

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0122.01 Jerry Barry x4341

HOUSE BILL 18-1059

HOUSE SPONSORSHIP

Wilson,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A FAILURE TO SUMMON EMERGENCY ASSISTANCE.

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>.)

The bill establishes a crime if a person knows or should know that another person is in need of emergency assistance and fails to call 911 or use another means to summon assistance.

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

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

1 **SECTION 1.** In Colorado Revised Statutes, **add** 18-13-131 as
2 follows:

3 **18-13-131. Duty to summon assistance - Eric's law.** (1) ANY
4 PERSON WHO KNOWS OR REASONABLY SHOULD KNOW THAT ANOTHER
5 PERSON IS IN NEED OF EMERGENCY ASSISTANCE SHALL DIAL 911 OR SHALL
6 USE ANOTHER MEANS TO SUMMON THE POLICE, THE FIRE DEPARTMENT, OR
7 AN AMBULANCE TO THE SCENE; EXCEPT THAT A PERSON IS NOT REQUIRED
8 TO SUMMON ASSISTANCE IF DOING SO WOULD PLACE THE PERSON IN
9 DANGER OR IF EMERGENCY ASSISTANCE IS BEING SUMMONED BY ANOTHER
10 PERSON.

11 (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS
12 SECTION, A VIOLATION OF SUBSECTION (1) OF THIS SECTION IS A CLASS 1
13 MISDEMEANOR.

14 (b) A VIOLATION OF SUBSECTION (1) OF THIS SECTION IS A CLASS
15 6 FELONY IF A PERSON IN NEED OF EMERGENCY ASSISTANCE DIES AS A
16 RESULT OF THE FAILURE TO SUMMON ASSISTANCE.

17 (3) THIS SECTION IS KNOWN AND MAY BE CITED AS "ERIC'S LAW".

18 **SECTION 2. Potential appropriation.** Pursuant to section
19 2-2-703, C.R.S., any bill that results in a net increase in periods of
20 imprisonment in state correctional facilities must include an appropriation
21 of money that is sufficient to cover any increased capital construction, any
22 operational costs, and increased parole costs that are the result of the bill
23 for the department of corrections in each of the first five years following
24 the effective date of the bill. Because this act may increase periods of
25 imprisonment, this act may require a five-year appropriation.

26 **SECTION 3. Effective date - applicability.** This act takes effect
27 July 1, 2018, and applies to offenses committed on or after said date.

1 **SECTION 4. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.