGERMENT	18-3-208	M2	M3
FALSE IMPRISONMENT	18-3-303	M2	M2
SEX OFFENDER-FAIL TO VERIFY LOCATION-3D	18-3-412.6(1) and (3)	M2	M
SEX OFFENDER-FAIL TO VERIFY LOCATION	18-3-412.6(1) and (3)	M2	M
PREGNANCY-CARELESS DRIVING/UNLAW TERM	18-3.5-109	M1	M1
ARSON 2-DAMAGE UNDER \$100	18-4-103(1)	classification per misdemeanor cut point - 3 levels - 1 to 300, 301 to 1000, 1001 to 2000	M2
ARSON 4-PROPERTY OVER \$100 ENDANGERED	18-4-105(1) and (3)	see above	M2
ARSON 4-PROPERTY UNDER \$100 ENDANGERED	18-4-105(1) and (4)	see above	M3
THEFT-\$50-\$300	18-4-401(1) and (2)(c)	PO up to 300	M3
THEFT-\$300-\$750	18-4-401(1) and (2)(d)	M2 up to 1K	M2
THEFT-\$750-\$2,000	18-4-401(1) and (2)(e)	M1 up to 2K	M1
THEFT PUB ASSIST-\$50-\$300	26-2-127(1); 18-4-401(1) and (2)(c)	Use theft cut points.	M3

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
THEFT PUB ASSIST-\$300-\$750	26-2-127(1); 18-4-401(1) and (2)(d)	Use theft cut points-	M2
THEFT PUB ASSIST-\$750-\$2,000	26-2-127(1); 18-4-401(1) and (2)(e)	Use theft cut points.	M1
THEFT FOOD STAMP-\$50-\$300	26-2-305(1)(a); 18-4-401(1) and (2)(c)	new theft cut points	M3
THEFT FOOD STAMP-\$300-\$750	26-2-305(1)(a); 18-4-401(1) and (2)(d)	Use theft cut points.	M2
THEFT FOOD STAMP-\$750-\$2,000	26-2-305(1)(a); 18-4-401(1) and (2)(e)	Use theft cut points.	M1
THEFT/TRADE SECRETS	18-4-408	M2	M1
MOTOR VEHICLE THEFT/AGG 2- UNDER \$1000	18-4-409(4)(c)	Use theft cut points.	M1
THEFT DET DEACT/SHIELD DEVICE-MAKE/SELL	18-4-417(1)(a)	M2	M1
THEFT DET DEACT/SHIELD DEVICE-POSSESS	18-4-417(1)(b)	M2	M1
THEFT DETECTION DEVICE- DEACTIVATE/REMOVE	18-4-417(1)(c)	M2	M1
THEFT DETECTION DEVICE-- DEACT/REM--ATT	18-4-417(1)(c); 18-2-101	PO	M2
NEWSPAPER THEFT	18-4-419	repealed	M
CRIMINAL MISCHIEF-UNDER \$300	18-4-501(1) and (4)(a)	PO	M3
CRIMINAL MISCHIEF-\$300-\$750	18-4-501(1) and (4)(b)	up to 1K - M2	M2
CRIMINAL MISCHIEF-\$750-\$1000	18-4-501(1) and (4)(c)	up to 2k- M1	M1
TRESPASS 2-ENCLOSED/FENCED PROPERTY	18-4-503(1)(a)	PO	M3
TRESPASS 2-ON AGRICULTURAL LAND	18-4-503(1)(a) and (2)(a)	PO	M2
TRESPASS 2-HOTEL/MOTEL/APT BUILDING	18-4-503(1)(b)	PO	M3
TRESPASS 2-MOTOR VEHICLE	18-4-503(1)(c)	PO	M3
TRESPASS 3-ON AGRICULTURAL LAND	18-4-504(1) and (2)(a)	PO	M3
TAMPERING 1	18-4-505	M2	M1
TAMPERING 2-INTENT INJURY/INCONVEN/ANNOY	18-4-506	M2	M2
TAMPERING 2-UNAUTHORIZED UTILITY CONNECT	18-4-506	M2	M2
TAMPERING W/ OIL & GAS EQUIPMENT	18-4-506.3(1)	M2	M2

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
TAMPERING W/ UTILITY METER-BY CONNECTION	18-4-506.5(1)	M2	M2
TAMPERING W/UTILITY METER-INTERFERENCE	18-4-506.5(2)	M2	M2
DEFACING/DESTROYING WRITTEN INSTRUMENT	18-4-507	M2	M1
DEFACING/DESTROY LANDMARKS-MINE BOUNDARY	18-4-508(1)	M2	M2
DEFACING/DESTROYING LANDMARKS-BOUNDARY	18-4-508(1)	M2	M2
DEFACING/DESTROY LANDMARK-PUBLIC LAND	18-4-508(2)	M2	M2
DEFACING/DESTROY LANDMARK-BEARING TREE	18-4-508(2)	M2	M2
DEFACING PROPERTY-HISTORICAL MONUMENT	18-4-509(1)(a)	delete	M2
DEFACING PROPERTY-HISTORICAL MONUMENT-2D	18-4-509(1)(a) and (2)(a)(I)(A)	delete	M1
DEFACING PROPERTY-OF ANOTHER	18-4-509(1)(b)	delete	M2
DEFACING PROPERTY-OF ANOTHER-2D OFF	18-4-509(1)(b) and (2)(a)(I)(A)	delete	M1
DEFACING PROPERTY-OF ANOTHER-SERIES	18-4-509(1)(b) and (2)(a)(I)(B)	delete	M1
DEFACING PROPERTY-CAVE	18-4-509(1)(c)	M2 Maintain fines	M2
DEFACING PROPERTY-CAVE-2D OFFENSE	18-4-509(1)(c) and (2)(a)(I)(A)	delete	M1
DEFACING PROPERTY-BURIAL MEMORIAL-2D OFF	18-4-509(2)(a)(I)(A); 12-12-113.5	delete	M1
DEFACING PROPERTY-BURIAL MEMORIAL	18-4-509; 12-12-113.5	delete	M2
ABANDONMENT OF A MOTOR VEHICLE-ON STREET	18-4-512	PO	M3
ABANDONMENT OF MOTOR VEH-PRIVATE PROP	18-4-512	PO	M3
USE OF A NOXIOUS SUBSTANCE	18-4-513	civil infraction	M3
MOVIE THEATER-OPERATION OF A DEVICE	18-4-516	civil	M1
SOUND RECORDINGS/TRAFFICKING	18-4-603	PO	M3
SOUND RECORDINGS-DEAL UNLAWFUL PACKAGED	18-4-604	PO	M1
RECORD LIVE PERFORMANCE	18-4-604.3	PO	M1
TRAFFICKING RECORDED LIVE PERFORMANCE	18-4-604.7	M2	M1

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
THEFT CABLE SERVICE-OBTAINS UNAUTHORIZED	18-4-701(2)(a)	PO	M2
THEFT CABLE SERV-MAKE/MAINTAIN CONNECT	18-4-701(2)(b)	PO	M2
THEFT CABLE SERV-MODIFIES/ALTERS DEVICE	18-4-701(2)(c)	PO	M2
THEFT CABLE SERV-POSS DEVICE	18-4-701(2)(d)	PO	M2
THEFT CABLE SERV-MANUF/SALE DEVICE	18-4-701(2)(e)	PO	M2
THEFT CABLE SERV-FAIL TO RETURN EQUIP	18-4-701(2)(f)	PO	M2
FORGERY 2	18-5-104	M2	M1
USE OF FORGED ACADEMIC RECORD	18-5-104.5	M2	M1
FORGERY 2-PRESENTS FALSE INSURANCE PROOF	18-5-104; 42-7-301.5(1)	M2	M1
FORGERY 2-PRESENT FAKE INSUR PROOF-2D OF	18-5-104; 42-7-301.5(1)	M2	M1
FORGERY 2-CREATE FALSE INSURANCE PROOF	18-5-104; 42-7-301.5(2)	M2	M1
FORGERY 2-CREATE FALSE INSUR PROOF 2D OF	18-5-104; 42-7-301.5(2)	M2	M1
FORGED INSTRUMENT-POSSESSION OF 2D DEGR	18-5-107	PO	M2
CRIMINAL SIMULATION-MAKES FALSE OBJECT	18-5-110(1)(a)	M2	M1
CRIMINAL SIMULATION-UTTERS FALSE OBJECT	18-5-110(1)(b)	M2	M1
TRADEMARK COUNTERFEITING	18-5-110.5	M2	M2
TRADEMARK COUNTERFEITING-2D OFF	18-5-110.5(1) and (2)(a)(II)(A)	repeal 2nd offense	M1
TRADEMARK COUNTERFEITING-100 ITEMS;\$1000	18-5-110.5(1) and (2)(a)(II)(B)	theft cut points	M1
UNLAWFULLY USING SLUGS	18-5-111(1)(a)	PO	M3
UNLAWFULLY USING SLUGS-MAKING SLUGS	18-5-111(1)(b)	PO	M3
OBTAINING SIGNATURE BY DECEPTION	18-5-112	M2	M2
OFFERING FALSE INSTRUMENT/RECORDING 2	18-5-114(3)	M2	M1
FRAUD BY CHECK-\$50-\$300	18-5-205(2) and (3)(a.7)	theft cut points	M3
FRAUD BY CHECK-SERIES-\$50-\$300	18-5-205(2) and (3)(a.7)	new theft cut points	M3

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
FRAUD BY CHECK-\$300-\$750	18-5-205(2) and (3)(b)	new theft cut points	M2
FRAUD BY CHECK-SERIES-\$300-\$750	18-5-205(2) and (3)(b)	new theft cut points	M2
FRAUD BY CHECK-\$750-\$2000	18-5-205(2) and (3)(c)	new theft cut points	M1
FRAUD BY CHECK-SERIES-\$750-\$2000	18-5-205(2) and (3)(c)	new theft cut points	M1
FRAUD BY CHECK-OPEN ACCT W/FAKE ID/NAME	18-5-205(5)	M2	M2
DEFRAUDING SECURED CREDITOR-\$50-\$300	18-5-206(1)(c)	new theft cut points	M3
DEFRAUDING SECURED CREDIT-\$300-\$750	18-5-206(1)(d)	new theft cut points	M2
DEFRAUDING SECURED CREDIT-\$750-\$2000	18-5-206(1)(e)	new theft cut points	M1
DEFRAUDING SECURED DEBTOR-\$50-\$300	18-5-206(2)(c)	new theft cut points	M3
DEFRAUDING SECURED DEBTOR-\$300-\$750	18-5-206(2)(d)	new theft cut points	M2
DEFRAUDING SECURED DEBTOR-\$750-\$2000	18-5-206(2)(e)	new theft cut points	M1
PURCHASE ON CREDIT TO DEFRAUD	18-5-207	M2	M2
DUAL CONTRACTS TO INDUCE LOAN	18-5-208	M2	M3
ISSUING FALSE FINANCIAL STATE-FALSE FORM	18-5-209(1)(a)	M2	M2
ISSUING FALSE FINANC STATE-CORROBORATES	18-5-209(1)(b)	M2	M2
ISSUING FALSE FINAN STATE/FINAN TRAN DEV	18-5-209(3) and (4)	M2	M1
INSURANCE FRAUD – APPLICATION	18-5-211(1)(a) and (4)	M2	M1
FRAUD IN EFFECTING SALES-FALSE WEIGHT	18-5-301(1)(a)	M2	M2
FRAUD IN EFFECTING SALES-SHORT SALE	18-5-301(1)(b)	M2	M2
FRAUD IN EFFECTING SALES-LONG PURCHASE	18-5-301(1)(c)	M2	M2
FRAUD/EFFECTING SALES-MISLABELED COMMOD	18-5-301(1)(d)	M2	M2
FRAUD IN EFFECTING SALES-FALSE STATEMENT	18-5-301(1)(e)	M2	M2
LIEN WAIVER-FAILURE TO PAY CONSTR DEBTS	18-5-302(3)	M2	M1
BAIT ADVERTISING	18-5-303	M2	M2

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
IDENTIFICATION NUMBER-SELLING W/ALTERED	18-5-305	M2	M3
IDENTIFICATION NUMBER-ALTERING	18-5-305	M2	M3
EMPLOYMENT AGENCY VIOLATION	18-5-307	M2	M
ELECTRONIC MAIL FRAUD -2d OFF	18-5-308	delete	M1
Electronic Mail Fraud	18-5-308	M2	M2
RIGGING PUBLICLY EXHIBITED CONTESTS	18-5-402(1)	fine only civil	M3
RIGGING PUBLIC EXHIBIT CONT-PARTICIPATE	18-5-402(2)	fine only civil	M3
FAILURE PAY OVER ASSIGN ACCOUNT-LESS1000	18-5-502	new theft cut points	M1
CONCEALMENT/REMOVE SECURED PROP-LESS1000	18-5-504	new theft cut points	M1
FAILURE TO PAY OVER PROCEEDS-UNDER \$1000	18-5-505	new theft cut points	M1
FALSE STATEMENT IN RECEIPT	18-5-507	M2	M2
WAREHOUSEMAN'S GOODS MINGLED	18-5-509	M2	M2
DELIVERY OF GOODS WITHOUT RECEIPT	18-5-510	M2 <i>Will be revisited in ongoing work with stakeholders.</i>	M2
MORTGAGED GOODS RECEIPT	18-5-511	M2	M2
ISSUANCE OF BAD CHECK	18-5-512	PO	M3
FINANCIAL TRAN DEV/UNAUTH USE-\$50-\$300	18-5-702(1) and (3)(c)	new theft cut points	M3
FINANCIAL TRAN DEV/UNAUTH USE-\$300-\$750	18-5-702(1) and (3)(d)	new theft cut points	M2
FINANCIAL TRAN DEV/UNAUTH USE-\$750-\$2K	18-5-702(1) and (3)(e)	new theft cut points	M1
CRIM POSS FINANCIAL DEVICE-ONE DEVICE	18-5-903(1) and (2)(a)	M2	M1
CRIM POSS ID DOC-SINGLE VICTIM	18-5-903.5(1) and (2)(a)	M2	M1
CYBERCRIME-UNAUTHORIZED ACCESS	18-5.5-102(1)(a)	M2	M2
CYBERCRIME-SCHEME/DEFRAUD-UNDER \$300	18-5.5-102(1)(b) and (3)(a)(II)	new theft cut points	M3
CYBERCRIME-SCHEME/DEFRAUD-\$300-\$750	18-5.5-102(1)(b) and (3)(a)(III)	new theft cut points	M2

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
CYBERCRIME-SCHEME/DEFRAUD-\$750-\$2000	18-5.5-102(1)(b) and (3)(a)(IV)	new theft cut points	M1
CYBERCRIME-OBTN PROP/INFO-UNDER\$300	18-5.5-102(1)(c) and (3)(a)(II)	new theft cut points	M3
CYBERCRIME-OBTN PROP/INFO-\$300-\$750	18-5.5-102(1)(c) and (3)(a)(III)	new theft cut points	M2
CYBERCRIME-OBTN PROP/INFO-\$750-\$2000	18-5.5-102(1)(c) and (3)(a)(IV)	new theft cut points	M1
CYBERCRIME-COMMIT THEFT-UNDER\$300	18-5.5-102(1)(d) and (3)(a)(II)	new theft cut points	M3
CYBERCRIME-COMMIT THEFT-\$300-\$750	18-5.5-102(1)(d) and (3)(a)(III)	new theft cut points	M2
CYBERCRIME-COMMIT THEFT-\$750-\$2K	18-5.5-102(1)(d) and (3)(a)(IV)	new theft cut points	M1
CYBERCRIME-DAMGE/INTRRPT UNDER\$300	18-5.5-102(1)(e) and (3)(a)(II)	new theft cut points	M3
CYBERCRIME-DAMGE/INTRRPT \$300-\$750	18-5.5-102(1)(e) and (3)(a)(III)	new theft cut points	M2
CYBERCRIME-DAMGE/INTRRPT \$750-\$2000	18-5.5-102(1)(e) and (3)(a)(IV)	new theft cut points	M1
CYBERCRIME-TRANS VIRUS-UNDER\$300	18-5.5-102(1)(f) and (3)(a)(II)	new theft cut points	M3
CYBERCRIME-TRANS VIRUS-\$300-\$750	18-5.5-102(1)(f) and (3)(a)(III)	new theft cut points	M2
CYBERCRIME-TRANS VIRUS-\$750-\$2K	18-5.5-102(1)(f) and (3)(a)(IV)	new theft cut points	M1
CYBERCRIME-CIRCUMVENT ONLINE SALE LIMIT	18-5.5-102(1)(g)	M2	M1
MARRYING A BIGAMIST	18-6-202	delete	M2
CHILD ABUSE- KNOWING/RECKLESS-BODILY INJ	18-6-401(1)(a) and (7)(a)(V)	M1	M1
CHILD ABUSE-NEGLIGENTLY CAUSE BODILY INJ	18-6-401(1)(a) and (7)(a)(VI)	M2	M2
CHILD ABUSE-KNOW/RECK-BODILY INJ-GEN MUT	18-6-401(1)(b) and (7)(a)(V)	M1	M1
CHILD ABUSE-NEGLIGENT-BODILY INJ-GEN MUT	18-6-401(1)(b) and (7)(a)(VI)	M2	M2
CHILD ABUSE- KNOWINGLY/RECKLESS-NO INJURY	18-6-401(1) and (7)(b)(I)	M2	M2
CHILD ABUSE-NEGLIGENCE-NO INJURY	18-6-401(1) and (7)(b)(II)	M2	M3
HARBORING A MINOR	18-6-601	M2	M2
VIOLATION P/O-CIVIL-2D/SUBSEQUENT	18-6-803.5(1)(a)	M2	M1

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
VIOLATION P/O-CRIMINAL	18-6-803.5(1)(a)	M1 <i>With changes as recommended by CCJJ*</i>	M1
<i>* See FY20-PR #03. Implement Bail Bond Reform (Elements 3.5 & 3.6). Specifically and only the components related to protection order (PO) and limiting the use of PO for alcohol/drug monitoring issues. [cdpsdocs.state.co.us/ccjj/Meetings/2020/2020-01-10_RecFY20-PR03-b.pdf]</i>			
VIOLATION P/O-CIVIL	18-6-803.5(1)(a)	M2	M2
VIOLATION P/O-CIVIL-LOCATE-2D/SUB	18-6-803.5(1)(b)	M1	M1
VIOLATION P/O-CRIM-LOCATE	18-6-803.5(1)(b)	M1	M1
VIOLATION P/O-CIVIL-LOCATE	18-6-803.5(1)(b)	M2	M2
VIOLATION P/O-CRIM-FIREARM/AMMO/DOCS	18-6-803.5(1)(c)	M1	M1
VIOLATION P/O-CIV-FIREARM/AMM/DOC-2D/SUB	18-6-803.5(1)(c)	M1	M1
VIOLATION P/O-CIV-FIREARM/AMMO/DOCS	18-6-803.5(1)(c)	M2	M2
AT-RISK NEGLECT	18-6.5-103(6)(a)	M1 <i>Will be revisited in ongoing work with stakeholders.</i>	M1
AT-RISK UNLAWFUL ABANDONMENT	18-6.5-103(6)(b)	M1	M1
AT-RISK FALSE IMPRISON FORCE/THREAT	18-6.5-103(9)(a)(III)	M1	M1
FAILURE TO REPORT-ABUSE OF AT-RISK ELDER	18-6.5-108(1)(a) and (c)	M2	M3
FALSE REPORTING-ABUSE OF AT-RISK ELDER	18-6.5-108(4)	M2	M3
DISPENSING VIOLENT FILM TO MINOR	18-7-601	civil infraction fine only	M
DISTRIBUTION SUICIDE RECORD-1ST POSTER	18-7-901(1) and (2)	M2	M3
OBSTRUCTING GOVERNMENT OPERATIONS	18-8-102	M2 <i>Will be revisited in ongoing work with stakeholders.</i>	M3
RESISTING ARREST	18-8-103	M2 <i>Will be revisited in ongoing work with stakeholders.</i>	M2
OBSTRUCTING A PEACE OFFICER	18-8-104(1)(a)	M2 <i>Revision recommended.* Will be revisited in ongoing work with stakeholders.</i>	M2
<i>* The following language, based on current case law, is recommended: (1.5) NO PERSON MAY BE CHARGED WITH THE OBSTRUCTION OFFENSE DESCRIBED IN (1) FOR REMAINING SILENT OR FOR MERE VERBAL OPPOSITION TO AN ORDER.</i>			

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
OBSTRUCTING FIREFIGHTER/MEDICAL	18-8-104(1)(a)	M2 <i>* See revision recommended above in "Obstructing a Peace Officer." Will be revisited in ongoing work with stakeholders.</i>	M2
OBSTRUCTING LAW ENFORCEMENT ANIMAL	18-8-104(1)(b)	M2 <i>Will be revisited in ongoing work with stakeholders.</i>	M2
ACCESSORY TO CRIME	18-8-105(6)	Petty	PO1
REFUSAL TO PERMIT INSPECTIONS	18-8-106	Civil infraction	M3
REFUSING TO AID A POLICE OFFICER	18-8-107	Delete offense	PO1
COMPOUNDING	18-8-108(1) [Delete: 18-8-108(2)**]	M2	M3
** (2) It is an affirmative defense to prosecution under this section that the benefit received by the defendant did not exceed an amount which the defendant reasonably believed to be due as restitution or indemnification for harm caused by the crime.			
CONCEALING DEATH	18-8-109	M1	M1
FALSE REPORT-FIRE/EMERGENCY/EXIT ALARM	18-8-111(1)(a)(I)(A)	M2	M3
FALSE REPORT-ALARM DURING OTHER OFFENSE	18-8-111(1)(a)(I)(A); and (1)(b)	M2	M2
FALSE EMERG-FIRE/EMERGENCY/EXIT ALARM	18-8-111(1)(a)(I)(A); and (2)(b)(I)	M2	M1
FALSE EMERG-EXIT ALARM/EVACUATE	18-8-111(1)(a)(I)(A); and (2)(b)(II)(A)	M2	M1
FALSE EMERG-FIRE/EXIT ALARM&INJURY	18-8-111(1)(a)(I)(A); and (2)(b)(II)(B)	M1	M1
FALSE REPORTING-PREVENTING ALARM	18-8-111(1)(a)(I)(B)	M2	M3
FALSE EMERGENCY-PREVENTING ALARM	18-8-111(1)(a)(I)(B); and (2)(b)(I)	M2	M1
FALSE EMERG-PREVENT ALARM/EVACUATE	18-8-111(1)(a)(I)(B); and (2)(b)(II)(A)	M2	M1
FALSE EMERG-PREVENT ALARM/RESULT INJ	18-8-111(1)(a)(I)(B); and (2)(b)(II)(B)	M1	M1
FALSE REPORT-PREVENT ALARM/OTHER OFFENSE	18-8-111(1)(a)(I)(B); and (1)(b)	M2	M3
FALSE REPORTING-FAKE CRIME	18-8-111(1)(a)(II)	M2	M3
FALSE EMERGENCY-FAKE CRIME	18-8-111(1)(a)(II); and (2)(b)(I)	M1	M1
FALSE EMERGENCY-FAKE CRIME/EVACUATE	18-8-111(1)(a)(II); and (2)(b)(II)(A)	M1	M1

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
FALSE EMERG-FAKE CRIME/RESULT INJ	18-8-111(1)(a)(II); and (2)(b)(II)(B)	M1	M1
FALSE REPORTING-FALSE INFORMATION	18-8-111(1)(a)(III)	PO	M3
FALSE EMERGENCY-FALSE INFORMATION	18-8-111(1)(a)(III); And (2)(b)(I)	M1	M1
FALSE EMERG-FALSE INFO/EVACUATE	18-8-111(1)(a)(III); and (2)(b)(II)(A)	M1	M1
FALSE EMERG-FALSE INFO/RESULT INJ	18-8-111(1)(a)(III); and (2)(b)(II)(B)	M1	M1
FALSE REPORTING-FALSE IDENTIFICATION	18-8-111(1)(a)(IV)	PO	M3
IMPERSONATING A PUBLIC SERVANT	18-8-113	M2	M3
ABUSE OF PUBLIC RECORDS-FALSE ENTRY	18-8-114(1)(a)	M2	M1
ABUSE OF PUBLIC RECORDS-DESTROY/REMOVE	18-8-114(1)(b)	M2	M1
ABUSE OF PUBLIC RECORDS-REFUSE DELIVERY	18-8-114(1)(c)	M2	M1
ABUSE OF PUBLIC RECORDS-ALTER	18-8-114(1)(d)	M2	M1
UNLAWFUL SALE OF SERVICES-RSRV & SELL	18-8-117(1)(a)	M2	M1
UNLAWFUL SALE OF SRVCS-INTEND SALE	18-8-117(1)(b)	M2	M1
UNLAWFUL SALE OF SRVCS-APPENDS SVC	18-8-117(1)(c)	M2	M1
UNLAWFUL SALE OF SVCS-FALSE REPRESENT	18-8-117(1)(d)	M2	M1
AIDING ESCAPE-MISDEMEANOR/PETTY OFFENSE	18-8-201(1); and (6)	M2	M1
CONTRABAND-POSSESSION 2	18-8-204.2	<i>See below, ELEMENT 1.3.c. Introduction of Contraband.</i>	M1
ESCAPE FROM MISDEMEAN/PETTY OFF CONVICT	18-8-208(4)	M2	M3
ESCAPE FROM STAFF SECURE FACILITY-MISD	18-8-208(4.5)	M2	M3
ESCAPE FROM INSANITY COMMITMENT-MISDEM	18-8-208(6)(a)	M2	M1
ESCAPE FROM INSANITY COMMITMENT-FELONY	18-8-208(6)(b)	M2	M1
ESCAPE-ATTEMPT FROM MISDEMEANOR CONVICT	18-8-208.1(3)	M2	M
UNAUTHORIZED ABSENCE	18-8-208.2(1); and (2)(b)	M2	M3

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
VIOLATION/BAIL BOND CONDITIONS-MISDEMEANOR	18-8-212(2)	M2 <i>See note below.*</i>	M3
<p><i>* As in S.B. 2020-161 amendments, Violation of Bail Bond (VBB) applies to non-appearance; VBB does not apply to Violation of Conditions. For victims, Violation of Protection Order (VPO) is applicable as warranted.</i></p> <p><i>Also see, FY20-PR #03. Implement Bail Bond Reform (Elements 3.5 & 3.6).</i></p> <p><i>[cdpsdocs.state.co.us/ccjj/Meetings/2020/2020-01-10_RecFY20-PR03-b.pdf]</i></p>			
SOLICITING UNLAWFUL COMPENSATION	18-8-304	M1	M2
TRADING IN PUBLIC OFFICE-CONFERS BENEFIT	18-8-305(1)(a)	M1	M1
TRADING IN PUBLIC OFFICE-ACCEPTS BENEFIT	18-8-305(1)(b)	M1	M1
FAILING TO DISCLOSE CONFLICT OF INTEREST	18-8-308	M2	M2
OFFICIAL OPPRESSION	18-8-403	M1	M2
OFFICIAL MISCONDUCT 1	18-8-404	M1	M2
PERJURY 2	18-8-503	M2	M1
PERJURY-ELECTION OFFENSE	1-13-104; 18-8-503	M2	M1
FALSE STATEMENT SALES AND USE TAX RETURNS	39-26-120(3); 18-8-503(2)	M2	M1
SIMULATING LEGAL PROCESS	18-8-611	M2	M3
JUROR SUMMONS-FAILURE TO OBEY	18-8-612; 13-71-111	PO	M3
JUROR QUESTIONNAIRE-MISREPRESENT FACT	18-8-613; 13-71-115(1)	M2	M3
HARASSMENT OF JUROR BY EMPLOYER	13-71-134(2); 18-8-614(2)	M2	M2
PEACE OFFICER-FAIL REPORT USE OF FORCE	18-8-802	M2	M1
PEACE OFFICER -FAIL TO INTERVENE	18-8-802(1.5)	M1	M1
RIOT-INCITING/URGING GROUP TO ENGAGE	18-9-102(1)(a)	M1	M1
RIOT-INCITING-GIVE COMMANDS TO RIOTERS	18-9-102(1)(b)	M1	M1
RIOT-ENGAGING IN W/OUT WEAPON	18-9-104	M2	M2
RIOT-DISOBEY PUBLIC SAFETY ORDER	18-9-105	M2	M3
DISORDERLY CONDUCT-DISRUPT FUNERAL	18-9-106(1)(a); and (3)(a)	M2	M2
DISORDERLY CONDUCT-NOISE-FUNERAL	18-9-106(1)(c); and (3)(a)	M2	M2

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
DISORDERLY CONDUCT-FIGHTING IN PUBLIC	18-9-106(1)(d)	PO	M3
DISORDERLY CONDUCT-DISCHARGE FIREARM	18-9-106(1)(e)	M1	M2
DISORDERLY CONDUCT-DISPLAY REAL/SIMUL WE	18-9-106(1)(f)	M2 <i>Also, see revision below.*</i>	M2
* (1) (f). Not being a peace officer, displays a REAL OR SIMULATED FIREARM deadly weapon , displays any article used or fashioned in a manner to cause a person to reasonably believe that the article is a REAL FIREARM deadly weapon , or represents verbally or otherwise that he or she is armed with a REAL FIREARM deadly weapon in a public place AND DOES CAUSE ALARM. in a manner calculated to alarm.			
OBSTRUCTING HIGHWAY/PASSAGEWAY	18-9-107(1)(a)	PO	M3
OBSTRUCTING HIGHWAY/PASSAGEWAY-FUNERAL	18-9-107(1)(a) and (3)	M2	M2
OBSTRUCT HIGHWAY/PASSAGE-DISOBEDY ORDER	18-9-107(1)(b)	PO	M3
OBSTRUCT HIGHWAY-DISOBEDY ORDER-FUNERAL	18-9-107(1)(b); and (3)	M2	M2
DISRUPTING LAWFUL ASSEMBLY-FUNERAL	18-9-108	M2	M2
DISRUPTING LAWFUL ASSEMBLY	18-9-108	PO	M3
Targeted Residential Picketing Marching Viol	18-9-108.5(3)(a)	PO, eliminate 5K fine	Unclass. M
Targeted Residential Picketing Sign Viol	18-9-108.5(3)(b)	PO, eliminate 5K fine	Unclass. M
INTERFERENCE W/SCHOOL-DENY ACCESS	18-9-109(1)	PO	M3
INTERFERENCE W/SCHOOL-IMPEDE STAFF	18-9-109(2)	M2	M3
INTERFERENCE W/SCHOOL-FAIL TO LEAVE	18-9-109(3)	M2	M3
INTERFERENCE W/ SCHOOL-CREDIBLE THREAT	18-9-109(6)	M1	M1
PUBLIC BUILDING-DENY ENTRY/USE/ACCESS	18-9-110(1)	PO	M2
PUBLIC BUILDING-IMPEDE OFFICIAL/EMPLOYEE	18-9-110(2)	M2	M2
PUBLIC BUILDING-REFUSE TO LEAVE	18-9-110(3)	PO	M2
PUBLIC BUILDING-DISRUPT MEETING	18-9-110(4)	M2	M2
PUBLIC BUILDING-INVAD CHAMBER	18-9-110(5)	PO	M2
PUBLIC BUILDING-PICKET INSIDE LEGISLATUR	18-9-110(6)	PO	M2

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
HARASSMENT-STRIKE/SHOVE/KICK	18-9-111(1)(a)	M1	M3
HARASSMENT-STRIKE/SHOVE-ETHNIC INTIMIDAT	18-9-111(1)(a); and (2)	M1	M1
HARASSMENT-OBSCENE LANGUAGE/GESTURE	18-9-111(1)(b)	PO	M3
HARASSMENT-OBSCENE WORDS-ETHNIC INTIMIDA	18-9-111(1)(b); and (2)	M1	M1
HARASSMENT-FOLLOW PERSON IN PUBLIC PLACE	18-9-111(1)(c)	M1	M3
HARASSMENT-FOLLOW/PUBLIC-ETHNIC INTIMIDA	18-9-111(1)(c); and (2)	M1	M1
HARASSMENT-TELEPHONE-THREAT/OBSCENE	18-9-111(1)(e)	M2	M3
HARASSMENT-PHONE-THREAT-ETHNIC INTIMIDAT	18-9-111(1)(e); and (2)	M1	M1
HARASSMENT-REPEAT TELEPHONE CALLS	18-9-111(1)(f)	M2	M3
HARASSMENT-PHONE CALLS-ETHNIC INTIMIDAT	18-9-111(1)(f); and (2)	M1	M1
HARASSMENT-INCONVENIENT HOURS	18-9-111(1)(g)	M2	M3
HARASSMENT-INCONVEN HOURS-ETHNIC INTIMID	18-9-111(1)(g); and (2)	M1	M1
HARASSMENT-INSULTS/TAUNTS/CHALLENGES	18-9-111(1)(h)	M2	M3
HARASSMENT-INSULTS/TAUNTS-ETHNIC INTIMID	18-9-111(1)(h); and (2)	M1	M1
DESECRATION/VENERATED OBJECT-MONUMENT	18-9-113(1)(a)	M2	M3
DESECRATION/VENERATED OBJ-WORSHIP/BURIAL	18-9-113(1)(b)	M2	M1
HINDERING TRANSPORTATION	18-9-114	PO	M2
VIOL REST ORDER-PUBLIC CONVEYANCE	18-9-115.5	PO	M3
PROJECTING A MISSILE AT A BICYCLIST	18-9-116(2)	<u>M2</u>	M2
UNLAWFUL CONDUCT ON PUBLIC PROPERTY	18-9-117	PO	M3
UNLAWFUL CONDUCT-PUBLIC PROPERTY-FUNERAL	18-9-117(1)(c); and (3)(c)	M2	M2
UNLAWFUL CONDUCT/PUBLIC PROP-FIRES	18-9-117(1)(g)	M2	M2
FAILURE TO LEAVE PREMISES	18-9-119(2)	M2	M3
FAILURE TO LEAVE PREMISES-HOLD HOSTAGE	18-9-119(2); and (3)	M1	M2

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
FAILURE TO LEAVE PREMISES-W/WEAPON	18-9-119(2); and (4)	M1	M1
BIAS-MOTIVATED CRIME-PLACES VIC IN FEAR	18-9-121(2)(b)	M1	M1
BIAS-MOTIVATED CRIME-PROPERTY DAMAGE	18-9-121(2)(c)	M1	M1
HEALTH CARE FACILITY-OBSTRUCT ENTRY	18-9-122(2)	PO	M3
HEALTH CARE FACILITY-PROHIBITED ACTIVITY	18-9-122(3)	PO	M3
HAZING	18-9-124	M2	M3
INTERFERE-FUNERAL-REFUSE TO LEAVE-OWNER	18-9-125(1)	M2	M2
CRUELTY TO ANIMALS FAILED TO PROVIDE	18-9-202(1)(a)	M1	M1
CRUELTY/ANIMALS-NEGLECT/MISTREAT	18-9-202(1)(a)	M1	M1
CRUELTY TO ANIMALS-ABANDONMENT	18-9-202(1)(b)	M1	M1
CRUELTY/ANIMALS-NON-AGG TORT/MUTIL/KILL	18-9-202(1.5)(a)	M1	M1
CRUELTY/POLICE DOG-NEGLECT/MISTREAT	18-9-202(1.5)(c)	M1	M1
CRUELTY/POLICE DOG-FAILED TO PROVIDE	18-9-202(1.5)(c)	M1	M1
CRUELTY/SVC ANIMALS-NEGLECT/MISTREAT	18-9-202(1.5)(c)	M1	M1
CRUELTY/POLICE HORSE-FAIL TO PROVIDE	18-9-202(1.5)(c)	M1	M1
CRUELTY/POLICE HORSE NEGL/MISTREAT	18-9-202(1.5)(c)	M1	M1
CRUELTY/SVC ANIMALS-FAILED TO PROVIDE	18-9-202(1.5)(c)	M1	M1
OWNERSHIP/DANGEROUS DOG-BOD INJURY-2D OF	18-9-204.5(3)(a); and (b)	M2	M2
OWNERSHIP OF DANGEROUS DOG-BODILY INJURY	18-9-204.5(3)(a); and (b)	M2	M3
OWNERSHIP OF DANGEROUS DOG-SBI	18-9-204.5(3)(a); and (c)	M1	M1
OWNERSHIP/DANGEROUS DOG-INJ ANIMAL-2D OF	18-9-204.5(3)(a); and (e)	M2	M2
OWNERSHIP OF DANGEROUS DOG-INJURE ANIMAL	18-9-204.5(3)(a) ; and (e)	M2	M3
ANIMAL-UNATHORIZED RELEASE	18-9-206	M2	M2
TAMPERING OR DRUGGING LIVESTOCK	18-9-207	M2	M1

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
ANIMAL CRUELTY-FALSE REPORTING	18-9-209	civil infraction fine only	M3
WIRETAPPING DEVICES	18-9-302	PO	M2
WIRETAPPING-OVERHEARS/TAPES-CORDLESS	18-9-303(1)(a); and (2)	M2	M1
WIRETAPPING-AIDING CRIME-CORDLESS	18-9-303(1)(b); and (2)	M2	M1
WIRETAPPING-DISCLOSE INFO-CORDLESS PHONE	18-9-303(1)(c); and (2)	M2	M1
WIRETAPPING-TAP PHONE LINE-CORDLESS	18-9-303(1)(d); and (2)	M2	M1
WIRETAPPING-CONSPIRACY-CORDLESS	18-9-303(1)(f); and (2)	M2	M1
EAVESDROPPING-OVERHEARS/RECORDS CONVERS	18-9-304(1)(a)	M2	M1
EAVESDROPPING-TO COMMIT CRIME	18-9-304(1)(b)	M2	M1
EAVESDROPPING-DISCLOSES CONVERSATION	18-9-304(1)(c)	M2	M1
EAVESDROPPING-CONSPIRACY	18-9-304(1)(d)	M2	M1
ABUSE OF TELEPHONE/TELEGRAPH-BY EMPLOYEE	18-9-306(1)(a)	Civil infraction - fine only	M3
ABUSE OF TELEPHONE/TELEGRAPH-FALSE MESSAGE	18-9-306(1)(b)	civil	M3
ABUSE OF TELEPHONE/TELEGRAPH-OPEN MESSAGE	18-9-306(1)(c)	civil	M3
ABUSE OF TELEPHONE/TELEGRAPH-IMPERSONATE	18-9-306(1)(d)	Civil	M3
ABUSE OF TELEPHONE/TELEGRAPH-DISCLOSURE	18-9-306(1)(e)	Civil	M3
ABUSE OF TELEPHONE/TELEGRAPH-BRIBERY	18-9-306(1)(f)	Civil	M3
TELEPHONE-OBSTRUCT SERVICE	18-9-306.5	M1	M1
TELECOMMUNICATIONS-USE W/OUT AUTHORITY	18-9-309(2)(a)	Civil	M3
TELECOMMUNICATIONS-USE ILLEGAL EQUIPMENT	18-9-309(2)(b)	Civil	M3
TELECOMMUNICATIONS-SELLS ILLEGAL EQUIPMENT	18-9-309(2)(c)	Civil	M3

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
TELECOMMUNICATIONS-SELLS INSTRUCTIONS	18-9-309(2)(d)	Civil	M3
TELECOMMUNICATIONS-SELL CODE	18-9-309(2)(e)	Civil	M3
THEFT BY FRAUDULENTLY OBTAINING TELECOM SERVICE	18-9-309(3)	Civil	M1
TELECOM FRAUD - STOLEN ID/FRAUD \$750-\$2K	18-9-309(3)(a)	value based	M1
TELECOM FRAUD - STOLEN ID/FRAUD \$300-\$750	18-9-309(3)(a)	value based	M2
TELECOM FRAUD - STOLEN ID/FRAUD \$50-\$300	18-9-309(3)(a)	value based	M3
TELECOM FRAUD - FAKE ID/FRAUD \$750-\$2K	18-9-309(3)(b)	value based	M1
TELECOM FRAUD - FAKE ID/FRAUD \$300-\$750	18-9-309(3)(b)	value based	M2
TELECOM FRAUD - FAKE ID/FRAUD \$50-\$300	18-9-309(3)(b)	value based	M3
LAW ENFORCEMENT-PERSONAL INFO-INTERNET	18-9-313(2)	M1	M1
INTRFR NWSPPR DST-100/LESS CPS/UNKNWN	18-9-314(1); and (2)(a)	civil infraction	M
INTRFR NWSPPR DST-100-500 COPIES	18-9-314(1); and (2)(b)	civil infraction	M
INTRFR NWSPPR DST-500 OR MORE COPIES	18-9-314(1); and (2)(c)	civil infraction	M
GAMBLING-PROFESSIONAL	18-10-103(2)	M2	M1
GAMBLING-POSSESSION OF DEVICE/RECORD	18-10-105	M2	M2
GAMBLING INFORMATION-TRANSMIT/RECEIVE	18-10-106	M2	M3
GAMBLING INFORMATION-INSTALL EQUIPMENT	18-10-106	M2	M3
GAMBLING INFORMATION	18-10-106	M2	M3
GAMBLING PREMISES	18-10-107	M2	M3
GAMBLING-OFFERING SIMULATED DEVICE	18-10.5-103	M2	M3
MUTILATION/CONTEMPT OF FLAG	18-11-204	PO	M3
ILLEGAL WEAPON-POSSESSION	18-12-102(4)	M1	M1
DEFACED FIREARM-POSSESSION	18-12-103	M1	M1
DEFACING A FIREARM	18-12-104	M1	M1

