

CHAPTER 271

CRIMINAL LAW AND PROCEDURE

SENATE BILL 14-049

BY SENATOR(S) Heath, Herpin, Newell;
also REPRESENTATIVE(S) Priola, Fields, Labuda, Pabon, Schafer.

AN ACT

CONCERNING ENDANGERING PUBLIC UTILITY TRANSMISSION, AND, IN CONNECTION THEREWITH,
MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 18-9-115, **amend** (1) (a), (3), (4), and (5); and **add** (1.5) and (4.5) as follows:

18-9-115. Endangering public transportation and utility transmission. (1) A person commits endangering public transportation if such person:

(a) Tampers with a facility of public transportation with intent to cause any damage, malfunction, ~~or~~ nonfunction, THEFT, OR UNAUTHORIZED REMOVAL OF MATERIAL which would result in the creation of a substantial risk of death or serious bodily injury to anyone; or

(1.5) A PERSON COMMITS ENDANGERING UTILITY TRANSMISSION IF SUCH PERSON TAMPERS WITH A FACILITY OF UTILITY TRANSMISSION WITH INTENT TO CAUSE ANY DAMAGE, MALFUNCTION, NONFUNCTION, THEFT, OR UNAUTHORIZED REMOVAL OF MATERIAL WHICH WOULD:

(a) INTERRUPT PERFORMANCE OF UTILITY TRANSMISSION; OR

(b) RESULT IN A CREATION OF A SUBSTANTIAL RISK OF DEATH OR SERIOUS BODILY INJURY TO ANYONE.

(3) "Public conveyance" includes a PASSENGER OR FREIGHT train, airplane, bus, truck, car, boat, tramway, gondola, lift, elevator, escalator, or other device intended, designed, adapted, and used for the public carriage of persons or property.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(4) "Facility of public transportation" includes a public conveyance and any area, structure, or device which is designed, adapted, and used to support, guide, control, permit, or facilitate the movement, starting, stopping, takeoff, landing, or servicing of a public conveyance or the loading or unloading of passengers, FREIGHT, or goods.

(4.5) "FACILITY OF UTILITY TRANSMISSION" INCLUDES ANY AREA, STRUCTURE, OR DEVICE THAT IS DESIGNED, ADOPTED, OR USED TO SUPPORT, GUIDE, CONTROL, PERMIT, OR FACILITATE TRANSMISSION OF:

- (a) ELECTRICAL ENERGY IN EXCESS OF THIRTY THOUSAND VOLTS; OR
- (b) WATER, LIQUID FUEL, OR GASEOUS FUEL BY PIPELINE.

(5) Endangering public transportation OR ENDANGERING UTILITY TRANSMISSION is a class 3 felony.

SECTION 2. In Colorado Revised Statutes, **add** 17-18-111 as follows:

17-18-111. Appropriation to comply with section 2-2-703 - SB 14-049 - repeal. (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 14-049, ENACTED IN 2014:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-ONE THOUSAND FOUR HUNDRED EIGHTY-FOUR DOLLARS (\$21,484).

(b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FORTY-TWO THOUSAND NINE HUNDRED SIXTY-EIGHT DOLLARS (\$42,968).

(c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF SIXTY-FOUR THOUSAND FOUR HUNDRED FIFTY-TWO DOLLARS (\$64,452).

(d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2018, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF EIGHTY-FIVE THOUSAND NINE HUNDRED THIRTY-FIVE DOLLARS (\$85,935).

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.

SECTION 3. Effective date - applicability. This act takes effect July 1, 2014, and applies to offenses committed on or after said date.

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

Approved: May 29, 2014