

CHAPTER 418

CRIMINAL LAW AND PROCEDURE

SENATE BILL 23-249

BY SENATOR(S) Bridges and Van Winkle, Buckner, Exum, Ginal, Hansen, Hinrichsen, Kirkmeyer, Liston, Moreno, Mullica, Pelton B., Pelton R., Priola, Roberts, Smallwood, Sullivan, Will, Winter F., Zenzinger, Fenberg;
also REPRESENTATIVE(S) McLachlan and Evans, Armagost, Bird, Bockenfeld, Catlin, Frizzell, Lieder, Lukens, Michaelson Jenet, Taggart, Weinberg, Winter T., Young.

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

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

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

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

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

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

18-8-110. False report of explosives, weapons, or harmful substances.

(1) Any person who reports to any other person that a bomb or other explosive, any chemical or biological agent, any poison or weapon, or any harmful radioactive substance has been placed in any public or private place or vehicle designed for the transportation of persons or property, knowing that the report is false, commits a class 6 felony.

(2) ANY PERSON WHO REPORTS TO ANY OTHER PERSON THAT THERE IS A MASS SHOOTING OR AN ACTIVE SHOOTER IN A PUBLIC OR PRIVATE PLACE OR VEHICLE DESIGNED FOR THE TRANSPORTATION OF PERSONS OR PROPERTY, KNOWING THAT THE REPORT IS FALSE, CAUSING THE OCCUPANTS OF A BUILDING, PLACE OF ASSEMBLY, 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.

FACILITY OF PUBLIC TRANSPORTATION TO BE EVACUATED OR TO BE ISSUED A SHELTER-IN-PLACE ORDER; CAUSING ANY DISRUPTIONS OR IMPACTS TO REGULAR ACTIVITIES; OR RESULTING IN THE INITIATION OF A STANDARD RESPONSE PROTOCOL IN RESPONSE TO THE FALSE REPORT, COMMITS A CLASS 6 FELONY.

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

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

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

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

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

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

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

SECTION 5. 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: June 7, 2023