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
CARRYING A CONCEALED WEAPON-KNIFE/GUN	18-12-105(1)(a); and (b)	M1	M2
WEAPON POSSESSION AT STATE CAPITOL	18-12-105(1)(c)	M1	M2
WEAPON-PROHIBITED USE-AIM FIREARM	18-12-106(1)(a)	M1	M2
WEAPON-PROHIBITED USE-RECKLESS W/GUN	18-12-106(1)(b)	M1	M2
WEAPON-PROHIBITED USE-TRAP GUN	18-12-106(1)(c)	M1	M2
WEAPON-PROHIBITED USE-DRUNK W/GUN	18-12-106(1)(d)	M1	M2
WEAPON-PROHIBITED USE-NUNCHAKU/STAR	18-12-106(1)(e)	M2	M2
HANDGUN-POSSESSION BY JUVENILE	18-12-108.5(1)	M2	M2
FIREARM-PROVIDING TO JUVENILE	18-12-108.7(3)	M1	M1
FIREARMS-BCKGRND CHECK-TRANSFROR	18-12-112(1)	M2	M1
FIREARMS-BCKGRND CHECK-GUN DEALER	18-12-112(2)	M2	M1
FIREARMS-BCKGRND CHECK-TRANSFEREE	18-12-112(3)	M2	M1
LARGE CAPAC MAG PROHIB	18-12-302	M2	M2
LARGE CAPAC MAG PROHIB-2ND	18-12-302(1)(a); and (b)	delete	M1
FAIL TO MARK/STAMP LARGE CAPACITY MAGAZINES	18-12-303(3)	M2	M2
FIREARM DEALER FAILING TO KEEP RECORD	18-12-402; 18-12-403	M2	M
FIREARMS-FALSE INFO TO DEALER	18-12-403	M2	M
ABUSE OF A CORPSE	18-13-101	F6	M2
INTERFERENCE WITH DISABLED	18-13-107(3)	all PO	M3
REMOVAL OF TIMBER FROM STATE LAND	18-13-108	PO	M3
FIRING WOODS/PRAIRIE-PERMIT TO SPREAD	18-13-109(1)	PO	M2
FIRING WOODS/PRAIRIE-SET FIRE	18-13-109(1)	PO	M2
COPPER/METAL-BUYER NO REGISTR-<\$500	18-13-111(1); and (5)(a)	value based	M2
COPPER/METAL-BUYER NO REGISTR-\$500+	18-13-111(1); and (5)(b)	value based	M1

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
COPPER/METAL-SELLER FALSE INFO-<\$500	18-13-111(5)(a)	value based	M2
COPPER/METAL-SELLER FALSE INFO-\$500+	18-13-111(5)(b)	value based	M1
SECONDHAND PROP-DEALER FAIL KEEP REGIST	18-13-114(1); and (6)(a)	PO	M1
SECONDHAND PROP-FALSE INFO UPON SALE	18-13-114(6)(b)	M2	M1
SECONDHAND PROP-OP FAIL/PROVIDE FORMS	18-13-114(8)	PO	M3
FLEA MARKET - OFFERED GOODS FOR SALE	18-13-114.5(1); and (4)	PO	M3
FLEA MARKET - FAILURE TO PROVIDE PROOF	18-13-114.5(1); and (4)	PO	M3
SECONDHAND DEALER FAILING TO POST NOTICE	18-13-115	PO	M3
SECONDHAND DEALER-SALES TAX VIOLATION	18-13-116	PO	M3
SECONDHAND DEALER FAIL KEEP SALES RECORD	18-13-117(1)(a); and (2)(a)	PO	M3
SECONDHAND FAIL RECORD STORE CREDIT>\$30	18-13-117(1)(b); and (2)(b)	PO	M3
PROPERTY INSURANCE-ABUSE-HIGHER FEE	18-13-119.5(3)(a)	PO	M2
PROPERTY INSURANCE-ABUSE-GIVES REBATE	18-13-119.5(3)(b)	PO	M2
PROPERTY INSURANCE-ABUSE-TAKES REBATE	18-13-119.5(4)	PO	M2
DRIP GASOLINE VIOLATION	18-13-120	PO	M2
MIP 3RD OR SUBS	18-13-122(2)(b)(III)	M2	M2
FALSE INFO TO OBTAIN HOSPITAL CARE	18-13-124	PO	M1
UNAUTHORIZED TRADING IN TELEPHONE RECORDS	18-13-125(4)	PO	M1
LOCATING PROTECTED PERSONS	18-13-126	M2	M1
BAIL BOND - PROHIBITED ACTIVITIES	18-13-130	M2	M
LOAN FINDER COLLECTING FEE	18-15-109	PO	M1
MARIJUANA CHARGES FTA	18-18-406(5)(a)(II)	PO	M3
MEDICAL MARIJUANA CARD-FRAUD OBTAIN	18-18-406.3(2)(a)	M2	M1
MEDICAL MARIJUANA CARD-FRAUD USE/STEAL	18-18-406.3(3)	M2	M1

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
MEDICAL MARIJUANA CARD-FRAUD MAKE	18-18-406.3(4)	M2	M1
MED MARIJUANA-RELEASE MEDICAL RECORDS	18-18-406.3(6)	M2	M1
CONTROLLED SUBSTANCES-UNLAWFUL ACTS RELATED TO DISPENSATIONS	18-18-414	M2	M
LIMITED GAMING-FAIL TO PAY TAX	18-20-103(1)(b)	M2	M1
LIMITED GAMING-FAIL TO FILE TAX RETURN	18-20-103(1)(c)	M2	M1
LIMITED GAMING-CHEATING	18-20-106(1)	M2	M1
LIMITED GAM-FRAUD-ALTER/MISREP OUTCOME	18-20-107(1)(a)	M2	M1
LIMITED GAMING-FRAUD-BET W/KNOWLEDGE	18-20-107(1)(b)	M2	M1
LIMITED GAMING-FRAUD-TAKE MONEY NOT WON	18-20-107(1)(c)	M2	M1
LIMITED GAM-FRAUD-INDUCE/PLACE/ILLEGAL	18-20-107(1)(d)	M2	M1
LIMITED GAM-FRAUD-PLACE BET/KNOW OUTCOME	18-20-107(1)(e)	M2	M1
LIMITED GAM-FRAUD-REDUCE BET/KNOW OUTCOM	18-20-107(1)(f)	M2	M1
LIMITED GAMING-FRAUD-MANIPULATE DEVICE	18-20-107(1)(g)	M2	M1
LIMITED GAMING-FRAUD-WIN MONEY BY TRICK	18-20-107(1)(h)	M2	M1
LIMITED GAM-FRAUD-CONDUCT W/OUT LICENSE	18-20-107(1)(i)	M2	M1
LIMITED GAM-FRAUD-CONDUCT ON UNLIC PREM	18-20-107(1)(j)	M2	M1
LIMITED GAM-FRAUD-EMPLOYEE UNLIC FOR PREM	18-20-107(1)(k)	M2	M1
LIMITED GAM-FRAUD-UNAUTHOR SLOT MACHINE	18-20-107(1)(l)	M2	M1
LIMITED GAM-FRAUD-EMPLOY UNLICENSED PERS	18-20-107(1)(m)	M2	M1
LIMITED GAMING-FRAUD-WORK W/OUT LICENSE	18-20-107(1)(n)	M2	M1
LIMITED GAMING-USING DEV/CALCULATE PROBA	18-20-108(1)	M2	M1
LIMITED GAMING-DIST UNLAWFUL DEVICE	18-20-111(1)	M2	M1
LIMITED GAMING-MARK/ALTER EQUIPMENT	18-20-111(2)	M2	M1

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 18 OFFENSES-RECLASSIFIED			
Crime	Statute	Recommended Classification	Current Classification
LIMITED GAMING-CHEATING INSTRUCTION	18-20-111(3)	M2	M1
GANG RECRUITMENT	18-23-102(1)(a)	M2 unless violence then M1	M1
GANG RECRUITMENT-PREVENT QUITTING	18-23-102(1)(b)	M2 unless violence then M1	M1

1.2.a. Additional Title 18 Offenses

Additional Title 18 Offenses to be Reclassified

Additional Title 18 Offenses
Sexual assault on a client by a psychotherapist. Sexual contact by an actor who is a psychotherapist with a client who is a patient or sexual contact between a psychotherapist and a patient that occurs by means of therapeutic deception is a class 1 misdemeanor. 18-3-405.5(2)(b)
Recommend: Class 1 Misdemeanor
Invasion of privacy for sexual gratification. Knowingly observing or taking a photograph of another person's intimate parts without that person's consent, in a situation where the person has a reasonable expectation of privacy is a class 1 misdemeanor. This law applies to offenses committed on or after July 1, 2012. 18-3-405.6 (2)(a)
Recommend: Class 1 Misdemeanor
Failure to register as a sex offender. Failing to register as a sex offender when convicted of misdemeanor unlawful sexual behavior or of another offense, the underlying factual basis of which involved misdemeanor unlawful sexual behavior, is a class 1 misdemeanor. If a person is adjudicated for an offense that would constitute misdemeanor unlawful sexual behavior if committed by an adult, or if the person is convicted of a misdemeanor sex offense in another state or jurisdiction and fails to register, it is a class 1 misdemeanor. 18-3-412.5 (3)
Recommend: Class 1 Misdemeanor
Obscenity. Wholesale promotion of any obscene material is a class 1 misdemeanor. 18-7-102 (1)(b)
Recommend: Class 1 Misdemeanor

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Additional Title 18 Offenses
<p>Posting a private image for harassment. A person who is at least 18 years old commits a class 1 misdemeanor if the person posts or distributes through social media, or any website, any photograph, video, or other image displaying the private intimate parts of an identified or identifiable person who is at least 18 years old or an image displaying sexual acts of an identified or identifiable person, with the intent to harass, intimidate, or coerce the depicted person; without the depicted person's consent or when the actor knew or should have known that the depicted person had a reasonable expectation that the image would remain private; and the conduct results in serious emotional distress of the depicted person. 18-7-107 (1)(b)</p>
Recommend: Class 1 Misdemeanor
<p>Posting a private image for pecuniary gain.</p> <p>A person who is at least 18 years old commits a class 1 misdemeanor if the person posts or distributes through social media, or any website, any photograph, video, or other image displaying the private intimate parts of an identified or identifiable person who is at least 18 years old or an image displaying sexual acts of an identified or identifiable person, with the intent to obtain a pecuniary benefit from any person as a result of the posting, viewing, or removal of the private image, and when the actor has not obtained the depicted person's consent or when the actor knew or should have known that the depicted person had a reasonable expectation that the image would remain private. 18-7-108 (1)(b)</p>
Recommend: Class 1 Misdemeanor
<p>Posting a private image by a juvenile. A juvenile commits posting a private image by a juvenile if he or she, through digital or electronic means, knowingly distributes, displays, or publishes to the view of another person a sexually explicit image of a person other than himself or herself who is at least fourteen years of age or is less than four years younger than the juvenile. 18-7-109 (5)(a)</p>
Recommend: Class 1 Misdemeanor
<p>Public indecency. A second or subsequent conviction for knowingly exposing one's genitals to the view of another under circumstances in which such conduct is likely to cause affront or alarm is a class 1 misdemeanor. 18-7-301 (2)(b)</p>
Recommend: Class 1 Misdemeanor
<p>Indecent exposure. A person commits the class 1 misdemeanor of indecent exposure if he or she knowingly exposes his or her genitals (with the intent to arouse the sexual desire of any person) or performs an act of masturbation in the view of any person under circumstances in which such conduct is likely to cause affront or alarm.</p>
Recommend: Class 1 Misdemeanor
<p>Sexual conduct in a correctional institution. Sexual conduct in a correctional institution is a class 1 misdemeanor if the conduct consists solely of sexual contact and is committed by a volunteer. 18-7-701 (5)</p>
Recommend: Class 1 Misdemeanor
<p>Criminal conspiracy. A person who agrees with another person to engage in conduct that 18-2-206 (4) constitutes a class 1 misdemeanor, or who agrees to attempt to commit a class 1 misdemeanor, or who agrees to aid another in the planning, commission, or attempt to commit a class 1 misdemeanor, with the intent to facilitate or promote commission of such crime, commits a class 2 misdemeanor.</p>
Recommend: Class 2 Misdemeanor to conspire on M1 or M2

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Additional Title 18 Offenses
Domestic violence – sentencing. Any person who fails to timely file with the court a copy of the receipt and, if applicable, the written statement of the results of a background check when relinquishing firearms after conviction of a crime with an underlying factual basis of domestic violence commits a class 2 misdemeanor. 18-6-801 (8)(i)(I)(A)
Recommend: Class 2 misdemeanor
Obscenity. Promoting an obscene performance or obscene material is a class 2 misdemeanor. 18-7-102 (2)(b)
Recommend: Class 2 Misdemeanor
Posting a private image by a juvenile. A juvenile commits the class 2 misdemeanor of posting a private image by a juvenile if he or she, through digital or electronic means, knowingly distributes, displays, or publishes to the view of another person a sexually explicit image of a person other than himself or herself who is at least fourteen years of age or is less than four years younger than the juvenile: <ul style="list-style-type: none"> -without the depicted person's permission; -when the recipient did not solicit or request to be supplied with the image and suffered emotional distress; - when the juvenile knew or should have known that the depicted person had a reasonable expectation that the image would remain private; or - the juvenile knowingly distributes, displays, or publishes, to the view of another person who is at least fourteen years of age or is less than four years younger than the juvenile, a sexually explicit image of himself or herself when the recipient did not solicit or request to be supplied with the image and suffered emotional distress.
Recommend: Class 2 Misdemeanor
Possessing a private image by a juvenile. A juvenile commits possessing a private image by a juvenile if he or she, through digital or electronic means, knowingly possesses a sexually explicit image of another person who is at least fourteen years of age or is less than four years younger than the juvenile without the depicted person's permission, unless the juvenile took reasonable steps to either destroy or delete the image within 72 hours after initially viewing the image; or he or she reported the initial viewing of such image to law enforcement or a school resource officer within 72 hours after initially viewing the image.
Recommend: Class 2 Misdemeanor
Possessing a private image by a juvenile is a class 2 misdemeanor if the unsolicited possessor of the image possessed 10 or more separate images that depicted three or more different persons. 18-7-109 (5)(III)(b)
Recommend: Class 2 Misdemeanor
Violations. Violating any of the provisions of Part 5 of Article 7 of Title 18 regarding sexually explicit materials that are harmful to children is a class 2 misdemeanor. 18-7-502 (6)
Recommend: Class 2 Misdemeanor
Criminal invasion of privacy. Knowingly observing or taking a photograph of another person's intimate parts without that person's consent in a situation where the person photographed has a reasonable expectation of privacy is a class 2 misdemeanor. 18-7-801
Recommend: Class 2 Misdemeanor

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Additional Title 18 Offenses
Persons in custody or confinement for unclassified offenses. A person who violates Section 18-8-201, C.R.S. (aiding escape), Section 18-8-206, C.R.S. (assault during escape), or Section 18-8-208, C.R.S. (escape) while in custody or confined for a misdemeanor offense which is unclassified or which was not classified at the time the custody or confinement began is deemed to have been in custody or confinement for a class 2 misdemeanor. 18-8-210
Recommend: Class 2 Misdemeanor
Keeping a place of prostitution. A person who knowingly permits any place under his or her control to be used as a place of prostitution commits a class 2 misdemeanor. 18-7-204 (2)
Recommend: Class 2 Misdemeanor
Patronizing a prostitute. Any person who engages in an act of sexual intercourse or of deviate sexual conduct with a prostitute who is not his or her spouse, or who enters or remains in a place of prostitution with the intent to engage in an act of sexual intercourse or deviate sexual conduct with one who is not his or her spouse commits the crime of patronizing a prostitute, which is a class 1 misdemeanor. 18-7-205 (2)
Recommend: Petty Offense
Prostitution. Prostitution is currently a class 3 misdemeanor. 18-7-201 (3)
Recommend: Petty Offense
Soliciting for prostitution. Soliciting for prostitution is currently a class 3 misdemeanor. 18-7-202 (2)
Recommend: Petty Offense
Pandering. Knowingly arranging or offering to arrange, in exchange for money or for another thing of value, a situation in which a person may practice prostitution is a class 3 misdemeanor. 18-7-203 (2)
Recommend: Class 2 Misdemeanor

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

1.2.b. Title 42 Offenses

This section includes two lists: (a) **Title 42 Offenses to be Reclassified** and (b) **Additional Title 42 Offenses to be Reclassified** (See below, page 42.)

Title 42 Offenses to be Reclassified

TITLE 42 OFFENSES - RECLASSIFIED				
Crime	Statute	Current Misd. Level	Category	Recommended Misdemeanor Level
PERSONAL USE OF STATE SUPPLIES	42-1-207	M	Vehicles and Traffic	civil infraction
TAMPER W/INTERLOCK	42-2-132.5(11)(a)	M1	Vehicles and Traffic	M2
DROVE W/INTERLOCK	42-2-132.5(11)(b)	M1	Vehicles and Traffic	M2
DRIVER'S LICENSE-UNLAWFUL COPYING	42-2-136(5.5)	M3	Vehicles and Traffic	PO
DRIVING UNDER RESTRAINT	42-2-138(1)(a)	M	Vehicles and Traffic	traffic infraction
DRIVING UNDER RESTRAINT-ALCOHOL-RELATED	42-2-138(1)(d)	M	Vehicles and Traffic	MT2
DRIVING/RESTRAINT-ALCOHOL-RELATED-2D OFF	42-2-138(1)(d)	M	Vehicles and Traffic	MT2
DRIVING AFTER REVOCATION PROHIBITED (HTO)	42-2-206(1)(a)	M1	Vehicles and Traffic	MT2
DRIVING W/REVOKED LICENSE-AGG	42-2-206(1)(b)	M1	Vehicles and Traffic	MT1
ID CARD-FAIL TO NOTIFY ADDRESS CHANGE	42-2-307	M3	Vehicles and Traffic	fine only civil
ID CARD-DISPLAY FALSE	42-2-309(1)(a)	M3	Vehicles and Traffic	M2
ID CARD-LEND CARD TO ANOTHER	42-2-309(1)(b)	M3	Vehicles and Traffic	PO
ID CARD-DISPLAY ANOTHER'S	42-2-309(1)(c)	M3	Vehicles and Traffic	PO
ID CARD-PERMIT UNLAWFUL USE	42-2-309(1)(d)	M3	Vehicles and Traffic	PO
ID CARD-PERFORM UNLAWFUL ACT	42-2-309(1)(e)	M3	Vehicles and Traffic	M2
ID CARD-USE AS FALSE DRIVER'S LICENSE	42-2-309(1)(f)	M3	Vehicles and Traffic	PO
ID CARD-CREATE PHONY	42-2-309(1)(g)	M3	Vehicles and Traffic	PO
ID CARD-UNLAWFULLY COPY	42-2-309(1)(h)	M3	Vehicles and Traffic	PO
DRIVERS LICENSE-NO COMMERCIAL LIC	42-2-404(1)	M	Vehicles and Traffic	traffic infraction

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 42 OFFENSES - RECLASSIFIED				
Crime	Statute	Current Misd. Level	Category	Recommended Misdemeanor Level
DRIVER'S LICENSE-MULTIPLE LICENSES	42-2-404(2)	M	Vehicles and Traffic	traffic infraction
DRIVER'S LICENSE-VIOLATE COMMERCIAL REG	42-2-404(3)	M	Vehicles and Traffic	traffic infraction
COMMERCIAL DRIVER TEST UNAUTHORIZED	42-2-408	M	Vehicles and Traffic	PO
COMM LICENSE - UNLAWFUL POSSESSION/ALTER	42-2-409(1)(a); and (2)	M	Vehicles and Traffic	PO
COMM LICENSE - FRAUDULENTLY OBTAIN	42-2-409(1)(b); and (2)	M	Vehicles and Traffic	PO
COMM LICENSE - POSS FALSE LICENSE	42-2-409(1)(c); and (2)	M	Vehicles and Traffic	PO
COMM LICENSE - UNLAWFUL DISPLAY/ANOTHER	42-2-409(1)(d); and (2)	M	Vehicles and Traffic	PO
COMM LICENSE - FAIL TO SURRENDER	42-2-409(1)(e); and (2)	M	Vehicles and Traffic	PO
COMM LICENSE - UNLAWFUL USE	42-2-409(1)(f); and (2)	M	Vehicles and Traffic	PO
COMM LICENSE - DUPLICATE FOR SALE	42-2-409(1)(g); and (2)	M	Vehicles and Traffic	M2
UNREGISTERED VEHICLE - SECOND AND SUBSEQUENT	42-3-103(1)(c)	M1	Vehicles and Traffic	delete
REGISTRATION-FAIL TO OBTAIN COLORADO	42-3-103(4)	M	Vehicles and Traffic	PO
REGISTRATION-FALSE PROOF OF INSURANCE	42-3-105(1)(d)	M	Vehicles and Traffic	M2
VIOLATE PROVISIONS RE DEMONSTRATION PLATES	42-3-116(7)(d)	M2	Vehicles and Traffic	traffic infraction
TRAFFIC-PASSENGER-MILE TAX VIOLATION	42-3-308	M	Vehicles and Traffic	traffic infraction
WINDOWS-INSTALL EXCESSIVE TINTING	42-4-227(3)(b)	M	Vehicles and Traffic	traffic infraction
BLUE/RED LIGHTS-ILLEGAL USE/POSSESS	42-4-238	M1	Vehicles and Traffic	M2
UNLAWFUL REMOVAL OF TOW-TRUCK SIGNAGE	42-4-241(1)(a)	M3	Vehicles and Traffic	traffic infraction
UNLAWFUL USE OF TOW-TRUCK SIGNAGE	42-4-241(1)(b)	M3	Vehicles and Traffic	traffic infraction
EMISSIONS-COUNTERFEIT CERTIFICATION	42-4-313(1)(a)	M	Vehicles and Traffic	traffic infraction
EMISSIONS-POSSESS IMPROPER CERTIFICATE	42-4-313(1)(b)	M	Vehicles and Traffic	traffic infraction
EMISSIONS-IMPROPERLY ISSUE CERTIFICATE	42-4-313(2)	M	Vehicles and Traffic	M2
HEAVY DUTY DIESEL FLEET EMISSIONS VIOL	42-4-414(3)(b)	M	Vehicles and Traffic	deleted

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 42 OFFENSES - RECLASSIFIED				
Crime	Statute	Current Misd. Level	Category	Recommended Misdemeanor Level
PERMIT/MANUFACTURED HOMES VIOL-2D OFF	42-4-510(12)(b)	M3	Vehicles and Traffic	PO
HANDICAP FLAG-UNLAWFULLY DISPLAYED	42-4-611(3)	M	Vehicles and Traffic	traffic infraction
FAIL TO EXRCSE-APPRCH STATNRY-BOD INJURY	42-4-705(2); and (3)(b)(II)	M1	Vehicles and Traffic	TM1
TRAFFIC-UNLAWFUL USE OF PARKING PRIVILEGES FOR DISABLED	42-4-1208	M	Vehicles and Traffic	traffic infraction
RESERVED PARKING PLACARD-FRAUD/USE	42-4-1208(5)(a); 42-4-1701(4)(a)(X)(A)	M1	Vehicles and Traffic	traffic infraction
RESERVED PRKNG PLACRD-FRAUD/USE/PROFIT	42-4-1208(5)(a); 42-4-1701(4)(a)(X)(B)	M1	Vehicles and Traffic	traffic infraction
RESERVED PARKING PLACARD-FRAUD/MAKE	42-4-1208(5)(b); 42-4-1701(4)(a)(X)(A)	M1	Vehicles and Traffic	traffic infraction
RESERVED PRKNG PLACRD-FRAUD/MAKE/PROFIT	42-4-1208(5)(b); 42-4-1701(4)(a)(X)(B)	M1	Vehicles and Traffic	traffic infraction
RESERVED PARKING PLACARD-FRAUD/DEVICE	42-4-1208(5)(c); 42-4-1701(4)(a)(X)(A)	M1	Vehicles and Traffic	traffic infraction
RESERVED PRKNG PLACRD-FRAUD/DEV/PROFIT	42-4-1208(5)(c); 42-4-1701(4)(a)(X)(B)	M1	Vehicles and Traffic	traffic infraction
DUI-NON-MOTORIZED VEHICLE	42-4-1301(1)(a)	M	Vehicles and Traffic	traffic infraction
DRIVING UNDER THE INFLUENCE	42-4-1301(1)(a)	M	Vehicles and Traffic	TM1, sentences same as current
DRIVING UNDER THE INF-W/ 1 PRIOR ALC	42-4-1301(1)(a); 42-4-1307(5)	M	Vehicles and Traffic	TM1, sentences same as current
CIGARETTE, BURNING MATERIAL ON HIGHWAY	42-4-1406(1)(b)	M2	Vehicles and Traffic	PO
ABANDON VEHICLE ON PUBLIC PROPERTY	42-4-1803	M2	Vehicles and Traffic	PO
TRAFFIC-SCHOOL BUS OPERATOR PASSENGER DISCHARGE VIOLATION	42-4-1904	M	Vehicles and Traffic	PO
ABANDONED VEHICLE-FAIL NOTIFY LAW ENFORC	42-4-2103(2); 42-4-2110	M2	Vehicles and Traffic	PO
ABANDONED VEHICLE-FAIL NOTIFY OWNER	42-4-2103(4); 42-4-2110	M2	Vehicles and Traffic	PO
DISPOSAL FOR SCRAPPING	42-4-2202	M	Vehicles and Traffic	PO
FTR STOLEN VIN AFTER INQUIRING W/CO MOTOR VEH VERIFICATION SYS - 3RD	42-4-2204(3)	M1	Vehicles and Traffic	M2

SENTENCING REFORM TASK FORCE

FINAL RECOMMENDATION [AMENDED] FOR THE
 COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 42 OFFENSES - RECLASSIFIED				
Crime	Statute	Current Misd. Level	Category	Recommended Misdemeanor Level
FTR STOLEN VIN AFTER INQUIRING W/CO MOTOR VEH VERIFICATION SYS - 2ND	42-4-2204(3)	M2	Vehicles and Traffic	M2
FTR STOLEN VEHICLE INQUIRY MOTOR VEHICLE VERIFICATION SYSTEM	42-4-2204(3)	M3	Vehicles and Traffic	M2
TAMPERING W/MV-UNSCREW PART-UNDER \$1000	42-5-103(1)(a); and (2)(a)	M1	Vehicles and Traffic	make all of these value-based
TAMPERING W/MV-SHIFT GEARS-UNDER \$1000	42-5-103(1)(b); and (2)(a)	M1	Vehicles and Traffic	new theft cut points
TAMPER W/MV-SCRATCH/DAMAGE-UNDER \$1000	42-5-103(1)(c); and (2)(a)	M1	Vehicles and Traffic	new theft cut points
TAMPER W/MV-ADD SUBSTANCE-UNDER \$1000	42-5-103(1)(d); and (2)(a)	M1	Vehicles and Traffic	new theft cut points
TAMPER W/MV-AIDS ANOTHER-UNDER \$1000	42-5-103(1)(e); and (2)(a)	M1	Vehicles and Traffic	new theft cut points
AUTO PARTS-THEFT-UNDER \$1000	42-5-104(1); and (2)(a)	M1	Vehicles and Traffic	new theft cut points
AUTO DEALER-FAIL TO KEEP RECORD	42-5-105(1)	M	Vehicles and Traffic	civil/traffic infraction
AUTO DEALER-FALSE STATEMENT IN RECORD	42-5-105(2); and (3)	M	Vehicles and Traffic	civil/traffic infraction
VIOLATE CERTAIN AUTOMOBILE THEFT PROVISIONS	42-5-108	M3	Vehicles and Traffic	PO
FAIL REPORT VEHICLE PARKED OVER 30 DAYS	42-5-109	M3	Vehicles and Traffic	civil/traffic infraction
AUTO PART-POSSESS W/DEFACED VIN	42-5-110	M3	Vehicles and Traffic	PO
MOTOR VEHICLE-TRANSPORT W/OUT AUTHORIZ	42-5-111	M3	Vehicles and Traffic	civil/traffic infraction
MOTOR VEHICLE TITLE-FAIL TRANSFER/ACQUIR	42-6-110	M	Vehicles and Traffic	infraction
MOTOR VEHICLE-DEALER FAIL FORWARD TITLE	42-6-112	M	Vehicles and Traffic	infraction
ALTERING SALVAGE BRAND/FAIL TO RETITLE W/IN 45 DAYS	42-6-136(3)(c)(l)	M1	Vehicles and Traffic	PO
MOTOR VEHICLE-REGISTER IN WRONG COUNTY	42-6-139	M	Vehicles and Traffic	PO
MOTOR VEH-FAIL REGIST BECOMING RESIDENT	42-6-140	M	Vehicles and Traffic	PO
MOTOR VEHICLE TRANSFER VIOLATION	42-6-142	M	Vehicles and Traffic	PO
MOTOR VEHICLE REPOSSESSION VIOLATION	42-6-146	M2	Vehicles and Traffic	PO

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 42 OFFENSES - RECLASSIFIED				
Crime	Statute	Current Misd. Level	Category	Recommended Misdemeanor Level
ODOMETER ALTERING DEVICE INSTALLED	42-6-202(1)	M1	Vehicles and Traffic	M2
ODOMETER ALTERED-RESET	42-6-202(2)	M1	Vehicles and Traffic	M2
ODOMETER-FALSE DISCLOSURE STATEMENT	42-6-202(5)	M1	Vehicles and Traffic	M2
VIOLATING CERTAIN PROVISIONS USED MOTOR VEHICLE SALES	42-6-203	M1	Vehicles and Traffic	PO
MOTOR VEHICLE-FAIL DISCLOSE SALVAGE INFO	42-6-206(2)(a)	M	Vehicles and Traffic	M2
FORGERY 2-PRESENTS FALSE INSURANCE PROOF	18-5-104; 42-7-301.5(1)	M1	Offenses Involving Fraud	M2
FORGERY 2-PRESENT FAKE INSUR PROOF-2D OF	18-5-104; 42-7-301.5(1)	M1	Offenses Involving Fraud	delete
FORGERY 2-CREATE FALSE INSURANCE PROOF	18-5-104; 42-7-301.5(2)	M1	Offenses Involving Fraud	M2
FORGERY 2-CREATE FALSE INSUR PROOF 2D OF	18-5-104; 42-7-301.5(2)	M1	Offenses Involving Fraud	delete
DRIVING UNDER FRA SUSPENSION	42-7-422	M	Vehicles and Traffic	traffic infraction
INSURANCE-FORGED COVERAGE/ABILITY TO PAY	42-7-505	M	Vehicles and Traffic	M2
TRAFFIC-FAILURE TO SURRENDER LICENSE	42-7-506	M	Vehicles and Traffic	infraction
TRAFFIC-VIOLATE MOTOR VEHICLE FRA	42-7-507	M	Vehicles and Traffic	infraction
INSURANCE-COMMERCIAL VEHICLE VIOLATION	42-7-510	M	Vehicles and Traffic	infraction
UNAUTH DISCLOSURE INFO FROM UNINSURED MOTORIST ID DATABASE	42-7-606(2)	M1	Vehicles and Traffic	infraction
MOTOR VEH REPAIR-FAIL PROVIDE ESTIMATE	42-9-104(2)	M	Vehicles and Traffic	PO
MOTOR VEHIC REPAIR-NO ESTIMATE ADD WORK	42-9-105	M	Vehicles and Traffic	PO
MOTOR VEH REPAIR-CHARGE/UNAUTHORIZ WORK	42-9-111(1)(a)	M	Vehicles and Traffic	PO
MOTOR VEH REPAIR-UNNEEDED REPAIR	42-9-111(1)(b)	M	Vehicles and Traffic	PO
MOTOR VEH REPAIR-REPAIR NOT DONE	42-9-111(1)(c)	M	Vehicles and Traffic	PO

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 42 OFFENSES - RECLASSIFIED				
Crime	Statute	Current Misd. Level	Category	Recommended Misdemeanor Level
MOTOR VEH REPAIR-FALSE CLAIM DANGEROUS	42-9-111(1)(d)	M	Vehicles and Traffic	PO
MOTOR VEH REPAIR-FIX EMISSIONS NOT BROKE	42-9-111(1)(e)	M	Vehicles and Traffic	PO
MOTOR VEH REPAIR-NO INVOICE	42-9-111(1)(f)	M	Vehicles and Traffic	PO
MOTOR VEH REPAIR-NO NOTICE	42-9-111(1)(g)	M	Vehicles and Traffic	PO
MOTOR VEH REPAIR-INCOMPLETE ORDER	42-9-111(1)(h)	M	Vehicles and Traffic	PO
TRAFFIC-VIOLATE MOTOR VEHICLE REPAIR ACT	42-9-112	M	Vehicles and Traffic	PO
IMPOUNDED VEHICLE-UNLAWFUL RELEASE	42-13-105	M3	Vehicles and Traffic	PO
VIOLATE RULES/REGS RE TRANSPORT OF HAZARDOUS MATERIALS	42-20-109(1)	M3	Vehicles and Traffic	M2
HAZARDOUS MATERIAL-VIOLATION GENERAL REG	42-20-109(1)	M3	Vehicles and Traffic	M2
VIOLATE CERTAIN PROVISIONS RE TRANSPORT HAZARDOUS/NUCLEAR MATERIALS	42-20-111	M1	Vehicles and Traffic	M2
HAZARDOUS MAT VIOL-AID/ABET/CONSPIRE	42-20-111	M1	Vehicles and Traffic	M2
HAZARDOUS MATERIAL SPILL-FAIL GIVE NOTIC	42-20-113(3)	M3	Vehicles and Traffic	M2
FAILURE TO NOTIFY LE OF HAZARDOUS MATERIALS CARGO SPILL	42-20-113(4)	M3	Vehicles and Traffic	M2
HAZARDOUS MAT-INTENT TRANSP W/OUT PERMIT	42-20-201; 42-20-204(1)	M1	Vehicles and Traffic	M2
INTENTIONALLY TRANSPORT HAZARDOUS MATERIALS W/OUT PERMIT	42-20-204(1)	M1	Vehicles and Traffic	M2
HAZARDOUS MATERIAL-VIOLATE PERMIT TERM	42-20-204(3)	M1	Vehicles and Traffic	M2
VIOLATE TRANSP OF NUCLEAR MATERIALS AND PERMITS	42-20-405(1)	M2	Vehicles and Traffic	M2
VIOLATE TERMS OF SINGLE TRIP HAZARDOUS MATERIALS TRANS PERMIT	42-40-204(3)	M1	Vehicles and Traffic	M2

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

1.2.b. Additional Title 42

Title 42 ADDITIONAL Offenses to be Reclassified

TITLE 42 – ADDITIONAL Offenses	
Vehicles and Traffic	
<i>License required.</i> Driving without a valid driver license or instruction permit or driving a vehicle for which a person has not been issued the correct type or class of license is a class 2 misdemeanor traffic offense.	42-2-101 (10)
Traffic infraction	
License, permit, or identification card to be exhibited on demand. Refusing to hand a driver license to a peace officer upon demand is a class 2 misdemeanor traffic offense.	42-2-115 (2)
Traffic infraction	
<i>Unlawful possession or use of a license.</i> Photographing, photo stating, duplicating, or in any other way reproducing any driver license or facsimile of one for the purpose of distributing, reselling, reusing, or manipulating the license is a class 3 misdemeanor.	42-2-136 (6)(b)
Possessing a lawfully issued driver license or instruction permit knowing that such license or permit has been falsely altered is a class 2 misdemeanor traffic offense.	42-2-136 (6)(a)
M2	
<i>Perjury on a motor vehicle registration application.</i> Any person who, under an oath required or authorized by law, knowingly makes a material false statement that he or she does not believe to be true on a motor vehicle registration commits a class 1 petty offense, provided that the statement does not qualify as perjury in the first or second degree	42-3-122 (2)
Petty offense.	
<i>Permits for excess size and weight and for manufactured homes.</i> Violating any of the provisions regarding permits for excess size and weight and for manufactured homes is a class 2 misdemeanor traffic offense.	42-4-510 (12)(a)
M2	
Any owner of a manufactured home who, for the first time, moves the home without being the holder of a paid ad valorem tax certificate and a transportable manufactured home permit commits a class 2 petty offense. Any person who assists an owner of a manufactured home in such a task also commits a class 2 petty offense.	42-4-510 (12)(b)
Petty offense	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 42 – ADDITIONAL Offenses	
Vehicles and Traffic	
The second or subsequent offense of moving, providing for the movement of, or assisting with the movement of a manufactured home without being the holder of a paid valorem tax certificate and a transportable manufactured home permit is a class 3 misdemeanor.	42-4-510 (12)(b)
Delete 2 nd and subsequent	
A driver or holder of a super-load permit who fails to comply with the terms of the permit or with other provisions of law pertaining to the permit commits a class 1 misdemeanor traffic offense.	42-4-510 (12)(d)
M2	
Permits for excess size and weight and for manufactured homes. Violating any of the provisions regarding permits for excess size and weight and for manufactured homes is a class 2 misdemeanor traffic offense.	42-4-510 (12)(a)
M2	
Foreign matter on highways. Throwing, dropping, or otherwise expelling a lit cigarette, cigar, match, or other burning material from a motor vehicle upon any highway is a class 2 misdemeanor.	42-4-1406 (5)(b)
Petty offense	
Notice to appear or pay fine. Any person who is a parent or legal guardian of a minor and who fails to appear in court with the minor pursuant to Part 17 of Article 4 of Title 42 relating to penalties and procedure for violations of traffic regulations commits a class 1 petty offense.	42-4-1716 (4)(b)
Petty offense	
Duties of dealers – assembled motor vehicles. Any person who violates any of the provisions of Section 42-5-106, C.R.S., relating to the duties of dealers regarding assembled motor vehicles commits a class 1 petty offense.	42-5-106
Petty offense	
Surrender and cancellation of certificate. Any owner of a motor or off-highway vehicle who fails to surrender the Colorado certificate of title for the vehicle or provide notification indicating the loss, destruction, or dismantling of the vehicle, upon its destruction or dismantling, or upon its being changed so that it is no longer a motor or off-highway vehicle, commits a class 1 petty offense.	42-6-136 (1)
Petty offense	
Air pollution violations. Any person who causes or permits the emission of any visible air pollutants into the atmosphere from any gasoline-powered motor vehicle commits a class 2 petty offense.	42-4-412 (1) \$25 fine for a first offense; \$100 fine for a subsequent offense involving the same motor vehicle within one year of the previous offense.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 42 – ADDITIONAL Offenses	
Vehicles and Traffic	
Any person who causes or permits the emission of any visible air pollutants into the atmosphere from any diesel-powered motor vehicle commits a class 2 petty offense when the pollutants create an unreasonable nuisance or danger to the public health, safety, or welfare.	
Traffic infraction	
<i>Designated areas on private property for authorized vehicles.</i> Any person who parks an unauthorized motor vehicle on private property in any area designated and marked for authorized vehicles commits a class 2 petty offense.	42-4-1210 (3) \$25 fine.
Traffic infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

1.2.b(i). DUI

DUI Sentencing Statutory Language Changes:

REVISION #1). The court may allow any person sentenced for DUI to participate in a “work release” program pursuant to 18-1.3-106 but self-employment and “home needs” are specifically excluded for DUI but are allowed for work release sentences for other crimes. Current language in (III) states: “Conducting his or her own business or other self-employed occupation including housekeeping and attending to the needs of the family;”

Revise 18.1.3-106 (1) (a)

III. 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;

REVISION #2). For any DUI even 3rd offense, work release is permissible. But many jurisdictions do not have work release and some jurisdictions that had work release are now eliminating their programs during/after COVID. Allow sentence to community corrections to serve as mandatory sentence. And allow limited home detention.

Includes the following three provision revisions (“REVISE”):

REVISE: 42-4-1307 (6)(a)(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 sentence pursuant to section 17-26-109, or for trusty prisoner status pursuant to section 17-26-109 (1)(c); except that a person receives credit for any time that he or she served in custody for the violation prior to his or her 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) AND (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 (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;
- (B) Continuing attendance at an educational institution at which the person was enrolled at the time of sentencing for said violation; or
- (C) Participating in a court-ordered level II alcohol and drug driving safety education or treatment program, as described in section 42-4-1301.3 (3)(c)(IV).

(6)(a)(I.5) IF 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 18-1.3-301(4) (a) OR (4) (a), THE COURT MAY SENTENCE THE OFFENDER TO HOME DETENTION AS PROVIDED IN 18-1.3-106(VI) BUT ONLY WHEN THE COURT FINDS THAT AN ALTERNATIVE

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

SENTENCE OF HOME DETENTION IS NECESSARY TO ADDRESS THE INDIVIDUAL CIRCUMSTANCES OF THE CASE, TO FULFILL THE STATUTORY PURPOSES OF SENTENCING AT PROVIDED IN 18-1-102.5 AND ITS USE WILL NOT UNDERMINE THE SERIOUSNESS OF THE OFFENSE.

(6)(a)(I.6) OFFENDERS PLACED IN COMMUNITY CORRECTIONS AS AN ALTERNATIVE SENTENCE PURSUANT TO THE PROVISIONS OF SECTION 42-4-1307 SHALL REMAIN IN RESIDENTIAL PLACEMENT FOR ANY MANDATORY TIME PERIOD OF THEIR SENTENCE AS REQUIRED BY THE PROVISIONS OF THIS SECTION.

REVISE: 18-1.3-301 (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, **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.

REVISE: 18-1.3-301(4)(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) may receive funds from the correctional treatment cash fund, as well as local funding, public or private grants, or offender fees.

REVISION #3). Add in sentencing provisions:

42-4-1307 (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 PERSON SENTENCED, 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. ANY DEFENDANT WHO REQUESTS THE COURT FIND EXCEPTIONAL CIRCUMSTANCES BASED ON THE RISK TO HIS OR HER HEALTH OR SAFETY SHALL EXPRESSLY WAIVE ANY CONFIDENTIALITY AS TO THE MEDICAL OR OTHER HEALTH INFORMATION THAT CREATES THE EXCEPTIONAL CIRCUMSTANCES.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

1.2.c. Misdemeanor offenses contained in other titles - Title 1 through Title 44.

