

## CHAPTER 112

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**CRIMINAL LAW AND PROCEDURE**


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**HOUSE BILL 22-1224**

BY REPRESENTATIVE(S) Tipper and Soper, Bird, Bockenfeld, Boesenecker, Esgar, Froelich, Gonzales-Gutierrez, Hooton, Jodeh, Kennedy, Kipp, Lindsay;  
also SENATOR(S) Gonzales, Buckner, Hansen, Hinrichsen, Lee, Moreno, Rodriguez, Winter, Fenberg.

**AN ACT****CONCERNING THEFT OF PUBLIC BENEFITS.**

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

**SECTION 1.** In Colorado Revised Statutes, 18-4-401, **amend** (1)(d) and (1)(e); and **add** (1)(f) and (12) as follows:

**18-4-401. Theft - repeal.** (1) A person commits theft when he or she knowingly obtains, retains, or exercises control over anything of value of another without authorization or by threat or deception; receives, loans money by pawn or pledge on, or disposes of anything of value or belonging to another that he or she knows or believes to have been stolen; or procures food or accommodations from a public establishment without making payment therefore, and:

(d) Demands any consideration to which he or she is not legally entitled as a condition of restoring the thing of value to the other person; ~~or~~

(e) Knowingly retains the thing of value more than seventy-two hours after the agreed-upon time of return in any lease or hire agreement; ~~OR~~

(f) INTENTIONALLY MISREPRESENTS OR WITHHOLDS A MATERIAL FACT FOR DETERMINING ELIGIBILITY FOR A PUBLIC BENEFIT AND DOES SO FOR THE PURPOSE OF OBTAINING OR RETAINING PUBLIC BENEFITS FOR WHICH THE PERSON IS NOT ELIGIBLE.

(12) A PERSON'S CONDUCT THAT IS LIMITED TO THE ELEMENTS OF SUBSECTION (1)(f) OF THIS SECTION IS NOT SUBJECT TO PROSECUTION PURSUANT TO ANY OTHER PROVISION OF THIS SECTION.

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

**SECTION 2. Effective date - applicability.** This act takes effect July 1, 2022, and applies to offenses committed on or after said date.

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

Approved: April 21, 2022