

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 17-0895.01 Richard Sweetman x4333

HOUSE BILL 17-1188

HOUSE SPONSORSHIP

Foote,

SENATE SPONSORSHIP

Coram and Moreno,

House Committees
Judiciary

Senate Committees
State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING BIAS-MOTIVATED HARASSMENT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Colorado's law concerning bias-motivated crimes prohibits the intimidation or harassment of another person because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation. However, Colorado's harassment statute makes harassment a class 1 misdemeanor if the offender commits harassment with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
3rd Reading Unamended
April 11, 2017

SENATE
2nd Reading Unamended
April 10, 2017

HOUSE
3rd Reading Unamended
March 15, 2017

HOUSE
Amended 2nd Reading
March 14, 2017

The bill adds physical or mental disability and sexual orientation to the categories described in the harassment statute to make the statute consistent with Colorado's law concerning bias-motivated crimes.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-9-111, **amend** (2)
3 as follows:

4 **18-9-111. Harassment - Kiana Arellano's law.** (2) Harassment
5 pursuant to subsection (1) of this section is a class 3 misdemeanor; except
6 that harassment is a class 1 misdemeanor if the offender commits
7 harassment pursuant to subsection (1) of this section with the intent to
8 intimidate or harass another person because of that person's actual or
9 **perceived race; color; religion; ancestry; or national origin; PHYSICAL OR**
10 **MENTAL DISABILITY, AS DEFINED IN SECTION 18-9-121 (5)(a); OR SEXUAL**
11 **ORIENTATION, AS DEFINED IN SECTION 18-9-121 (5)(b).**

12 **SECTION 2. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2018 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.