This section includes the following statutory titles:

Page	TITLE	Page	TITLE
47	Title 01: Elections	80	Title 24: State Government
49	Title 02: Legislative	89	Title 25: Public Health and Environment
49	Title 04: Uniform Commercial Code	101	Title 26: Human Services Code
49	Title 05: Consumer Credit Code	103	Title 27: Behavioral Health
49	Title 06: Consumer and Commercial Affairs	104	Title 28: Military and Veterans
51	Title 07: Corporations and Associations	105	Title 29: Government - Local
51	Title 08: Labor and Industry	106	Title 30: Government - County
58	Title 09: Safety – Industrial and Commercial	109	Title 31: Government - Municipal
60	Title 10: Insurance	114	Title 32: Special Districts
63	Title 11: Financial Institutions	116	Title 33: Parks and Wildlife
68	Title 12: Professions and Occupations	137	Title 34: Mineral Resources
73	Title 13: Courts and Court Procedure	139	Title 35: Agriculture
74	Title 14: Domestic Matters	149	Title 36: Natural Resources – General
75	Title 15: Probate, Trusts, and Fiduciaries	150	Title 37: Water and Irrigation
75	Title 16: Criminal Proceedings	153	Title 38: Property – Real and Personal
76	Title 17: Corrections	155	Title 39: Taxation
76	Title 19: Children’s Code	160	Title 40: Utilities
78	Title 22: Education	162	Title 43: Transportation
79	Title 23: Postsecondary Education	164	Title 44: Revenue – Regulation of Activities

Title 1 Offenses to be Reclassified

DISCUSSION: The crimes in 1-13-101 *et seq* mostly list the penalties in line with current M2. A few are M1. The recommendation is to convert this all to the new M2 range. The ones with individual listing need to be changed to reference 1-13-111.

TITLE 1 Offenses		
Elections		
Statute	Title	Recommended Misdemeanor Level
1-13-105	False certificates by officers	M2
1-13-107	Violation of duty	M2
1-13-109	False statements relating to candidates	M2
1-13-110	Wagers with electors	M2
1-13-111	Penalties for election offenses	Change to reference Title 18 M2 penalty
1-13-112	Offenses relating to mail ballots	M2
1-13-113	Interference with distribution	M2
1-13-114	Fail to comply with SOS	M2
1-13-201	Interference with registration	M2
1-13-202	Unlawful qualification	M2
1-13-203	Procuring false registration	M2
1-13-205	Clerk signing false registration	M2

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 1 Offenses Elections		
Statute	Title	Recommended Misdemeanor Level
1-13-208	Deputy influencing affiliation	M2
1-13-209	HS Deputy Registrar influencing	M2
1-13-301	Fraud at caucus, assembly, convention	M2
1-13-302	Fraudulent voting in caucus, assembly, or convention	M2
1-13-303	Offenses at caucus, assembly, convention	M2
1-13-401	Bribery of petition signers	M2
1-13-402	Tampering with nominating papers	M2
1-13-403	Defacing of non-nominating petitions	M2
1-13-601	Tampering with notices	M2
1-13-701	Interference with election official	M2
1-13-702	Interfering with watcher	M2
1-13-703(1)	Tampering with registration system	M2
1-13-704	Unlawfully refusing ballot/vote	M2
1-13-705	Impersonating elector	Make M2- refer to 1-13-111
1-13-706	Delivering and receiving ballots as polls	M2
1-13-707	inducing defective ballot	M2
1-13-708	Tampering with voting equipment	M2
1-13-708.5	Officials not handling electronic devices	M2
1-13-709	Voting in wrong polling location	Make M2- refer to 1-13-111
1-13-710	Voting twice	Make M2- refer to 1-13-111
1-13-711	Interference with voter while voting	M2
1-13-712	Disclosing or identifying vote	M2
1-13-713	Intimidation	M2
1-13-714	Electioneering	M2
1-13-715	Liquor near voting center	M2
1-13-716	Destroying or delaying delivery of records	M2
1-13-717	Penalties for destruction of supplies	penalties as provided in 1-13-111
1-13-718	Release of information concerning count	M2
1-13-719	Employers unlawful acts	M2
1-13-720	Unlawfully buying or trading votes	M2
1-13-721	Receipt of money or jobs	reference 1-13-111 for new penalty
1-13-723	Neglect of duty, breaking seal	M2
1-13-801	Mailing other materials with ballot	M2
1-13-802	Delivery of mail ballot outside clerks office	M2
1-13-803	Offenses relating to voting by mail ballots	reference 1-13-111 for new penalty
1-13-804	Duty relating reporting lost, stolen, late ballots	M2

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 2 to Title 6 Offenses to be Reclassified

TITLE 2 to TITLE 6 Offenses			
Statute	Current penalty	Notes	Recommendation
TITLE 2 Legislative			
2-2-314	Unclassified Misd. But similar to current M2	Creates penalty for violating 2-2-313- summons to testify in General Assembly	Make it M2
2-2-404(7)	Unclassified Misd. Up to 30 days	Makes violating rules and regs of Gen. Assembly a crime	Petty
2-3-103.7	Unclassified M. fine only (500)	Disclosing audit results before report is complete	No change
2-3-107(2)(c)	Unclassified misd. Mandatory minimum 1 month- 1 year	Criminalizes refusing access to info relating a legislative audit (probably also violates 18-8-106 Refusal to permit inspection)	Make it M2
TITLE 4 Uniform Commercial Code			
4-9-629(e)	M1	this section requires repo men to be bonded. E. makes it criminal to falsify bond info for them	Make it M2
TITLE 5 Consumer Credit Code			
5-16-126	M1	Makes violating any of the provisions of fair debt collection a M1	Leave it alone- predatory behavior and hot button issue now
5-19-109	M1	Makes violating any of the provisions of Colorado Credit Services Organization Act a M1	Leave it alone- predatory behavior and hot button issue now
5-5-301(1)	Unclassified M. Similar to Current M2	adding charges beyond what is statutorily authorized for loans	Make it M2
5-5-301(2)	Unclassified M. Similar to Current M2	Making loans without a license	Make it M2
5-5-301(3)	Fine only	improper notice of fee increase	No change
5-5-302	Unclassified M. Similar to Current M2	Giving false info about rates, or other required disclosures	Make it M2
5-9.5-106	This was repealed 9/1/2019		
5-10-901	500 fine but a Misd.	Makes any violation of the Rental Purchase Agrmt. title a crime	No change
TITLE 6 Consumer and Commercial Affairs			
6-1-114	M1 with 2nd as F6	Promoting a pyramid scheme and deception related to hearing aid sales. There is a whole civil section that DA and AG have concurrent jurisdiction.	Break out. Hearing aid should be M2, Pyramid scheme M1 with no 2nd and subsequent
6-1-305	M1	Telemarketing fraud	Leave it alone- predatory behavior and hot button issue now.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 2 to TITLE 6 Offenses			
Statute	Current penalty	Notes	Recommendation
6-1-409	Cut points and currently references theft statute and 18-1.3-401 and 501	fraudulent acts related to getting payments for repair of wheelchairs from public assistance programs	No change
6-1-508	Same as above	fraudulent acts related to getting payments for repair of other facilitative devices from public assistance programs	No change
6-1-710	Unclassified M similar to current M2	Installing false airbag	Make M1
6-1-1108	Unclassified M. \$25,000 fine and up to one year in jail	Foreclosure protection	No change
6-1-118	Same as above	Protection of people canceling home purchase	No change
6-2-105(1)(a)	Unclassified M. up to 6 months and \$1000 fine	Advertising or selling below cost to create a monopoly	make a M2
6-2-108	Unclassified M. up to 6 months and \$1000 fine	Having rebates that are only available to some	make a M2
6-2-116	Unclassified M. up to 6 months and \$1000 fine	Discriminatory sales	make a M2
6-6-103(3)	PO2	Billing someone for something sent unsolicited	Petty
6-15-207	M1	misrepresenting something to be authentic Indian Arts	make a M2
6-16-111(3)	M2	committing charitable fraud by not filing, or failing to make representations required	keep same- still theft for the aggravated stuff
6-24-111(2)	Unclassified M. Similar to Current M2	Any violation of rules and responsibilities for cemeteries	make a M2
6-25-103	Unclassified M. Similar to Current M2	current is less than 1000 is misdo, 1000 or more is F6	Combine with theft statute and cut points

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 7 Offenses to be Reclassified

TITLE 7 Offenses	
Corporations and Associations	
<i>Damaging property of a ditch and reservoir company.</i> Any person who willfully or maliciously damages or interferes with any road, ditch, flume, bridge, ferry, railroad, or telegraph line or with any of the fixtures, tools, implements, appurtenances, or property of any lawful corporation commits a misdemeanor.	7-42-109 Maximum \$500 fine, 364 days in jail, or both. The offender must also pay all damages and costs of suit.
M2	
<i>Interrogatories by the Secretary of State.</i> Any entity that fails or refuses to answer truthfully and fully, within required deadlines, interrogatories propounded to the entity by the Secretary of State pursuant to the Colorado Corporations and Associations Act commits a misdemeanor.	7-90-402 (3) Maximum \$5,000 fine.
unclassified	
Any manager of an entity who fails or refuses to answer truthfully and fully, within required deadlines, interrogatories propounded to the manager by the Secretary of State pursuant to the Colorado Corporations and Associations Act commits a misdemeanor.	7-90-402 (4) Maximum \$10,000 fine.
Unclassified	

Title 8 Offenses to be Reclassified

TITLE 8 Offenses	
Labor and Industry	
<i>Transfer of experience – assignment of rates.</i> Knowingly violating or attempting to violate any of the provisions of law related to assignment of tax rates because of a transfer of experience in order to obtain a lower contribution rate is a class 1 misdemeanor.	8-76-104 (10)(d)
M2	
be an employer convicted of intentionally refusing to pay a wage claim, falsely denying a wage claim with the intent to not pay, or underpaying the claim to harass or defraud the person owed the wage;	8-4-114
value based	
be an employer or other person who intentionally, individually or as an officer, agent, or employee of a corporation or other person, pays or causes to be paid to any such employee a wage less than the minimum;	8-6-116
value based	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 8 Offenses	
Labor and Industry	
Unfair labor practices. Disclosing who signed a petition demanding a labor election, disclosing how a person voted in a labor election, refusing to call an election, or preventing or conspiring to prevent the call of an election is a class 2 misdemeanor.	8-3-108 (1)(c)(V)
M2	
Confidentiality. Releasing confidential records regarding petroleum storage tanks without authorization is a class 3 misdemeanor.	8-20.5-105 (2)
Petty	
Failure of employers and employees to furnish required information. Any employer or employee who fails or refuses to furnish information required by the Industrial Claims Office of the Division of Labor commits a misdemeanor.	8-1-114 (2) \$200 fine for an employer; \$25 fine for an employee.
Unclassified	
Obstruction of the performance of duties of the Industrial Claims Appeals Office. Any person who hinders or obstructs an investigator of the Industrial Claims Appeals Office commits a misdemeanor. An employer who in bad faith refuses reasonable access to his or her premises, or any person who gives unauthorized advance notice of any inspection to be conducted by the Industrial Claims Appeals Office also commits a misdemeanor.	8-1-116 (2) Maximum \$1,000 fine, 6 months in jail, or both.
M2	
Unlawful use of statutory provisions to maintain a given condition of affairs. Any party who uses statutory provisions concerning the process for determining labor disputes for the purpose of unjustly maintaining a given condition of affairs through delay commits a misdemeanor.	8-1-125 (3) Maximum \$100 fine.
unclassified	
Unlawful lockouts or strikes. Any employer who declares or causes a lockout contrary to the provisions Article 1 of Title 8 concerning the Industrial Claim Appeals Office commits a misdemeanor. Each day or part of a day that the lockout exists constitutes a separate offense.	8-1-129 (1) Maximum \$1,000 fine, 6 months in jail, or both.
M2	
Any employee who goes on strike contrary to the provisions of Article 1 of Title 8 concerning the Industrial Claim Appeals Office commits a misdemeanor. Each day or part of a day that the employee is on strike constitutes a separate offense.	8-1-129 (2) Maximum \$50 fine, 6 months in jail, or both.
M2	
Any person who incites, encourages, or aids in any manner any employer to declare or to continue an unlawful lockout, or an employee to go or to continue on an unlawful strike, commits a misdemeanor.	8-1-129 (3) Maximum \$1,000 fine, 6 months in jail, or both.
Petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 8 Offenses	
Labor and Industry	
<i>Failure of a witness to appear or testify.</i> Any person who fails, refuses, or neglects to appear and testify, or to produce books, papers, and records in response to a subpoena authorized by the director of the Division of Labor commits a misdemeanor.	8-1-139 (1) Maximum \$100 fine or 30 days in jail, for each day in default.
Delete if they can get a court order and have person held in contempt	
<i>Violation of the provisions governing the Industrial Claim Appeals Office.</i> Any employer, employee, or other person who violates any provision of Article 1 of Title 8 concerning the Industrial Claim Appeals Office in the Division of Labor for which no penalty is specifically provided commits a misdemeanor.	8-1-140 (1) Minimum \$100 fine, maximum of 60 days in jail, or both.
Petty	
Any employer, employee, or other person who fails, refuses, or neglects to perform any duty within the time prescribed or refuses to obey lawful orders made pursuant to Article 1 of Title 8 concerning the Industrial Claim Appeals Office in the Division of Labor commits a misdemeanor	8-1-140 (2) Minimum \$100 fine for each day.
unclassified	
<i>Coercing employees because of a labor organization connection.</i> Any person or any member of any firm or an agent, officer, or employee of any such company or corporation who coerces an employee because of the employee's connection with a labor organization commits a misdemeanor.	8-2-103 \$100 to \$500 fine, 6 months to 364 days in jail, or both.
M2	
<i>Obtaining workmen by misrepresentation.</i> Obtaining workmen by misrepresentation, false advertising, or false pretenses concerning the conditions of the employment is a misdemeanor.	8-2-105 Maximum \$2,000 fine, 364 days in jail, or both.
M2	
<i>Unlawfully preventing employees from participating in politics.</i> Any corporation, company, partnership, association, individual, or employer that makes, adopts, or enforces any policy forbidding or preventing an employee from participating in politics commits a misdemeanor.	8-2-108 (1) Maximum \$2,000 fine, 364 days in jail, or both.
M2	
<i>Unlawfully blacklisting or publishing a blacklist.</i> Any officer or agent of any corporation, company, individual, or other person who blacklists, publishes, or causes to be blacklisted or published any discharged employee, mechanic, or laborer for the purpose of preventing such person from securing other employment commits a misdemeanor. Conspiring to prevent a discharged employee from securing employment is also a misdemeanor.	8-2-111 \$50 to \$250 fine, 30 to 90 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 8 Offenses	
Labor and Industry	
<i>Unlawfully publishing notice of a boycott.</i> Any person who prints or circulates any notice of a boycott against a lawful business or who publishes the name of any public officer upon any notice of a boycott because of any lawful act or decision of such officer commits a misdemeanor. 8-2-112	8-2-115 \$10 to \$250 fine, up to 60 days in jail, or both.
Petty	
<i>Unlawfully intimidating worker.</i> Using force, threats, or other means of intimidation to prevent any person from engaging in any lawful occupation is a misdemeanor. 8-2-113	8-2-115 \$10 to \$250 fine, up to 60 days in jail, or both.
M2	
<i>Unlawfully maintaining a blacklist.</i> Any employer who maintains a blacklist or who notifies any other employer that a current or former employee has been blacklisted for the purpose of preventing the employee from receiving employment commits a misdemeanor. 8-2-114	8-2-115 \$10 to \$250 fine, up to 60 days in jail, or both.
M2	
<i>Preventing legislative and judicial access to employees.</i> Any person who adopts or enforces any policy forbidding or preventing an employee or other entity under his or her control from testifying before a committee of the General Assembly or a court of law commits a misdemeanor.	8-2.5-101 (1)(a) Maximum \$1,000 fine.
M2	
It is a misdemeanor to intimidate a legislative witness by use of a threat in order to intentionally influence or induce the witness to: - appear or not appear before a committee of the General Assembly; - give or refrain from giving testimony to a legislative committee; - testify falsely before a legislative committee; - avoid legal process summoning the witness to attend and testify before a legislative committee; or - take any action against a witness for testifying at a legislative committee.	8-2.5-101 (1.5)(c) Maximum \$1,000 fine.
M2	
<i>Interference with official duties under the Labor Peace Act.</i> Any person who willfully assaults, resists, prevents, impedes, or interferes with the performance of duties pursuant to the Labor Peace Act commits a misdemeanor.	8-3-116 Maximum \$500 fine, 364 days in jail, or both.
M2	
<i>Violations of the Labor Peace Act.</i> Any person, firm, or corporation who violates any of the provisions of the Labor Peace Act commits a misdemeanor.	8-3-122 \$50 to \$100 fine for the first offense, \$100 to \$500 fine for the second and subsequent offenses, with costs.
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 8 Offenses	
Labor and Industry	
<i>Refusing subpoena in appeals of administrative actions.</i> It is a misdemeanor 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.	8-4-111.5 (2)(b)(II) Maximum \$200 fine, 60 days in jail, or both; each day of failure or refusal is a separate offense.
Petty	
<i>Unlawfully claiming tips or gratuities.</i> Any employer who asserts any claim to any presents, tips, or gratuities given to an employee commits a misdemeanor, unless a notice is posted indicating that presents, tips, or gratuities will be the property of the employer.	8-4-114 (1) Maximum \$300 fine, 30 days in jail, or both
Petty – or make value base	
<i>Discrimination against an employee for involvement in wage complaints.</i> Any employer who in any manner discriminates against any employee who has filed a complaint, initiated a proceeding, or testified in a proceeding regarding protections afforded under Article 4 of Title 8 concerning wages commits a misdemeanor.	8-4-120 Maximum \$500 fine, 60 days in jail, or both
M2	
<i>Discrimination against an employee for involvement in a wage board.</i> Any employer who discharges, threatens, or in any other way discriminates against an employee because he or she is involved in or participates in a wage board or its investigations commits a misdemeanor.	8-6-115 \$200 to \$1,000 fine.
M2	
<i>Violations of the Youth Employment Opportunity Act.</i> Any person who has legal responsibility for a minor under the age of 18 and who knowingly permits the minor to be employed in violation of the Youth Employment Opportunity Act commits a misdemeanor.	8-12-116 (1) \$20 to \$100 fine.
unclassified	
Any person, firm, or corporation, or any agent of such, who knowingly violates or knowingly fails to comply with the Youth Employment Opportunity Act commits a misdemeanor.	8-12-116 (2) \$20 to \$100 fine for the first offense; \$100 to \$500 fine, up to 90 days in jail, or both for a second or subsequent offense.
Unclassified - delete the jail but keep the higher fines	
<i>Violations of the eight-hour day statute.</i> Any person, body corporate, general manager, or employer who violates or causes to be violated any of the provisions of Section 8-13-102, C.R.S., concerning the eight-hour work day commits a misdemeanor.	8-13-103 \$250 to \$500 fine, 90 days to 6 months in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 8 Offenses	
Labor and Industry	
Violations of hours of duty for firemen. Any officer, agent, or employee of any municipality who requires any person in a fire department who is not in command of the fire department to remain on duty for periods of time that in aggregate amount to more than 12 hours of each day in a calendar month commits a misdemeanor, except in cases of an emergency.	8-13-108 \$100 to \$500 fine, up to 100 days in jail, or both.
M2	
Violations of the protection of building employees. Any person, corporation, company, or association who violates any of the provisions of Article 14 of Title 8 pertaining to the protection of building employees commits a misdemeanor.	8-14-105 \$50 to \$500 fine.
Unclassified	
Colorado Antifreeze Law. Any person who violates the provisions of the Colorado Antifreeze Law commits a misdemeanor.	8-20-812 \$50 to \$300 fine.
unclassified	
Brake product standards. Any person, partnership, corporation, or association that violates or fails to comply with the provisions of Part 9 of Article 20 of Title 8 concerning the sale of approved brake fluid commits a misdemeanor.	8-20-904 \$50 to \$300 fine.
Unclassified	
Liability of a lessor contractor-out deemed employer. Any person, company, or corporation contracting with a landowner or lessee of a farm or ranch who fails to provide and maintain insurance coverage or compensation for injury or death commits a misdemeanor.	8-41-401 (4)(b) Maximum \$500 fine, 60 days in jail, or both.
M2	
Unlawful cutting of workers' compensation insurance rates or rebates. The cutting of rates, rebating, or any other method whereby any employer is given the benefit of or obtains a workers' compensation insurance rate lower than that approved by Commissioner of Insurance is a misdemeanor.	8-44-104 Maximum \$100 fine.
unclassified	
Failure to attend and testify or produce documents before the Division of Employment and Training. 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 pursuant to a subpoena from the Division of Employment and Training commits a misdemeanor.	8-72-108 (2) Maximum \$200 fine, 60 days in jail, or both.
petty	
Unlawful waiver of employee rights. Any employer or officer or agent of any employer who makes, requires, or accepts any deduction from an employee's wages to finance the employer's premiums or surcharges or who accepts any waiver of employee rights granted by Articles 70 through 82 of Title 8 concerning employment security commits a misdemeanor.	8-80-101 \$100 to \$1,000 fine, up to 6 months in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 8 Offenses	
Labor and Industry	
<i>Charging a fee to an individual claiming Employment Security benefits.</i> Any person who charges a fee to an individual claiming benefits granted by Articles 70 through 82 of Title 8 concerning employment security commits a misdemeanor.	8-80-102, 8-81-101 (3) \$20 to \$200 fine, up to 6 months in jail, or both.
M2	
<i>Other violations of the Employment Security Law.</i> Any person who makes a false statement or representation of material fact knowing it to be false, or who knowingly fails to disclose a material fact with the intent to defraud by obtaining or increasing any benefit granted by Articles 70 through 82 of Title 8 concerning employment security or granted under the employment security law of another jurisdiction commits a misdemeanor.	8-81-101 (1)(a) \$25 to \$1,000 fine, up to 6 months in jail, or both.
M2	
Any employing unit, officer or agent of an employing unit, or other person who makes a false statement or representation of material fact knowing it to be false, or who knowingly fails to disclose a material fact either to interfere with the payment of benefits, or to avoid becoming or remaining a subject employer, or to avoid or reduce any payment required from a governing unit pursuant to Articles 70 through 82 of Title 8 concerning employment security or to the employment security law of another jurisdiction commits a misdemeanor.	8-81-101 (2) \$25 to \$1,000 fine, up to 6 months in jail, or both.
M2	
Failing or refusing to pay required taxes, failing to furnish required reports, or refusing the inspection of records required from a governing unit pursuant to Articles 70 through 82 of Title 8 concerning employment security or to the employment security law of another jurisdiction is a misdemeanor.	8-81-101 (2) \$25 to \$1,000 fine, up to 6 months in jail, or both.
M2	
Any violation of the provisions of Articles 70 through 82 of Title 8 concerning employment security for which a penalty is not otherwise provided is a misdemeanor.	8-81-101 (3) \$20 to \$200 fine, up to 60 days in jail, or both.
Petty	
<i>Industrial Claims Appeals Office – penalty for divulging information.</i> Any person in the employ of the Division of Labor in the Colorado Department of Labor and Employment who divulges any confidential information to any person other than the director shall be punished by a maximum fine of \$1,000 and be disqualified from holding any appointment or employment with any state department.	8-1-115 (2)
Civil	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 9 Offenses to be Reclassified

TITLE 9 Offenses	
Safety — Industrial and Commercial	
Removing markings of underground facilities. Willfully or maliciously removing markings used to mark the location of underground facilities is a class 2 misdemeanor.	9-1.5-103 (4)(b.5)
Petty	
Violations of the Elevator and Escalator Certification Act. Violating any of the provisions of the Elevator and Escalator Certification Act is a class 3 misdemeanor.	9-5.5-118
Petty	
Violations of construction requirements for buildings of public assemblage. Any proprietor who builds, leases, procures, or permits any building to be used as a public assemblage when the building does not conform to the construction requirements of law commits a misdemeanor.	9-1-102 Maximum \$500 fine.
Unclassified	
Any person who fails to have doors open outward in buildings for public assemblage, or who fails to ensure that the doors can be opened readily and speedily from inside the building and that the stairways and passages leading to a door are unobstructed, commits a misdemeanor.	9-1-104 Maximum \$200 fine.
Unclassified	
Sale and use of fire extinguishers. Any person who violates any provision of Article 3 of Title 9 concerning the sale and use of fire extinguishers commits a misdemeanor.	9-3-104 Maximum \$100 fine, 30 days in jail, or both.
Petty	
Boiler inspection. Any owner of a boiler who fails to report the location of his or her boiler to the Boiler Inspection Section of the Division of Oil and Public Safety commits a misdemeanor.	9-4-108 (4) Maximum \$1,000 fine, 364 days in jail, or both.
Petty	
Failure of a boiler inspectors to perform duty. Any inspector of boilers who fails to perform his or her duties commits a misdemeanor.	9-4-111 \$100 to \$1,000 fine, 2 months to 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 9 Offenses	
Safety — Industrial and Commercial	
Markings on explosives. Any person, partnership, or corporation that sells, offers for sale, takes or solicits orders for sale, purchases, uses, or has on hand for the purpose of sale, any high explosive that can be detonated with a detonator or related material, commits a misdemeanor if the name and place of business of the manufacturer and a date code is not plainly stamped or printed on each container or bag of the explosive.	9-6-107 Maximum \$5,000 fine, 364 days in jail, or both.
Any person who intentionally removes, alters, or obscures the printed or stamped manufacturer's name and date codes or other identifying codes on the containers used to contain high explosives or related materials commits a misdemeanor.	
M2	
Any person, partnership, or corporation that has more than two different dates or identifying codes on any high explosive or related materials commits a misdemeanor.	
M2	
Any person, partnership, or corporation that packages any explosives in any container or wrapping formerly used by any other person, partnership, or corporation in the packing of high explosives or related material commits a misdemeanor.	
M2	
Any person, partnership, or corporation who fails to use the same identifying codes on the packing container as on each of the high explosive cartridges or blasting agent cartridges within the packing container commits a misdemeanor.	
M2	
Failure to obtain an explosives permit. Any person who manufactures, sells, stores, transports, or uses explosives without first obtaining a permit to do so commits a misdemeanor, unless the provisions of Section 9-7-106 (5), C.R.S., exempt that person from the requirement to obtain a permit.	9-7-111 \$25 to \$500 fine, up to 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 10 Offenses to be Reclassified

TITLE 10 Offenses	
Insurance	
Unauthorized companies. Procuring, receiving, or forwarding applications for insurance in, or issuing or delivering policies for, any insurance company not legally authorized to do business in this state is a class 1 misdemeanor.	10-3-104
M2	
Violations of preneed funeral contracts. Violating any of the provisions regarding preneed funeral contracts or violating a cease-and-desist order issued regarding preneed funeral contracts is a class 3 misdemeanor.	10-15-118 (1)
M2	
Fraudulent Claims and Arson Information Reporting Act. Violating any of the provisions of the Fraudulent Claims and Arson Information Reporting Act is a class 2 misdemeanor.	10-4-1007
M2	
False information given to the Division of Insurance. Knowingly or willfully making any materially false certificate, entry, or memorandum on any of the books or papers of any captive insurance company or on any statement filed or to be filed in the Division of Insurance is a class 2 misdemeanor.	10-6-128.5 (4)
M2	
Viatical Settlements. Violating a provision of the Viatical Settlements Act after receiving a cease-and-desist order is a class 2 misdemeanor.	10-7-613 (6)(a)
M2	
Defamation of another insurance company. An insurance company or employee or agent thereof commits a misdemeanor if the entity makes or in any other way distributes or encourages to be distributed any statement that is defamatory of another insurance company and that contains any false and malicious criticism or statement calculated to injure such company.	10-1-116 Maximum \$500 fine, 364 days in jail, or both
PO	
Examinations conducted by the Division of Insurance. Any person who knowingly or willfully testifies falsely in reference to any matter material to an examination or inquiry by the insurance commissioner commits a misdemeanor.	10-1-204 (4) Maximum \$5,000 fine, 3 months in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 10 Offenses	
Insurance	
<i>Examinations conducted by the Division of Insurance.</i> Any person who, with the intent to deceive, knowingly or willfully makes any false certification of any books or papers filed with the Division of Insurance in the course of any examination or inquiry commits a misdemeanor.	10-1-204 (5) Maximum \$5,000 fine, 2 months to 364 days in jail, or both.
M2	
<i>False statement relating to market conduct surveillance.</i> 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 or used in the course of any market conduct surveillance or inquiry commits a misdemeanor.	10-1-304 (4) Maximum \$5,000 fine, 3 months in jail, or both.
M2	
<i>Violations of insurance laws.</i> Any officer, director, stockholder, attorney, or agent of any corporation or association who violates the provisions of Title 10, Article 7 of Title 12, or Article 14 of Title 24 concerning the regulation of insurance companies commits a misdemeanor. Any such person who participates in or aids, abets, or advises or consents to any such violation, and any person who solicits or who knowingly receives any money or property in violation of insurance regulations also commits a misdemeanor. Does not apply to violations of Section 10-3-104, C.R.S., concerning unauthorized companies or to violations of Article 15 of Title 10 concerning preneed funeral contracts. Does apply to violations of Section 10-11-122, C.R.S., concerning title insurance companies.	10-3-111 Maximum \$1,000 fine, 364 days in jail, or both
M2	
<i>Violations of laws restricting the increase of capital.</i> Any officer, director, clerk, employee, or agent of any company who receives, pays out, or orders the payment of any money, or who incurs any obligation for payment in connection with the sale of additional stock or an increase of capital commits a misdemeanor if the expense incurred in connection with such sale exceeds 20 percent of the amount realized from the sale of its capital stock or if the expense is not paid from surplus funds.	10-3-114 Maximum \$500 fine, 6 months in jail, or both
M2	
<i>Noncompliance with the insurance commissioner's orders.</i> Any insurance company or any officer or official thereof who willfully fails to comply with an order of the insurance commissioner while such insurance company is under the commissioner's direct supervision commits a misdemeanor.	10-3-411 Maximum \$1,000 fine, 2 years in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 10 Offenses	
Insurance	
<i>Application for receivership.</i> Any domestic insurance company that violates the regulations of law concerning applications for receivership commits a misdemeanor.	10-3-504.5 Maximum \$1,000 fine, 1 month to 364 days in jail, or both
M2	
<i>Limitations on the disclosure of HIV test results.</i> Any person who discloses HIV-related test results that identify the patient without first obtaining a separate written informed consent for such disclosure from the patient commits a misdemeanor, unless the result is positive or indeterminate and the person reports the result to the medical information bureau in a manner conforming to law.	10-3-1104.5 (6) \$500 to \$5,000 fine, 6 to 24 months in jail, or both.
M2	
<i>Noncompliance with statutes governing mutual insurance companies or mutual protective associations.</i> Any mutual insurance company or mutual protective association that fails to comply with the regulations proscribed in Sections 10-12-101 through 10-12-104, C.R.S., commits a misdemeanor.	10-12-103 (1) \$500 to \$1,500 fine.
Unclassified	
<i>Noncompliance with statutes governing inter-insurance contracts.</i> Any attorney, agent, or representative who, except for the purpose of applying for a certificate of authority, exchanges any contracts of indemnity of the kind and character specified in Section 10-13-101, C.R.S., or directly or indirectly solicits or negotiates any application for the same without first complying with the provisions of Title 10 commits a misdemeanor.	10-13-110 \$100 to \$1,000 fine.
Unclassified	
<i>Violations related to fraternal benefit societies.</i> Any person, officer, member, or examining physician of any fraternal benefit society 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 fraternal benefit society, commits a misdemeanor.	10-14-704 (1) \$500 to \$2,500 fine, 30 days to 364 days in jail, or both.
petty	
<i>Violations related to fraternal benefit societies.</i> Any person who solicits membership for, or in any manner assists in procuring membership in, any fraternal benefit society not licensed or authorized to do business in the state, commits a misdemeanor.	10-14-704 (3) \$100 to \$500 fine.
unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 10 Offenses	
Insurance	
<i>Violations related to fraternal benefit societies.</i> Any society, or any officer, agent, or employee thereof who neglects or refuses to comply with, or who violates any provisions of Article 14 of Title 10 concerning fraternal benefit societies, for which the penalty is not otherwise specified, commits a misdemeanor.	10-14-704 (4) Maximum \$2,000 fine.
unclassified	
<i>Unlawfully practicing as a cash bonding agent.</i> Any person who acts or attempts to act as a professional cash-bail agent or cash-bonding agent without a license to do so commits a misdemeanor.	10-23-107 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Regulation of insurance companies – payment of dividends.</i> Any director, trustee, manager, or officer of any domestic insurance company who pays any unauthorized dividends, interest, bonus, or other allowance in lieu of dividends, except from the company's surplus and from profits arising from the company's business shall be punished by a maximum fine of \$1,000.	10-3-204 (2)
unclassified	

Title 11 Offenses to be Reclassified

TITLE 11 Offenses	
Financial Institutions	
<i>Suspension or removal.</i> Performing any duty or exercising any power of a credit union after receiving a suspension or removal order is a class 1 misdemeanor.	11-30-106 (8)(b)(IV)
M2	
<i>Exercise of duties after suspension or removal.</i> Performing a duty or exercising a power of a marijuana financial services cooperative after receiving a suspension or removal order is a class 1 misdemeanor.	11-33-109 (8)(b)(IV)
M2	
<i>Suspension or removal.</i> Performing any duty or exercising any power of a domestic savings and loan association after receiving a suspension or removal order is a class 1 misdemeanor.	11-44-106.5 (2)(c)
M2	
<i>Violations.</i> A second or subsequent violation of the provisions governing money transmitter agents is a class 1 misdemeanor.	11-110-206 (1)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 11 Offenses	
Financial Institutions	
Restrictions on foreign associations. A foreign savings and loan association that operates an office in this state in order to sell its shares or accounts or to make new loans in this state commits a class 2 misdemeanor.	11-43-101
M2	
Derogatory statements regarding state banks. Willfully making, circulating, or transmitting a false derogatory statement regarding the financial condition of a state bank that impairs public confidence or that results in an extraordinary withdrawal of funds is a class 2 misdemeanor.	11-102-508
M2	
Violations. The first violation of the provisions governing money transmitter agents is a class 2 misdemeanor.	11-110-206 (1)
M2	
Violations. Knowingly acting as an agent of an unlicensed person who is required to be licensed as a money transmitter agent is a class 2 misdemeanor.	11-110-206 (2)
M2	
Colorado Municipal Bond Supervision Act. Violating any of the provisions or any rule or order of the Colorado Municipal Bond Supervision Act is a class 3 misdemeanor.	11-59-115 (2)
petty	
Violations of the Public Deposit Protection Act. Any official custodian who violates the provisions of the Public Deposit Protection Act commits a misdemeanor.	11-10.5-111 (4)(b) \$200 to \$500 fine; the court may also remove the official from public office.
Civil infraction	
Violations of the Public Deposit Protection Act. Any director, bank officer, or manager who knowingly violates the provisions of the Public Deposit Protection Act commits a misdemeanor.	11-10.5-111 (4)(c) \$200 to \$2,000 fine.
Civil infraction	
Unlawful use of the words "credit union." Any person, association, corporation, or partnership that uses the word "credit union" in its name without authorization commits a misdemeanor.	11-30-105 Maximum \$500 fine, 60 days in jail, or both
petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 11 Offenses	
Financial Institutions	
<i>Title protection.</i> Any person or organization other than a co-op or an association of co-ops using the phrases "cannabis credit cooperative," "marijuana credit cooperative," "cannabis credit co-op," "marijuana credit co-op," "cannabis financial services cooperative," "marijuana financial services cooperative," "cannabis financial services co-op," and "marijuana financial services co-op" in its name, title, or advertisements or offers of services commits a misdemeanor.	11-33-108 (2)(b) Maximum \$500 fine, 60 days in jail, or both
petty	
<i>Defamation of a savings and loan association.</i> Any person who willfully makes, circulates, or transmits any false statement, rumor, report, or suggestion concerning the financial condition, management, or assets of any savings and loan association, when the statement incites the public, creates a detrimental impression of the association, results in the withdrawal of funds, or impairs confidence in the association, commits a misdemeanor. Any person who aids, advises, or abets in the defamation of a savings and loan association also commits a misdemeanor.	11-40-107 \$300 to \$1,000 fine, 3 months to 364 days in jail, or both.
M2	
<i>Circulating false information concerning a savings and loan association.</i> Any person who willfully and knowingly concurs in or is responsible for the making, publishing, or posting of any false or misleading information tending to imply that any other business operated in this state is a savings and loan association or is otherwise regulated as such commits a misdemeanor.	11-40-108 Minimum \$300 fine, 6 months to 364 days in jail, or both.
M2	
<i>Unlawful use of the term "savings and loan association."</i> Any person who willfully and knowingly uses the name "savings and loan association" without authorization commits a misdemeanor.	11-41-127 (2) Maximum \$500 fine, 90 days in jail, or both
Petty	
<i>Violation of provisions regulating the officers and directors of savings and loan associations.</i> Any officer or director of any savings and loan association who takes or receives any commission, compensation, remuneration, gift, speculative interest, or other thing of value as an inducement to the making of a loan, the purchase of any securities, or the sale of any stock, commits a misdemeanor.	
Petty	
<i>Violation of provisions regulating the officers and directors of savings and loan associations.</i> Any officer or director of any savings and loan association who negotiates for or receives a mortgage loan from such association, except for the bona fide financing of the home of such officer or director, commits a misdemeanor, unless the insurance commissioner has first approved the loan.	
petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 11 Offenses	
Financial Institutions	
<i>Violation of provisions regulating the officers and directors of savings and loan associations.</i> Every officer, employee, and agent handling or having custody or charge of funds or securities belonging to a savings and loan association who, before entering upon the discharge of his or her duties, fails to give a good and sufficient bond in such sum as may be fixed by the board of directors of any such association, commits a misdemeanor.	11-41-127 (2) Maximum \$500 fine, 90 days in jail, or both
petty	
<i>Violation of the confidentiality oath taken by a member of the Financial Services Board.</i> Any member of the Financial Services Board who violates the oath to keep secret all information acquired by him or her in the discharge of his or her duties commits a misdemeanor.	11-44-101.6 (8) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Testifying falsely in reference to any matter being investigated by the insurance commissioner.</i> Any person who willfully refuses or fails to attend, answer, or produce books or papers, or who refuses to give the insurance commissioner full and truthful information and answer in writing to any inquiry or question made in writing in reference to a matter being investigated, or who refuses or willfully fails to appear and testify under oath, commits a misdemeanor.	11-44-109 (5) Maximum \$500 fine, 3 months in jail, or both
M2	
<i>False certificates filed with the Division of Financial Services.</i> Any director, officer, agent, or employee of any savings and loan association who, with the intent to deceive, 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 or used in the course of an investigation by the insurance commissioner, commits a misdemeanor.	11-44-109 (6) Maximum \$1,000 fine, 2 months to 364 days in jail, or both
M2	
<i>Noncompliance with the orders of the Division of Financial Services.</i> Any officer, agent, employee, or director of any savings and loan association who refuses to comply with the insurance commissioner's demand for possession of the property, business, and assets of such association, commits a misdemeanor.	11-44-114 Maximum \$300 fine, 90 days in jail, or both
M2	
<i>Failure of government official to deposit public moneys only in eligible public depositories.</i> Any official of a governmental unit who has custody of or control over public moneys and who deposits such moneys in any depository that has not been designated by the insurance commissioner as an eligible public depository commits a misdemeanor, unless the entire amount of the deposit is insured by the Federal Deposit Insurance Corporation or its successor.	11-47-118 (2) \$200 to \$500 fine.
unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 11 Offenses	
Financial Institutions	
<i>Violation of statutes governing life care institutions.</i> Any person acting in the capacity of a life care services provider who enters into or extends the term of a life care contract, without acting in compliance with the provisions governing life care institutions, commits a misdemeanor.	11-49-109 Maximum \$10,000 fine, 6 months in jail, or both.
M2	
<i>Criminal offenses under the Colorado Banking Code.</i> Any person responsible for an act or omission expressly declared to be a criminal offense by the Colorado Banking Code commits a misdemeanor.	11-107-108 (1)(a) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Acting as a trust company without authorization.</i> Any person who carries on or conducts a trust company business, or who advertises or holds himself or herself out as being engaged in or doing a trust company business, or who uses the word "trust" or the words "trust company" in connection with a business without authorization commits a misdemeanor.	11-109-601 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Violation of statutes governing money transmitters.</i> Any person who violates any provision of the statutes governing money transmitters commits a misdemeanor.	11-110-118 Maximum \$10,000 fine
unclassified	
<i>Violating any of the provisions or any rule or order of the Colorado Municipal Bond Supervision Act</i> is a class 3 misdemeanor.	11-59-115 (2)
petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 12 Offenses to be Reclassified

