SECOND REGULAR SESSION
SEVENTY-FIRST GENERAL ASSEMBLY
STATE OF COLORADO

ENGROSSED
This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction

SENATE BILL 18-119

SENATE SPONSORSHIP
Gardner,

HOUSE SPONSORSHIP
(None),

Senate Committees
Judiciary
Appropriations

House Committees

A BILL FOR AN ACT
CONCERNING FALSE IMPRISONMENT OF A MINOR, AND, IN CONNECTION
THEREWITH, MAKING AN APPROPRIATION.

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 states that a person commits class 5 felony false imprisonment if he or she confines or detains another person less than 18 years of age by means of tying, locking, caging, chaining, or otherwise restricting that person's freedom of movement by any instrumentality for an unreasonable amount of time under the circumstances.

The bill states that the statutory privilege between a patient and a

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.
physician or between an individual and his or her spouse is not available for the purpose of excluding or refusing testimony in any prosecution for false imprisonment.

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

SECTION 1. In Colorado Revised Statutes, 18-3-303, amend (2); and add (3) as follows:

18-3-303. False imprisonment. (2) False imprisonment is a class 2 misdemeanor; except that false imprisonment is a class 5 felony if:

(a) (I) The person uses force or threat of force to confine or detain the other person; and

(b) (II) The person confines or detains the other person for twelve hours or longer; OR

(b) The person confines or detains another person less than eighteen years of age by means of tying, locking, caging, chaining, or otherwise restricting that person's freedom of movement by any instrumentality for a length of time under circumstances that pose a risk of bodily injury or serious emotional distress.

(3) Notwithstanding section 13-90-107 or any other provision of law, the statutory privilege between a patient and a physician or between an individual and his or her spouse is not available for the purpose of excluding or refusing testimony in any prosecution for a violation of this section.

SECTION 2. In Colorado Revised Statutes, add 17-18-124 as follows:

17-18-124. Appropriation to comply with section 2-2-703 - SB 18-119 - repeal. (1) Pursuant to section 2-2-703, the following
STATUTORY APPROPRIATIONS ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 18-119, ENACTED IN 2018:

(a) For the 2018-19 state fiscal year, twenty-two thousand seven hundred and twenty-two dollars is appropriated to the department from the general fund;

(b) For the 2019-20 state fiscal year, thirty-four thousand six hundred and seventy-seven dollars is appropriated to the department from the general fund;

(c) For the 2020-21 state fiscal year, thirty-nine thousand three hundred and thirty-four dollars is appropriated to the department from the general fund;

(d) For the 2021-22 state fiscal year, thirty-nine thousand three hundred and thirty-four dollars is appropriated to the department from the general fund; and

(e) For the 2022-23 state fiscal year, thirty-nine thousand three hundred and thirty-four dollars is appropriated to the department from the general fund.

(2) This section is repealed, effective July 1, 2023.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in
November 2018 and, in such case, will take effect on the date of the
official declaration of the vote thereon by the governor.