

CHAPTER 29

CRIMINAL LAW AND PROCEDURE

SENATE BILL 23-095

BY SENATOR(S) Ginal and Gardner, Hansen, Kolker, Marchman, Priola, Rich, Roberts, Smallwood;
also REPRESENTATIVE(S) Soper and Daugherty, Bird, Bockenfeld, Bottoms, Bradley, DeGraaf, Evans, Frizell, Herod, Kipp,
Lieder, Mauro, Ortiz, Snyder, Taggart, Titone, Valdez, Weinberg, Young.

AN ACT**CONCERNING CRIMINALIZING UNLAWFULLY POINTING A LASER DEVICE AT AN AIRCRAFT.**

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

SECTION 1. In Colorado Revised Statutes, **add** 18-3-210 as follows:

18-3-210. Unlawfully aiming a laser device at an aircraft - definitions. (1) A PERSON WHO KNOWINGLY POINTS, FOCUSES, OR AIMS THE BEAM OF A LASER DEVICE AT AN AIRCRAFT IN FLIGHT OR ON THE GROUND WHILE OCCUPIED, AND THE INCIDENT IS REPORTED BY THE PILOT OR A CREW MEMBER OF THE IMPACTED AIRCRAFT TO A LAW ENFORCEMENT OFFICER OR LAW ENFORCEMENT AGENCY, COMMITS THE OFFENSE OF UNLAWFULLY AIMING A LASER DEVICE AT AN AIRCRAFT, WHICH IS A CLASS 6 FELONY.

(2) THE OFFENSE DESCRIBED IN SUBSECTION (1) OF THIS SECTION DOES NOT APPLY IF THE PERSON:

(a) IS AN AUTHORIZED INDIVIDUAL CONDUCTING RESEARCH AND DEVELOPMENT OR FLIGHT TEST OPERATIONS FOR AN AIRCRAFT MANUFACTURER OR THE FEDERAL AVIATION ADMINISTRATION, OR ANY OTHER PERSON AUTHORIZED BY THE FEDERAL AVIATION ADMINISTRATION TO CONDUCT RESEARCH AND DEVELOPMENT OR FLIGHT TEST OPERATIONS;

(b) IS A MEMBER OF THE UNITED STATES DEPARTMENT OF DEFENSE OR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ACTING IN AN OFFICIAL CAPACITY FOR THE PURPOSE OF RESEARCH, DEVELOPMENT, OPERATIONS, TESTING, OR TRAINING; OR

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.

(c) USES A LASER DEVICE WITH THE INTENT OF SENDING AN EMERGENCY DISTRESS SIGNAL.

(3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AIRCRAFT" MEANS A DEVICE MANNED BY A PERSON THAT IS USED OR INTENDED TO BE USED FOR FLIGHT IN THE AIR.

(b) "LASER DEVICE" MEANS ANY DEVICE DESIGNED OR USED TO AMPLIFY ELECTROMAGNETIC RADIATION BY STIMULATED EMISSION THAT EMITS A BEAM IN THE ULTRAVIOLET, VISIBLE, OR INFRARED REGION OF THE SPECTRUM.

SECTION 2. Effective date - applicability. This act takes effect July 1, 2023, 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: March 23, 2023