TITLE 12 Offenses	
Professions and Occupations	
<i>Toughperson fighting.</i> Violating any of the provisions regarding the prohibition against toughperson fighting in Colorado is a class 1 misdemeanor.	12-110-112
M2	
<i>Violations.</i> Violating any of the provisions of Section 12-26.1-101, C.R.S., regarding background checks at gun shows is a class 1 misdemeanor.	12-26.1-101 (4)
M2	
Providing false information affecting the records kept by a licensed gun dealer who performs background checks at a gun show is a class 1 misdemeanor.	12-26.1-102 (2)
M2	
Failure of a gun show promoter to post notice setting forth the requirement for background checks is a class 1 misdemeanor.	12-26.1-104 (2)
M2	
<i>Unauthorized practice.</i> Sexual contact by an acupuncturist with a patient during the course of patient care is a class 1 misdemeanor.	12-200-111 (2)
M1	
<i>Unlawful activities without a license.</i> A second or subsequent violation of the activities listed under Section 12-20-407 (1)(b), C.R.S., without having a license or registration is a class 1 misdemeanor.	12-20-407 (1)(b)
Delete second and subsequent	
<i>Unlawful acts by real estate appraisers.</i> Violating any of the provisions of Section 12-61-716 (1), C.R.S. regarding unlawful actions of a real estate appraiser is a class 1 misdemeanor.	12-10-616 (2)
M2	
<i>Unauthorized practice of mortgage loan originating.</i> Acting as a mortgage loan originator without a license or after a license has been revoked or suspended is a class 1 misdemeanor.	12-10-720 (1)(a)
M2	
<i>Unauthorized practice.</i> The first violation of practicing or attempting to practice any professions or occupations listed under 12-20-407 (1)(a), C.R.S., is a class 2 misdemeanor.	12-20-407 (1)(a), 12-20-407 (1)(b)
M2 – take out first	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 12 Offenses	
Professions and Occupations	
Unauthorized practice. Any person who practices or offers or attempts to practice as a naturopathic doctor without an active registration commits a class 2 misdemeanor.	12-20-407 (1)(c)
M2	
Unauthorized practice. The first violation of practicing as a nurse aide or medication administrator without proper certification is a class 2 misdemeanor.	12-260-121
M2 – delete any second and subsequent	
Unauthorized practice. Any person who, without an active certification, uses the title Physical Therapist Assistant or the letters P.T.A. or any other generally accepted terms, letters, or figures that indicate that the person is a physical therapist assistant, commits a class 2 misdemeanor.	12-20-407 (1)(d)
M2	
Violations. Knowingly and willfully violating the duties of a notary public is a class 2 misdemeanor.	12-55-116 (1)
M2	
Acting as or otherwise willfully impersonating a notary public while not lawfully appointed and commissioned to perform notarial acts is a class 2 misdemeanor.	12-55-117
M2	
Preowned housing home warranty service contract. Knowingly violating the provisions of the Preowned Housing Home Warranty Service Contracts statute is a class 2 misdemeanor.	12-10-904
M2	
Licensure. Willfully violating law relating to acting as a motor vehicle manufacturer, distributor, or manufacturer representative without proper authorization is a class 3 misdemeanor.	12-6-121 (2)(a)
M2	
Willfully violating law relating to acting as a motor vehicle dealer, wholesaler, used motor vehicle dealer, buyer agent, wholesale motor vehicle auction dealer, or motor vehicle salesperson without proper authorization is a class 3 misdemeanor.	12-6-121 (2)(b)
M2	
Powersports vehicles. Willfully violating Section 12-6-523 (2), C.R.S., by acting as a powersports vehicle manufacturer, distributor, or manufacturer representative without proper authorization is a class 3 misdemeanor.	12-6-527 (2)(a)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 12 Offenses	
Professions and Occupations	
Powersports vehicles. Willfully violating Section 12-6-523 (2), C.R.S., by acting as a powersports vehicle wholesaler, dealer, used powersports vehicle dealer, or salesperson unless duly licensed is a class 3 misdemeanor.	12-6-527 (2)(b)
M2	
Fees. Violating the provisions of Section 12-290-122, C.R.S., regarding the division of fees or compensation received by podiatrists is a class 3 misdemeanor.	12-290-122 (1)
M2	
Division of fees. Violating the provisions of Section 12-36-125, C.R.S., regarding the division of fees or compensation received by physicians is a class 3 misdemeanor.	12-240-132 (1)(a)
M2	
Receiving pay or compensation in violation of Section 12-36-125, C.R.S., regarding the division of fees is a class 3 misdemeanor.	12-240-134
M2	
Violations. Unlawfully possessing and using a notary's journal, official seal, electronic signature, or any papers, copies, or electronic records relating to notarial acts is a class 3 misdemeanor.	12-55-118
M2	
Passenger tramway safety. Operation, by an area operator, of a passenger tramway which has not been licensed or when the license has been suspended, or failure of an area operator to comply with an order, is a class 3 misdemeanor.	12-150-108 (4)
M2	
Motor vehicle dealer with drafts not honored for payment. Any motor vehicle dealer, wholesaler, or used motor vehicle dealer who issues a draft or check and fails to honor the draft or check, causing loss to a third party, commits a misdemeanor.	12-6-121.6 (2) \$2,500 fine.
Unclassified misdemeanor	
Powersports vehicle dealer with drafts not honored for payment. Any wholesaler, powersports vehicle dealer, or used powersports vehicle dealer who issues a draft or check and fails to honor the draft or check, causing loss to a third party, commits a misdemeanor.	12-6-529 (2) \$2,500 fine.
Unclassified misdemeanor	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 12 Offenses	
Professions and Occupations	
<i>Violation of statutes governing records kept by firearms dealers.</i> Any individual, firm, or corporation that fails to keep the retail records required by Section 12-26-102, C.R.S., or who refuses to exhibit such record when requested to do so by a police officer, commits a misdemeanor.	12-26-103 \$25 to \$100 fine, up to 364 days in jail, or both.
M2	
Any purchaser, lessee, or exchanger of a pistol or revolver who gives false information in connection with the making of a retail record required by Section 12-26-102, C.R.S., commits a misdemeanor.	12-26-103 \$25 to \$100 fine, up to 364 days in jail, or both.
M2	
<i>Violation of the Mortuary Science Code.</i> Any person who violates Part 1 or Part 3 of the Mortuary Science Code commits a misdemeanor.	12-135-108 Maximum \$5,000 fine, 24 months in jail, or both.
M1	
<i>Violations concerning non-transplant tissue banks.</i> Any person who violates Article 140 of Title 12 concerning non-transplant tissue banks commits a misdemeanor.	12-140-108 Maximum \$5,000 fine, 18 months in jail, or both.
M1	
<i>Violation of qualifications for guides employed by outfitters.</i> An individual who works as a guide while under the age of 18, or without possessing a valid first aid or first aid instructor's card issued by the American Red Cross, or other equivalent training, commits a misdemeanor.	12-145-106 (1) \$100 fine.
civil	
<i>Failure by an outfitter to maintain or permit inspection of required documents.</i> Any person who engages in activities as an outfitter shall maintain all applicable documents, records, and other required items, for the current and the preceding four years, at the address listed on his or her registration. A person who refuses to permit the inspection of such documents, records, or items commits a misdemeanor.	12-145-110 (2) \$100 fine.
civil	
<i>Unlawfully practicing as a real estate broker.</i> Any natural person, firm, partnership, limited liability company, association, or corporation that acts as a real estate broker without a license to do so or after the license has been revoked or suspended commits a misdemeanor.	12-10-223 Penalty for a natural person for a first offense: maximum \$500 fine, 6 months in jail, or both; for a second offense: maximum \$1,000 fine, 6 months in jail, or both; penalty for an entity: maximum \$5,000 fine.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 12 Offenses	
Professions and Occupations	
<i>Failure to obey a subpoena in a real estate matter.</i> Any person who willfully fails or neglects to appear and testify or to produce books, papers, or records required by a subpoena served in connection to any matter conducted under the statutes regulating real estate brokers and salespersons, the real estate recovery fund, or real estate subdivisions commits a misdemeanor.	12-10-225 Up to \$25 fine, 30 days in jail, or both; each day constitutes a separate offense.
petty	
<i>Unlawfully practicing as an appraisal management company.</i> Any person, partnership, limited liability company, or corporation that acts as an appraisal management company without a license to do so or after the license has been revoked or suspended commits a misdemeanor.	12-10-617 (3) Penalty for a natural person for a first offense: maximum \$500 fine, 6 months in jail, or both; for a second offense: maximum \$1,000 fine, 6 months in jail, or both; penalty for an entity: maximum \$5,000 fine.
M2	
<i>Failure to obey a subpoena in a mortgage loan originator matter.</i> Any person who willfully fails or neglects to appear and testify or to produce books, papers, or records required by a subpoena served in connection to any matter conducted under the statutes regulating mortgage loan originators commits a misdemeanor.	12-10-715 (2) Maximum \$100 fine, 30 days in jail, or both; each day constitutes a separate offense.
petty	
<i>Veterinarian reporting requirements.</i> A licensed veterinarian who, during the course of attending or treating an animal, has reasonable cause to know or suspect that the animal has been subjected to unlawful cruelty or animal fighting commits a class 1 petty offense if he or she fails to report this fact or belief to a local law enforcement agency or to the Bureau of Animal Protection.	12-64-121 (3)
petty	
A licensed veterinarian who knowingly makes a false report of animal cruelty or animal fighting commits a class 1 petty offense.	12-64-121 (3)
petty	
<i>Injuries to be reported.</i> A medical practice licensee who fails to report to the police or sheriff upon attending a wound inflicted by a firearm, knife, or sharp instrument that the licensee believes to have been intentionally inflicted, or upon treating injuries that a licensee believes have been inflicted by a dangerous dog, or upon treating any other injury that the licensee believes involves a criminal act, except domestic violence unless specifically required by law, commits a class 2 petty offense.	12-36-135 (1) Maximum \$300 fine, 90 days in jail, or both.
petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 12 Offenses	
Professions and Occupations	
Violations. Violating any of the provisions of Section 12-26.1-101, C.R.S., regarding background checks at gun shows is a class 1 misdemeanor.	12-26.4-101 (4)
M2	
Providing false information affecting the records kept by a licensed gun dealer who performs background checks at a gun show is a class 1 misdemeanor.	12-26.1-102 (2)
M2	
Failure of a gun show promoter to post notice setting forth the requirement for background checks is a class 1 misdemeanor.	12-26.1-104 (2)
M2	

Title 13 Offenses to be Reclassified

TITLE 13 Offenses	
Courts and Court Procedure	
Genetic tests to determine parentage. Intentionally releasing an identifiable specimen of another individual for any purpose not relevant to a proceeding to determine parentage without a court order or the written permission of the individual who furnished the specimen is a class 1 misdemeanor.	13-25-126 (1)(e)
M2	
Documents arising from environmental self-evaluation. A public entity, employee, or official who divulges or disseminates any information contained in an environmental audit report commits a class 1 misdemeanor. In addition, the entity, employee, or official may be found in contempt of court and be assessed a penalty of up to \$10,000.	13-25-126.5 (5)(b)(II)
M2	
Possessing, purchasing, or receiving a firearm while an individual is prohibited from doing so because of an extreme risk protection order or temporary extreme risk protection order is a class 2 misdemeanor.	13-14.5-111
M2	
Harassment of a juror by an employer. Willful harassment of a juror by an employer is a class 2 misdemeanor.	13-71-134 (2)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 13 Offenses	
Courts and Court Procedure	
<i>Violations of provisions governing civil actions abolished under martial law.</i> Any person who causes, induces, or procures any person to execute a contract or instrument related to a civil cause of action that has been abolished or barred by Part 2 of Article 20 of Title 13, or who commences such a cause, or who is involved in the transfer or receipt of money concerning such a cause, commits a misdemeanor.	13-20-208 Maximum \$1,000 fine, 90 days in jail, or both
petty	
Any person, either as a litigant or attorney, who files, causes to be filed, threatens to file, or threatens to cause to be filed any pleading or paper setting forth or seeking to recover upon any cause of action abolished or barred by Part 2 of Article 20 of Title 13 commits a misdemeanor.	
Petty	
Any person, either as a litigant or attorney, who files, causes to be filed, threatens to file, or threatens to cause to be filed any pleading or paper naming or describing in such a manner as to identify any person as correspondent or participant in misconduct of the adverse party in any action for dissolution of marriage, legal separation, declaration of invalidity of marriage, or the allocation of parental responsibilities or support of children, or in any citation or proceeding ancillary or subsequent to such action, commits a misdemeanor.	
Petty	
<i>Failure of a judge to bind any witness or prisoner by recognizance.</i> Any judge who neglects or refuses to bind any witness or prisoner by recognizance when required to do so by law commits a misdemeanor.	13-45-106 (2) Maximum \$1,000 fine, 364 days in jail, or both.
<i>This relates to habeas actions. It is a weird crime that it is very old. Delete</i>	

Title 14 Offenses to be Reclassified

TITLE 14 Offenses	
Domestic Matters	
<i>Violation of the Uniform Marriage Act.</i> Any person who knowingly violates any provision of the Uniform Marriage Act commits a misdemeanor, except for violations of Section 14-2-109 (1), C.R.S., concerning the requirement to forward a marriage certificate to the county clerk and recorder.	14-2-113 Maximum \$500 fine.
Unclassified	
<i>Income assignments for child support or maintenance.</i> Any person who submits a fraudulent notice to withhold income for child support is punishable by a fine of at least \$1,000 and court costs and attorney fees.	14-14-111.5 (19)
Civil Infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 15 Offenses to be Reclassified

TITLE 15 Offenses	
Probate, Trusts, and Fiduciaries	
<i>Falsifying or forging a declaration.</i> Willfully concealing, defacing, damaging, or destroying a declaration regarding medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act is a class 1 misdemeanor.	15-18-113 (1)
M2	
Willfully withholding information concerning the revocation of the declaration regarding medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act is a class 1 misdemeanor.	15-18-113 (4)
M2	
<i>Prohibited acts.</i> Intentionally falsifying, forging, concealing, defacing, or obliterating a document of an anatomical gift, an amendment or revocation of such a document, or a refusal of an anatomical gift, in order to obtain financial gain, is a class 1 misdemeanor.	15-19-217
M2	
<i>Dead human bodies.</i> Offenses concerning improper performance of duties related to unclaimed human bodies are punishable by a fine of at least \$50, but no more than \$500.	15-19-309 With a fine of 250 dollars – different from regular civil infraction fine
Civil infraction	

Title 16 Offenses to be Reclassified

TITLE 16 Offenses	
Criminal Proceedings	
<i>Confidentiality of records.</i> Knowingly or intentionally disclosing confidential records or information in violation of the provisions regarding a Crime Stopper Organization is a class 1 misdemeanor.	16-15.7-104 (2)(b)
M1	
<i>Violation of statutes governing the transportation of prisoners.</i> Any individual or entity who violates any provision of subsections (2) through (5) of Section 16-3-107.5, C.R.S., concerning the legal requirements for the transportation of prisoners, commits a misdemeanor.	16-3-107.5 (8) Maximum \$5,000 fine.
unclassified	
<i>Violation of the rights of the accused in matters involving fugitives and extradition.</i> Any person who delivers another person for extradition in willful disobedience of the provisions of Section 16-19-111, C.R.S., concerning the rights of the accused and habeas corpus, commits a misdemeanor.	16-19-112 Maximum \$1,000 fine, 6 months in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 17 Offenses to be Reclassified

TITLE 17 Offenses	
Corrections	
<i>Violation of statutes governing nongovernmental facilities for offenders.</i> Any private treatment program or supervising person that violates the provisions of Section 17-27.1-101, C.R.S., concerning the registration of offenders and required notifications, commits a misdemeanor.	17-27.1-101 (9)(a) First conviction: \$500 fine; second conviction: \$1,000 fine; third or subsequent conviction: \$5,000 fine.
Unclassified misd.	

Title 19 Offenses to be Reclassified

TITLE 19 Offenses	
Children's Code	
<i>Records.</i> An operator of a facility or agency licensed to provide child care who requests information from records or reports of child abuse or neglect concerning a person who is neither an employee nor an applicant for employment is a class 1 misdemeanor.	19-1-307 (2)(k)
M2	
Improperly releasing or willfully permitting or encouraging the release of information contained in records or reports of child abuse or neglect to persons not permitted access to such information is a class 1 misdemeanor.	19-1-307 (4)
M2	
<i>Child abuse or neglect.</i> Willful violation of the provisions of Section 19-3-304, C.R.S., regarding required reporting of child abuse or neglect is a class 3 misdemeanor.	19-3-304 (4)(a)
M2	
Willful violation of the provisions of Section 19-3-304 (3.5), C.R.S., regarding knowingly making a false report of child abuse or neglect, is a class 3 misdemeanor.	19-3-304 (4)(a)
M2	
<i>Adoption.</i> Failure of a licensed child placement agency to provide notice to the court of any suspension, revocation, or other disciplinary action taken by the state against the agency is a class 3 misdemeanor.	19-5-207 (9)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 19 Offenses Children's Code	
<i>Compensation for placing a child prohibited.</i> Any person who offers, gives, charges, or receives any money or other consideration or thing of value in connection with the relinquishment and adoption of a child, except attorney fees and other approved charges, commits a misdemeanor.	19-5-213 (2) \$100 to \$500 fine, 90 days in jail, or both.
M2	
Any person, other than an adoption exchange that meets requirements specified in law, that offers, gives, charges, or receives any money or other consideration or thing of value, except attorney fees and other approved charges, in connection with locating or identifying for purposes of adoption any child, natural parent, expectant natural parent, or prospective adoptive parent, commits a misdemeanor.	
M2	
<i>Dependency and neglect records and information.</i> Any person who fails to maintain the confidentiality of reports of child abuse or neglect without good cause as authorized by a court commits a class 2 petty offense	19-1-307 (1)(c) Maximum \$300 fine.
Civil.	
<i>Relinquishment and adoption – confidential intermediary.</i> A confidential intermediary who knowingly fails to follow confidentiality guidelines concerning adoption information or who fails to properly follow guidelines concerning consent for personal communication between adoption parties commits a class 2 petty offense.	19-5-304 (6) \$500 fine.
civil	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 22 Offenses to be Reclassified

TITLE 22 Offenses	
Education	
<i>False reports under the Teacher and School Administrator Protection Act.</i> Any person who is at least 18 years old who intentionally makes a false accusation of criminal activity against an employee of an educational entity to law enforcement authorities or school district officials or personnel, commits a misdemeanor.	22-12-105 (1) Maximum \$2,000 fine.
unclassified	
<i>Failure to perform duties upon the request of the Board of Education.</i> Any officer or employee who refuses to perform a duty required by law, when specifically directed to perform the duty by the Board of Education, commits a misdemeanor.	22-32-123 Maximum \$100 fine, 90 days in jail, or both.
Petty	
<i>Discrimination in teacher employment prohibited.</i> Any manager, owner, or officer of an agency, bureau, corporation, or association employed in obtaining teaching positions or teachers that asks, indicates, or transmits, orally or in writing, the religion or religious affiliation of any person seeking employment in the state public schools, commits a misdemeanor.	22-61-101 (2) Maximum \$50 fine, 90 days in jail, or both
Petty	
<i>Allowing a teacher to instruct without taking oath or affirmation.</i> Any person in charge of any public school, state university, college, junior college, community college, or technical college who allows or permits any teacher to enter upon the discharge of his or her duties or to give instruction without first ensuring that the teacher takes the oath of affirmation or signs the pledge provided for in Sections 22-61-103 and 22-61-104, C.R.S., commits a misdemeanor.	22-61-105 Maximum \$100 fine, 6 months in jail, or both.
Petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 23 Offenses to be Reclassified

TITLE 23 Offenses	
Postsecondary Education	
Student information. An employee of the Colorado Commission on Higher Education who divulges data on individual students or individual personnel of any state-supported higher education institution, except as provided by law, commits a class 1 misdemeanor.	23-1-108 (9)
M2	
The director of the Colorado Commission on Higher Education or an employee of the Department of Higher Education who divulges data on individual students or personnel of any private colleges, universities, seminaries, or religious training institutions, except as provided by law, commits a class 1 misdemeanor.	23-2-103.1 (1)(d)
M2	
Duties of private occupational schools. Divulging, except by court order, data pertaining to individual students or personnel at private occupational schools is a class 1 misdemeanor.	23-64-109
M2	
Athlete agents. An athlete agent who engages in prohibited conduct pursuant to Section 23-16-213, C.R.S., with the intent to induce a student athlete to enter into an agency contract commits a class 2 misdemeanor for a first offense.	23-16-214
M2	
Degrees. Violating the provisions of Section 23-2-103, C.R.S., regarding the conferring of an honorary or academic degree is a class 3 misdemeanor.	23-2-105
Delete this crime	
Violation of the forest products statute. Any person who violates any provision of Part 4 of Article 31 of Title 23, concerning forest products, commits a misdemeanor.	23-31-404 (1) Fine equal to twice the retail value of the forest products involved.
unclassified	
Violation of statutes governing private occupational schools. Any person, group, or entity of whatever kind, or any owner, officer, agent, or employee thereof, commits a misdemeanor if the entity, alone or in concert with others, willfully:	23-64-128 Maximum \$1,000 fine, 6 months in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 23 Offenses Postsecondary Education	
Operates a school in this state that is not exempt from regulation and does not hold a legally issued and valid certificate of approval; · offers educational services in or grants educational credentials from a school without holding a legally issued valid agent's permit; · accepts contracts or enrollment agreements from an agent who does not hold a legally issued valid agent's permit; or awards educational credentials without requiring the completion of any education	23-64-128 Maximum \$1,000 fine, 6 months in jail, or both
M2	
Any person, group, or entity, or any owner, officer, agent, or employee thereof, who willfully fails or refuses to deposit with the Private Occupational School Division the records required by Section 23-64-125, C.R.S., commits a misdemeanor.	23-64-125
Unclassified	

Title 24 Offenses to be Reclassified

TITLE 24 Offenses Government - State	
<i>Proscribed acts related to contracts and claims.</i> Knowing violation by a public official of the prohibition against having a financial interest in contracts made by that official in his or her official capacity is a class 1 misdemeanor.	24-18-206
M2	
Knowing violation by a public official, within six months of leaving office, of the prohibition of entering into contracts or being employed by someone with government contracts that are related to that official's former capacity is a class 1 misdemeanor.	24-18-206
M2	
<i>State agency contracts – criminal liability.</i> A professional services provider who offers to pay or pays any fee, gift, or consideration that is contingent upon making a contract for professional services with a state agency or state institution of higher education commits a class 1 misdemeanor.	24-30-1406 (2)
M2	
A state agency or state institution of higher education official or employee who solicits or secures a contract for professional services with a state agency or state institution of higher education and receives any fee, gift, or other consideration that is contingent upon making that contract commits a class 1 misdemeanor.	24-30-1406 (3)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 24 Offenses	
Government - State	
<i>Disclosure of actual address prohibited.</i> Any person who knowingly and intentionally obtains or discloses any address or telephone number, other than the designated substitute address, of a participant in the Address Confidentiality Program, except as required by law, commits a class 1 misdemeanor.	24-30-2109 (6)
M1	
<i>Disclosure of confidential Safe2Tell materials.</i> A person who knowingly discloses materials created or obtained through the implementation or operation of the Safe2Tell program, except for those materials ordered to be provided to a court for review, commits a class 1 misdemeanor.	24-31-607 (2)
M1	
<i>Medicaid – unlawful remuneration.</i> It is unlawful for any person to knowingly offer, pay, solicit, or receive any remuneration including, but not limited to, any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind: in return for the referral of an individual to a person for the furnishing or arranging of any good or service for which payment may be made in whole or in part pursuant to the Colorado Medical Assistance Act; or in return for purchasing, leasing, ordering, or arranging for or recommending the purchase, lease, or ordering of any good, facility, service, or item for which payment may be made in whole or in part pursuant to the act.	24-31-809 (1)(a) and (b)
A person who violates this section commits a class 1 misdemeanor.	24-31-809 (3)
M2	
<i>Medicaid fraud and waste.</i> A person who makes a claim knowing the claim contains false information, makes a statement for use by another and knows the information is false, or charges any beneficiary money in addition to or in excess of rates established under the Medicaid program without consent of the beneficiary where the aggregate amount of payments illegally claimed is between \$750 and \$2,000 commits a class 1 misdemeanor.	24-31-808 (3)(d)
Theft cut points	
<i>Confidentiality of materials.</i> Knowingly or intentionally disclosing confidential materials related to a witness protection order is a class 1 misdemeanor.	
M1	
<i>Unauthorized use of badges or uniforms.</i> Wearing or attempting to duplicate the badge, uniform, or equipment of a member of the Colorado State Patrol without authority and with the intent of representing oneself as a member of the Colorado State Patrol is a class 1 misdemeanor.	24-33.5-219 (2)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 24 Offenses	
Government - State	
<i>Permits for athletic or special events.</i> Conducting an athletic or special event on a state highway without a permit for the event, or in violation of the terms of the permit issued for said event, is a class 1 misdemeanor.	24-33.5-226 (2.5)(b)
M2	
<i>National Instant Criminal Background System.</i> Willfully making any false or fictitious statement or willfully furnishing any false, fictitious, or misrepresented identification that is intended to or is likely to deceive the transferor of a firearm regarding facts material to the lawfulness of a firearm transfer is a class 1 misdemeanor.	24-33.5-424 (10)(b)
M2	
A firearm transferor who knowingly requests criminal history record information or a background check under false pretenses or who knowingly disseminates criminal history record information to any person other than the subject of such information commits a class 1 misdemeanor	24-33.5-424 (10)(b)
M2	
Any current or former agent or employee of the Colorado Bureau of Investigation who willfully violates any of the provisions of Section 24-33.5-424, C.R.S., commits a class 1 misdemeanor.	24-33.5-424 (10)(b)
M2	
<i>Fire suppression.</i> Knowingly or willfully making any false statement, or concealing material facts, with the intent to influence negotiations regarding the installation, alteration, or repair of any fire suppression system is a class 1 misdemeanor.	24-33.5-1206.5 (2)
M2	
<i>Penalty for breach of confidentiality.</i> An employee of the Office of Information Technology who divulges information disclosed in any restricted or protected document, program, or dataset located at or in the custody of the Office of Information Technology commits a class 1 misdemeanor.	24-37.5-603 (2)(b)
M2	
<i>Unmarked human graves.</i> Knowingly disturbing an unmarked human burial is a class 1 misdemeanor.	24-80-1305 (1)
M1	
<i>Official misconduct by a notary public.</i> A notary public who knowingly and willfully violates the duties imposed by the Revised Uniform Law on Notarial Acts commits official misconduct commits a class 2 misdemeanor.	24-21-531 (1)(a)
Petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 24 Offenses	
Government - State	
<i>Willful impersonation of a notary public.</i> A person who acts as, or otherwise willfully impersonates, a notary public while not lawfully appointed and commissioned to perform notarial acts commits a class 2	24-21-532
Petty	
<i>Violations.</i> Willfully violating or procuring, aiding, or abetting in the violation of the Bingo and Raffles Law is a class 2 misdemeanor.	24-21-629
Petty	
<i>Medicaid fraud and waste.</i> A person who makes a claim knowing the claim contains false information, makes a statement for use by another and knows the information is false, or charges any beneficiary money in addition to or in excess of rates established under the Medicaid program without consent of the beneficiary where the aggregate amount of payments illegally claimed is between \$300 and \$750 commits a class 2 misdemeanor.	24-31-808 (3)(c)
Petty	
<i>Fire suppression.</i> Subsequent failure to register as a fire suppression contractor or of acting or advertising as a fire suppression contractor while unregistered, after previous convictions of the same crime, is a class 2 misdemeanor.	24-33.5-1206.5 (1)
Petty	
<i>State lottery.</i> Any person who violates the provisions of Section 24-35-214, C.R.S., regarding the sale of lottery tickets commits a class 2 misdemeanor.	24-35-215 (1)
Petty	
<i>Unmarked human graves.</i> A person who knows that an unmarked human burial is being unlawfully disturbed and who fails to notify the local law enforcement agency commits a class 2 misdemeanor.	24-80-1305 (2)
Petty	
<i>Wrongful possession of journal or seal.</i> 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 commits a class 3 misdemeanor.	24-21-533
Petty	
<i>Private use of state postage meters.</i> Using a state-installed postage meter for private purposes is a class 3 misdemeanor.	24-30-1111 (2)
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 24 Offenses	
Government - State	
Colorado Domestic Violence Fatality Review Board – confidentiality. Knowingly violating confidentiality requirements associated with Colorado Domestic Violence Fatality Review Board and review team meetings and activities is a class 3 misdemeanor.	24-31-704 (2)(b)
Petty	
Medicaid fraud and waste. A person who makes a claim knowing the claim contains false information, makes a statement for use by another and knows the information is false, or charges any beneficiary money in addition to or in excess of rates established under the Medicaid program without consent of the beneficiary where the aggregate amount of payments illegally claimed is between \$50 and \$300 commits a class 3 misdemeanor.	24-31-808 (3)(b)
Theft cut points	
Fire suppression. The first violation of failing to register as a fire suppression contractor or of acting or advertising as a fire suppression contractor when not registered as such is class 3 misdemeanor.	24-33.5-1206.5 (1)
Petty	
Violations. Violating any of the provisions of Part 20 of Article 33.5 of Title 24 regarding fireworks is a class 3 misdemeanor.	24-33.5-2010
Petty	
Persons with disabilities. Violating the rights of persons with assistance dogs is a class 3 misdemeanor.	24-34-804 (2)
Petty	
Small Business Assistance Center. Charging a fee for information developed by the Small Business Assistance Center and knowingly failing to disclose that the information is available at no cost from the center is a class 3 misdemeanor.	24-48.5-102 (4)
Civil infraction	
Library property. Theft or mutilation of library property is a class 3 misdemeanor.	24-90-117
Delete is criminal mischief	
False or incomplete filings under the public official disclosure law. Any person who willfully files a false or incomplete disclosure statement, amendment, or notice that no amendment is required, or who willfully files a false or incomplete copy of any federal income tax return or a false or incomplete certified statement of investments, or who willfully fails to make any filing required by the Public Official Disclosure Law, commits a misdemeanor.	24-6-202 (7) \$1,000 to \$5,000 fine.
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 24 Offenses	
Government - State	
<i>Prohibition on monetary gifts under the public official disclosure law.</i> Any person who willfully files a false or incomplete report pursuant to the Section 24-6-203, C.R.S., of the Colorado Sunshine Law, or who willfully fails to file a report pursuant to the same section, or who willfully fails to provide the statement of value of any item provided to an incumbent or elected official, or who, as an incumbent or candidate, knowingly accepts prohibited items, commits a misdemeanor.	24-6-203 (7) \$50 to \$1,000 fine.
unclassified	
<i>Violation of the Colorado sunshine law's provisions regulating lobbyists.</i> Any person who violates any of the provisions of Part 3 of Article 6 of Title 24, concerning the provisions of the Colorado Sunshine Law regulating lobbyists, who willfully files any document provided for in those statutes that contains a material false statement or material omission, or who willfully fails to comply with any material requirement of those statutes, commits a misdemeanor.	24-6-309 (1) Maximum \$5,000 fine, 364 days in jail, or both.
Petty	
<i>Failure to perform duties concerning official bonds.</i> Any officer who fails to deliver any money, property, or effects to his or her sureties or who acts or attempts to act in performance of official duties after failing to give a new bond, commits a misdemeanor.	24-13-114
unclassified	\$500 to \$5,000 fine.
<i>Neglect of duty by the state treasurer.</i> The state treasurer commits a misdemeanor if he or she: · willfully neglects or refuses to perform any duty imposed by law; · is guilty of bribery, compensation for past official behavior, soliciting unlawful compensation, or trading in public office; · accepts or receives any fee or reward not allowed by law for the performance of any legal duty; or · knowingly does any act not authorized by law or in any manner other than as required by law.	24-22-108 \$100 to \$1,000 fine and removal from office at the court's discretion.
unclassified	
<i>Refusal of state treasurer to pay a warrant.</i> If the State Treasurer willfully refuses to pay any warrant or check lawfully drawn upon him or her, and then fails to forfeit and pay to the holder thereof four times the amount of the warrant, he or she commits a misdemeanor.	24-22-109 Up to 364 days in jail.
M2	
<i>Drawing or issuing an unauthorized warrant.</i> If the controller or any other state employee knowingly draws or issues any warrant or check upon the State Treasurer that is not authorized by law, that person commits a misdemeanor.	24-30-202 (14) Fine of four-fold the amount of the warrant, maximum of 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 24 Offenses	
Government - State	
<i>Violation of procedures for vouchers and warrants.</i> Any state officer or employee who willfully neglects or refuses to perform his or her duty pursuant to Section 24-30-202, C.R.S., concerning the procedures for vouchers and warrants, or pursuant to the fiscal rules promulgated thereby, commits a misdemeanor.	24-30-202 (17) \$100 to \$1,000 fine.
Civil infraction	
<i>Violating the confidentiality of documents kept by the Division of Central Services.</i> Any state official or employee who divulges or makes known any information disclosed in any confidential document kept by the Division of Central Services commits a misdemeanor.	24-30-1105 (2)(b) \$500 to \$5,000 fine, 6 months to 2 years in jail, or both; an offender may also be removed or dismissed from public service
M2	
<i>Violation of standards for camper trailers and camper coaches.</i> Any person who violates the provisions of Part 9 of Article 32 of Title 24, concerning the standards for camper trailers and camper coaches, commits a misdemeanor.	24-32-909 \$50 to \$100 fine.
Civil infraction	
<i>Discrimination in places of public accommodation.</i> Any person who commits a discriminatory practice in a place of public accommodation, as described in Section 24-34-601, C.R.S., commits a misdemeanor.	24-34-602 (1) \$50 to \$500 fine for each violation.
unclassified	
<i>Discriminatory advertising.</i> Any person who violates any of the provisions of Part 7 of Article 34 of Title 24, concerning discriminatory advertising, or who aids in, incites, causes, or brings about in whole or in part the violation of any such provisions, commits a misdemeanor for each violation.	24-34-705 \$100 to \$500 fine, 30 days to 90 days in jail, or both.
M2	
<i>Denying civil rights to persons with disabilities.</i> Any person, firm, or corporation, or the agent of such that denies or interferes with the rights and the admittance to or enjoyment of public facilities by persons with disabilities commits a misdemeanor.	24-34-802 Maximum \$100 fine, 60 days in jail, or both.
M2	
<i>Contracts for public printing with prohibited persons.</i> A contract for public printing may not be held by any person holding state office, a member of the General Assembly, or by any person employed in the executive offices. In addition, none of the aforementioned individuals may become involved in any way with a public printing contract. Any person who violates these provisions commits a misdemeanor.	24-70-217 Maximum \$1,000 fine.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 24 Offenses	
Government - State	
<i>Violation of statutes governing public printing.</i> Any person who violates the provisions of Part 2 of Article 70 of Title 24, concerning public printing, commits a misdemeanor. Any person consenting to such a violation also commits a misdemeanor.	24-70-228 Maximum \$1,000 fine.
Civil infraction	
<i>Failure to furnish abstracts or copies pursuant to the public records statute.</i> Any person who refuses to furnish abstracts or copies of public records in the order of application and without unnecessary delay, or who demands unreasonable compensation for so doing, commits a misdemeanor.	24-72-110 (2) \$100 to \$1,000 fine.
Civil infraction	
<i>Access to criminal justice records.</i> A person who obtains a copy of a booking photograph in any format knowing that the booking photograph will be placed in a publication or posted to a website and that the removal of the booking photograph from the publication or website requires the payment of a fee or other exchange for pecuniary gain commits a misdemeanor.	24-72-305.5 (2)(c) Maximum \$1,000 fine.
Unclassified	
A person who makes a false statement concerning an affirmation that any booking photograph will not be placed in a publication or posted to a website that requires the payment of a fee or other exchange for pecuniary gain in order to remove or delete the booking photograph commits a misdemeanor.	
Unclassified	
<i>Violation of statutes governing criminal justice records.</i> Any person who willfully and knowingly violates the provisions of Part 3 of Article 72 of Title 24, concerning criminal justice records, commits a misdemeanor.	24-72-309 Maximum \$100 fine, 90 days in jail, or both.
Petty	
<i>Violating the confidentiality of the Commission on Judicial Discipline.</i> Any member of the Commission on Judicial Discipline, a master of the Supreme Court, or anyone else who willfully and knowingly discloses the contents of any paper filed with the commission or proceeding before it, or who discloses the contents of any recommendation made by the commission before such recommendation is filed with the Supreme Court, commits a misdemeanor.	24-72-402 Maximum \$500 fine
Unclassified	
<i>Unlawful conduct regarding historical, prehistorical, or archaeological resources.</i> Any person who, without a valid permit, knowingly appropriates, excavates, injures, or destroys any historical, prehistorical, or archaeological resource on public land, commits a misdemeanor.	24-80-409 (1) Maximum \$500 fine, 30 days in jail, or both
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 24 Offenses	
Government - State	
<i>Destruction of Santa Fe Trail monuments.</i> Any person who destroys, defaces, removes, or injures the monuments or marks erected to mark the Santa Fe Trail commits a misdemeanor.	24-80-801 \$100 fine, 30 to 90 days in jail, or both.
Petty	
<i>Limitation on picking the state flower.</i> Any person who tears the state flower up by the roots when grown or growing in any public place or who, in one day, picks or gathers more than 25 stems, buds, or blossoms from a state flower growing in any public place, commits a misdemeanor. Any person who picks or gathers the state flower upon private lands without the consent of the owner also commits a misdemeanor.	24-80-908 \$5 to \$50 fine.
Civil infraction	
<i>Destruction of a ghost town.</i> Any person, except the owner or designated agent, who destroys, damages, defaces, or takes anything from an area designated and marked as a ghost town by the State Historical Society, commits a misdemeanor.	24-80-1202 Maximum \$2,000 fine, 6 months in jail, or both.
M2	
<i>Medicaid fraud and waste.</i> A person committing Medicaid fraud and waste is subject to a class 1 petty offense where the aggregate amount of payments illegally claimed or received is less than \$50.	24-31-808 (3)(a)
Value based – cut points	
<i>Privacy of library user records.</i> Any library official, employee, or volunteer who discloses information in violation of Section 24-90-119, C.R.S., concerning the privacy of user records at a publicly supported library commits a class 2 petty offense.	24-90-119 (3) Maximum \$300 fine.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 25 Offenses to be Reclassified

