

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*

LLS NO. 18-0876.01 Conrad Imel x2313

SENATE BILL 18-169

SENATE SPONSORSHIP

Gardner,

HOUSE SPONSORSHIP

Carver,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING OFFENSES AGAINST WITNESSES IN NONCRIMINAL**
102 **PROCEEDINGS.**

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 clarifies that the offenses of intimidating a witness or victim and retaliation against a witness or victim apply to witnesses in criminal, civil, and administrative proceedings.

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.

SENATE
2nd Reading Unamended
March 5, 2018

1 **SECTION 1.** In Colorado Revised Statutes, 18-8-704, **amend** (1)
2 introductory portion as follows:

3 **18-8-704. Intimidating a witness or victim.** (1) A person
4 commits intimidating a witness or victim if, by use of a threat, act of
5 harassment as defined in section 18-9-111, or act of harm or injury to any
6 person or property directed to or committed upon a witness ~~or~~ IN ANY
7 CRIMINAL, CIVIL, OR ADMINISTRATIVE PROCEEDING; a victim ~~to~~ OF any
8 crime; a person he or she believes has been or is to be called or who
9 would have been called to testify as a witness IN ANY CRIMINAL, CIVIL, OR
10 ADMINISTRATIVE PROCEEDING or a victim OF ANY CRIME; a member of the
11 witness' family; a member of the victim's family; a person in close
12 relationship to the witness or victim; a person residing in the same
13 household with the witness or victim; or any person who has reported a
14 crime or who may be called to testify as a witness to or victim of any
15 crime, he or she intentionally attempts to or does:

16 **SECTION 2.** In Colorado Revised Statutes, 18-8-706, **amend** (1)
17 as follows:

18 **18-8-706. Retaliation against a witness or victim.** (1) An
19 individual commits retaliation against a witness or victim if such person
20 uses a threat, act of harassment as defined in section 18-9-111, or act of
21 harm or injury upon any person or property, which action is directed to or
22 committed upon a witness ~~or~~ IN ANY CRIMINAL, CIVIL, OR
23 ADMINISTRATIVE PROCEEDING; a victim ~~to~~ OF any crime; an individual
24 whom the person believes has been or would have been called to testify
25 as a witness IN ANY CRIMINAL, CIVIL, OR ADMINISTRATIVE PROCEEDING or
26 A victim OF ANY CRIME; a member of the witness' family; a member of the
27 victim's family; an individual in close relationship to the witness or

1 victim; an individual residing in the same household with the witness or
2 victim, as retaliation or retribution against such witness or victim.

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

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