

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

REVISED

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

LLS NO. 23-0907.01 Alana Rosen x2606

SENATE BILL 23-249

SENATE SPONSORSHIP

Bridges and Van Winkle, Buckner, Exum, Fenberg, Ginal, Hansen, Hinrichsen, Kirkmeyer, Liston, Moreno, Mullica, Pelton B., Pelton R., Priola, Roberts, Smallwood, Will, Winter F., Zenzinger

HOUSE SPONSORSHIP

McLachlan and Evans,

Senate Committees
Judiciary

House Committees
Education

A BILL FOR AN ACT

101 **CONCERNING FALSE REPORTING OF AN EMERGENCY.**

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 adds that the false reporting of a mass shooting or active shooter in a public or private place or vehicle that transports people or property is a class 6 felony.

The bill specifies that false reporting of an emergency is a class 1 misdemeanor if the threat causes the occupants of a building, place of assembly, or facility to be issued a shelter-in-place order, or the threat results in the initiation of a standard response protocol in response to the false report.

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

HOUSE
Amended 2nd Reading
April 29, 2023

SENATE
3rd Reading Unamended
April 13, 2023

SENATE
2nd Reading Unamended
April 12, 2023

The bill adds to the "Victim Rights Act" that a crime includes the false reporting of an emergency that is bias motivated.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-8-101, **amend** the
3 introductory portion; and **add** (4) as follows:

4 **18-8-101. Definitions.** As used in this ~~article~~ ARTICLE 8, unless
5 the context otherwise requires:

6 (4) "SHELTER-IN-PLACE ORDER" MEANS AN OFFICIAL ORDER OR
7 DIRECTION FROM GOVERNMENT OFFICIALS TO THE OCCUPANTS OF A
8 BUILDING TO SEEK SHELTER FROM AN EXTERNAL THREAT IN THE BUILDING
9 OR A SAFE STRUCTURE.

10 **SECTION 2.** In Colorado Revised Statutes, **amend** 18-8-110 as
11 follows:

12 **18-8-110. False report of explosives, weapons, or harmful**
13 **substances.** (1) Any person who reports to any other person that a bomb
14 or other explosive, any chemical or biological agent, any poison or
15 weapon, or any harmful radioactive substance has been placed in any
16 public or private place or vehicle designed for the transportation of
17 persons or property, knowing that the report is false, commits a class 6
18 felony.

19 (2) ANY PERSON WHO REPORTS TO ANY OTHER PERSON THAT
20 THERE IS A MASS SHOOTING OR AN ACTIVE SHOOTER IN A PUBLIC OR
21 PRIVATE PLACE OR VEHICLE DESIGNED FOR THE TRANSPORTATION OF
22 PERSONS OR PROPERTY, KNOWING THAT THE REPORT IS FALSE, CAUSING
23 THE OCCUPANTS OF A BUILDING, PLACE OF ASSEMBLY, OR FACILITY OF
24 PUBLIC TRANSPORTATION TO BE EVACUATED OR TO BE ISSUED A
25 SHELTER-IN-PLACE ORDER; CAUSING ANY DISRUPTIONS OR IMPACTS TO

1 REGULAR ACTIVITIES; OR RESULTING IN THE INITIATION OF A STANDARD
2 RESPONSE PROTOCOL IN RESPONSE TO THE FALSE REPORT, COMMITS A
3 CLASS 6 FELONY.

4 **SECTION 3.** In Colorado Revised Statutes, 18-8-111, **amend**
5 (2)(b)(II)(A) as follows:

6 **18-8-111. False reporting to authorities - false reporting of**
7 **emergency - definition.** (2) (b) (II) False reporting of an emergency is
8 a class 1 misdemeanor, if:

9 (A) The threat causes the occupants of a building, place of
10 assembly, or facility of public transportation to be evacuated or otherwise
11 displaced TO BE ISSUED A SHELTER-IN-PLACE ORDER, THE THREAT CAUSES
12 ANY DISRUPTIONS OR IMPACTS TO REGULAR ACTIVITIES, OR THE THREAT
13 RESULTS IN THE INITIATION OF A STANDARD RESPONSE PROTOCOL IN
14 RESPONSE TO THE FALSE REPORT; or

15 **SECTION 4.** In Colorado Revised Statutes, 24-4.1-302, **add**
16 (1)(cc.7) as follows:

17 **24-4.1-302. Definitions.** As used in this part 3, and for no other
18 purpose, including the expansion of the rights of any defendant:

19 (1) "Crime" means any of the following offenses, acts, and
20 violations as defined by the statutes of the state of Colorado, whether
21 committed by an adult or a juvenile:

22 (cc.7) FALSE REPORTING OF AN EMERGENCY IN VIOLATION OF
23 SECTION 18-8-111 THAT IS A BIAS-MOTIVATED CRIME AS DESCRIBED IN
24 SECTION 18-9-121 (2);

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