TITLE 25 Offenses	
Public Health and Environment	
<i>Confidentiality of reports and records.</i> Any officer, employee, or agent of the state or local department of health who violates the provisions of Section 25-1-122 (4) and (5), C.R.S., regarding confidential public health reports or records commits a class 1 misdemeanor.	25-1-122 (6)
M2 - keep these all as M2 because of the trust violation issue	
<i>Unlawful acts.</i> Willfully violating, disobeying, or disregarding the provisions of the public health laws or the terms of any lawful notice, order, standard, or rule is a class 1 misdemeanor.	25-1-516 (3)
M2	
Failing to make or file a report required by law or rule relating to the existence of disease or other facts and statistics relating to the public health is a class 1 misdemeanor.	25-1-516 (3)
M2	
Willfully and falsely making or altering a certificate or certified copy of any certificate issued pursuant to the public health laws is a class 1 misdemeanor.	25-1-516 (3)
M2	
Willfully failing to remove any nuisance, source of filth, or cause of sickness from private property within 48 hours of being ordered to do so by the county or district public health agency is a class 1 misdemeanor	25-1-516 (3)
M2	
Paying, giving, or otherwise conveying to any officer or employee of a public health agency any gift, remuneration, or other consideration that the officer or employee is forbidden to receive by Part 5 of Article 1 of Title 25 is a class 1 misdemeanor.	25-1-516 (3)
M2	
An officer or employee of any public health agency or a member of any county or district board of health who accepts any gift, remuneration, or other consideration for the incorrect or improper performance of his or her duties commits a class 1 misdemeanor.	25-1-516 (3)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
Immunization Registry Act. Releasing or making public confidential immunization records or epidemiological information in the immunization tracking system without authorization or otherwise breaching the confidentiality requirements of the Immunization Registry Act, is a class 1 misdemeanor.	25-4-2403 (5)(a)
M2	
Wrongfully releasing or making public confidential immunization records or epidemiological information in the immunization tracking system or otherwise breaching the confidentiality requirements of the Immunization Registry Act in exchange for money or any other thing of value is a class 1 misdemeanor.	25-4-2403 (5)(b)
M2	
Patient personal needs trust fund. A person who unlawfully retains patient personal needs funds twice or more within a period of six months, without having been placed in jeopardy for prior offenses, commits a class 1 misdemeanor.	25.5-6-206 (8)(c)
value based	
A person who knowingly fails to deposit personal needs funds received from a patient or from the state for a patient's personal needs into the patient's personal needs trust fund within 60 days of the receipt of such moneys or who improperly uses such moneys commits a class 1 misdemeanor if the amount involved is at least \$500, but less than \$1,000.	25.5-6-206 (8)(d)(II)
Theft – value based	
Should be able to aggregate	
Pet animal and psittacine bird dealerships. Violating any of the provisions of the Pet Animal and Psittacine Bird statute is a class 2 misdemeanor.	25-4-713 (1)
Petty	
Misrepresentation. Representing that any medical service is reimbursable or subject to payment under the Colorado Indigent Care Program with the knowledge that such representation is false is a class 2 misdemeanor.	25.5-3-111
Petty	
Representing oneself as eligible for assistance under the Colorado Indigent Care Program with the knowledge that such representation is false is a class 2 misdemeanor.	25.5-3-111
M2	
Emergency medical and trauma services. Violating any of the transportation subsystem requirements of the Colorado Emergency Medical and Trauma Services Act is a class 3 misdemeanor.	25-3.5-306
Petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
<i>Disease control.</i> Violating any of the provisions of Section 25-4-1808, C.R.S., relating to the sale of shellfish and shellfish dealer certification is a class 3 misdemeanor.	25-4-1813
Petty	
<i>Hazardous waste disposal sites.</i> Violating any of the provisions of the State Hazardous Waste Siting Act is a class 3 misdemeanor.	25-15-211
Petty	
Violating any of the provisions of the State Hazardous Waste Incinerator or Processor Siting Act is a class 3 misdemeanor.	25-15-513
Petty	
<i>Child Fatality Prevention Act.</i> Knowingly violating the confidentiality requirements of the Child Fatality Prevention Act is a class 3 misdemeanor.	25-20.5-408 (2)(b)
Petty	
<i>Violations of public health laws.</i> Any person, association, corporation, or officer of such that willfully violates, disobeys, or disregards the provisions of the public health laws or the terms of any lawful notice, order, standard, rule, or regulation issued pursuant to such laws commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any person, association, corporation, or officer thereof that fails to make or file reports required by law or by rule of the State Board of Health relating to the existence of disease or other facts and statistics relating to the public health commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any person, association, corporation, or officer thereof that conducts any business or activity over which the Department of Public Health and Environment possesses the power to license and regulate, without possessing the appropriate license or permit, commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any person, association, corporation, or officer thereof that willfully and falsely makes or alters any certificate or license or certified copy of such issued pursuant to the public health laws commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any person, association, corporation, or officer thereof that knowingly transports or accepts for transportation, interment, or other disposition a dead body, without an accompanying legally issued permit, commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
Any person, association, corporation, or officer thereof that controls public property and willfully fails to remove any nuisance, source of filth, or cause of sickness from the property commits a misdemeanor. The item must be removed at the owner's expense unless the condition is due to an act of God.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any person, association, corporation, or officer thereof that pays, gives, presents, or otherwise conveys to any officer or employee of the Department of Public Health and Environment any gift, remuneration, or other consideration that such officer or employee is legally forbidden to receive, commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any person, association, corporation, or officer thereof that makes, installs, maintains, or permits any cross-connection between any water system supplying drinking water to the public and any pipe, plumbing fixture, or water system which contains water of a quality below the minimum general sanitary standards as to the quality of drinking water supplied to the public, commits a misdemeanor. Failure to remove such connection within ten days of being ordered to do so is also a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any person, association, corporation, or officer thereof that sells or offers for sale any raw milk, milk product, or unsanitary dairy product, for other than human consumption, commits a misdemeanor, unless such product has first been treated with a dye approved by the department.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any officer or employee of the Department of Public Health and Environment or a member of the State Board of Health who accepts any gift, remuneration, or other consideration, for an incorrect or improper performance of his or her duties, commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any officer or employee of the Department of Public Health and Environment who performs any work, labor, or services other than his or her duties during the hours such officer or employee is regularly employed by the department, or who performs his or her duties under any condition or arrangement that involves a violation of state law, commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any officer or employee of the Department of Public Health and Environment, other than members of the State Board of Health, who performs any work, labor, or services which consist of the private practice of medicine, veterinary surgery, sanitary engineering, nursing, or any other profession which is or may be of special benefit to any private person, association, or corporation as distinguished from the department or the public, for remuneration, commits a misdemeanor.	25-1-114 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
<i>Misrepresentation of material information in the preparation of a birth certificate.</i> A birth parent who knowingly and intentionally misrepresents material information that is used to create a child's birth certificate commits the misdemeanor of misrepresentation of material information in the preparation of a birth certificate.	25-2-112.7 Maximum \$1,000 fine, 364 days in jail, or both.
Petty	
<i>Making a false statement on or deceptive use of vital statistics records.</i> Except as to misrepresentation in the preparation of a birth certificate, any person who knowingly and willfully makes any false statement in or supplies any false information for vital statistics records commits a misdemeanor.	25-2-118 (1) Maximum \$1,000 fine, 364 days in jail, or both.
Petty	
Except as to misrepresentation in the preparation of a birth certificate, any person who, for purposes of deception, applies for, alters, mutilates, uses, attempts to use, applies for amendments for, or furnishes to another for deceptive use any vital statistics record also commits a misdemeanor. Any person who knowingly and willfully uses a vital statistics record for purposes of deception while knowing that the record is false also commits a misdemeanor.	25-2-118 (1) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Except as to misrepresentation in the preparation of a birth certificate, any person who manufacturers, advertises for sale, sells, or alters any vital statistics record 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 any other person, and any person who uses any such document to commit a crime commits a misdemeanor.	25-2-118 (1) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Violation of the Vital Statistics Act of 1984.</i> Any person who willfully violates any of the provisions of the Vital Statistics Act of 1984, or who refuses or neglects to perform any of the duties imposed upon him or her by the act, commits a misdemeanor.	25-2-118 (2) Maximum \$1,000 fine, 364 days in jail, or both.
petty	
<i>Operating a hospital without a license.</i> Any person, partnership, association, company, or corporation that opens, conducts, or maintains any facility for the treatment and care of the sick or injured, without having a license to do so, commits a misdemeanor.	25-3-105 (1)(a)(III) \$50 to \$500 fine.
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
<i>Operating a community integrated health care service agency without a license.</i> On or after July 1, 2018, any person who operates or maintains a community integrated health care service agency without submitting to the Department of Public Health and Environment a completed application for licensure commits a misdemeanor. On or after December 31, 2018, a person who operates or maintains an agency without a community integrated health care service agency license commits a misdemeanor.	25-3.5-1302 (2)(a)(I) \$50 to \$500 fine.
unclassified	
<i>Unlawful maintenance of a nuisance.</i> Any person who unlawfully maintains, or allows or permits to exist, a nuisance, as defined in Section 25-4-106, C.R.S., commits a misdemeanor.	25-4-106 First offense: maximum \$200 fine; second or subsequent offense: maximum \$200 fine, 90 days in jail, or both.
petty	
<i>Violation of sanitary regulations.</i> Any person who violates any of the provisions of Part 1 of Article 4 of Title 25, concerning sanitary regulations, or who refuses to comply with any lawful order or requirement of the Department of Public Health and Environment concerning the abatement of unsanitary conditions, commits a misdemeanor.	25-4-111 First offense: maximum \$200 fine; second or subsequent offense: maximum \$200 fine, 90 days in jail, or both
petty	
<i>Violation of the statute governing prenatal examinations.</i> Any licensed physician and surgeon or other person engaged in attendance upon a pregnant woman during the period of gestation or at delivery, or any representative of a laboratory, who violates the provisions of Part 2 of Article 4 of Title 25, concerning prenatal examinations, commits a misdemeanor.	25-4-204 Maximum \$300 fine.
Unclassified	
<i>Violation of confidentiality requirements.</i> A health care provider, officer, or employee of the Department of Public Health and Environment; officer or employee of a local public health agency, or a person, firm, or corporation that violates the confidentiality requirements of Section 25-4-406, C.R.S., is guilty of a misdemeanor.	25-4-414 (2) \$500 to \$5,000 fine, 6 to 24 months in jail, or both.
M2	
<i>Violation of the statute governing tuberculosis.</i> Any person who violates or fails to comply with a health officer's order directing his or her isolation or examination in connection with an investigation of tuberculosis cases, commits a misdemeanor.	25-4-509 (1) Maximum \$1,000 fine, 364 days in jail, or both, plus an order for examination, isolation, or treatment.
petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
Any person, firm, or corporation that fails to make the reports required by Part 5 of Article 4 of Title 25, concerning tuberculosis, or who knowingly makes any false report, commits a misdemeanor.	25-4-509 (2) Maximum \$500 fine.
Unclassified	
Violation of the statute governing rabies control. Any person who refuses to comply with or who violates any of the provisions of Part 6 of Article 4 of Title 25, concerning rabies control, commits a misdemeanor.	25-4-614 Maximum \$100 fine or 30 days in jail.
petty	
Violation of the Retail Food Store Sanitation Act. Any retail food store owner who violates any of the provisions of the Retail Food Store Sanitation Act commits a misdemeanor.	25-4-1312 Maximum \$500 fine, 90 days in jail,
petty	
Offenses Related to Products Control and Safety	
Violation of the statute governing the enrichment of flour and bread. Any person who violates any of the provisions of Part 2 of Article 5 of Title 25, concerning the enrichment of flour and bread, commits a misdemeanor.	25-5-206 Maximum \$100 fine or 30 days in jail.
petty	
Violation of the Pure Food and Drug Law. Committing any act prohibited by Section 25-5-403 (1), C.R.S., of the Pure Food and Drug Law is a misdemeanor.	25-5-405 (1) First offense: maximum \$1,000 fine, 6 months in jail, or both; second or subsequent offense: maximum \$2,000 fine, 364 days in jail, or both.
M2 delete 2 nd and subs	
Any person who sells, gives, or in any way furnishes to someone who is under 21 years old any confectionary that contains alcohol in excess of 0.05 percent by volume commits a misdemeanor.	25-5-405 (4) Maximum \$750 fine.
Civil infraction	
Misbranding of imported meat. Any person who sells or offers for sale in the state any meat imported from outside of the United States, or any meat product containing such imported meat, without indicating such on the label, commits a misdemeanor.	25-5-411 (1)(n) \$100 to \$1,000 fine, 30 to 90 days in jail, or both.
petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
<i>Violation of the statute governing hazardous substances.</i> Any person who violates any of the provisions of Section 25-5-503, C.R.S., concerning prohibited acts involving hazardous substances, commits a misdemeanor.	25-5-504 (1) Maximum \$500 fine, 90 days in jail, or both; for second or subsequent offenses, or offenses committed with the intent to defraud or mislead: maximum \$3,000 fine, 364 days in jail, or both.
M2	
<i>Interference with the inspection of dairy products.</i> Any person who refuses to allow the lawfully authorized inspection of dairy products, or who in any way hinders or obstructs the proper officers from performing their duties related to dairy products inspection, commits a misdemeanor.	25-5.5-114 Maximum \$100 fine or 30 days in jail.
petty	
<i>Unspecified violations of the statute governing dairy products.</i> Any person who violates any of the provision of Part 1 of Article 5.5. of Title 25, concerning dairy products, if the punishment for the violation is not elsewhere prescribed, commits a misdemeanor.	25-5.5-116 \$10 to \$200 fine, and maximum of 60 days in jail.
petty	
<i>Violation of the statute governing imitation dairy products.</i> Any person who violates any of the provisions of Part 2 of Article 5.5 of Title 25, concerning imitation dairy products, or who directs, knowingly permits, or aids or assists in such a violation, commits a misdemeanor.	25-5.5-209 Maximum \$1,000 fine, 90 days in jail, or both.
petty	
<i>Violation of the Colorado Frozen Desserts Act.</i> Any person, firm, or corporation that willingly violates any of the provisions of the Colorado Frozen Desserts Act, and any officer, agent, or employee thereof who directs or knowingly permits such violation or who aids or assists in one, commits a misdemeanor.	25-5.5-312 Maximum \$1,000 fine, 90 days in jail, or both.
petty	
Offenses Related to Environmental Control	
<i>Violations related to the Colorado Air Pollution Prevention and Control Act.</i> Knowing violation of any requirement or prohibition of an emission control regulation listed in Section 25-7-122.1 (1) (b), C.R.S., pursuant to the Colorado Air Pollution Prevention and Control Act is a misdemeanor.	25-7-122.1 (1)(b) Maximum \$25,000 fine per day of violation; maximum penalty doubled for a second violation within 2 years.
unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
Any person who knowingly violates any requirement, prohibition, or order issued pursuant to Section 25-7-114.3, C.R.S., regarding an operating permit for emission of pollutants, commits a misdemeanor.	25-7-122.1 (1)(c) Maximum \$25,000 fine per violation per day; maximum penalty doubled for a second violation within 2 years.
unclassified	
Any person who knowingly makes any false material statement, omission, alteration, representation, or certification in any document required pursuant to the Colorado Air Pollution Prevention and Control Act commits a misdemeanor.	25-7-122.1 (2) Maximum \$12,500 fine per violation; maximum penalty doubled for a second violation within 2 years.
unclassified	
Any person who negligently violates any requirement or prohibition of an emission control regulation made pursuant to the Prevention of Significant Deterioration Program under the Colorado Air Pollution Prevention and Control Act commits a misdemeanor.	25-7-122.1 (3)(d) Maximum \$12,500 fine per day per violation.
unclassified	
<i>Failure to notify of a discharge of oil in state waters.</i> Any person who is engaged in an activity that results in a spill or discharge of oil or of another polluting substance in state waters and who fails to notify the Division of Administration in the Department of Public Health and Environment of such discharge as soon as practicable, commits a misdemeanor.	25-8-601 (2) Maximum \$10,000 fine, 364 days in jail, or both.
M2 plus fine	
<i>Negligent or reckless pollution of state waters.</i> A person who commits criminal pollution of state waters with criminal negligence or recklessly commits an unclassified misdemeanor.	25-8-609 (3)(a) Maximum \$25,000 per day for each day the violation occurs, jail up to 364 days, or both
M2 plus fine	
<i>Falsification and tampering related to the Colorado Water Quality Control Act.</i> Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Colorado Water Quality Control Act, commits a misdemeanor.	25-8-610 (1) Maximum \$10,000 fine, 6 months in jail, or both
M2 plus keep high fine	
<i>False representation as a water treatment plant operator.</i> Any person who represents himself or herself as a certified water treatment plant operator, without being certified as such, commits a misdemeanor.	25-9-110 (1) Maximum \$3,000 fine.
unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
<i>Violation of the statute governing radiation control.</i> Any person who acquires, owns, possesses, or uses any radioactive material occurring naturally or produced artificially without a license to do so commits a misdemeanor.	25-11-107 (3) \$500 fine, 30 to 90 days in jail, or both.
M2	
Unauthorized transfer or disposal of radioactive material is a misdemeanor.	25-11-107 (3) \$100 to \$500 fine, 30 to 90 days in jail, or both.
M2	
Any person who knowingly uses, manufactures, produces, transports, transfers, receives, sends, acquires, owns, or possesses any source of radiation without being licensed or registered to do so, except as allowed by rule, commits a misdemeanor.	25-11-107 (3) \$100 to \$500 fine, 30 to 90 days in jail, or both.
M2	
Any person who knowingly uses a radiation machine that is not certified for treatment or diagnosis to treat or diagnose any disease or conditions of the human body commits a misdemeanor.	25-11-107 (3) \$100 to \$500 fine, 30 to 90 days in jail, or both.
M2	
<i>Sale of a vehicle that violates the noise restriction statute.</i> Any person who sells or offers for sale a motor vehicle or other vehicle that violates the noise restriction statute commits a misdemeanor.	25-12-106 (3) \$50 to \$300 fine.
Civil infraction	
<i>Violation of the Recreation Land Preservation Act of 1971.</i> Any person who violates any provision of the Recreation Land Preservation Act of 1971 commits a misdemeanor.	25-13-114 Maximum \$500 fine.
Civil infraction	
<i>Violation of laws concerning the transportation or storage of hazardous waste.</i> With certain exceptions, it is a misdemeanor for any person acting with criminal negligence to: - transport or cause to be transported any hazardous waste to a facility which does not have a permit under Article 15 of Title 25, or the federal Solid Waste Disposal Act; - treat, store, or dispose of any hazardous waste without having obtained a permit as required or in knowing violation of any requirement; - omit any material information or make any false material statement or representation in any application, label, manifest, record, report, permit, or other document filed, maintained, or used for purposes of compliance with any applicable law or regulation; - destroy, alter, or conceal any record required to be maintained by law or fail to file any record required by law; or - treat, store, or dispose of any hazardous waste in violation of any material condition or requirement of a permit or interim status requirement.	25-15-310 (2) Maximum \$25,000 fine per day of violation; maximum penalty doubled for a second or subsequent violation.
unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
Any hazardous waste generator who otherwise stores waste on-site in compliance with state regulations, but who knowingly exceeds the 90-day storage period or any extension thereof, commits a misdemeanor.	25-15-310 (4)(b) Maximum \$25,000 fine per day of violation; maximum penalty doubled for a second or subsequent violation.
unclassified	
<i>Falsification of identification or misrepresentation of a medical condition or disability.</i> Any person who, with the intent to deceive, provides, wears, uses, or possesses a false identifying device or identification card describing a medical condition or disabling condition commits a misdemeanor.	25-20-107 Maximum \$300 fine, 90 days in jail, or both
petty	
<i>Unlawful operation of an assisted living residence.</i> Any person, partnership, association, or corporation that conducts or maintains an assisted living residence, without having obtained a license to do so, commits a misdemeanor.	25-27-103 (1)(a) \$50 to \$500 fine; may also be subject to a civil penalty of up to \$10,000 per offense.
Unclassified	
<i>Unlawful operation of home care agencies.</i> Any person, partnership, association, or corporation that conducts or maintains a home care agency that provides skilled home health services, without having obtained a license to do so, commits a misdemeanor.	
unclassified	
Any person, partnership, association, or corporation that conducts or maintains a home care agency that provides in-home personal care services, without having a license to do so, commits a misdemeanor.	
unclassified	
A community centered board that is directly providing home care services, or a service agency that conducts or maintains a home care agency that provides in-home personal care services, without having obtained a license to do so, commits a misdemeanor.	25-27.5-103 (1.5)(b) \$50 to \$500 fine; may also be subject to a civil penalty of up to \$10,000 per offense.
Unclassified	
On or after June 1, 2015, it is a misdemeanor for a person to conduct or maintain a home care placement agency unless the person has submitted a completed application for registration as a home care placement agency to the Colorado Department of Public Health and Environment, including evidence of general liability insurance coverage. On or after January 1, 2016, it is a misdemeanor for a person to conduct or maintain a home care placement agency without a valid, current home care placement agency registration.	25-27.5-103 (2)(c) \$50 to \$500 fine; may also be subject to a civil penalty of up to \$10,000 per offense.
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
<i>Breaching the confidentiality of records maintained by the Department of Health Care Policy and Financing.</i> Any person who violates the confidentiality of records maintained by the Department of Health Care Policy and Financing commits a misdemeanor.	25.5-1-116 (4) Maximum \$500 fine, 3 months in jail, or both
petty	
<i>On-site Wastewater Treatment Systems Act violations.</i> Any person who violates the On-site Wastewater Treatment Systems Act commits a class 1 petty offense.	25-10-113 (1) Maximum \$50 fine per day.
Civil infraction	
<i>Voluntary adoption registry.</i> Any person who knowingly uses, publishes, or divulges information obtained through the operation of the voluntary adoption registry to any person in a manner not authorized by law commits a class 2 petty offense.	25-2-113.5 (8) \$500 fine
Civil infraction	.
<i>Reports concerning HIV tests.</i> A health care provider, laboratory technician, or other person who is required to report to the Department of Public Health and Environment on every individual known to have a diagnosis of a sexually transmitted infection commits a class 2 petty offense.	25-4-414 (1) Maximum \$300 fine.
Delete or civil	
<i>Off-highway vehicles.</i> Any person who violates the provisions of Section 25-12-110, C.R.S., concerning noise abatement for off-highway vehicles commits a class 2 petty offense.	25-12-110 (5) Maximum \$100 fine.
<i>Colorado Clean Indoor Act violations.</i> Any person who violates the provisions of the Colorado Clean Indoor Air Act (Part 2 of Article 14 of Title 25) commits a class 2 petty offense.	25-14-208 (3) Maximum \$200 fine for a first violation within a calendar year; maximum \$300 fine for a second violation within a calendar year; maximum \$500 fine for a third or subsequent violation within a calendar year.
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 25 Offenses	
Public Health and Environment	
<p>Restroom Access Act. The Restroom Access Act requires a retail establishment that has a toilet facility for its employees to allow a customer to use the toilet facility during normal business hours if the facility is reasonably safe and all of the following conditions are met:</p> <ul style="list-style-type: none"> - the customer requesting the use of the employee toilet facility suffers from Crohn's disease, ulcerative colitis, any other inflammatory bowel disease, irritable bowel syndrome, or any other medical condition that requires immediate access to a toilet facility, or uses an ostomy device; - the customer offers a physician's note establishing that he or she suffers from an eligible medical condition; - three or more employees of the establishment are working at the time that the customer requests use of the facility; - the facility is not located in an area where providing access would create an obvious health or safety risk to the customer or an obvious security risk to the retail establishment; and - a public restroom is not immediately accessible to the customer. - a retail establishment or an employee of a retail establishment that violates the Restroom Access Act commits a petty offense. 	<p>25-41-101 (6) Maximum \$100 fine.</p>
petty	

Title 26 Offenses to be Reclassified

TITLE 26 Offenses	
Human Services Code	
Obtain or willfully aid or abet another, by means of a willfully false statement, representation, impersonation, or other fraudulent device, to obtain public assistance or vendor payments or medical assistance to which the person is not entitled or in an amount greater than that to which the person is justly entitled or payment of any forfeited installment grants or benefits to which the person is not entitled or in a greater amount than that to which the person is entitled;	26-1-127 (1)
Petty	
Obtain or willfully aid or abet another, by means of a willfully false statement, representation, impersonation, or other fraudulent device, to obtain food stamp coupons or authorization to purchase cards or an electronic benefits transfer card or similar device for delivering food stamp benefits to which the person is not entitled, or in a value greater than that to which the person is entitled;	26-2-305 (1)
This is called theft and is value based already	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 26 Offenses	
Human Services Code	
<i>Improperly releasing data.</i> Improperly releasing or willfully permitting or encouraging the release of data or information obtained through an adult protective services data system check to persons not permitted access to the information pursuant to Article 3.1 of Title 26 commits a class 1 misdemeanor.	26-3.1-111 (6)(e)
M2	
<i>Trafficking in food stamps.</i> Trafficking in food stamps is a class 2 misdemeanor when the value of the food stamps is less than \$500.	26-2-306 (2)(b)
Trafficking in food stamps is a class 1 misdemeanor when the value of the food stamps is at least \$500, but less than \$1,000.	26-2-306 (2)(b.5)
Trafficking in food stamps is a class 4 felony if the value of the food stamps is at least \$1,000, but less than \$20,000.	26-2-306 (2)(c)
Value based	
<i>Fraudulent acts.</i> Any recipient of public assistance who knowingly fails to notify the county Department of Human Services within 30 days of receipt of property or income in excess of that declared at the time when eligibility for public assistance was determined, or of any other change in circumstances affecting eligibility, commits a class 3 misdemeanor.	26-1-127 (2)(a)
A recipient or vendor of public assistance who falsifies any required report commits a class 3 misdemeanor.	26-1-127 (3)
petty	
<i>Fraudulent acts.</i> Any recipient of food stamps who knowingly fails to notify the county or state Department of Human Services of any change in circumstances affecting the recipient's eligibility for food stamps or the amount of food stamp coupons to which the recipient is entitled and who by such failure receives benefits in excess of those to which the person was in fact entitled commits a class 3 misdemeanor.	26-2-305 (2)
Petty	
<i>Obtaining or abetting another to obtain food stamps to which the recipient is not entitled by means of a willfully false statement or representation or by impersonation, is theft. Under Section 18-4-401 (2), C.R.S., the crime of theft is classified based on the value of the thing stolen.</i>	26-2-305 (1)(a)
Value based	
<i>Reporting requirements.</i> Willfully and knowingly making a false report of mistreatment or self-neglect regarding an at-risk adult to a county department or local law enforcement agency is a class 3 misdemeanor.	26-3.1-102 (4)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 26 Offenses Human Services Code	
<i>Breaching the confidentiality of records maintained by the Department of Human Services.</i> Any person who violates the confidentiality of records maintained by the Department of Human Services commits a misdemeanor.	26-1-114 (5) Maximum \$500 fine, 3 months in jail, or both.
petty	
<i>Violation of the statute governing the licensing of child care centers.</i> Any person who violates any provision of Part 1 of Article 6 of Title 26, concerning child care licensing, or who intentionally makes any false statement or report to the Department of Human Services or to any agency making an investigation or inspection under the provisions of Part 1 of Article 6 of Title 26, commits a misdemeanor.	26-6-112 \$300 to \$500 fine.
Unclassified	
<i>Protective services for at-risk adults - reporting requirements.</i> Any person who fails to maintain the confidentiality of information in reports of mistreatment or self-neglect of an at-risk adult without good cause as authorized by a court commits a class 2 petty offense.	26-3.1-102 (7)(c) Maximum \$300 fine.
Civil infraction	
<i>Violations.</i> Willfully or knowingly making unauthorized use of the official imprint, stamp, symbol, or label approved by the Department of Human Services for use on blind-made products is a class 2 misdemeanor.	26-8.3-105 (3)
petty	
Willfully or knowingly representing, for the purpose of financial gain, that particular goods, wares, or merchandise are blind-made products when this representation is false is a class 2 misdemeanor.	26-8.3-105 (3)
petty	

Title 27 Offenses to be Reclassified

TITLE 27 Offenses Behavioral Health	
<i>Indebtedness limited to appropriations.</i> Any officer of any state institution who incurs or contracts any indebtedness for, on behalf of, or in the name of a state institution or in the name of the state, in excess of the sum appropriated by the General Assembly for the use and support of the institution for the fiscal year, commits a misdemeanor. An officer of any state institution who draws any money from the state treasurer when it is not absolutely needed or required, or when it has not been authorized by the state controller, also commits a misdemeanor.	27-91-106 Maximum \$300 fine.
Unclassified misdemeanor	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 28 Offenses to be Reclassified

TITLE 28 Military and Veterans	
<i>Interference with duty.</i> Obstructing or interfering with a member of the National Guard who is on duty is a class 3 misdemeanor.	28-3-507
M2	
<i>Trial procedure.</i> Willfully neglecting or refusing to appear, testify, or produce evidence before a military court or military or civil officer after being subpoenaed pursuant to trial procedures under the Colorado Code of Military Justice is a class 3 misdemeanor.	28-3.1-312 (1)
petty	
<i>Discrimination in employment against officers or enlisted persons of the military.</i> Any person who discriminates against any officer or enlisted person of the military on the basis of his or her participation in the military commits a misdemeanor. It is also a misdemeanor to: - refuse to hire any person or discharge any person because of his or her status as an officer or enlisted person; - hinder or prevent the person from performing any military service he or she may be called upon to perform; or - dissuade any person from enlisting in the National Guard by threat or injury in respect to the person's employment, trade, or business.	28-3-506 (2) Maximum \$5,000 fine.
Unclassified	
<i>Violation of the rights of public and private employees concerning the National Guard.</i> Any employer who violates the provisions of Part 6 of Article 3 of Title 28, concerning the rights and duties and public and private employees concerning the National Guard, commits a misdemeanor.	28-3-611 Maximum \$5,000 fine.
unclassified	
<i>Misuse of military property.</i> Any person who willfully destroys, damages, sells, disposes of, buys, or receives any arms, equipment, or accouterments issued by the United States or the state for the use of military forces, or who refuses to deliver or pay for the same upon lawful demand, commits a misdemeanor.	28-3-702 Maximum \$500 fine or 6 months in jail.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 29 Offenses to be Reclassified

TITLE 29 Offenses	
Government - Local	
Violations. Violation by a pawnbroker of the terms of a contract for purchase involving a fixed price is a class 2 misdemeanor.	29-11.9-104 (3)(b)
M2	
Hazardous substance listing required. Unlawfully releasing information, without express written consent, that is required to be provided to state and local authorities pursuant to Section 29-22-107 (2), C.R.S., regarding the listing of hazardous substances is a class 3 misdemeanor.	29-22-107 (2)(c)(III)
Petty offense	
Divulging sales tax information. Any employee of a municipality or county who, without legal authorization, willfully divulges or makes known any sales tax information that identifies or permits the identification of the amount of sales taxes collected or paid by any individual licensed vendor, commits a misdemeanor.	29-2-106 (4)(c)(II) Maximum \$1,000 fine and removal from office.
unclassified	
Violation of statutes governing escort services. Any person who violates any of the provisions governing escort services commits a misdemeanor.	29-11.8-113 (1) Maximum \$5,000 fine, 364 days in jail, or both; the court may also suspend or revoke the offender's license.
M2	
Recreational facilities districts. Any person who violates any rule or regulation lawfully adopted by a county regarding the use of public recreation lands and facilities commits a class 2 petty offense.	29-7-101 (2)
Civil infraction	
Violations. Violation by a pawnbroker of the terms of a contract for purchase involving a fixed price is a class 2 misdemeanor.	29-11.9-104 (3)(b)
petty	
Violation by a pawnbroker of any of the provisions of Article 11.9 of Title 29 regarding pawnbrokers, except as otherwise provided, is a class 1 misdemeanor.	29-11.9-104 (4)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 30 Offenses to be Reclassified

TITLE 30 Offenses	
Government - County	
<i>Unattended campfires.</i> 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.	30-15-201 (1)(b)(II)
M2	
<i>Unattended campfires.</i> A person who commits the offense of leaving a campfire unattended commits a class 2 petty offense.	30-15-201 (1)(b)(I) \$50 fine
petty	
<i>Service must be made upon offer or tender of fees.</i> Any sheriff who refuses to serve any writ, summons, or notice requested by any person entitled to such service, when offered or tendered the legal fees, commits a misdemeanor. Any sheriff who charges excessively for such service also commits a misdemeanor.	30-1-107 \$5 to \$50 fine.
unclassified	
<i>Public officer neglecting or refusing to perform an official act.</i> Any clerk, sheriff, or other officer who is required to perform an official act or duty, and who willfully neglects or refuses to do so after being offered the lawful fee, commits a misdemeanor.	30-1-110 \$10 to \$200 fine.
Unclassified	
<i>Refusal to pay fees to the treasurer.</i> Any officer who fails or refuses to pay the fees of his or her office to the state or county treasurer commits a misdemeanor.	30-1-117 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Acting as a county commissioner without bond or insurance.</i> Any county commissioner who acts as such without being bonded or insured pursuant to Section 30-10-311, C.R.S., or after a judgment of removal from office has been entered, commits a misdemeanor.	30-10-315 \$500 to \$5,000 fine, or 30 days to 6 months in jail.
M2	
<i>Failure of a county treasurer to perform duties.</i> Any county treasurer or deputy who fails, neglects, or refuses to perform his or her lawful duties commits a misdemeanor.	30-10-726 \$50 to \$500 fine, removal from office at the court's discretion.
unclassified	
<i>Defacing or destroying notices regarding campfires.</i> Any person who willfully destroys, removes, injures, or defaces any notice regarding the need to extinguish and attend to campfires that is erected on any highway, or who willfully injures or defaces any inscription or device comprising such notice, commits a misdemeanor.	30-15-202 Maximum \$100 fine, 3 months in jail, or both.
Petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 30 Offenses	
Government - County	
<i>Unlawful discharge of a firearm.</i> Any person who violates any provision of Part 3 of Article 15 of Title 30, concerning the prohibition against discharging firearms in unincorporated areas, commits a misdemeanor.	30-15-303 Maximum \$100 fine.
Petty but need to check for sure	
<i>Violation of statutes governing dance halls. Any person who violates any of the provisions governing dance halls commits a misdemeanor.</i>	30-15-504 \$25 to \$300 fine, 10 to 30 days in jail, or both.
petty	
<i>Violation of the statute governing solid wastes disposal sites and facilities.</i> Any person who violates any provision of Part 1 of Article 20 of Title 30, concerning solid wastes disposal sites and facilities, commits a misdemeanor.	30-20-114 Maximum \$10,000 fine, 30 days in jail, or both.
petty	
<i>Failure of a county commissioner to follow fiscal procedures.</i> Any county commissioner or any person acting as clerk for the Board of County Commissioners who willfully violates any provision of Section 30-25-111, C.R.S., regarding the publication of financial reports and statements, commits a misdemeanor	30-25-111 (3) Maximum \$100 fine.
unclassified	
<i>Violation of the statute governing the limitation of levies.</i> Any officer of any taxing district or any county assessor who violates any provision of Part 2 of Article 25 of Title 30, concerning the limitation of levies, commits a misdemeanor.	30-25-206 Maximum \$1,000 fine and liable to removal from office.
unclassified	
<i>Unlawful transfer of title or sale of subdivided land.</i> Any subdivider or agent of such who transfers legal or equitable title, or who sells any subdivided land, before a final plat has been approved and recorded or filed with the county clerk and recorder, commits a misdemeanor.	30-28-110 (4)(a) \$500 to \$1,000 fine.
Unclassified	
<i>Violation of regulations concerning county planning.</i> Any person who erects, constructs, alters, or uses any building, structure, or land in violation of county zoning regulations commits a misdemeanor.	30-28-124 (1)(a) and (1)(b)(I) Maximum \$100 fine, 10 days in jail, or both.
Civil infraction	
<i>Violation of area building codes.</i> Any person who erects, constructs, reconstructs, alters, or uses any building or structure in violation of area building codes commits a misdemeanor.	30-28-209 (1)(a) and (1)(b)(I) Maximum \$100 fine, 10 days in jail, or both.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 30 Offenses	
Government - County	
Control and licensing of pet animals. Any person who violates any provision of a county resolution concerning the control and licensing of pet animals commits a class 2 petty offense, provided that the violation does not involve bodily injury to any person.	30-15-102 (1) Maximum \$1,000 fine, 90 days in jail, or both.
petty	
Violation of county ordinance adopted for control or licensing. Any person who violates any county ordinance adopted for control or licensing of matters of purely local concern commits a class 2 petty offense, provided that the offense is not a traffic offense.	30-15-402 (1) Maximum \$1,000 fine for each violation.
Civil infraction	
Solid wastes disposal limitations. Any person who violates any provision of Part 10 of Article 20 of Title 10 regarding solid wastes disposal limitations commits a petty offense.	30-20-1010 Maximum \$100 fine.
Civil infraction	
County coroners. Knowing violation by a county coroner of provisions related to conflicts of interest is a class 2 misdemeanor.	30-10-619 (4)
petty	
Control and licensing of pet animals. Any person who violates any provision of a county resolution concerning the control and licensing of pet animals commits a class 2 petty offense, provided that the violation does not involve bodily injury to any person.	30-15-102 (1)
Civil infraction	
Violations. Violating any county regulation related to the control and licensing of pet animals is a class 2 misdemeanor if the offense results in bodily injury.	30-15-102 (2)
M2	
Violation of county ordinance adopted for control or licensing. Any person who violates any county ordinance adopted for control or licensing of matters of purely local concern commits a class 2 petty offense, provided that the offense is not a traffic offense.	30-15-402 (1)
petty	
Solid wastes disposal limitations. Any person who violates any provision of Part 10 of Article 20 of Title 10 regarding solid wastes disposal limitations commits a petty offense.	30-20-1010
petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 31 Offenses to be Reclassified

TITLE 31 Offenses	
Government - Municipal	
<i>Formation and reorganization.</i> Violating any of the provisions of Section 31-2-225, C.R.S., regarding petitions related to home rule charters is a class 2 misdemeanor.	31-2-225 (2)
M2	
<i>Initiative and referendum.</i> Tampering with a municipal initiative or referendum petition is a class 2 misdemeanor.	31-11-115 (1)
M2	
<i>Receiving illegal compensation.</i> Any mayor or member of the governing body of any city or town who receives illegal compensation commits a misdemeanor.	31-4-407 \$25 to \$100 fine.
Unclassified	
<i>Tampering with a recall petition.</i> Any person who willfully destroys, defaces, mutilates, or suppresses a recall petition, or who willfully neglects to file or delays in delivering a recall petition, or who conceals or removes the petition from the person authorized to have it, or who otherwise aids in such tampering, commits a misdemeanor.	31-4-503 (5) Maximum \$1,000 fine, 364 days in jail, or both
M2	
<i>Tampering with nomination papers.</i> Any person who possesses nomination papers for a municipal election and who wrongfully or willfully destroys, defaces, mutilates, suppresses, or neglects, or fails to cause the papers to be filed by the proper time, commits a misdemeanor.	31-10-1508 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Bribery of petition signers.</i> Any person who offers or who knowingly permits any person to offer for his benefit any bribe or promise of gain to an elector to induce him or her to sign any nomination petition or other election paper commits a misdemeanor. Any person who accepts such a bribe or offer of gain also commits a misdemeanor.	31-10-1509 Maximum \$1,000 fine, 364 days in jail, or both.
M1	
<i>Custody and delivery of ballots and other election papers.</i> Any election official who unlawfully destroys, conceals, or suppresses the official ballots, tally sheets, registration books or lists, or the pollbook in his or her charge, commits a misdemeanor.	31-10-1511 (1) Maximum \$1,000 fine, 364 days in jail, or both.
M1	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 31 Offenses Government - Municipal	
<i>Custody and delivery of ballots and other election papers.</i> 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 charge commits a misdemeanor	31-10-1511 (2) Maximum \$1,000 fine, 364 days in jail, or both.
M1	
<i>Destroying, removing, or delaying the delivery of ballots and other election papers.</i> Any person who willfully destroys or defaces any ballot or tally sheet, or who willfully delays the delivery of such or other election papers, or who unlawfully conceals or removes any ballot or election papers, or who aids, or otherwise assists in any of these violations, commits a misdemeanor.	31-10-1512 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Unlawfully refusing or permitting an elector to vote.</i> 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 of a challenged voter, or any election judge who knowingly and willfully permits any person to vote who is not entitled to do so, commits a misdemeanor.	31-10-1513 Maximum \$1,000 fine, 364 days in jail, or both.
M1	
<i>Revealing how an elector voted.</i> Any election official, watcher, or person who assists a person with disabilities in voting, and then reveals how such voter voted, commits a misdemeanor.	31-10-1514 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Violation of duty.</i> Any municipal official, election official, or other person upon any duty is imposed by the Municipal Election Code who violates, neglects, or omits to perform such duty, or any notary public or other officer who administers an oath knowing it to be false or who knowingly makes a false certification in regard to an election matter, commits a misdemeanor.	31-10-1515 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Unlawful receipt of money.</i> Any person who violates any of the provisions of Section 31-10-1516, C.R.S., concerning the unlawful receipt of money under the Municipal Election Code, commits a misdemeanor.	31-10-1516 (2) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Disclosing or identifying a vote.</i> Any person who solicits or induces another voter to reveal how he or she voted, commits a misdemeanor. It is also a misdemeanor to place any mark upon a ballot by means of which the voter can be identified.	31-10-1517 Maximum \$1,000 fine, 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 31 Offenses Government - Municipal	
<i>Delivering and receiving ballots at polls.</i> Any voter who receives an official ballot from any person except one of the judges of election commits a misdemeanor. Any person other than a judge of election who delivers an official ballot to a voter commits a misdemeanor.	31-10-1518 (4) Maximum \$1,000 fine, 364 days in jail, or both.
Any person except a judge of election who receives from any voter a ballot prepared for voting commits a misdemeanor.	31-10-1518 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Any voter who does not vote the ballot received by him or her, and who does not return the ballot to the judge of election from whom it was received before leaving the polling place, commits a misdemeanor.	31-10-1518 (4) Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Electioneering near polls.</i> 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 100 feet of any building in which a polling place is located, commits a misdemeanor.	31-10-1521 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Employer's unlawful acts.</i> It is a misdemeanor for any employer, or any officer or agent of such employer to: - refuse any of his employees the privilege of taking time off to vote; - influence the vote of any employee by force, violence, or restraint, or by inflicting or threatening to inflict any injury, damage, harm, or loss, or by discharging or promoting the employee; - enclose an employee's pay in an envelope printed with any political motto, devices, or arguments containing threats intended or calculated to control the political opinions, views, or actions of the employee; - put up or otherwise exhibit, within 90 days prior to any municipal election, any handbill, notice, or placard in the place of employment that contains any threat, notice, or information intended or calculated to control the political opinions or actions of the employees; or - threaten, intimidate, influence, induce, or compel any employee to vote or refrain from voting for any particular person or to refrain from voting.	31-10-1522 (2) Maximum \$1,000 fine, 364 days in jail, or both.
M1	
<i>Intimidation.</i> Any person who makes use of any force, violence, restraint, abduction, duress, or forcible or fraudulent device or contrivance, or who inflicts or threatens to inflict any injury, damage, harm, or loss, or who in any manner practices intimidation to interfere with another's elective franchise, or who otherwise compels an elector to vote or not vote in a certain way, commits a misdemeanor.	31-10-1523 Maximum \$1,000 fine, 364 days in jail, or both.
M1	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

TITLE 31 Offenses	
Government - Municipal	
<i>Unlawfully giving or promising money.</i> Any person who pays, loans, or contributes or offers or promises to pay, loan, or contribute any money or other valuable consideration to or for any qualified or registered elector or another person to induce the elector to vote or not vote in a particular way, commits a misdemeanor. Any person who advances or pays any money or other thing of value for the use of such a bribe also commits a misdemeanor.	31-10-1524 Maximum \$1,000 fine, 364 days in jail, or both.
M1	
<i>Corrupt means of influencing vote.</i> Any person who attempts to influence any voter by bribery, menace, or other corrupt means, or who fraudulently or deceitfully changes or alters a ballot, commits a misdemeanor.	31-10-1525 Maximum \$1,000 fine, 364 days in jail, or both.
M1	
<i>Interference with a voter while voting.</i> Any person who interferes with any voter who is inside the immediate voting area or is marking a ballot or operating a voting machine commits a misdemeanor.	31-10-1526 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Introducing liquor into polls.</i> Any person who introduces any intoxicating malt, spirituous, or vinous liquors into any polling place, or who offers it to another while any election is in progress or its results are being ascertained, commits a misdemeanor.	31-10-1527 Maximum \$1,000 fine, 364 days in jail, or both.
Delete	
<i>Inducing a defective ballot.</i> Any person who willfully causes a ballot to misstate in any way the wishes of the voter casting the ballot, or who causes any other deceit to be practiced with the intent to fraudulently induce a voter to deposit a defective ballot, commits a misdemeanor.	31-10-1528 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Altering the posted abstract of votes.</i> Any person who defaces, mutilates, alters, or unlawfully removes the abstract of votes posted outside of a polling place commits a misdemeanor.	31-10-1530 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Wagers with electors.</i> Any person, who, before or during any municipal election, makes any bet or wager with a qualified elector contingent on the results of the election, who takes a share or interest in any such bet or wager, or who provides or agrees to provide any money to be used in such activity, commits a misdemeanor.	31-10-1531 Maximum \$1,000 fine, 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 31 Offenses	
Government - Municipal	
<i>Tampering with notices or supplies.</i> Any person who, prior to a municipal election, willfully defaces, removes, or destroys any notice of election, 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 a ballot, commits a misdemeanor.	31-10-1532 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Tampering with the registration book, registration list, or pollbook.</i> Any person who mutilates or erases any name, figure, or word on any registration book, registration list, or pollbook, or who removes such item with the intent to destroy it or to otherwise influence an election, or who destroys such item, commits a misdemeanor.	31-10-1533 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Tampering with a voting machine.</i> Any person who tampers with a voting machine before, during, or after any municipal election, with the intent to change the tabulation of voters or to reflect inaccurate accounting, commits a misdemeanor.	31-10-1534 Maximum \$1,000 fine, 364 days in jail, or both.
M1	
<i>Interference with an election official.</i> Any person who at any municipal election intentionally interferes with any election official in the discharge of his or her duty, or who induces any election official to violate or refuse to comply with his or her duty, or who aids, counsels, procures, advises, or assists any person to do so, commits a misdemeanor.	31-10-1535 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Unlawful qualification as a taxpaying elector.</i> Any person who takes or places title to property in the name of another, or who pays the taxes, or takes or issues a tax receipt in the name of another, for the purpose of attempting to qualify as a qualified taxpaying elector, or who aids or assists another to do so, commits a misdemeanor.	31-10-1536 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
Offenses Related to Powers and Functions of Cities and Towns	
<i>Neglect in keeping a register or paying.</i> Any city or town treasurer, or his or her deputy, who fails or neglects to keep a registry of city or town orders, or who fails or neglects to register any warrant or certificate of indebtedness of a city or town, or who refuses to pay such warrants or certificates, commits a misdemeanor.	31-20-407 \$100 to \$500 fine.
M2	
<i>Unlawful connection of sewers.</i> Any person who makes or causes to be made a connection of sewers serving property in any unincorporated territory with a sewerage system of any city, without a permit from said city, commits a misdemeanor.	31-35-712 \$10 to \$50 fine, 20 to 90 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 31 Offenses Government - Municipal	
<i>Voting twice.</i> Voting more than once or offering more than one ballot in a municipal election is punishable by a maximum fine of \$5,000, up to 18 months in jail, or both.	31-10-1519
M2	
<i>Voting in the wrong precinct.</i> Fraudulently voting in the wrong precinct in a municipal election is punishable by a maximum fine of \$5,000, up to 18 months in jail, or both.	31-10-1520
M2	
<i>Personating elector.</i> Falsely personating any registered elector in a municipal election is punishable by a maximum fine of \$5,000, up to 18 months in jail, or both.	31-10-1529
M2	
<i>Absentee voting.</i> Offenses related to absentee voting in municipal elections are punishable by a maximum fine of \$5,000, up to 18 months in jail, or both.	31-10-1537
M2	
<i>Municipal initiatives, referenda, and referred measures.</i> Violation of the provisions of Section 31-11-114 (1), C.R.S., with regard to municipal initiatives, referenda, and referred measures are punishable by a maximum fine of \$500, up to one year in jail, or both.	31-11-114 (2)
M2	

Title 32 Offenses to be Reclassified

TITLE 32 Offenses Special Districts	
<i>Interference.</i> A director, employee, or agent who interferes with the State Auditor's examination of the books, records, reports, or vouchers, or other information of the Denver Metropolitan Major League Baseball Stadium District commits a class 2 misdemeanor.	32-14-109 (2)(b)
M2	
A director, employee, or agent who interferes with the State Auditor's examination of the books, records, reports, vouchers, or other information of the Metropolitan Football Stadium District commits a class 2 misdemeanor.	32-15-109 (2)(b)
M2	
<i>Violations within fire protection districts.</i> Any owner, lessee, agent, or occupant of any building or premises with a fire protection district, who maintains any condition likely to cause a fire or to constitute an additional fire hazard, or any condition which impedes the egress of persons from a building, commits a misdemeanor	32-1-1002 (3)(d) \$50 to \$250 fine for each day of violation.
unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 32 Offenses	
Special Districts	
Any person who, within a fire protection district, willfully or maliciously gives, makes, or causes to be given or made a false alarm of fire, or who willfully or maliciously disconnects, cuts, severs, or otherwise tampers with the fire alarm telegraph, or who aids, abets, knowingly permits, or otherwise participates in such violation, commits a misdemeanor.	32-1-1002 (4)(b) Maximum \$300 fine, 90 days in jail, or both.
M2	
Violations within metropolitan sewage disposal districts. Any person who wrongfully or purposely fills up, cuts, damages, injures, destroys, or otherwise 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 equipment associated with a metropolitan sewage disposal district, commits a misdemeanor. Any person who wrongfully and maliciously interferes with any officer, agent, or employee of the district in the proper discharge of his or her duties also commits a misdemeanor.	32-4-545 (1) Maximum \$300 fine, 90 days in jail, or both.
M2	
Violation of the Regional Transportation District Act. Any person who wrongfully damages, injures, destroys, or otherwise impairs the usefulness of any facility, structure, improvement, equipment, or other property of the Regional Transportation District, or who wrongfully interferes with any officer, agent, or employee of the district in the discharge of his or her duties, commits a misdemeanor.	32-9-160 (1) Maximum \$300 fine, 90 days in jail, or both.
M2	
Violation of the Urban Drainage and Flood Control Act. Any person who wrongfully or purposely fills up, cuts, damages, injures, destroys, or otherwise impairs the usefulness of any facility, structure, improvement, equipment or other property of the urban drainage and flood control district, or who wrongfully and maliciously interferes with any officer, agent, or employee of the district in the discharge of his or her duties, commits a misdemeanor.	32-11-815 Maximum \$300 fine, 90 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 33 Offenses to be Reclassified

TITLE 33 Offenses Parks and Wildlife	
<i>Black bears.</i> Taking a black bear by any means during the period from March 1 through September 1 of any calendar year is a class 1 misdemeanor.	33-4-101.3 (6)
Taking a black bear with the use of bait or dogs at any time during any calendar year is a class 1 misdemeanor.	33-4-101.3 (6)
M2	
<i>Native and nonnative fish.</i> Possessing live native or nonnative fish or viable fish gametes which are infected with any disease designated as detrimental to existing fish populations or habitat is a class 1 misdemeanor, unless the Division of Parks and Wildlife is notified within two business days of the discovery of the disease's presence.	33-6-114.5 (7)(a)
unclassified	
Possessing live native or nonnative fish or viable fish gametes which are of a species designated as detrimental to existing fish populations or habitats is a class 1 misdemeanor.	33-6-114.5 (7)(a)
Unclassified	
Importing any live native or nonnative fish or viable fish gametes into the state without a current and valid importation license and health certificate is a class 1 misdemeanor.	33-6-114.5 (7)(a)
M2	
<i>River outfitters.</i> A river outfitter, guide, trip leader, or guide instructor who operates a vessel on a regulated trip while under the influence of alcohol or of any controlled substance commits a class 1 misdemeanor.	33-32-107 (4)(b)
M1 – This is DUI raft guide style	
<i>Violation of aquatic nuisance species prohibition.</i> A person who, for the third time, knowingly or willfully possesses, imports, exports, ships, or transports an aquatic nuisance species, except as authorized by the commission; releases, places, plants, or causes to be released, placed or planted into the waters of the state an aquatic nuisance species; refuses to comply with a proper order issued under Article 10.5 of Title 33 concerning aquatic nuisance species; or fails or refuses to reimburse the division in accordance with Section 33-10.5-104 (6)(a), C.R.S., commits a class 2 misdemeanor.	33-10.5-105 (2)(a)(III)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Fires. Any person who, on division property, starts or maintains a fire and knowingly or recklessly fails to reasonably attend the fire at all times or fails to thoroughly extinguish the fire before leaving the site commits a class 3 misdemeanor.	33-15-106 (2)(a)
M2	
Fires. Any person who starts, builds, tends, or maintains a fire in violation of the provisions of any applicable order lawfully issued by a governmental authority that prohibits, bans, or regulates fires during periods of extreme fire hazard and that is designed to protect promote the safety of persons and property commits a class 2 misdemeanor.	33-15-106 (2)(b)
M2	
Littering. Any person who litters upon any land or water under the control of the Division of Parks and Wildlife commits a class 2 petty offense, unless the litter is a burning article thrown from a motor vehicle.	33-15-108 \$20 to \$500 fine for a first offense; \$50 to \$1,000 fine for a second offense; and \$100 to \$1,000 fine for a third or subsequent offense.
Petty offense	
Littering. Throwing, dropping, or otherwise expelling a lit cigarette, cigar, match or other burning material from a motor vehicle upon land under the control of the Division of Parks and Wildlife is a class 2 misdemeanor.	33-15-108 (2)
M2	
Damage to state property. Damaging, alerting, or destroying any property that is under the control of the Division of Parks and Wildlife is a class 2 misdemeanor.	33-15-109
M2	
River outfitters. A river outfitter who operates a river-outfitting business without a valid license or without insurance commits a class 2 misdemeanor.	33-32-107 (1)
M2	
River outfitters. A river outfitter, guide, trip leader, or guide instructor who fails to have one personal flotation device for each person on board commits a class 3 misdemeanor.	33-32-107 (2)(a)
M2 (per CPW)	
A river outfitter, guide, trip leader, or guide instructor who operates a vessel in a careless or imprudent manner without due regard for river conditions or in such a manner as to endanger any person, property, or wildlife commits a class 3 misdemeanor.	33-32-107 (2)(b)
Petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
A river outfitter, guide, trip leader, or guide instructor who operates a vessel with wanton or willful disregard for the safety of persons or property commits a class 2 misdemeanor.	33-32-107 (2)(c)
M2	
Failure to account for licenses. Failure to account for licenses or failure to pay over to the Division of Parks and Wildlife moneys received from the sale of licenses and donations is a misdemeanor when the amount in question is less than \$200.	33-4-101 (11)(a) \$100 to \$1,000 fine, up to 364 days in jail, or both.
THEFT CUT POINTS; SAY "SHALL CONSTITUTE A THEFT"	
Violation of statutes related to wildlife and parks and outdoor recreation with no specified penalty. Violation of any of the provisions of Articles 1 to 6 of Title 33 concerning the Division of Parks and Wildlife is a misdemeanor if not otherwise specified.	33-6-104 (1) Maximum \$100 fine, a surcharge of \$2.50, and 5 license suspension points.
unclassified	
Violation of license suspension. Any person who purchases, applies for, or exercises the benefits conferred by a license issued by the Division of Parks and Wildlife, when such license has been suspended, commits a misdemeanor.	33-6-106 (6) \$500 fine and a 2-year extension of the original suspension; if under a lifetime suspension when the violation occurred, \$1,000 to \$10,000 fine and a maximum of 90 days in jail, or both.
Unclassified Misd. (per CPW) plus any license suspensions	
Licensing violations. With certain exceptions, any person who procures or uses more than one license of a certain type in a calendar year commits a misdemeanor.	33-6-107 (1)(a) For a non-big game license: \$100 fine and 10 license suspension points; for a big game license: \$200 fine and 15 license suspension points.
unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Any person who makes a false statement or who provides false information in connection with applying for or purchasing a license, or who accepts false information in connection with issuing a license, commits a misdemeanor.	33-6-107 (2)(a) For each non-game license, a fine that is twice the cost of the most expensive license for that species and 10 license suspension points; for each big game license, a fine that is twice the cost of the most expensive license for that species and 15 license suspension points.
Unclassified	
With certain exceptions, any person who hunts or takes wildlife without a proper and valid license to do so or without having the license upon him or her commits a misdemeanor.	33-6-107 (3) For each non-big game license, a fine that is twice the cost of the most expensive license for that species and 10 license suspension points; for each big game license, a fine that is twice the cost of the most expensive license for that species and 15 license suspension points.
unclassified	
With certain exceptions, any person under the age of 16 who hunts wildlife with a youth license commits a misdemeanor, unless he or she is personally accompanied by and in contact with a person who is at least 18 years old and who holds a valid hunter education certificate, or by a person who was born before January 1, 1949.	33-6-107 (3.5) \$50 fine and 5 license suspension points.
CIVIL INFRACTION	
Any person under the age of 12 who hunts or takes big game, or any person between the ages of 12 and 15 who hunts or takes big game without being personally accompanied by and in contact with a person who is at least 18 years old and who holds a valid hunter education certificate, or by a person who was born before January 1, 1949, commits a misdemeanor.	33-6-107 (4) \$50 fine and 10 license suspension points.
CIVIL INFRACTION	
Any person who possesses live wildlife without keeping his or her license to do so at the site where the animal is kept, when a license is required, commits a misdemeanor.	33-6-107 (5) \$100 fine and 10 license suspension points.
PETTY and POINTS	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Any person who is at least 16 years old and who fishes without a valid fishing license commits a misdemeanor.	33-6-107 (6) \$100 fine and 10 license suspension points.
Unclassified Misd. (per CPW)	
Any person who alters, transfers, sells, loans, or assigns a lawfully acquired license to another person commits a misdemeanor.	33-6-107 (7) \$200 fine and 15 license suspension points.
unclassified	
Any person who is born on or after January 1, 1949, who purchases any hunting or trapping license without producing a hunter education certificate or equivalent education and training recognized by the Division of Parks and Wildlife, commits a misdemeanor.	33-6-107 (8) \$100 fine and 10 license suspension points.
unclassified	
Illegal possession of wildlife. Any person who illegally hunts, takes, or possesses any wildlife that is the property of the state, or who possesses any wildlife that was illegally acquired, taken, or transported from another state, commits a misdemeanor.	33-6-109 (3) Fine, jail time, and suspension points are specified in statute and depend on the animal involved.
unclassified	
Any person who illegally possesses any nonnative or exotic wildlife commits a misdemeanor.	33-6-109 (4) \$250 to \$1,000 fine and 5 to 10 license suspension points per incident.
unclassified	
Refusal to allow inspection of licenses and wildlife. Any person who hunts, traps, fishes, or possesses wildlife for any purpose and who refuses to permit inspection of his or her personal identification documents, licenses, firearms, records, or wildlife, when requested to do so by a district wildlife manager or other peace officer, commits a misdemeanor.	33-6-111 (1) \$150 fine and 5 license suspension points.
unclassified	
Refusal to stop at check stations. Any person who fails to stop and produce licenses, firearms, and wildlife for inspection upon encountering a check station commits a misdemeanor.	33-6-111 (2) \$100 fine and 5 license suspension points.
Unclassified	
Failure to void licenses or carcass tags. Any person who fails to void his or her license or carcass tag as required by rule or regulation commits a misdemeanor.	33-6-111 (3) \$100 fine and 10 license suspension points.
Unclassified Misd. (per CPW)	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Eluding an officer.</i> Any person who eludes or attempts to elude by any means a Colorado wildlife officer or other peace officer, after having received a visual or audible signal directing him or her to stop, commits a misdemeanor.	33-6-111 (4) \$100 to \$1,000 fine and 10 license suspension points.
M2 (per CPW)	
<i>Failure to retain evidence of wildlife sex and species.</i> Any person who possesses any wildlife, or considerable portion thereof, in violation of the rules or regulations established by the Wildlife Commission regarding the preservation of evidence of sex or species, commits a misdemeanor.	33-6-112 Non-big game: \$50 fine and 5 license suspension points; big game: \$100 fine and 10 license suspension points.
unclassified	
<i>Illegal sale of wildlife other than big game.</i> Any person who knowingly sells or purchases, or who knowingly offers for sale or purchase, wildlife other than big game, commits a misdemeanor. It is also a misdemeanor to solicit another person in the illegal hunting or taking of wildlife for the purposes of monetary or commercial gain or profit.	33-6-113 (2)(b) \$100 to \$1,000 fine, up to 364 days in jail, or both, and 20 license suspension points.
M2 plus points	
<i>Illegal business on the property of the Division of Parks and Wildlife.</i> Any person who provides goods or services for compensation on property owned or managed by the Division of Parks and Wildlife commits a misdemeanor, unless he or she is permitted to do so by Wildlife Commission Rules.	33-6-113.5 (2) \$100 to \$1,000 fine, up to 364 days in jail, or both, and 20 license suspension points.
Petty (per CPW)	
<i>Violation of the statute governing the transportation, importation, exportation, and release of wildlife.</i> Any person who transports or exports any wildlife or portion thereof within or from the state, except in accordance with the rules or regulations of the Wildlife Commission, commits a misdemeanor.	33-6-114 (4) Native wildlife: \$200 fine and 5 license suspension points per incident; non-native or exotic wildlife: \$250 to \$1,000 fine and 5 license suspension points per incident.
Unclassified	
Any person who imports any live wildlife into the state without an importation license and a current and valid health certificate for each shipment, or in violation of Wildlife Commission rules and regulations, commits a misdemeanor.	
Unclassified	
Any person who releases, or who knowingly allows the escape of, any live native or nonnative or exotic wildlife in Colorado, except in accordance with Wildlife Commission rules and regulations, commits a misdemeanor.	
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Violation of the statute governing the possession, transportation, importation, exportation, and release of native and nonnative fish.</i> Any person who releases any live or nonnative fish or viable gametes, except in accordance with Wildlife Commission rules and regulations, commits a misdemeanor.	33-6-114.5 (7)(b) \$500 to \$5,000 fine.
unclassified	
Any person who transports, imports, exports, or releases any live native or nonnative fish or viable gametes in violation of any lawfully issued quarantine order or disposition plan, or in violation of any rules and regulations of the Wildlife Commission, commits a misdemeanor.	33-6-114.5 (7)(b) \$500 to \$5,000 fine.
unclassified	
<i>Theft of wildlife.</i> Any person who takes another person's lawfully acquired and possessed wildlife without that person's permission commits a misdemeanor.	33-6-115 (1) 20 license suspension points
Unclassified Misd. (per CPW)	
<i>Tampering with a trap.</i> Any person who interferes with, disturbs, removes, or otherwise tampers with any trap, snare, or other device that has been legally set, commits a misdemeanor.	33-6-115 (2) \$200 fine and 10 license suspension points
unclassified	
<i>Intentional interference with lawful activities of hunting, trapping, and fishing.</i> Any person who willfully prevents or interferes with any other person's lawful participation in the activities of hunting, trapping, or fishing, commits a misdemeanor.	33-6-115.5 (3) \$500 to \$1,000 fine and 20 license suspension points.
M2 (per CPW)	
<i>Hunting, trapping, or fishing on private property.</i> Any person who enters upon privately owned land or lands under the control of the State Board of Land Commissioners to hunt or take any wildlife by hunting, trapping, or fishing, without first obtaining permission from the owner or person in possession of such land, commits a misdemeanor.	33-6-116 (3) \$200 fine and 20 license suspension points.
Unclassified Misd. and remain "as a strict liability crime" (per CPW)	
<i>Posting public lands.</i> Any person who posts, signs, or indicates that any public lands within this state, not held under an exclusive control lease, are privately owned lands, commits a misdemeanor.	
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Willful destruction of wildlife.</i> Any person who hunts, takes, or who solicits another person to hunt or take, any wildlife other than big game, eagles, and endangered species, and detaches or removes, with the intent to abandon the carcass or body, only the head, hide, claws, teeth, antlers, horns, internal organs, or feathers of such animals commits a misdemeanor.	33-6-117 (1)(b)(II) \$100 to \$1,000 fine, up to 364 days in jail, or both, and 20 license suspension points.
M2 plus points	
Any person who intentionally abandons the carcass or body of taken wildlife other than big game, eagles, and endangered species, or who takes and intentionally abandons such wildlife, commits a misdemeanor.	
Unclassified	
<i>Killing of big game animals in a contest prohibited.</i> Any person who advertises, conducts or offers to conduct, or otherwise promotes or participates in any contest or competition involving two or more persons and a monetary payment or award or other prize for killing big game, commits a misdemeanor.	33-6-118 \$500 fine and 20 license suspension points.
Unclassified	
<i>Pursuit of wounded game.</i> Except as otherwise provided, any person who shoots at, wounds, or who may have wounded game wildlife, who fails to make a reasonable attempt to locate that game wildlife and take it into his or her possession, commits a misdemeanor.	33-6-119 (1)(a) Big game: \$200 fine and 15 license suspension points; small game: \$50 fine and 15 license suspension points.
Unclassified	
<i>Waste of edible game wildlife.</i> Except as otherwise provided, any person who fails to reasonably attempt to dress or care for and provide for human consumption the edible portions of game wildlife, commits a misdemeanor.	33-6-119 (2) Big game: \$300 fine and 15 license suspension points; other game wildlife: \$100 fine and 10 license suspension points.
M2 (per CPW)	
<i>Use of wildlife as bait.</i> Any person who uses wildlife as bait commits a misdemeanor, unless otherwise provided for by the Wildlife Commission rules or regulations.	33-6-119 (3) \$200 fine and 10 license suspension points.
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Hunting, trapping, or fishing out of season or in a closed area.</i> Any person who fishes, traps, hunts, or takes any wildlife outside of the season established by the Wildlife Commission, or in an area closed by rule, commits a misdemeanor.	33-6-120 Non-big game license: a fine that is twice the cost of the most expensive license for that species and 10 license suspension points; big game license: a fine that is twice the cost of the most expensive license for that species and 15 license suspension points.
Unclassified	
<i>Damage or destruction of dens or nests or harassment of wildlife.</i> Unless otherwise permitted, any person who willfully damages or destroys any wildlife den or nest or their eggs, or who harasses any wildlife, commits a misdemeanor.	33-6-128 (1) \$100 fine and 10 license suspension points.
unclassified	
<i>Damage or destruction of dens or nests or harassment of wildlife.</i> Unless otherwise provided, any person who knowingly or negligently allows or directs a dog under his or her control to harass wildlife commits a misdemeanor.	33-6-128 (2) \$200 fine.
Petty (per CPW)	
<i>Damaging property or habitat under the control of the Division of Parks and Wildlife.</i> Any person who removes, damages, defaces, or destroys any real or personal property or wildlife habitat under the control of the Division of Parks and Wildlife commits a misdemeanor.	33-6-129 (1) \$100 to \$1,000 fine, up to 364 days in jail, or both, and reimbursement for damages if ordered by the court.
M2	
<i>Damaging property or habitat under the control of the Division of Parks and Wildlife.</i> Any person who uses any Division of Parks and Wildlife property in violation of any Wildlife Commission rule or regulation commits a misdemeanor.	33-6-129 (2) \$100 fine.
Unclassified	
<i>Explosives, toxicants, and poisons not to be used.</i> Unless otherwise permitted, any person who uses toxicants, poisons, drugs, dynamite, explosives, or any stupefying substances for the purpose of hunting, taking, or harassing any wildlife, commits a misdemeanor.	33-6-130 (1) \$200 fine and 20 license suspension points.
M2 - points	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Knowingly luring bears.</i> Unless otherwise permitted, any person who, for a second or subsequent time, places food or edible waste in the open with the intent of luring a wild bear, commits a misdemeanor.	33-6-131 (3) First-time violators are given a warning. Second and subsequent violators: maximum \$200 fine for the first misdemeanor offense, maximum \$1,000 fine for the second misdemeanor offense, and maximum \$2,000 fine for the third and subsequent misdemeanor offenses.
Unclassified	
<i>Computer-assisted remote hunting prohibited.</i> Any person who engages in computer-assisted hunting in the state, or who establishes or operates computer-assisted remote hunting facilities in the state, commits a misdemeanor.	33-6-132 (3) First offense: \$1,000 to \$10,000 and 20 license suspension points; second or subsequent offenses: \$10,000 to \$100,000 fine, or maximum of 364 days in jail, or both; and the Parks and Wildlife Commission may suspend the offender's wildlife privileges for a minimum of 1 year and a maximum of a lifetime.
unclassified	
<i>Unlawful acts by pass and registration agents.</i> Any pass or registration agent for the Division of Parks and Outdoor Recreation who fails to account for passes and registrations, or who fails to pay over moneys received from the sale of passes and registrations to the Division of Parks and Outdoor Recreation, commits a misdemeanor when the amount in question is less than \$200.	33-12-104 (11)(a) \$200 to \$1,000 fine, up to 364 days in jail, or both.
Use theft cut points = petty, M2 and above	
<i>Prohibited vessel operations.</i> Any person who operates a vessel in a reckless manner commits a misdemeanor.	33-13-108 (3) \$200 to \$1,000 fine, up to 364 days in jail, or both.
M2 (per CPW)	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Operating a vessel while under the influence.</i> Any person who operates or is in actual physical control of a vessel while under the influence of alcohol, a controlled substance, or any other drug, or with a blood alcohol level that exceeds amounts stipulated in statute, commits a misdemeanor.	33-13-108.1 (12) 5 days to 364 days in jail and a maximum of 96 hours of useful public service; the court may also impose a \$200 to \$1,000 fine; for a subsequent violation within 5 years: 60 days to 364 days in jail and 60 to 120 hours of useful public service; the court may also impose a \$500 to \$1,500 fine and impose a maximum of 2 years of probation.
M1 – if it is motorized, wind powered (i.e., sailboats) or it flies (per CPW)	
<i>Operating a vessel while under the influence.</i> Any owner or operator of a vessel who knowingly authorizes the vessel to be operated by or to come under the actual physical control of another person who is under the influence of alcohol, a controlled substance, or any other drug, commits a misdemeanor.	33-13-108.1 (13) \$200 to \$1,000 fine, maximum of 364 days in jail, or both.
M2	
<i>Operating a vessel while the privilege to do so is suspended.</i> Any person who operates a vessel when his or her operating privileges have been suspended by court order for a conviction of an alcohol- or drug-related operating offense commits a misdemeanor.	33-13-108.2 (1) First offense: 3 to 180 days in jail and the court may also impose a \$300 to \$1,000 fine; subsequent offense: 90 days to 364 days in jail and the court may impose a \$500 to \$3,000 fine.
M2	
<i>Operating water skis, aquaplanes, surfboards, inner tubes, or similar devices while under the influence.</i> Any person who operates, manipulates, or rides water skis, an aquaplane, a surfboard, an inner tube, a stand-up paddleboard, or any similar device, while under the influence of alcohol, a controlled substance, or any other drug which renders him or her incapable of safely operating the device, commits a misdemeanor.	33-13-110 (3)(b) \$200 to \$1,000 fine, maximum of 364 days in jail, or both
M1 if it is motorized or it flies; for others like paddleboard, surfboard, inner tube, water skis it is a Civil Infraction. KEEP THIS DECISION, RATHER THAN per CPW.	→ Unclassified Misd. (per CPW)

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Violation of operating restrictions for snowmobiles. Any person who operates a snowmobile in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property, or who operates a snowmobile while under the influence of alcohol, a controlled substance, or any other drug which renders him or her incapable of safely operating the snowmobile, commits a misdemeanor.	33-14-116 (6) \$200 to \$1,000 fine, up to 364 days in jail, or both.
M1 – DUI like	
Off-highway vehicle operation prohibited on streets, roads, and highways. Any person who operates a motor vehicle on any federal public land, trail, or road when the area is not signed for such use commits a misdemeanor if the land is not within a federal wilderness area.	33-14.5-108 (3)(a) \$200 fine.
Unclassified	
Any person who operates a motor vehicle on any federal public land, trail, or road when the area is not signed for such use commits a misdemeanor if the land is within a federal wilderness area.	
Off-highway vehicle operation prohibited on streets, roads, and highways. Any person who, without authorization, removes, defaces, destroys, or installs a sign that affects whether motor vehicle travel is authorized on federal public land commits a misdemeanor.	33-14.5-108 (3)(b) \$150 fine.
unclassified	
Eluding. Any person who eludes or attempts to elude a Division of Parks and Outdoor Recreation officer, after having received a visual or audible signal or command directing him or her to stop, commits a misdemeanor.	33-15-105 \$300 fine.
M2 (per CPW)	
Fires. Any person who starts, builds, tends, or maintains a fire in a careless or reckless manner, that indicates either a lack of due regard for the fire hazard present or a wanton and willful disregard for the safety of persons and property, commits a misdemeanor.	33-15-106 (3) \$1,000 fine.
Unclassified	
Commercial use of state property. Any person who operates any commercial business or who solicits business on any property owned or managed by the Division of Parks and Outdoor Recreation, without first obtaining written permission, commits a misdemeanor.	33-15-114 \$100 to \$1,000 fine, up to 364 days in jail, or both.
M2	
River outfitters – prohibited operations. Any river outfitter, guide, trip leader, or guide instructor who violates the safety equipment provisions of Section 33-13-106, C.R.S., commits a misdemeanor, unless the violation is the failure to have a personal floatation device for each person on board.	33-32-107 (2)(a) \$100 fine.
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Traps, poisons, and snares. An owner or lessee of private property or an employee of such person who uses a leghold trap or instant kill body-gripping design trap, poison, or snare on the private property without complying with the notice and certification requirements provided by law commits a class 2 petty offense.	33-6-203 (3) \$25 fine for a first offense, \$50 for a second or subsequent offense.
Petty (per CPW)	
Violation of aquatic nuisance species prohibition. A person who knowingly or willfully possesses, imports, exports, ships, or transports an aquatic nuisance species, except as authorized by the commission; releases, places, plants, or causes to be released, placed or planted into the waters of the state an aquatic nuisance species; refuses to comply with a proper order issued under Article 10.5 of Title 33 concerning aquatic nuisance species; or fails or refuses to reimburse the division in accordance with Section 33-10.5-104 (6)(a), C.R.S., commits a class 2 petty offense and is issued a warning from the division of the increased penalties for subsequent violations.	33-10.5-105 (2)(a)(I) \$500 fine.
Petty (per CPW)	
A person who fails or refuses to comply with a qualified peace officer's or an authorized agent's request to stop, detain, and inspect any conveyance that the person is operating; launches a vessel without obtaining a conveyance inspection at an aquatic nuisance species check station; or fails to purchase an aquatic nuisance species stamp, if required, commits a class 2 petty offense.	33-10.5-105 (3)(a) \$100 fine.
Petty (per CPW)	
Trails enforcement. Any person who is not a parks and recreation officer or other peace officer and who operates a motorized vehicle on a signed and designated non-motorized trail commits a class 2 petty offense.	33-11-112 \$150 fine.
Petty (per CPW)	
Licensing violations. Any person who transfers, sells, or assigns any pass or registration issued under Articles 10 to 15 of Title 33 to another person commits a class 2 petty offense.	33-12-105 (1) \$200 fine.
Civil infraction	
Any person who makes a false statement or gives any false information in connection with purchasing or selling a pass or registration or who makes any alteration of such pass or registration commits a class 2 petty offense.	33-12-105 (2) \$200 fine and voiding of pass or registration.
civil infraction	
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 commits a class 2 petty offense.	33-12-105 (3) \$25 fine.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Numbering of vessels required. Any person who operates or uses an unnumbered or unregistered vessel on state waters, or who possesses an unnumbered or unregistered vessel at a vessel staging area, or who fails to produce his or her registration upon demand by a Division of Parks and Wildlife officer, commits a class 2 petty offense.	33-13-103 (4) \$100 fine.
INFRACTION	
Application for vessel number. Any person who fails to display a vessel number as required by Section 33-13-104, C.R.S., commits a class 2 petty offense.	33-13-104 (1) \$25 fine.
INFRACTION	
Any person who fails to have his or her vessel registration on board and available for inspection while operating in the state commits a class 2 petty offense.	33-13-104 (2) \$50 fine.
INFRACTION	
Vessel equipment requirements. Any person who operates a personal watercraft when one or more persons on board is not wearing an approved personal floatation device commits a class 2 petty offense.	33-13-106 (5) \$100 fine.
Petty (per CPW)	
Any person who operates a personal watercraft that is equipped by the original manufacturer with an engine cutoff switch lanyard and who fails to attach such lanyard to his or her person, clothing, or personal floatation device commits a class 2 petty offense.	
Petty (per CPW)	
Any person who operates a vessel other than a personal watercraft commits a class 2 petty offense if he or she fails to have on board at all times the following items: one approved personal floatation device for each person on board; when operating during hours of darkness, a light sufficient to make the vessel's presence and location known within a reasonable distance; and, if necessary, an efficient natural or mechanical ventilation system.	
Petty (per CPW)	
It is a class 2 petty offense to operate a vessel on state waters without additional equipment that has been designed to promote navigational safety and that the Parks and Wildlife Commission has found to be necessary and desirable for the safe operation of vessels.	
Petty (per CPW)	
It is a class 2 petty offense to operate a vessel on water unless each child under the age of 13 is wearing an approved personal floatation device or is below deck or in an enclosed cabin.	
Petty (per CPW)	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Vessel liveries.</i> An owner or operator of a vessel livery who fails to keep, for 30 days following the return of a vessel from a scheduled trip, records of the name and address of the person who hired the vessel, the hull identification number, and the vessel's scheduled departure date and date of return, commits a class 2 petty offense.	33-13-107 (1) \$100 fine.
Civil infraction	
An owner or operator of a vessel livery or any agent of such owner or operator who permits any vessel to depart from his or her premises without being equipped and registered as required by law and by rules commits a class 2 petty offense.	33-13-107 (2) \$100 fine.
Civil infraction	
<i>Minimum age of motorboat operators.</i> A person under 16 years of age who operates a motorboat commits a class 2 petty offense, unless that person is 14 years old or older and has met the boating safety and certificate requirements provided by law.	33-13-107.1 (5) \$100 fine.
INFRACTION	
Any person who permits or knowingly authorizes a motorboat to be operated by a person who is under 16 years of age commits a class 2 petty offense, unless the child is 14 years old or older and has met the boating safety and certificate requirements provided by law.	
INFRACTION	
Any owner or operator of a vessel livery or any agent or employee of such owner or operator who leases, hires, or rents a motorboat to or for operation by a person who is under 16 years of age commits a class 2 petty offense, unless the child is 14 years old or older and has met the boating safety and certificate requirements provided by law.	
Civil infraction	
<i>Prohibited vessel operations.</i> Any person who operates or who gives permission for the operation of a vessel which is not equipped as required by law, which emits noise in excess of permissible levels established by the Parks and Wildlife Commission, or which is operated above a wakeless speed in areas zoned as wakeless, or in a manner that violates any Parks and Wildlife Commission rule, commits a class 2 petty offense.	33-13-108 (1)(b) \$100 fine.
INFRACTION	
Any person who operates a vessel in a careless or imprudent manner without due regard for zoning, traffic, and other attendant circumstances or as to endanger any person, property, or wildlife commits a class 2 petty offense.	33-13-108 (2)(b) \$200 fine.
Petty (per CPW)	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Vessel collisions, accidents, and casualties.</i> The operator of a vessel involved in a collision, accident, or other casualty who fails to render assistance or who fails to give his or her name, address, and vessel identification commits a class 2 petty offense.	33-13-109 (6) \$75 fine.
Petty (per CPW)	
The operator of a vessel involved in a collision, accident, or other casualty who fails to report the incident to the Parks and Wildlife Commission commits a class 2 petty offense.	33-13-109 (6) \$75 fine.
Petty (per CPW)	
<i>Water skis, aquaplanes, surfboards, inner tubes, and similar devices.</i> Any person who operates or manipulates any water skis, an aquaplane, a surfboard, an inner tube, or other similar device in a careless or imprudent manner or who operates any vessel, towrope, or other device in such a way as to cause persons using water skis, an aquaplane, a surfboard, an inner tube or other similar device to collide with another person or object commits a class 2 petty offense.	33-13-110 (1)(c) \$200 fine.
M1 if it is motorized or it flies; for others like paddleboard, surfboard, inner tube, water skis it is a Civil Infraction. KEEP THIS DECISION, RATHER THAN per CPW.	→ Petty (per CPW)
<i>Water skis, aquaplanes, surfboards, inner tubes, and similar devices.</i> Any person who operates water skis, an aquaplane, a surfboard, an inner tube, a stand-up paddleboard, or any similar device commits a class 2 petty offense if he or she fails to wear a personal floatation device. Any person who violates any of the regulations promulgated by the Parks and Wildlife Commission relating to the use of water skis, aquaplanes, surfboards, inner tubes, or other similar devices commits a class 2 petty offense.	33-13-110 (2)(d) \$100 fine.
M1 if it is motorized or it flies; for others like paddleboard, surfboard, inner tube, water skis it is a Civil Infraction. KEEP THIS DECISION, RATHER THAN per CPW.	→ Petty (per CPW)
<i>Authority to close waters.</i> Any person who fails to obey an order regarding the closure of waters by the Parks and Wildlife Commission commits a class 2 petty offense.	33-13-111 (3) \$100 fine.
Civil infraction	
Offenses Related to Snowmobiles	
<i>Snowmobile registration.</i> Any snowmobile dealer who fails to 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 commits a class 2 petty offense, unless the snowmobile was purchased exclusively for use outside of Colorado.	33-14-102 (2)(a) \$100 fine.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Any person who operates an unregistered snowmobile in situations in which registration is required commits a class 2 petty offense.	33-14-102 (9) \$100 fine.
Civil infraction	
Issuance of snowmobile registration. Any person who fails to display an assigned registration number on a snowmobile commits a class 2 petty offense.	33-14-104 (8)(a) \$25 fine.
Any person who fails to carry and produce his or her snowmobile registration or identification information for inspection by any peace officer commits a class 2 petty offense.	33-14-104 (8)(b) \$50 fine.
Civil infraction	
Restrictions on young snowmobile operators. Any person who violates the provisions of Section 33-14-109, C.R.S., regarding age restrictions on operators of snowmobiles commits a class 2 petty offense.	33-14-109 (3) \$100 fine.
Civil infraction	
Snowmobile operation on right-of-way of streets, roads, or highways. Any person who violates the provisions of Section 33-14-111, C.R.S., regarding snowmobile operation on the right-of-way of streets, roads, or highways commits a class 2 petty offense.	33-14-111 (3) \$100 fine.
Civil infraction	
Crossing roads, highways, and railroad tracks on a snowmobile. Any person who violates Section 33-14-112, C.R.S., regarding the crossing of roads, highways, and railroad tracks by snowmobile commits a class 2 petty offense.	33-14-112 (3) \$100 fine
Civil infraction	
Operation of snowmobiles on private property. Any person who operates a snowmobile on private property without prior permission from the owner, lessee, or agent commits a class 2 petty offense.	33-14-113 \$100 fine
Civil infraction	
Required snowmobile equipment. Any person who operates a snowmobile on a public street or highway without proper equipment, or who sells or offers for sale a snowmobile that is not properly equipped, commits a class 2 petty offense.	33-14-114 (3) \$100 fine
Civil infraction	
Notice of snowmobile accident. Any person who fails to immediately report to law enforcement a snowmobile accident resulting in property damage of \$1,500 or more or in injuries resulting in hospitalization or death commits a class 2 petty offense.	33-14-115 (4) \$75 fine
Petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
An owner of a snowmobile, or someone acting for him or her, who fails to notify the Denver Office of the Division of Parks and Outdoor Recreation within 48 hours of a snowmobile accident commits a class 2 petty offense.	
Civil infraction	
Other snowmobile operating restrictions. Any person who operates a snowmobile in a careless or imprudent manner without due regard for the width, grade, corners, curves, or traffic of trails commits a class 2 petty offense.	33-14-116 (5) \$200 fine.
Petty (per CPW)	
Other snowmobile operating restrictions. Any snowmobile owner who permits his or her snowmobile to be operated in a careless or imprudent manner; in a manner that indicates a wanton or willful disregard for the safety of persons or property; or under the influence of alcohol, controlled substances, or other drugs commits a class 2 petty offense.	33-14-116 (7) \$100 fine.
Petty (per CPW)	
Hunting or carrying weapons on snowmobiles. Any person who hunts any wildlife from a snowmobile commits a class 2 petty offense.	33-14-117 (3)(a) \$200 fine.
Civil infraction	
Any person who operates or rides a snowmobile while in possession of a firearm or bow commits a class 2 petty offense unless the firearm or bow is properly stored and secured. Individuals to whom the Division of Parks and Wildlife has issued a permit for the control of predators are exempt.	33-14-117 (3)(b) \$100 fine.
Civil infraction	
Any person who pursues, drives, or otherwise intentionally disturbs or harasses any wildlife by use of a snowmobile commits a class 2 petty offense unless he or she is protecting crops or other property.	33-14-117 (3)(c) \$200 fine.
Civil infraction	
Offenses Related to Off-highway Vehicles	
Off-highway vehicle registration. Any person who operates an off-highway vehicle in violation of the provisions of Section 33-14.5-102, C.R.S., regarding off-highway vehicle registration, fees, applications, requirements, and exemptions commits a class 2 petty offense.	33-14.5-102 (7) \$100 fine.
Civil infraction	
Any off-highway vehicle dealer who fails to require a purchaser to complete a registration application and pay the registration fee before the off-highway vehicle leaves the dealer's premises commits a class 2 petty offense, unless the vehicle was purchased exclusively for use outside of Colorado.	33-14.5-102 (8) \$100 fine.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Any person who violates any of the provisions of Section 33-14.5-102 (9), C.R.S., relating to the licensing and registration of an off-highway vehicle owned or operated by a non-resident commits a class 2 petty offense.	33-14.5-102 (9)(f) \$100 fine.
Civil infraction	
Issuance of off-highway vehicle registration. Any person who fails to properly display the number assigned to an off-highway vehicle commits a class 2 petty offense.	33-14.5-104 (7)(a) \$25 fine.
INFRACTION	
Any person who, while operating an off-highway vehicle, fails to carry and produce his or her registration for inspection upon the demand of any peace officer commits a class 2 petty offense.	33-14.5-104 (7)(b) \$50 fine.
INFRACTION	
Off-highway vehicle operation prohibited on streets, roads, and highways. Any person who violates any of the provisions of Section 33-14.5-108, C.R.S., relating to the operation of off-highway vehicles on streets, roads, and highways commits a class 2 petty offense.	33-14.5-108 (2) \$50 fine.
Civil infraction	
Crossing roads, highways, and railroad tracks. A person crossing a highway while driving a an off-highway vehicle must cross at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; bring the vehicle to a complete stop before crossing the shoulder or, if none, the roadway before proceeding; yield the right-of-way to all motor vehicle traffic on the roadway that constitutes an immediate hazard to the crossing; and cross a divided highway at an intersection of the highway with another road or highway. Failure to do so is a class 2 petty offense.	33-14.5-108.5 (3) \$100 fine.
INFRACTION	
Required off-highway vehicle equipment. Any person who operates an off-highway vehicle on public land without the proper equipment commits a class 2 petty offense.	33-14.5-109 (2) \$50 fine and \$150 fine if operating a vehicle without a spark arrester.
Civil infraction	
Notice of off-highway vehicle accident. An owner of an off-highway vehicle, or someone acting for him or her, who fails to notify the Denver Office of the Division of Parks and Outdoor Recreation within 48 hours of an off-highway vehicle accident commits a class 2 petty offense.	33-14.5-113 (4) \$75 fine.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
Any person who fails to notify law enforcement within 48 hours of an off-highway accident that does not result in property damage of \$1,500 or more or injuries resulting in hospitalization or death commits a class 2 petty offense.	
Civil Infraction	
Off-highway use permit. Failing to obtain or display off highway use permit on off highway vehicle. Any person who violates subsection (1)(b) of this section is guilty of a class 2 petty offense and, upon conviction, shall be punished by a fine of one hundred dollars	33-14.5-112(6) Class B traffic infraction (same as registration required on vehicle)
INFRACTION	
Power of officers. Any person who refuses to allow an officer having authority to enforce the provisions of Articles 10 to 15 and 32 of Title 33 and the rules of the Parks and Wildlife Commission to make use of a motor vehicle or other means of transportation when necessary for the public health, safety, or welfare commits a class 2 petty offense.	33-15-101 (2) \$50 fine.
Civil infraction	
Imposition of penalty. Any person who violates any rule of the Parks and Wildlife Commission that does not have a specific penalty listed commits a class 2 petty offense.	33-15-102 (1) \$100 fine.
Petty (per CPW)	
Vehicles and vessels – operation on state property. Any person who operates or parks a motor vehicle or vessel in areas that are not designated parking areas for property owned or under the control of the Division of Parks and Wildlife commits a class 2 petty offense.	33-15-110 (2) \$100 fine.
INFRACTION	
Any person who operates a motor vehicle or vessel in excess of the posted speed limit on any property under control of the Division of Parks and Wildlife commits a class 2 petty offense.	
INFRACTION	
Any person who parks a motor vehicle or vessel on any property under control of the Division of Parks and Wildlife in such a manner as to impede the normal flow of traffic, or who leaves the vehicle or vessel unattended for more than 24 hours, commits a class 2 petty offense.	
Civil infraction	
Any person who operates or parks a motor vehicle upon property under control of the Division of Parks and Wildlife without first purchasing the required valid passes or permits commits a class 2 petty offense.	
Petty (per CPW)	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 33 Offenses Parks and Wildlife	
<i>Duties of skiers.</i> Any person who skis on a ski slope or trail that has been posted as "closed" commits a class 2 petty offense.	33-44-109 (12) Maximum \$1,000 fine.
Civil infraction; keep fine	
Any person who moves uphill on any passenger tramway or who uses any ski slope or trail while such person's ability to do so is impaired by the consumption of alcohol, controlled substances, or other drugs commits a class 2 petty offense.	
Civil infraction	
Any skier who is involved in a collision with another skier or person in which an injury results and who leaves the vicinity of the collision before giving his or her name and current address to an employee of the ski area or to a member of the ski patrol commits a class 2 petty offense, unless that person leaves the vicinity in order to secure aid.	
Petty (per CPW)	
Any person who knowingly enters public or private lands from an adjoining ski area when such land has been closed by its owner and the owner or ski area has posted that the area is closed commits a class 2 petty offense.	33-44-109 (12) Maximum \$1,000 fine.
Civil infraction; keep fine	
<i>Numbering of vessels required.</i> Any person who operates or uses a canoe, kayak, sailboard, or non-motorized raft that is not required to be registered and is not marked with the owner's name and current address in a legible, clearly visible, and durable fashion commits a petty offense.	33-13-103 (5) \$15 fine.
INFRACTION	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 34 Offenses to be Reclassified

TITLE 34 Offenses Mineral Resources	
Colorado Mined Land Reclamation Act. Willfully and knowingly releasing confidential information relating to an application for a reclamation permit filed with the Mined Land Reclamation Board is a class 2 misdemeanor.	34-32-112 (9)
M2	
Colorado Land Reclamation Act for the Extraction of Construction Materials. Willfully or knowingly releasing confidential information relating to an application for a reclamation permit or notice of intent to conduct exploration filed with the Mined Land Reclamation Board is a class 2 misdemeanor.	34-32.5-112 (8)
M2.	
Failure to cover an abandoned or inactive mine. Any person who fails to securely cover or fence an abandoned or inactive mine, or who removes such cover or fence without permission, commits a misdemeanor.	34-24-110 (1) Maximum \$300 fine.
Civil infraction	
Trespassing into a mine. Any person who trespasses into any mine commits a misdemeanor.	34-24-110 (3) \$50 to \$500 fine, up to 10 days in jail, or both.
Petty	
Removing the covering or fencing on a mine. Any person who removes or destroys any covering or fencing placed around or over any abandoned or inactive mine commits a misdemeanor.	34-24-111 \$50 to \$300 fine, up to 6 months in jail, or both.
Petty	
Unauthorized entrance into a mine. Any person who enters any active or inactive mine without being accompanied by the mine's operator, or without having obtained prior written permission from the operator, commits a misdemeanor. It is also a misdemeanor to fail to secure proper authorization to enter into an abandoned mine when the operator cannot be found.	34-24-112 (3) \$50 to \$500 fine, up to 10 days in jail, or both
Petty	
Unlawful financial interest in a mining operation. It is unlawful for an employee of the Division of Reclamation, Mining, and Safety who performs any inspections or monitoring of mining operations pursuant to the Colorado Surface Coal Mining Reclamation Act to have a direct or indirect financial interest in any underground or surface coal mining operation. Knowing violation of this provision is a misdemeanor.	34-33-122 (9) Maximum \$2,500 fine, 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 34 Offenses Mineral Resources	
<i>Sales of ore – false weights or scales.</i> Any person, association, or corporation, or the agent of such, who is engaged in the business of milling, sampling, concentrating, reducing, shipping, or purchasing ores, that keeps or uses any false or fraudulent scales or weights for weighing ore, knowing them to be false, commits a misdemeanor.	34-53-102 \$100 to \$1,000 fine, up to 364 days in jail, or both.
M2	
<i>Altering or changing the true value of ores.</i> Any person, association, or corporation, or the agent of such, who is engaged in the business of milling, sampling, concentrating, reducing, shipping, or purchasing ores, that in any manner knowingly alters or changes the true value of any ores delivered to him or her, 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, commits a misdemeanor.	34-53-103 \$100 to \$1,000 fine, up to 364 days in jail, or both.
M2	
<i>Violation of the statute governing memoranda of ore sales.</i> Any person who violates any of the provisions of Article 54 of Title 34, concerning memoranda of ore sales, commits a misdemeanor.	34-54-106 \$50 to \$500 fine, up to 6 months in jail, or both.
M2	
<i>Making a false entry or statement in regards to reports required by the Oil and Gas Conservation Act.</i> Any person who, for the purpose of evading the provisions of the Oil and Gas Conservation Act or any rules or regulations promulgated pursuant to it, makes or causes to be made any false entry or statement in a report, record, account, or memoranda required by the act, or who causes true entries to be omitted from such records, or who removes, destroys, mutilates, alters, or falsifies any such records, commits a misdemeanor. It is also a misdemeanor to aid or abet in any such violation.	34-60-121 (2) and (3) Maximum \$5,000 fine, 6 months in jail, or both.
M2	
<i>Violation of the statute regulating oil wells and boreholes.</i> Any person who violates any of the provisions of Article 61 of Title 34, concerning the regulation of oil wells and boreholes, commits a misdemeanor.	34-61-108 Maximum \$500 fine, 6 months in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 35 Offenses to be Reclassified

TITLE 35 Offenses	
Agriculture	
Theft	
willfully convert to his or her own use or benefit the commodities of another;	35-36-123 (1)(f)
sell commodities for less than the current market price to any person with whom one has any direct or indirect financial connection;	35-36-123 (1)(k)
sell commodities out of the purchase price of which one receives any portion thereof other than the lawfully allowed commission;	35-36-123 (1)(k)
willfully convert to his or her own use or benefit the farm products of another;	35-37-118 (1)(f)
if licensed as a dealer or small-volume dealer, sell farm products for less than the current market price to any person with whom such dealer has any financial connection or to sell farm products out of the purchase price of which the dealer receives any portion thereof other than the lawfully allowed commission;	35-37-118 (1)(j)
purchase farm products in the state and move the products to another state and issue a check in payment for those products knowing that there are insufficient funds to pay for the products;	35-37-121 (2)
file a fraudulent or false claim for a refund from the Colorado Beef Council Authority, or by any false pretenses obtains or attempts to obtain a refund not legally due the actor, or sign a refund claim in the name of and for another person;	35-57-119 (4)
file with the Colorado Sheep and Wool Authority a fraudulent or false claim for refund, or by any false pretenses, obtain or attempt to obtain a refund not legally due the actor, or signs a refund claim in the name of and for another person;	35-57.5-119 (5)
file a fraudulent or false claim for a refund from the Colorado Horse Development Authority, or by any false pretense obtain or obtain a refund not legally due the actor, or sign a refund claim in the name of and for another person;	35-57.8-111 (4)
theft Value-based	
Embargoed pesticides. Removing or disposing any detained or embargoed pesticide or device, by sale or otherwise, without prior permission, or removing or altering the tag or marking of such pesticide or device is a class 1 misdemeanor.	35-9-123 (3)
M2	
Violations. Violating any of the provisions of Section 35-10-117 (1)(f), (2)(f), (2)(g), (4)(b), or (5), C.R.S., of the Pesticide Applicators' Act is a class 2 misdemeanor.	35-10-123 (3)
M2	
Violating any of the provisions of Section 35-10-117 1)(a) through (c), (1)(e), (1)(g), (1)(i), (1)(j), (2)(a) through (2)(d), (3)(a), or (4)(a), C.R.S., of the Pesticide Applicators' Act is a class 1 misdemeanor.	35-10-123 (2)
M2	
Violations. Violating any of the provisions of the Pesticide Applicators' Act is a class 1 misdemeanor.	35-10-123 (2)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
Violations. Violating any of the provisions of Section 35-27-113 (6), C.R.S., regarding the sale, barter, or distribution of seed and seed beans is a class 1	35-27-113 (6)
M2	
Farm commodity warehousing. Committing fraud or deception in the procurement of a farm commodity warehouse license is a class 1 misdemeanor.	35-36-123 (1)(g)
M2	
Failing to comply with any lawful order of the Commissioner of Agriculture pursuant to the Commodity Handler Act is a class 1 misdemeanor.	35-36-123 (1)(h)
M2	
Interfering with or hindering an authorized representative of the Commissioner of Agriculture who is performing duties pursuant to the Commodity Handler Act is a class 1 misdemeanor.	35-36-123 (1)(i)
M2	
Violating any unspecified provision of the Commodity Handler Act is a class 1 misdemeanor.	35-36-124 (2)
M2	
Unlawful acts. Committing fraud or deception in the procurement of a farm products license is a class 1 misdemeanor.	35-37-118 (1)(g)
M2	
Failing to comply with any lawful order of the Commissioner of Agriculture concerning administration of the Farm Products Act is a class 1 misdemeanor.	35-37-118 (1)(h)
M2	
Interfering with or hindering an authorized representative of the Commissioner of Agriculture who is performing duties pursuant to the Farm Products Act is a class 1 misdemeanor.	35-37-118 (1)(i)
M2	
Failure of a licensed dealer who is a cash buyer to pay in cash or other permitted methods for any transaction without first complying with the bonding requirements of Section 35-37-106, C.R.S., is a class 1 misdemeanor.	35-37-118 (1)(l)
M2	
Purchase for processing or resale of \$20,000 or more worth of farm products in one year, or of \$2,500 or more worth of farm products in any single transaction, by one who is licensed as a small-volume dealer is a class 1 misdemeanor	35-37-118 (1)(m)
M2.	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
Violating any unspecified provision of the Farm Products Act is a class 1 misdemeanor.	35-37-119 (2)
M2	
Violations. Violating any of the provisions of Section 35-41.5-109, C.R.S., regarding unlawful acts under the Alternative Livestock Act is a class 1 misdemeanor.	35-41.5-115
M2	
Violations. Violating any of the provisions of Section 35-42.5-101, C.R.S., regarding duties and restrictions relating to animal shelters and pounds is a class 1 misdemeanor.	35-42.5-101 (3)
M2	
Violations. Violating, within three years of a previous violation of the same part, any of the provisions of Part 2 of Article 43 of Title 35 relating to brand inspection is a class 1 misdemeanor, with some exceptions.	35-43-212 (2)
M2	
Unlawfully butchering an animal belonging to another person is a class 1 misdemeanor.	35-43-212 (3)
M2	
Criminal penalties. Moving or causing 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 knowingly introducing a reportable disease into the state is a class 1 misdemeanor. A second subsequent conviction requires a mandatory sentence to prison.	35-50-119 (2)
M1 delete the 2 nd and subsequent	
Violations. A second or subsequent violation of any of the provisions of or rules and regulations promulgated pursuant to the Public Livestock Markets statute is a class 1 misdemeanor.	35-55-117
M2	
Violations. Any subsequent violation of any provision of the Colorado Bee Act is a class 2 misdemeanor.	35-25-111
PO	
License requirement	
Operating a custom processing facility without a valid license is a class 2 misdemeanor.	35-33-206 (5)
PO	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
Violations. Violating any of the provisions of or rules promulgated pursuant to the Custom Processing of Meat Animals Act is a class 2 misdemeanor.	35-33-406
M2	
Advertisements. Violating any of the provisions of law regarding the advertisement of and sale of meat is a class 2 misdemeanor.	35-33.5-202 (12)
M2	
License requirement. Selling a home food service plan without a valid license is a class 2 misdemeanor.	35-33.5-301 (5)
M2	
Violations. Violating any of the provisions of or any rules promulgated pursuant to the Sale of Meat Act is a class 2 misdemeanor.	35-33.5-306
M2	
Violations. Violating any of the provisions of Section 35-50.5-102, C.R.S., relating to the confinement of gestating sows and calves raised for veal is a class 2 misdemeanor.	35-50.5-102 (3)
M2	
Violations. Violating any of the provisions of Section 35-80-108 (1)(a), (1)(b), (1)(c), (1)(f), or (1)(m), C.R.S., of the Pet Animal Care and Facilities Act is a class 2 misdemeanor.	35-80-114
M2	
Violations. Violating any of the provisions of Section 35-9-120 (2) (e), C.R.S., of the Pesticide Act is a class 3 misdemeanor.	35-9-125 (4)
PO	
Violating any of the provisions of Section 35-9-120 (1)(g), (2)(d), or (2)(f), C.R.S., of the Pesticide Act is a class 2 misdemeanor.	35-9-125 (3)
PO	
Violating any of the provisions of Section 35-9-120 (1)(a) through (c), (1)(e), (1)(f), (1)(h), (1)(j), (1)(k), (2)(a) through (2)(c), or (2)(g), C.R.S., of the Pesticide Act is a class 1 misdemeanor.	35-9-125 (2)
M2	
Violations. Intentionally violating any of the provisions of or rules and regulations promulgated pursuant to the Colorado Nursery Act is a class 3 misdemeanor.	35-26-109 (1)
PO	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
Violations. Intentionally violating any of the provisions of or rules and regulations promulgated pursuant to the Weed Free Forage Crop Certification Act is a class 3 misdemeanor.	35-27.5-107
PO	
Cattle in feedlots. A second or subsequent violation of any of the provisions regarding the inspection of cattle in feedlots is a class 3 misdemeanor.	35-43-130 (2)
PO	
Violations. Violating any of the provisions of Part 2 of Article 43 of Title 35 relating to brand inspection is a class 3 misdemeanor, with some exceptions.	35-43-212 (1)
PO	
Permanent permits. Fraudulent use of a permanent hauling transportation permit issued for the transportation of rodeo and other horses is a class 3 misdemeanor.	35-53-129 (1)
PO	
Annual transportation permits. Fraudulent use of an annual transportation permit issued for the transportation of cattle or alternative livestock is a class 3 misdemeanor.	35-53-130 (1)
PO	
Failure to give or compile information relating to agricultural statistics. Any person who fails or refuses to give information to Commissioner of Agriculture as required by Article 2 of Title 35, concerning agricultural statistics, commits a misdemeanor.	35-2-104 \$10 to \$500 fine, plus prosecution costs.
Unclassified	
Any county or state official who refuses to collect or compile for the State Agricultural Commission information required by Article 2 of Title 35, concerning agricultural statistics, commits a misdemeanor.	35-2-104 \$250 to \$500 fine, plus prosecution costs.
Unclassified	
Failure to give information concerning agricultural statistics to the county assessor. Any person who is required to give information concerning agricultural statistics to the county assessor and fails, refuses, or neglects to do so, commits a misdemeanor.	35-2-105 \$25 to \$200 fine, plus prosecution costs.
Unclassified	
Divulging confidential information related to agricultural statistics. Any officer or employee of the State Agricultural Commission who discloses confidential information contained in reports made pursuant to Article 2 of Title 35, concerning agricultural statistics, commits a misdemeanor.	35-2-106 Maximum \$500 fine plus prosecution costs or up to 364 days in jail.
petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
<i>Violation of the statute regulating processing of eggs.</i> Any person who violates any of the provisions of Article 21 of Title 35, concerning the processing of eggs, commits a misdemeanor.	35-21-107 (1) Maximum \$500 fine per day.
Unclassified	
<i>Malfeasance of inspectors of agricultural products.</i> Any inspector who inspects fruits, vegetables, and other agricultural products who knowingly makes a wrong or improper inspection of any fruit, vegetable, or other agricultural product, or who 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 of law, or who fails to bring action against those who violate such standards, or who accepts money or any other consideration for an incorrect performance of his or her duty, commits a misdemeanor. Any person who improperly influences any inspector in the performance of his or her duty also commits a misdemeanor.	35-23-110 Maximum \$500 fine, 3 months in jail, or both.
PO	
<i>Violation of the statute governing the standards and regulations for fruits, vegetables, and other agricultural products.</i> Any person, firm, corporation, or other organization that violates any of the provisions of Article 23 of Title 35, concerning standards and regulations for fruits, vegetables, and other agricultural products, or that willfully interferes with the official performance of duties pursuant to that article, commits a misdemeanor.	35-23-116 Maximum \$500 fine, 3 months in jail, or both; the offender's license will also be revoked.
PO	
<i>Violation of the Controlled Atmosphere Storage of Apples Act.</i> Any person who violates any provision of the Controlled Atmosphere Storage of Apples Act commits a misdemeanor.	35-23.5-107 (2) Maximum \$500 fine per violation per day.
Unclassified	
<i>Violation of the Colorado Bee Act.</i> Any person who, for the first time, violates any provision of the Colorado Bee Act, commits a misdemeanor.	35-25-111 Maximum \$100 fine.
Civil infraction	
<i>Violation of the Colorado Agricultural Marketing Act of 1939.</i> Any person who violates any provision of the Colorado Agricultural Act of 1939, or who violates any provision of any marketing order issued pursuant thereto, commits a misdemeanor.	35-28-116 (2) \$50 to \$500 fine, 10 days to 6 months in jail, or both.
PO	
<i>Violation of the Colorado Seal of Quality statute.</i> Any person who violates any provisions of Article 29 of Title 35, concerning the Colorado Seal of Quality, commits a misdemeanor.	35-29-109 Maximum \$500 fine, 3 months in jail, or both.
PO	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
<i>Violations pertaining to public enforcement of the statute concerning the destruction of food products.</i> Any person who violates any provision of Part 1 of Article 31 of Title 35, concerning public enforcement of the destruction of food products statute, commits a misdemeanor.	35-31-104 (1) \$100 to \$1,000 fine, 30 days to 364 days in jail, or both.
PO	
<i>Unlawful use of brands.</i> Any person, association, or corporation, or any employee thereof, who brands or causes to be branded any livestock with a brand that has not been recorded with the state, commits a misdemeanor.	35-43-105 (3) \$50 to \$500, 30 days to 364 days in jail, or both.
M2	
<i>Branding of a maverick without authorization.</i> Any person who, without authorization, marks, brands, or causes to be marked or branded, or in any way converts to his use any animal known and designated by law as a maverick, or who knowingly allows such unauthorized branding, commits a misdemeanor.	35-43-118 (2) 3 months To 364 days in jail.
M2	
<i>Trespassing on land - injuring resident.</i> Any owner or person in charge of any drove of stock who drives the stock on another's land and who willfully injures any resident in so doing commits a misdemeanor.	35-43-120 (2) \$25 to \$100 fine.
Unclassified	
<i>Failing to comply with requirements to brand calves.</i> Any person who violates any of the provisions of Section 35-43-129, C.R.S., concerning the requirement to brand calves, commits a misdemeanor.	35-43-129 (4) First offense: \$100 to \$500 fine, maximum of 90 days in jail; second or subsequent offense: minimum mandatory fine of \$500 and 10 days in jail.
M2	
<i>Unauthorized herding or grazing of stock on public domain range.</i> Any person who grazes or herds stock on a public domain range not entitled to be herded or grazed upon commits a misdemeanor.	35-45-104 Maximum \$1,000 fine, 6 months in jail, or both.
PO	
<i>Grazing on roads and in municipalities.</i> Any person in charge of any livestock who knowingly causes or permits such livestock to graze or run at large in any municipality or public highway, if the area is separated from the land of such owner by a fence or other barrier, commits a misdemeanor.	35-46-105 (2) \$10 to \$200 fine.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
<i>Unlawfully taking custody of or releasing livestock.</i> Any person who takes into his or her custody any livestock in violation of Sections 35-46-102 and 35-46-105, C.R.S., of the Fence Law, or who uses force, trickery, fraud, or deceit to remove livestock from someone else's possession, commits a misdemeanor.	35-46-109 \$10 to \$500 fine, maximum of 60 days in jail, or both.
M2 – will generally be theft but in case not will leave as M2	
<i>Allowing livestock to run at large.</i> Any person who knowingly permits horses or mules to run at large commits a misdemeanor.	35-47-103 \$25 to \$500 fine.
Civil infraction	
<i>Allowing an inferior bull or ram to run at large.</i> Any person, firm, or corporation who permits any inferior bull over the age of one year or any inferior ram over the age of two months to run at large commits a misdemeanor. It is also a misdemeanor to permit cows to run at large upon public ranges without complying with the specifications of Section 35-48-103 (2), C.R.S.	35-48-103 (3) Maximum \$100 fine.
Civil infraction	
<i>Violation of the Livestock Health Act.</i> Any person, firm, partnership, association, or corporation, or any officer or agent thereof, who violates any of the provisions of the Livestock Health Act, or the orders and rules promulgated pursuant thereto, commits a misdemeanor.	35-50-119 (1) \$500 to \$2,000 fine, maximum of 90 days in jail, or both.
M2	
<i>Unlawful manufacture or sale of animal biological products.</i> Any person, firm, or corporation that manufactures or sells animal biological products, without complying with the provisions of Article 51 of Title 35, commits a misdemeanor.	35-51-102 \$100 to \$500 fine, 30 days to 364 days in jail, or both.
M2	
<i>Violation of the regulations regarding hogs.</i> Any person, firm, partnership, or corporation that violates any provision of Article 52 of Title 35, concerning hogs, commits a misdemeanor.	35-52-111 Maximum \$500 fine.
Civil infraction	
<i>False report concerning the transportation of livestock.</i> Any inspector who knowingly makes any false certificate to the State Board of Stock Inspection Commissioners concerning the transportation of livestock commits a misdemeanor.	35-53-103 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Substitution of animals in the transportation of livestock.</i> 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, or who removes any of said animals and substitutes others in their place without the knowledge of the brand inspector, commits a misdemeanor.	35-53-106 Maximum \$1,000 fine, 364 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
<i>Violation of the sanitary rules as to the movement of livestock.</i> Any person, firm, or corporation that violates or disregards any of the provisions of a proclamation issued by the governor pursuant to Section 35-53-111, C.R.S., concerning sanitary rules as to the movement of livestock and quarantines, commits a misdemeanor.	35-53-111 (2) \$300 to \$3,000 fine, 30 days to 364 days in jail, or both.
M2	
<i>Shipping livestock prior to inspection.</i> Any person, firm, association, partnership, corporation, or employee of such, who, for a first or second time, willfully violates any provision of Sections 35-53-101 through 35-53-112, C.R.S., concerning the transportation of livestock, or who moves or causes to be moved any single head or any herd of cattle, horses, or mules without having them inspected and cleared by a brand inspector, commits a misdemeanor, except as otherwise provided.	35-53-112 (1) First offense: \$200 to \$1,000 fine, 90 days to 364 days in jail, or both; second offense: \$500 to \$1,000 fine 90 days to 364 days in jail, or both.
M2	
<i>Violation of statutes regarding the inspection and transportation of livestock carcasses.</i> Any person who violates any provisions of Sections 35-53-113 through 35-53-119, C.R.S., concerning the inspection and transportation of livestock carcasses, commits a misdemeanor.	35-53-120 Maximum \$300 fine, 60 days in jail, or both.
M2	
<i>Violations concerning permits for the transportation of livestock.</i> Any person who makes a false or forged permit or statement concerning the transportation of livestock, or who knowingly exhibits or causes to be exhibited to any peace officer such false or forged permit or statement, or who, upon the request of a peace officer, refuses or neglects to exhibit a permit or make a statement, commits a misdemeanor.	35-53-124 Maximum \$300 fine, 3 months in jail, or both.
M2	
<i>Inspection of cattle at market.</i> Any person who fails to have cattle inspected by a brand inspector upon arrival at any market before being taken to the scales for weighing commits a misdemeanor.	35-53-126 \$100 to \$500 fine.
Civil infraction	
<i>Failure to give notice regarding the transportation of sheep.</i> 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 commits a misdemeanor.	35-53-132 Maximum \$300 fine, 3 months in jail, or both.
PO	
<i>Failure to give or receive a bill of sale for livestock sold.</i> Any person who sells or otherwise disposes of any livestock, or who receives any livestock, without exchanging of a bill of sale, commits a misdemeanor.	35-54-102 \$25 to \$500 fine, 30 days to 6 months in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
Violation of the Colorado Feed Law. Any person who violates any of the provisions of the Colorado Feed Law, or who impedes, hinders, or otherwise prevents, or attempts to prevent, the performance of duties in connection with that act, commits a misdemeanor.	35-60-112 (1) First offense: \$100 to \$250 fine; subsequent offenses: \$200 to \$500 fine.
unclassified	
Any person who uses to his or her own advantage, or who unlawfully reveals to state officials, any information acquired pursuant to the Colorado Feed Law that is entitled to protection as a trade secret commits a misdemeanor.	35-60-112 (6) Minimum \$100 fine, 30 days in jail, or both.
PO	
Destroying property of state, county, and district fairs. Any person who willfully destroys the property of exhibitors, visitors, or lessees on state, county, or district fairgrounds, or who hinders or obstructs the officers or policemen in the performance of their duties, or who wrongfully or maliciously gains admission to the fairgrounds contrary to the rules or without paying fees, commits a misdemeanor.	35-65-110 \$5 to \$25 fine, or maximum of 30 days in jail.
Delete offense – this is criminal mischief or another offense	
Duty to report suspected animal cruelty or fighting. The Commissioner of Agriculture or his or her designee commits a class 1 petty offense if he or she willfully does not report animal cruelty or animal fighting to local law enforcement if, in the course of an investigation, he or she has reasonable cause to know or suspect that an animal has been subjected to animal cruelty or animal fighting.	35-80-110 (5)
Petty	
It is a class 1 petty offense for the Commissioner of Agriculture or his or her designee to knowingly making a false report of animal cruelty or animal fighting.	35-80-110 (5)
Petty	
Pest Control Act violations. Any person who violates any of the provisions of the Pest Control Act, except for the provisions of Sections 35-4-107 and 35-4-110.5, C.R.S., commits a class 2 petty offense.	35-4-114 \$25 to \$500 fine and revocation of any certificate, permit, or appointment issued under the act.
Civil infraction	
Grain inspection. Violation of the provisions of law regarding grain inspection is punishable by a maximum fine of \$500.	35-35-104
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 35 Offenses	
Agriculture	
Offenses Related to Livestock	
<i>Thoroughbred rams must be herded.</i> Violation of the provisions of law requiring the owner or agent of any owner of thoroughbred rams to herd or enclose the rams is punishable by a fine of no less than \$25, but no more than \$100.	35-43-123
Civil infraction	
<i>Unlawful auctioning of horses, mules, or cattle.</i> Unlawfully offering for sale at auction any horses, mules, or cattle is punishable by a \$25 fine.	35-56-104
infraction	
<i>Auctioneers of livestock.</i> Violation of the provisions of law regarding auctioneers of livestock is punishable by a fine of no less than \$10, but no more than \$100.	35-56-107
Civil infraction	
<i>Violations.</i> Willfully making, installing, selling, offering to sell, using, or allowing to be used any counterfeit seal or seal of the Commissioner of Agriculture without proper authority is a class 2 misdemeanor.	35-14-132 (1)
Civil infraction	

Title 36 Offenses to be Reclassified

TITLE 36 Offenses	
Natural Resources - General	
<i>Unlawful acts in state forest lands.</i> Any person or corporation who trespasses, commits depredations, or by negligence is responsible for any fires, or who cuts or removes any timber from state forest lands without authority to do so, commits a misdemeanor.	36-7-201 (7) Maximum \$300 fine, 3 months in jail, or both.
M2	
<i>Violation of the Weather Modification Act of 1972.</i> Any person who makes a false statement in the application for a weather modification permit, who fails to file reports as required, or who violates any other provision of the Weather Modification Act of 1972, commits a misdemeanor, except as otherwise provided.	36-20-126 (2) Maximum \$5,000 fine, 6 months in jail, or both.
M2	
<i>Trespass of state or school lands.</i> Using, occupying, or building upon state or school lands without lawful authority is punishable by a fine of no less than \$25, but no more than \$100.	36-1-121
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 37 Offenses to be Reclassified

TITLE 37 Offense	
Water and Irrigation	
<i>Regulations to protect works.</i> The construction of any works in a manner harmful to a conservancy district or in a manner contrary to that specified by the board of directors of such a district is a misdemeanor.	37-3-106 (2) Maximum \$1,000 fine.
Unclassified misdemeanor	
<i>Preventing access to lands.</i> Any person or corporation that prevents the board of directors of any conservancy district, or their agents, from entering upon lands within the district in order to make surveys and examinations, commits a misdemeanor.	37-3-113 Maximum \$50 fine.
Unclassified misdemeanor	
<i>Injury to survey marks.</i> The willful destruction, injury, or removal of any bench marks, witness marks, stakes, or other reference marks, placed by the surveyors or engineers of a conservancy district or by contractors constructing the works of the district, is a misdemeanor.	37-7-102 Maximum \$100 fine.
Unclassified misdemeanor	
<i>Damage to conservancy district works.</i> Any person or corporation that willfully damages conservancy district works commits a misdemeanor.	37-7-103 (1) Maximum \$500 fine and costs.
Unclassified misdemeanor	
<i>Regulation of water for measurements.</i> Any person who refuses to regulate the flow of water into a canal as required by the state engineer for measurements commits a misdemeanor.	37-80-117 First offense: maximum \$100 fine; subsequent offenses: maximum \$500 fine.
Unclassified misdemeanor	
<i>False reports of water gauge heights.</i> Any person who makes false or fictitious reports of gauge heights or who alters, changes, or falsifies any gauge height record or report, or who alters or modifies the record made by any automatic self-registering device, commits a misdemeanor.	37-80-118 Maximum \$500 fine.
Unclassified misdemeanor	
<i>Interference with recording instruments.</i> Any person who willfully injures or destroys any automatic self-registering device, gauge, or other instrument installed upon any canal or weir for the measuring and recording of water depths, or who tampers with or falsifies any record made or being made by any such instrument or device, or who otherwise violates the provisions pertaining to recording instruments, commits a misdemeanor.	37-80-119 First offense: maximum \$500 fine; subsequent offenses: maximum \$1,000 fine.
Unclassified misdemeanor	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 37 Offense Water and Irrigation	
<i>Failure to maintain headgate specifications.</i> Any owner of an irrigation ditch who diverts water from any stream and into any ditch, canal, flume, or reservoir contrary to official orders commits a misdemeanor.	37-84-112 (2) Maximum \$500 fine.
Unclassified misdemeanor	
<i>Refusing to or interference with the delivery of water.</i> Any superintendent or other person in charge of a ditch who willfully neglects or refuses to deliver water, or any person who prevents or interferes with proper delivery of water to persons having a right to it, commits a misdemeanor.	37-84-121 \$10 to \$100 fine, up to 1 month in jail, or both.
Petty	
<i>Refusing to measure water.</i> Any division engineer, or his or her deputy or assistant, who willfully neglects or refuses, after being called upon, to promptly measure water necessary for land irrigation, commits a misdemeanor.	37-84-122 \$10 to \$100 fine, up to 1 month in jail, or both.
Petty	
<i>Collecting an excessive rate for water delivery.</i> Any person who owns or controls, or claims to own or control, any ditch, canal, or reservoir, who demands, requires, bargains for, accepts, receives, or retains an excessive rate for the supply or delivery of water, commits a misdemeanor.	37-85-109 \$100 to \$5,000 fine, 3 months to 364 days in jail, or both.
M2	
<i>Penalty for refusing to deliver water.</i> Any person who owns or controls, or claims to own or control, any ditch, canal, or reservoir, who refuses to furnish or carry and deliver water after being requested and paid to do so, commits a misdemeanor.	37-85-110 \$100 to \$5,000 fine, 3 months to 364 days in jail, or both.
M2	
<i>Damaging state reservoirs.</i> Any person who interferes with or damages any state reservoirs commits a misdemeanor.	37-88-107 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Cutting or breaking gate, bank, flume.</i> 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 otherwise knowingly and willfully interferes with the flow of water with the intent to injure any person, or to steal the water, or to otherwise achieve personal gain, commits a misdemeanor.	37-89-101 \$50 to \$750 fine, up to 90 days in jail, plus restitution.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 37 Offense Water and Irrigation	
<i>Interfering with adjusted headgates.</i> Any 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, after such headgate is under official control, commits a misdemeanor. Any person found using water taken through a headgate, water box, or measuring device that has been unlawfully interfered with also commits a misdemeanor.	37-89-103 (1) Maximum \$300 fine, 60 days in jail, or both.
M2	
<i>Violation of the statute governing water well construction and pump installation contractors.</i> Any person who represents himself or herself as a well construction contractor or as a pump installation contractor, without being licensed or after his or her license has been suspended or revoked or has lapsed, commits a misdemeanor.	37-91-111 (2) Maximum \$500 fine, 90 days in jail, or both; the court will also assess a civil penalty of \$100 to \$5,000 per violation.
Petty	
Any person who advertises or issues any sign, card, or other device indicating that he or she is a well construction contractor or a pump installation contractor, without being licensed, commits a misdemeanor.	
Unclassified	
Any person who constructs wells without being licensed to do so commits a misdemeanor, unless he or she is a private driller or is directly employed by or under the supervision of a licensed well construction contractor.	
Unclassified	
<i>Rio Grande Water Conservation District - access to land.</i> Any person who or corporation that prevents the board of directors of the Rio Grande Water Conservation District or its employees or agents from having access to land to make surveys and examinations commits a class 2 petty offense.	37-48-131
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 38 Offenses to be Reclassified

TITLE 38 Offenses	
Property - Real and Personal	
<i>Moneys for lien claims made trust funds.</i> Violate the trust funds provisions of law regarding lien claims to property by subcontractors, laborers, or material providers;	38-22-127 (5)
<i>Penalty for removing property.</i> Remove property covered by a lien on a well or equipment when the lien has been filed;	38-24-108
<i>Assignment of lien.</i> Violate the trust funds provisions of law regarding verified claims to property by subcontractors, laborers, or material providers;	38-26-109 (4)
<i>Mortgage broker fees - escrow accounts.</i> Misappropriate funds held in escrow or a trustee account;	38-40-101 (4)
The four above are all theft and determined by amount – so use theft cut points	
<i>Removal of improvements from encumbered property.</i> An owner of real property who removes any improvements from encumbered property without first obtaining the written consent of the lien holder commits a class 2 misdemeanor.	38-39-105 (2)
Theft cut points	
<i>Agreements to locate reported property – overbids from foreclosure sales.</i> A person who induces or attempts to induce another person to enter into an agreement to pay compensation to recover or assist in recovering an unclaimed overbid transferred to the administrator under Section 38-38-111, C.R.S., that does not comply with all requirements of Section 38-13-1304 (1), C.R.S., commits a misdemeanor.	38-13-1304 (2) Maximum \$10,000 fine, up to 6 months in jail, or both.
M2	
<i>Violation of the statute governing the transfer of the certificate of title to a manufactured home.</i> Any person who violates any of the provisions of Section 38-29-112 (1), C.R.S., concerning the transfer of the certificate of title to a manufactured home, commits a misdemeanor.	38-29-112 (2) \$250 to \$1,000 fine, 10 days to 6 months in jail, or both.
M2	
<i>Where to apply for a certificate of title.</i> Any resident who procures a certificate of title to a manufactured home in any county of the state other than the county in which the home is to be used as a residence commits a misdemeanor. Any other violation of Titles to Manufactured Homes Act is also a misdemeanor.	38-29-120 \$50 to \$100 fine, 10 days to 6 months in jail, or both.
M2	
<i>Violation of the statute governing the sale, transfer, or disposition of a manufactured home.</i> Any person who sells, transfers, or in any manner disposes of a manufactured home in the state, without complying with the requirements of the Titles to Manufactured Homes Act, commits a misdemeanor.	38-29-141 (2) \$100 to \$500 fine, 10 days to 6 months in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 38 Offenses	
Property - Real and Personal	
<i>Repossession of a manufactured home.</i> Any person who repossesses a manufactured home without notifying the appropriate law enforcement agency and otherwise following the procedures of Section 38-29-142, C.R.S., commits a misdemeanor.	38-29-142 (2) \$50 to \$100 fine.
Unclassified	
<i>Failure to file notice of a change of location.</i> Any owner who fails to file notice of any change of location with the county assessor and the county treasurer, within 20 days after such change of location, commits a misdemeanor.	38-29-143 (2) \$100 to \$1,000 fine.
unclassified	
<i>Violation of the Condominium Ownership Act.</i> Any person who knowingly and willfully violates the provisions of Section 38-33-106, C.R.S., concerning condominium bylaws, or Section 38-33-107, C.R.S., concerning records of receipts and expenditures and their availability, commits a misdemeanor.	38-33-108 Maximum \$500 fine.
unclassified	
<i>Treatment of an overbid.</i> A person who induces or attempts to induce another person to enter into an agreement to pay compensation to recover or assist in recovering an amount due to the owner from the public trustee commits a misdemeanor.	38-38-111 (2.5)(c) Maximum \$10,000, up to 6 months in jail, or both.
M2	
<i>Violation of the statute governing minimum standards for land surveys and plats.</i> Any person who willfully and knowingly violates the provisions of Article 51 of Title 38, concerning minimum standards for land surveys and plats, commits a misdemeanor.	38-51-110 (2) \$150 to \$1,500 fine.
Unclassified	
<i>Violation of the statute governing the perpetuation of land survey monuments.</i> Any person who willfully and knowingly violates the provisions of Article 53 of Title 38, concerning the perpetuation of land survey monuments, commits a misdemeanor.	
unclassified	
<i>Surrender and cancellation of certificate.</i> Any owner of a manufactured home who fails to surrender and request the cancellation of the Colorado certificate of title for the home upon its destruction, dismantling, or sale or disposal as salvage commits a class 1 petty offense.	38-29-118 (1)
PO	
<i>Removal of improvements from encumbered property.</i> An owner of real property who removes any improvements from encumbered property without first obtaining the written consent of the lien holder commits a class 2 misdemeanor.	38-39-105 (2)
PO	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 38 Offenses Property - Real and Personal	
<i>Mortgage broker unlawful acts.</i> Any mortgage broker who misappropriates funds held in escrow or a trustee account commits theft. Under Section 18-4-401 (2), C.R.S., the classification of theft is based on the value of the thing involved.	38-40-101 (4)
Value based already but might need to be clarified	

Title 39 Offenses to be Reclassified

TITLE 39 Offenses Taxation	
<i>Sale of tax liens.</i> A county official, county employee, or the family member or agent of any county official or employee who knowingly acquires a tax lien or property by the sale of a tax lien commits a class 1 misdemeanor.	39-11-151 (3)
M2	
<i>Penalties for false or fraudulent returns.</i> Any person who knowingly and willfully swears to or verifies any false statement in a return commits perjury in the second degree, which is a class 1 misdemeanor.	39-26-120 (3); and 18-8-503 (2)
M2	
<i>Violations.</i> Violating any of the federal requirements regarding the placement of labels or stamps on cigarette packages, or violating other provisions related to the sale and labeling of cigarettes, is a class 1 misdemeanor.	39-28-104.5 (5)
M2	
<i>Violations.</i> Violating any of the federal requirements related to the affixing of labels and stamps on tobacco products, or violating other provisions relating to the sale and labeling of tobacco products, is a class 1 misdemeanor.	39-28.5-111 (5)
M2	
...as a unit operator or first purchaser, collect but fail to remit the tax from the fractional interest owners pursuant to the property tax collection article.	39-10-106 (4)(b)(III)
M2	
<i>Additional requirements for tobacco product manufacturers and stamping agents.</i> A person who sells, distributes, acquires, holds, owns, possesses, transports, imports, or causes to be imported cigarettes when he or she knows or should know that the cigarettes are intended for unlawful distribution or sale in Colorado commits a class 2 misdemeanor.	39-28-306 (4)
M2	
<i>Mobile homes – determination of value.</i> A mobile home seller who is convicted for the second or subsequent time of knowingly failing to provide an itemized list of household furnishings commits a class 3 misdemeanor.	39-5-203 (3)(b)
Petty	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 39 Offenses	
Taxation	
Licenses and fees. A retailer who makes retail sales in this state without first securing a license to do so commits a class 3 misdemeanor.	39-26-103 (4)
Petty	
Divulging confidential information from tax records. Any person who divulges or makes known in any way the contents of any private document related to tax records to any person not authorized to have access to such documents commits a misdemeanor, except when done pursuant to any court order or other lawful order.	39-1-116 \$100 to \$500 fine, up to 3 months in jail, or both.
Petty	
Recording of document without collecting documentary fee. Any county clerk and recorder who willfully and knowingly records any document to which a documentary fee applies, without having first collected the necessary fee, commits a misdemeanor	39-13-105 \$50 fine.
Unclassified	
Unlawful acts related to documentary fees on conveyances of real property. Any person who fails or refuses to pay the documentary fee imposed by Article 13 of Title 39, when such payment is required, commits a misdemeanor.	39-13-106 (2) \$50 to \$500 fine, 10 days to 3 months in jail, or both.
Unclassified, delete jail	
Any person who willfully and knowingly recites to the county clerk and recorder a consideration greater or less than the actual consideration referred to in Section 39-13-102 (2) (a) and (b), C.R.S., in connection with the granting or conveying of a title to real property by any deed or instrument in writing to which the documentary fee applies, commits a misdemeanor.	
Unclassified	
Reports and returns related to specific taxes. With certain exceptions, any officer or employee of the Department of Revenue who divulges information obtained in an investigation, or any officer or employee of the Department of Revenue who engages in the business of tax accounting in an effort to defeat or cancel any tax assessed by the state, commits a misdemeanor.	39-21-113 (6) Maximum \$1,000 fine, and dismissal from office.
Unclassified	
Failure to file a tax return and pay taxes. Any person who, through gross negligence or recklessness, makes a materially false statement in connection with an application for a tax refund, commits a misdemeanor.	39-21-118 (2.5) Maximum \$500 fine, 90 days in jail, or both.
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 39 Offenses	
Taxation	
Any person who is required by law to pay any tax or estimated tax, make a return, keep any records, or supply any information, who willfully fails to do so, commits a misdemeanor.	39-21-118 (3) Maximum \$50,000 fine (\$100,000 fine for a corporation), 364 days in jail, or both, plus the prosecution costs.
Keep as is	
Income tax violations. Any person who is required to make a return, keep any records, or supply any information for the purpose of computation, assessment, or collection of income taxes and who willfully fails to do so commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-22-621 (3)(a)
Keep as is	
Any person who is required by law to collect, account for, and pay over any income tax and who willfully fails to collect or truthfully account for any pay over such tax, and any person who willfully fails to pay any income tax, or in any manner evades or defeats any income tax, commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-22-621 (3)(b)
Keep as is	
State sales tax refund. Any person who claims but is not eligible to claim a state sales tax refund commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-22-2003 (7)
Keep as is	
Criminal acts relating to estate tax returns. Any person who willfully fails to file an estate tax return when required to do so, or who willfully files a false estate tax return, commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-23.5-113
Keep as is	
Failing to collect or pay sales tax. Any seller who fails to collect or purchaser who fails to pay the sales tax levied by Article 26 of Title 39 commits a misdemeanor.	39-26-102 (22) Maximum \$1,000 fine, 364 days in jail, or both.
Value based	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 39 Offenses	
Taxation	
<i>Tax cannot be absorbed.</i> Any retailer who advertises or otherwise states that the sales tax, or any part thereof, imposed by law will be assumed or absorbed by the retailer, will not be added to the selling price, or will be refunded, commits a misdemeanor.	39-26-108 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Violation of the statute governing sales tax.</i> Any person who violates any of the provisions of Sections 39-26-105 through Section 39-26-113, C.R.S., concerning sales tax, commits a misdemeanor.	39-26-108 Maximum \$1,000 fine, 364 days in jail, or both.
M2	
<i>Filing and remittance of remote sales.</i> Any official or employee of a local taxing jurisdiction receiving sales tax information from the Department of Revenue who willfully divulges or makes known to any person who is not an official or employee of the local taxing jurisdiction any information that identifies or permits the identification of the amount of sales taxes collected or paid by any individual remote seller commits a misdemeanor.	39-26-122.7 (4)(b) Dismissal from office and maximum \$1,000 fine.
Unclassified	
<i>Failure to make periodic returns.</i> Any person who willfully fails or refuses to make the return required by Section 39-26-204, C.R.S., or who makes a false or fraudulent return, or who willfully fails to pay any tax owed, or who aids or abets another in an attempt to evade the tax, commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-26-206
Keep as is	
<i>Violation of the statute governing gasoline tax permits and refunds.</i> Any person who makes any false statement on an invoice or application for a gasoline or special fuel permit, or on an application for a refund of taxes, or who uses the gasoline or special fuel in a manner other than as stated in the permit, commits a misdemeanor.	39-27-103 (3)(c) Maximum \$1,000 fine, 364 days in jail, or both; the offender's permit will also be cancelled without reissuance for one year.
M2	
Any person who willfully makes any false statement in connection with an application for a permit or an application for a refund, or who uses the gasoline or special fuel other than as stated in the permit and application, commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-27-103 (4)
Keep as is	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 39 Offenses	
Taxation	
<i>Unlawfully acting as distributor of special fuel.</i> Any person who acts as a distributor, supplier, importer, exporter, carrier, or blender of gasoline or special fuel, without being licensed as such, commits a misdemeanor.	39-27-104 (1)(a) \$75 fine per day, plus civil penalties.
Unclassified	
<i>Violation concerning authorization to purchase special fuel ex-tax.</i> Any person who fails or refuses to furnish additional bond, or to file a new bond, upon the request of the executive director of the Department of Revenue in connection with authorization to purchase special fuel ex-tax, or who continues to use authorization to purchase special fuel ex-tax from a distributor after the authorization has been revoked, commits a misdemeanor.	39-27-104 (2.1)(b) \$50 fine per offense.
Unclassified	
<i>Unlawfully importing special fuel into the state.</i> Any person who imports special fuel into the state, without first obtaining a single trip permit, commits a misdemeanor.	39-27-105 (5)(d) \$75 fine, plus civil penalties.
Unclassified	
<i>Distributor trustee of gasoline tax.</i> Any distributor who willfully fails or refuses upon demand to pay over the moneys paid as gasoline taxes that are declared to be trust funds or who fraudulently withholds, converts to his or her own use, or appropriates or otherwise uses such moneys commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-27-106
Keep as is	
<i>Penalty for failure to report or pay gasoline tax.</i> Any person who willfully fails or refuses to make the report or payment of tax due by law, for which no penalty is expressly provided, and any person who willfully makes any false report or statement as to the amount of gasoline or special fuel acquired, sold, or used or any false statement relative to the kind or character and the amount of the gasoline or special fuel received by such person and required to be reported, with intent to evade the payment of the gasoline tax, commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-27-108
Keep as is	
<i>Penalties related to cigarette taxes.</i> Any person, firm, limited liability company, partnership, or corporation or agent thereof who at retail sells or offers for sale, displays for sale, or possesses with the intent to sell any cigarettes when the package does not bear the stamp, imprint, or impression evidencing the payment of cigarette taxes commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-28-108 (1)
Keep as is	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 39 Offenses	
Taxation	
<i>Prohibited acts related to cigarette taxes.</i> Any wholesaler who sells and distributes any cigarettes in the state without a license or without first affixing the stamp, imprint, or impression upon each package as required by law, or who willfully makes any false or fraudulent return, or false statement on any return, or who willfully evades the payment of the cigarette tax, commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-28-114
Keep as is	
<i>Prohibited acts related to tobacco taxes.</i> Any distributor who willfully sells and distributes any tobacco products in the state without a license, or who willfully makes any false or fraudulent return or false statement on any return, or who willfully evades the payment of the tobacco tax, commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-28.5-110 (1)
Keep as is	
<i>Prohibited acts related to marijuana taxes.</i> Any retail marijuana cultivation facility or agent thereof who sells or transfers retail marijuana without a license, or who willfully makes any false or fraudulent return or false statement on any return, or who willfully evades the payment of the retail marijuana excise tax commits a crime that must be punished in accordance with Section 39-21-118, C.R.S. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case.	39-28.8-306
Keep as is	
<i>Mobile homes - determination of value.</i> Any seller of a mobile home who, for the first time, knowingly fails to provide an itemized list of household furnishings which are included in the selling price of the mobile home at the time of the sale commits a class 2 petty offense.	39-5-203 (3)(b) \$200 fine.
Civil infraction	

Title 40 Offenses to be Reclassified

TITLE 40 Offenses	
Utilities	
<i>Violations by agents.</i> An officer, agent, or employee of a public utility who fails to comply with or who helps another to not comply with an order or requirement of the Public Utilities Commission commits a class 2 misdemeanor.	40-7-106
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 40 Offenses	
Utilities	
Violations by individuals. An officer, agent, or employee of a corporation other than a public utility who fails to comply with or who helps another to not comply with an order or requirement of the Public Utilities Commission commits a class 2 misdemeanor.	40-7-108
Petty	
Violations. Any person who violates or fails to comply with or who procures, aids, or abets in the violation of, Article 10.1 of Title 40 concerning motor carriers commits a class 2 misdemeanor. It is also a class 2 misdemeanor to fail to obey, observe, or comply with, or to procure, aid, or abet in any such failure, any order, decision, or rule of the Public Utilities Commission adopted under the motor carriers article.	40-10.1-114 (1)
M2	
Violations. Any individual who is employed by or who contracts with a motor carrier and who operates a motor vehicle for the motor carrier's business without meeting the requirements of a criminal history record check commits a class 2 misdemeanor.	40-10.1-114 (2)
petty	
Violation of statutes governing common carriers. Any common carrier who willfully violates the provisions of law governing common carriers, or who aids or abets in any such violation, or who fails to obey any order of the Public Utilities Commission, commits a misdemeanor.	40-9-104 \$100 to \$1,000 fine per offense.
unclassified	
Violation of statutes governing motor carriers. Any person who provides transportation in intrastate commerce without first obtaining a certificate or permit, violates any of the terms of a certificate or permit, fails or refuses to make any return or report required by the Public Utilities Commission, denies the commission access to books and records, or makes any false return or report, commits a misdemeanor.	40-10.1-113 \$250 to \$1,000 fine, 3 months to 364 days in jail, or both.
M2	
Two crew members operating freight trains. A railroad train or light engine operated in connection with carrying freight that willfully operates without at least two crew members aboard while the railroad train or light engine is moving commits a misdemeanor.	40-9-110 (4) \$250 to \$1,000 fine for first offense; \$1,000 to \$5,000 fine for second offense committed within three years; \$5,000 to \$10,000 fine for third or subsequent offense committed within three years.
Unclassified	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 40 Offenses Utilities	
<i>Destroying evidence concerning stock killed or wounded by railroads.</i> Any person who conceals evidence of the killing or wounding of any animal by any railroad train, engine, or cars, or who in any way destroys or covers up evidence that may lead to the identification of any animal so killed or injured, commits a misdemeanor.	40-27-113 Maximum \$200 fine, 30 days in jail, or both.
M2	

Title 43 Offenses to be Reclassified

TITLE 43 Offenses Transportation		<i>Make everything a civil infraction except as noted.</i>
<i>Closure of public highways extending to public lands.</i> Intentionally and without good cause blocking, obstructing, or closing a public highway that extends to public land is a class 1 misdemeanor.		43-2-201.1 (1)
M2		
<i>Tower markings.</i> Any person who violates a provision of Section 43-10-117, C.R.S., concerning tower appearance, and a collision with the tower at issue results in the injury or death of another person is guilty of a class 2 misdemeanor.		43-10-117
This Injury should be M1		
<i>Violation of the Outdoor Advertising Act.</i> Any person who violates any provision of the Outdoor Advertising Act commits a misdemeanor.		43-1-417 (2) \$100 to \$1,000 fine per offense per day.
Civil		
<i>Violation of the statute governing junkyards adjacent to highways.</i> Any person who violates any of the provisions of Part 5 of Article 1 of Title 43, concerning junkyards adjacent to highways, commits a misdemeanor.		43-1-508 \$25 to \$100 fine per day.
unclassified		
<i>Allowing a stolen vehicle to be stored.</i> 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 commits a misdemeanor.		43-5-205 Maximum \$100 fine.
civil		
<i>Obstructing a highway.</i> Any person or corporation that erects any fence, house, or other structure, or who digs pits or holes in or upon any highway, or places or causes or allows to be placed any stones, timber, or trees, or any obstruction whatsoever on a highway, commits a misdemeanor. It is also a misdemeanor to tear down, burn, or otherwise damage any bridge of any highway, or to cause waste water or the water from any ditch, road, drain, flume, or other source to flow or fall upon any road or highway so as to damage the same or to cause a hazard.		43-5-301 First or second offense: \$10 to \$300 fine; third offense: \$10 to \$300 fine, or maximum of 3 days in jail; all offenders are also liable for damages.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 43 Offenses Transportation		<i>Make everything a civil infraction except as noted.</i>
civil		
Overflowing highways. Any person or corporation that repeatedly, willfully, or negligently causes or allows 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, commits a misdemeanor.	43-5-303	First or second offense: \$10 to \$300 fine; third offense: \$10 to \$300 fine, or up to 3 days in jail.
civil		
Tower marking. Any person who violates a provision of law concerning tower marking 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 \$250.	43-10-117 (5)	Maximum fine of \$250.
civil		
Auto and tourist camps, hotels, and motels. Any person who violates any of the provisions of Part 2 of Article 5 of Title 43 regarding auto and tourist camps, hotels, and motels commits a class 2 petty offense, except as set forth in Section 43-5-205, C.R.S., concerning allowing stolen motor vehicles to be stored.	43-5-207	Maximum \$100 fine.
civil		
Violations concerning road signs, guide boards, billboards, and bulletin boards on county roads. Placing or maintaining any road signs, guide boards, billboards, or bulletin boards on any road constituting the county system without lawful authority is punishable by a fine of no less than \$15, but no more than \$50.	43-2-141	
civil		
Injuring, defacing, or destroying any road sign lawfully placed on a county road is punishable by a fine of no less than \$15, but no more than \$50.		
civil		
Flagpersons. It is a class A traffic infraction to fail or refuse to obey the visible instructions, signals, or direction displayed or given by a flagperson.	43-5-308 (1)(a)	
Traffic infraction		
Military deployment. Violation of provisions exempting certain automobiles from registration fees during the time the owner is serving outside of the United States in the U.S. armed forces is a class B traffic infraction.	43-4-814 (4)	
civil infraction		

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Title 44 Offenses to be Reclassified

TITLE 44 Offenses	
Revenue - Regulation of Activities	
Colorado Liquor Code	
Unlawful acts and violations. A person violating any of the provisions of Sections 44-3-901 (1)(a), (1)(g), (1)(h), (1)(j), (1)(l), (1)(m), (6)(a)(l), (6)(b), or 44-3-903, C.R.S., commits a class 2 misdemeanor.	44-3-904 (2)
M2	
Unlawful acts and violations. A person violating the provisions of Section 44-3-901 (1)(b), C.R.S., by selling, serving, giving away, disposing of, exchanging, or delivering, or permitting the sale, serving, giving, or procurement of any alcohol beverage to or for anyone who is less than 21 years old, commits a class 1 misdemeanor.	44-3-904 (3)
M2	
Any person violating any of the provisions of Sections 44-3-901 (1)(c) or (1)(d), C.R.S., commits a class 2 misdemeanor. For second and subsequent convictions of these provisions, the court must impose at least the minimum fine. At the discretion of the court, applicable fines may be ordered to be paid by public work.	44-3-904 (4)
M2	
Colorado Marijuana Code	
Disclosure of confidential records or information. Any person who discloses confidential records or information in violation of the provisions of the Colorado Marijuana Code commits a class 1 misdemeanor.	44-10-201 (4)
M2	
Underage sales. A person who sells or permits the sale of retail marijuana or retail marijuana products to a person under 21 years, commits a class 1 misdemeanor.	44-10-701 (9)
M2	
Colorado Medical Marijuana Code	
Unlawful acts. Violating any of the provisions of the Colorado Marijuana Code, unless the offense also violates the Criminal Code, is a class 2 misdemeanor.	44-10-701 (9)
M2	
Automobiles	
Licensure. Any person who violates the provisions of Part 1 of Article 20 of Title 44 commits a class 1 misdemeanor.	44-20-128 (1)
M2	
Powersports vehicles. Willfully violating Part 4 of Article 20 of Title 44 is a class 1 misdemeanor.	44-20-429 (1)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 44 Offenses	
Revenue - Regulation of Activities	
Colorado Limited Gaming Act	
Records. Disclosing confidential records or information of the Colorado Limited Gaming Control Commission is a class 1 misdemeanor.	44-30-526 (4)(a)
M2	
Violations of taxation provisions. Failing to pay tax due pursuant to the Colorado Limited Gaming Act within 30 days after the due date is a class 1 misdemeanor.	44-30-603 (1)(b)
M2	
Failing to file a return pursuant to the Colorado Limited Gaming Act within 30 days after the due date is a class 1 misdemeanor.	44-30-603 (1)(c)
M2	
Age of participants. Violating any of the provisions of the Colorado Limited Gaming Act that prohibit a person under 21 years of age from participating in limited gaming or from sharing in the proceeds from limited gaming is a class 2 misdemeanor.	44-30-809 (4)
M2	
Failure to pay winners. Willfully refusing to pay a winner of any limited gaming game is a class 1 misdemeanor.	44-30-817 (2)
M2	
Cheating. Cheating at any limited gaming activity, provided that the offender is neither a licensee nor a repeating gambling offender, is a class 1 misdemeanor.	44-30-821 (3)
M2	
Fraudulent acts. Committing any fraudulent act pursuant to the Colorado Limited Gaming Act, provided that the offender is neither a licensee nor a repeating gambling offender, is a class 1 misdemeanor.	44-30-822 (2)
M2	
Use of a device for calculating probabilities. Using, or possessing with the intent to use, any device for calculating probabilities pursuant to the Colorado Limited Gaming Act, provided that the offender is neither a licensee nor a repeating gambling offender, is a class 1 misdemeanor.	44-30-823 (2)
M2	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 44 Offenses	
Revenue - Regulation of Activities	
<i>Unlawful manufacture, sale, or distribution of equipment and devices associated with limited gaming.</i> Manufacturing, selling, distributing, marking, altering, or modifying equipment and devices intended to be used to violate the provisions of the Colorado Limited Gaming Act, or instructing another in cheating or in the use of any device for that purpose, provided that the offender is neither a licensee nor a repeating gambling offender, is a class 1 misdemeanor.	44-30-826 (4)
M2	
<i>Failure to display license.</i> Failing to permanently and conspicuously display the operator and premises license issued pursuant to the Colorado Limited Gaming Act and a notice stating that it is unlawful for any person under the age of 21 to engage in limited gaming is a class 2 misdemeanor.	44-30-829 (2)
M2	
<i>Violations.</i> Violating any of the provisions of the Colorado Limited Gaming Act, or any of the rules and regulations promulgated pursuant to the act, except as otherwise specified, is a class 1 misdemeanor.	44-30-831
M2	
<i>Sports betting.</i> A person violating any sports betting provisions commits a class 2 misdemeanor.	44-30-1512 (1)
M2	
Racing	
<i>Limitations on pari-mutuel wagering.</i> Unlicensed wagering or betting on the results of a pari-mutuel horse or greyhound race is a class 2 misdemeanor.	44-32-704 (2)(b)
M2	
<i>Racing licensees.</i> Violating any of the provisions of Section 44-32-507 (1), C.R.S., regarding investigation, denial, suspension, and revocation actions against racing licensees, unless the offense also violates the Criminal Code, is a class 2 misdemeanor.	44-32-801 (1)
M2	
Lottery	
<i>Ticket sales.</i> Any person who violates state law regarding the sale of lottery tickets commits a class 2 misdemeanor.	44-40-117 (1)
M2	
Other	
<i>Licensure.</i> Willfully violating law relating to acting as a motor vehicle manufacturer, distributor, or manufacturer representative, unless duly licensed is a class 3 misdemeanor.	44-20-128 (2)(a)
petty	
Willfully violating law relating to acting as a motor vehicle dealer, wholesaler, used motor vehicle dealer, buyer agent, wholesale motor	44-20-128 (2)(b)

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

TITLE 44 Offenses	
Revenue - Regulation of Activities	
vehicle auction dealer, or motor vehicle salesperson without proper authorization is a class 3 misdemeanor.	
petty	
Powersports vehicles. Willfully violating Section 44-20-423 (2), C.R.S., by acting as a powersports vehicle manufacturer, distributor, or manufacturer representative unless duly licensed is a class 3 misdemeanor.	44-20-429 (2)(a)
Willfully violating Section 44-20-423 (2), C.R.S., by acting as a powersports vehicle wholesaler, dealer, used powersports vehicle dealer, or salesperson unless duly licensed is a class 3 misdemeanor.	44-20-429 (2)(b)
petty	
Alcohol beverages – violations. A person violating any of the provisions of Article 3, 4, or 5 of Title 44 or any of the rules authorized and adopted pursuant to such articles commits a class 2 petty offense.	44-3-904 (1)(a) Maximum \$250 fine for each offense.
Civil Infraction	
Underage wagering. Any person under the age of 18 who purchases, redeems, or attempts to purchase or redeem a pari-mutuel ticket, or any person who sells a pari-mutuel ticket to a person under the age of 18, commits a class 2 petty offense.	44-32-601 (3) Maximum \$100 fine.
Civil infraction	
Racing – criminal penalties. Any person who violates any rule promulgated by the Colorado Racing Commission commits a class 2 petty offense, unless the violation also constitutes a crime under the Criminal Code.	44-32-801 (2) Maximum \$100 fine.
Civil infraction	

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

1.2.d. Misdemeanor and petty offenses - Miscellaneous.

Offenses missed in an earlier version of this CCJJ recommendation (3/12/2021) and identified by Legislative Council. "New classification" as recommended by the Sentence Structure Study Group (4/8/2021) and approved by CCJJ (4/9/2021). This section includes two tables: (a) Miscellaneous Class 1 and 2 Misdemeanors and (b) Miscellaneous Class 3 Misdemeanors and Petty Offenses.

Class 1 and 2 Misdemeanors		
Statute	Current Classification	New Classification
12-20-407 (1)(d) <i>Physical therapist w/o certification</i>	Class 2 misdemeanor	M2 – eliminate 2 nd and subsequent
12-255-215 <i>Nursing aide w/o certification</i>	Class 2 misdemeanor	M2 – eliminate 2 nd and subsequent
18-2-101 (6) <i>Criminal attempt of M1 is M2</i>	Class 2 misdemeanor	M2
18-3-402 (1)(e) and (3) <i>Sex assault, victim 15 to >17 y.o. and actor 10 or more yrs. older</i>	Class 1 misdemeanor	F6 - 10 year registration requirement
18-3-404 (2)(a) <i>Unlawful sexual contact</i>	Class 1 misdemeanor	M1- eliminate Extr. Risk
18-4-506.3 <i>Tamper w oil/gas equipment</i>	Class 2 misdemeanor	M2
18-6-401 (7)(a)(VI) <i>Non-serious child abuse injury</i>	Class 2 misdemeanor	M2
18-7-502 <i>Explicit materials harmful to child</i>	Class 2 misdemeanor	M2
18-8-210 <i>Aiding escape/ Custody types</i>	Class 2 misdemeanor	Repeal as unnecessary in another statute
18-12-501 (4) <i>Background checks/gun shows</i>	Class 1 misdemeanor	M1
18-12-502 (2) <i>Gun dealer falsify record</i>	Class 1 misdemeanor	Add knowingly and keep as M1
18-12-504 (2) <i>No background check notice by gun show promotor</i>	Class 1 misdemeanor	M2
24-33.5-106.5 <i>Disclose protected witness materials</i>	Class 1 misdemeanor	M1
26-3.1-111 (6) (e.3) & (e.7) <i>Fraudulent CAPS check/info (Child/Adult Protective Services)</i>	Class 1 misdemeanor	M2 all
31-11-115 <i>Tamper w initiative/referendum petition</i>	Class 2 misdemeanor	M2
35-36-106 (1) & (2) <i>Handling violations of commodities/ farm products</i>	Class 1 misdemeanor	M2, all
35-36-217 (1) (g), (h) & (i) <i>Commodity license procurement violation</i>	Class 1 misdemeanor	M2, all

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Class 1 and 2 Misdemeanors		
Statute	Current Classification	New Classification
35-36-313 (1) (g), (h), (i), (l) & (m) <i>Farm products license, commissioner, dealer violations</i>	Class 1 misdemeanor	M2, all
42-4-2402 (5) <i>Vehicle event data recorder violations</i>	Class 1 misdemeanor	M2
42-6-136.5 (2)(c)(l) <i>Salvage vehicle violations</i>	Class 1 misdemeanor	M2
44-30-1507 (4)(a) <i>Disclose gaming tax records</i>	Class 1 misdemeanor	M2

Class 3 Misdemeanors and Petty Offenses		
Statute	Current classification	New classification
12-240-139 <i>Failure to report injuries</i>	Class 2 petty offense	PO
12-315-120 (3) <i>Vet fail to report/false report of animal cruelty</i>	Class 1 petty offense	PO
18-2-101 (7) <i>Criminal attempt of non-M1 is M3</i>	Class 3 misdemeanor	M2
18-2-201 (5) <i>Conspire to commit misd..</i>	Class 3 misdemeanor	M2
18-4-416 <i>Resale theft of lift ticket</i>	Class 2 petty offense	civil
18-4-510 <i>Deface lawful notice</i>	Class 1 petty offense	civil
18-4-511 (4)(a) <i>Littering</i>	Class 2 petty offense	Civil keep fines - littering
18-5-304 <i>False circulation statements</i>	Class 1 petty offense	civil
18-7-207 <i>Prostitute making display</i>	Class 1 petty offense	PO
18-7-301 (2)(a) <i>Public indecency</i>	Class 1 petty offense	PO including 2 nd and subs
18-8-111 (1)(b) <i>False report to authorities</i>	Class 3 misdemeanor	M2
18-8-202 <i>inducing prisoner not to work</i>	Class 1 petty offense	Repeal –This is dealt with as rules violation
18-8-205 <i>Aiding escape from civil process</i>	Class 1 petty offense	Repeal — another crime, not necessary
18-8-208 (5) <i>Escape under misd./petty custody</i>	Class 1 petty offense	PO
18-8-405 (2) <i>Official petty misconduct</i>	Class 1 petty offense	PO
18-8-408 (2)	Class 1 petty offense	civil

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Class 3 Misdemeanors and Petty Offenses		
Statute	Current classification	New classification
<i>Designation of insurer</i>		
18-8-504 (2) <i>Perjury - false swearing</i>	Class 1 petty offense	PO
18-9-112 (2) <i>Loitering school building/program</i>	Class 1 petty offense	PO
18-9-123 (3)(e)(III)(B.5) <i>Bring alcohol in stadium</i>	Class 1 petty offense	civil
18-9-307 (2) and (3) <i>Refusal to yield phone party line</i>	Class 1 petty offense	Repeal- outdated
18-9-308 <i>Telephone directory notice of party line</i>	Class 1 petty offense	Repeal —outdated
18-9-311 (2) <i>Automated dialing and prerecorded message for sales</i>	Class 1 petty offense	PO
18-11-205 (1) <i>Unlawful flag display</i>	Class 1 petty offense	PO
18-12-111 (2)(b) <i>Dealer fail to post sign about unlawful firearm purchases</i>	Class 2 petty offense	Civil
18-12-204 (2)(a) <i>Fail to carry permit/ID for concealed handgun</i>	Class 1 petty offense	PO
18-12-210 (1) <i>Concealed carry permit violations</i>	Class 1 petty offense	Civil
18-13-104 (1) <i>Unlawful fight (dueling)</i>	Class 1 petty offense	PO
18-13-106 <i>Unlawful car/icebox discard</i>	Class 1 petty offense	PO
18-13-107.3 (2) <i>False entitlement - assistance animal</i>	Class 2 petty offense	Civil keep fines
18-13-107.7 (3) <i>Misrepresent service animal</i>	Class 2 petty offense	Civil keep fines
18-13-113 (4) <i>Beverage container detachable opening device</i>	Class 2 petty offense	Civil keep fines
18-13-119 (4) <i>Abuse of health insurance</i>	Class 1 petty offense	PO
18-13-121 <i>Cigarettes to under 21</i>	Class 2 petty offense	Civil keep fines
18-14-104 <i>Hotel rate posting violations</i>	Class 1 petty offense	civil
24-92-207 (2) <i>Posting prevailing wage rate</i>	Class 3 misdemeanor	PO
25-52-105 (2)(e) <i>Disclosure maternal death record</i>	Class 3 misdemeanor	M2
33-15-107 (1) and (2)	Class 2 petty offense	Civil keep fines

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

Class 3 Misdemeanors and Petty Offenses		
Statute	Current classification	New classification
<i>Camping violations</i>		
33-15-112 <i>Vehicle careless operation on CPW lands</i>	Class 2 petty offense	Civil keep fines
35-55-117 <i>Livestock inspection violation</i>	Class 3 misdemeanor	M2
42-2-310 <i>ID card violations</i>	Class 3 misdemeanor	M2

1.2.e. Unclassified misdemeanors with fine only

Fine-only offenses are recommended to remain as unclassified misdemeanors. Unclassified misdemeanors with jail time as a possible sentence have been adjusted based on the analysis outlined above on page 2.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

ELEMENT 1.3. Reclassification of Felony Offenses

1.3.a. False information offenses

False Information Offenses to be Reclassified:

False reporting to Authorities

Current law 18-8-111(1)(a)(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.

Recommend:

Make a new section, 18-8-111.5. This new section will include the same language and move it from a Class 3 to a Class 2 misdemeanor. But the recommendation is to add the following: **Except that, it is a class 6 felony if providing the false identifying information results in substantially impeding the investigation or arrest of any person for the commission of any felony VRA crime.**

Criminal Impersonation

Current law 18-5-113 (1) A person commits criminal impersonation if he or she knowingly: **(a)** Assumes a false or fictitious identity or legal capacity, and in such identity or capacity he or she: **(I)** Marries, or pretends to marry, or to sustain the marriage relation toward another without the connivance of the latter; **(II)** Becomes bail or surety for a party in an action or proceeding, civil or criminal, before a court or officer authorized to take the bail or surety; or **(III)** Confesses a judgment, or subscribes, verifies, publishes, acknowledges, or proves a written instrument which by law may be recorded, with the intent that the same may be delivered as true; or **(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 such person to an action or special proceeding, civil or criminal, or to liability, charge, forfeiture, or penalty; or

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

(2) Criminal impersonation is a class 6 felony.

(3) For the purposes of subsection (1) of this section, using false or fictitious personal identifying information, as defined in section 18-5-901 (13), shall constitute the assumption of a false or fictitious identity or capacity.

Recommend:

18-5-113(1)(a) remains the same and remains a class 6 felony.

(1)(b) is changed to the following: 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, does subject such person to an action or special proceeding, civil or criminal, or to liability, charge, forfeiture, or penalty;

(II) Performs an act that, if done by the person falsely impersonated, might subject such person to an

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

action or special proceeding, civil or criminal, or to liability, charge, forfeiture, or penalty; or
(III) Performs any other act with intent to unlawfully gain a benefit for himself, herself, or another or to injure or defraud another.

(1)(b) (I) is a class 6 felony, (II) is a class 1 misdemeanor and (III) is a class 2 misdemeanor

Attempt to Influence a Public Servant

Current law 18-8-306 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 or the agency or body of which he is a member, **commits a class 4 felony.**

Recommend:

Add the following Language (or similar): Violation of this statute does not include providing false identifying information law enforcement authorities acting as defined in 18-8- 111.5 and a person may not be convicted of violation of this section for acts that constitute violation of 18-8-111.5. Otherwise, the offense level remains the same.

Identity theft

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

- (a)** Knowingly uses the personal identifying information, financial identifying information, or financial device of another without permission or lawful authority with the intent to obtain cash, credit, property, services, or any other thing of value or to make a financial payment;
- (b)** Knowingly possesses the personal identifying information, financial identifying information, or financial device of another without permission or lawful authority, with the intent to use or to aid or permit some other person to use such information or device to obtain cash, credit, property, services, or any other thing of value or to make a financial payment;
- (c)** With the intent to defraud, falsely makes, completes, alters, or utters a written instrument or financial device containing any personal identifying information or financial identifying information of another;
- (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;
- (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) Identity theft is a class 4 felony.

Recommend:

Section a) remains a class 4 felony

Section b) is a class 2 misdemeanor but shall be a class 6 felony if the person possesses 3 or more financial devices or the personal or financial identifying information of 3 or more persons

Section c) remains a Class 4 felony.

Section d) is a class 2 misdemeanor but shall be a class 6 felony if the person possesses 3 or more financial devices or the personal or financial identifying information of 3 or more persons.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

1.3.b. Felony offenses to be reclassified

Felonies to be reclassified as misdemeanors:

Endangering Public Transportation. 18-9-115(1)(a) – 45 cases – F3

RECOMMEND:

Clean up language/eliminate language. Highlight the original legislative intent to provide additional punishment if on public transportation. But do not make a misdemeanor crime a felony just because on a bus.

(1) A person commits endangering public transportation if such person:

(a) Tamper with a facility of public transportation with intent to cause any damage, malfunction, nonfunction, theft, or unauthorized removal of material which would result in the creation of a substantial risk of death or serious bodily injury to anyone; or

~~(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:

(I) With death or imminent serious bodily injury; or

(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:~~

~~(I) Knowingly or recklessly causes bodily injury to another person; or~~

~~(II) With criminal negligence causes bodily injury to another person by means of a deadly weapon.~~

Contributing to the Delinquency of a Minor 18-6-701 – 486 cases

DISCUSSION: All agree crime is ripe for inconsistency/abuse. Consider aligning the level of offense with the level of the underlying charge. Looked at other states (most are misdemeanors) and affidavits in close to 100 Colorado cases. Regularly the underlying crime is giving alcohol or drugs (MJ) to minor by another young person.

RECOMMEND:

Bifurcate. If the underlying crime is felony VRA, then contributing is a felony 4 offense. Otherwise the crime is an M1 offense.

POWPO -18-12-108- 3411 cases, mostly under (1)

DISCUSSION: Much discussion that possession of weapon after any felony conviction is not necessary. Big issue in clemency. Prohibition should be limited to serious crimes.

RECOMMEND:

Make this crime an F5 if the underlying conviction is a felony VRA offense and the person is now in possession of a firearm. Additionally, prior convictions for Illegal Discharge of a Firearm or Special Offender – Gun will be the basis for the F5 charge. Finally, Second Degree Burglary (residential burglary – F3) will become a VRA offense and, therefore, constitute an additional, underlying conviction for the POWPO charge.

The rest is a not a crime. The class 5 felony is not probation eligible if the person was in possession of a firearm which was used/or threatened to be used in the commission of the new offense.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

Juveniles adjudicated for the above offenses will have a ban on possession of a firearm which will automatically sunset in 10 years or if granted by the court upon petition after completion of sentence. (e.g. if person is entering the military).

Fraud offenses (UCC) 18-5-504 and 505 – no filings

RECOMMEND:

Make these crimes value-based with agreed upon cut points.

Illegally using State Seal 24-80-902 – no filings

RECOMMEND:

This crime should be a petty offense

Tamper with MV and Theft of Auto Parts 42-5-103 - 34 felony cases and 104 - 4 felony cases

RECOMMEND:

These crimes are already theft and criminal mischief. These offenses are unnecessary, except we should keep the license plate subsection as a crime due to value issue.

42-5-103

~~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.~~

42-5-104

~~(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;~~

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

~~(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) Any person who knowingly and with criminal intent removes, detaches or takes from a motor vehicle which is the property of another a license plate or who aids, abets, or assists in the commission of any such act or acts is guilty of theft of MV parts which is a M2.

Releasing a Court Decision before Publicly Announced 13-1-128(4) – no cases –

RECOMMEND:

DELETE this offense. It is covered by other offenses.

Bigamy 18-6-201 – 3 cases. Under 202- Marrying a Bigamist – no cases

RECOMMEND:

Make Bigamy a misdemeanor (M2) and eliminate the crime of marrying a bigamist. When filed, if it is serious there are other crimes. When Bigamy is a stand-alone offense, it is not an aggravated offense.

Fraud by Check 18-5-205 – 111 felony cases

RECOMMEND:

Make these values based with agreed upon cut points.

Contraband/Introduction – 18-8-204 91) (a), and (1) (b) and (1.5) – 604 cases –

RECOMMEND:

Adopt proposal in chart – see below.

Duplicate receipt not marked – 18-5-508 – no cases

RECOMMEND:

Make this an M2. Paperwork UCC crime

SECOND OR SUBSEQUENT VIOLATION OF A CIVIL PROTECTION ORDER, 18-6-803.5(1)(a)

DISCUSSION: Civil protection orders are not connected to a criminal case and may not involve conduct that rises to the level of a crime that can be charged. For example, civil protection orders often come up in neighbor disputes.

RECOMMEND:

Make this crime an M2 unless the civil protection order involved stalking and/or an intimate relationship between the parties, in which case it is an M1

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

Equity Skimming of a Vehicle/Selling: 18-5-803(1)(a) – no cases filed in past year.

RECOMMEND:

Convert this offense to a value-based crime. Using the value structure for theft offenses, base the value for this crime on the loan amount/security interest remaining on the property at the time of the offense.

Defrauding an Innkeeper: 6-25-103 – 11 cases filed last year.

RECOMMEND:

This offense is listed in Title 6 but can and should be in Title 18. The recommendation is to move this offense to Title 18 theft and delete it from Title 6. The theft statute must include a definition that a “thing of value” includes these services. In moving this offense to the theft statute, this offense would become value-based with the offense level determined by the rental value/cost of the unit.

False Information to Pawnbrokers: 29-11.9-103(1) and 104(5) - 1088 cases filed last year.

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.~~

RECOMMEND:

This offense should become value-based crime, using the theft cut points. The offense level will be determined based on the fair market value of the tangible personal property purchased by the pawnbroker. Also, the Task Force recommends adding a section that allows for the aggregation of the value of the tangible personal property so that multiple transactions by the same individual over a period of time can rise to the felony level. The aggregation can take place any time within the statute of limitations provided the offender is the same individual.

Possession of Burglary tools: 18-4-205 - 843 cases filed last year.

RECOMMEND:

Currently a Class 5 felony, the Working Group sought to differentiate between an individual walking into Target with a tool for shoplifting and a burglar breaking into someone’s home. The recommendation is to make it a Class 2 misdemeanor except when the burglary tools were knowingly possessed to facilitate the forcible entry into a residence for the purpose of the commission of a physical taking, which would remain a Class 5 felony.

“Walmart burglary” (going into store in violation of “do not enter” order): 18-4-203

RECOMMEND:

Currently, a Class 4 felony, violation of 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 by knowingly entering the retail location shall be a Class 2 misdemeanor. Such entry shall not constitute felony second degree burglary of a building in violation of 18-4-203 if the person commits a misdemeanor offense while in the retail location in violation of a written notice or an order of court.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

Bail bond violation/protection order changes: 18-8-212 – 3,301 cases

RECOMMEND:

Change to the language from CCJJ supported bill SB20-161:

18-8-212. Violation of bail bond conditions: A person who is charged with any felony and is released on bond commits a Class 6 felony if that person knowingly fails to appear in the felony case for which the person is on bond with the intent to avoid prosecution.

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.

A violation of bond appearance conditions shall not be brought against any person subject to the provisions on CRS 16-4-113(2)

Third degree burglary: 18-4-204 – 330 cases

RECOMMEND:

This offense is currently a Class 5 felony unless the objective is the theft of a controlled substance. The Working Group recommends that it be downgraded to a Class 2 misdemeanor unless the objective is the theft of a controlled substance, which would become a Class 1 misdemeanor.

Criminal Mischief: 18-5-4-501 - 1442 cases

RECOMMEND:

Change language so that it reflects the theft cut points, with the offense level determined by the value of the damage as structured in the theft statute.

First Degree Criminal Trespass: 18-4-502 – 3917 cases

RECOMMEND:

Change the statute to differentiate between theft-related conduct and homelessness. (1) A person commits the crime of first -degree criminal trespass if such person knowingly and unlawfully enters or remains in a dwelling of another or enters any motor vehicle with intent to commit a crime therein. (2) First degree criminal trespass is a class 6 felony if the dwelling is inhabited or occupied but is a class 1 misdemeanor if the person enters an abandoned or uninhabited dwelling. First degree criminal trespass is a class 1 misdemeanor if the persons enters the MV with the intent to commit a crime and a class 2 misdemeanor if there was no intent to commit a crime.

Menacing: 18-3-206 – leave firearm/knife a felony –M3 – 5258 felony cases

RECOMMEND:

Currently, Menacing is a class 5 felony if committed with a deadly weapon as defined under the law. The Working Group concluded that the definition of “deadly weapon” is too broad and recommends that the Class 5 felony include a firearm, loaded or unloaded, knife, bludgeon, simulated firearm, or knife or bludgeon. Menacing would become a Class 1 misdemeanor if committed by use of any other deadly weapon.

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
April 9, 2021

Vehicular Homicide and Assault: 18-3-106 and 205

RECOMMEND:

DWAI Vehicular Homicide and DWAI Vehicular Assault with serious bodily injury (SBI) is a class 5 felony, not a misdemeanor.

Tampering with Physical Evidence: 18-8-610

RECOMMEND:

This is, currently, a Class 6 felony. A review of case affidavits illustrated that this charge is largely related to drugs. Possession of a controlled substance is now a misdemeanor. The Working Group discussed that the offense should not be a felony when the person is trying to dispose of drugs, which are now a misdemeanor. The review of affidavits demonstrated that if the conduct is more serious, there are other felonies being charged. Therefore, the Working Group hereby recommends that the offense be connected to the classification to the level of the underlying criminal offense. Tampering with evidence related to an official felony proceeding will remain a Class 6 felony. If it is connected to a misdemeanor proceeding, then it is a Class 1 misdemeanor.

1.3.c. Introduction of contraband

Contraband Offenses to be Reclassified

Current Statutes:

18-8-203: introducing contraband in the first degree (F4)

- Prohibits introducing the following into a correctional facility:
 - Alcohol
 - Controlled substances
 - Marijuana
 - Dangerous instruments (firearm, explosive device/substance, knife, sharpened instrument, poison, acid, bludgeon, protective device, any other thing that is readily capable of causing or inducing fear of death or bodily injury)
- Also penalizes inmates who make any of the above

18-8-204: Introducing contraband in the second degree (F6)

- Prohibits introducing the following into correctional facility
 - Things facilitating escape/disguise/outside communication
 - Other items: obscene materials, tobacco, drugs other than CS/marijuana

18-8-204.1/18-8-204.2: punishments for possessing contraband within facility

- Dangerous instruments: F4
- Alcohol, controlled substances, marijuana: F6
- Everything else (18-8-204 violations): M2

SENTENCING REFORM TASK FORCE
FINAL RECOMMENDATION [AMENDED] FOR THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
 April 9, 2021

CONTRABAND OFFENSES Prohibited Items (introducing into a facility or making within the facility)	Proposed classification		
	F4	F6	M2
Dangerous instrument: firearm, explosive device or substance (including ammunition), knife or sharpened instrument, poison, acid, bludgeon, or projective device, or any other device, instrument, material, or substance which is readily capable of causing or inducing fear of death or bodily injury, the use of which is not specifically authorized	X		
Controlled Substances as defined in section 18-18-102(5)		X	
Marijuana or marijuana concentrate			X
Malt, vinous, or spirituous liquor, as defined in section 44-3-103			X
Fermented malt beverage, as defined in section 44-4-103			X
Any key, key pattern, key replica, or lock pick		X	
Any tool or instrument that could be used to cut fence or wire, dig, pry, or file		X	
Any money or coin of United States or foreign currency or any written instrument of value			X
Any uncanceled postage stamp or implement of the United States postal service			X
Any counterfeit or forged identification card		X	
Any combustible material other than safety matches		X	
Any drug, other than a controlled substance as defined in section 18-18-102(5), in quantities other than those authorized by a physician			X
Any mask, wig, disguise, or other means of altering normal physical appearance which could hinder ready identification		X	
Any drug paraphernalia as defined in section 18-18-426			X
Any chain, rope or ladder		X	
Any material which is "obscene" as defined in section 18-7-101			X
Any article or thing that poses or may pose a threat to the security of the detention facility as determined by the administrative head of the detention facility if reasonable notice is given that such article or thing is contraband		X	
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			X
Any portable electronic communication device, including but not limited to cellular telephones; cloned cellular telephones as defined in section 18-9-309; public, private, or family-style radios; pagers; personal digital assistants; any other device capable of transmitting or intercepting cellular or radio signals between providers and users of telecommunication and data services; and portable computers; except those devices authorized by the executive director of the department of corrections or his or her designee.		X	