

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB21-064 be amended as follows:

1 Amend printed bill, page 2, strike lines 2 through 26 and substitute:

2 "SECTION 1. In Colorado Revised Statutes, 18-8-615, **amend**
3 (2); and **add** (1.5) as follows:

4 **18-8-615. Retaliation against a judge or an elected official -**
5 **definitions.** (1.5) (a) AN INDIVIDUAL COMMITS RETALIATION AGAINST AN
6 ELECTED OFFICIAL IF THE INDIVIDUAL MAKES A CREDIBLE THREAT, AS
7 DEFINED IN SECTION 18-3-602 (2)(b), OR COMMITS AN ACT OF
8 HARASSMENT, AS DEFINED IN SECTION 18-9-111 (1), AS RETALIATION OR
9 RETRIBUTION AGAINST THE ELECTED OFFICIAL OR TO THE STATUS OF THE
10 PERSON AS AN ELECTED OFFICIAL, AND IS DIRECTED AGAINST OR
11 COMMITTED UPON:

12 (I) AN ELECTED OFFICIAL;

13 (II) A MEMBER OF THE ELECTED OFFICIAL'S FAMILY;

14 (III) A PERSON IN CLOSE RELATIONSHIP TO THE ELECTED OFFICIAL;

15 OR

16 (IV) A PERSON RESIDING IN THE SAME HOUSEHOLD WITH THE
17 ELECTED OFFICIAL.

18 (b) AN INDIVIDUAL COMMITS RETALIATION AGAINST AN ELECTED
19 OFFICIAL BY MEANS OF A CREDIBLE THREAT AS DESCRIBED IN SUBSECTION
20 (1.5)(a) OF THIS SECTION IF THE INDIVIDUAL KNOWINGLY MAKES THE
21 CREDIBLE THREAT:

22 (I) DIRECTLY TO THE ELECTED OFFICIAL; OR

23 (II) TO ANOTHER PERSON:

24 (A) IF THE INDIVIDUAL INTENDED THAT THE COMMUNICATION
25 WOULD BE RELAYED TO THE ELECTED OFFICIAL; OR

26 (B) IF THE OTHER PERSON IS REQUIRED BY STATUTE OR ETHICAL
27 RULE TO REPORT THE COMMUNICATION TO THE ELECTED OFFICIAL.

28 (c) FOR PURPOSES OF THIS SUBSECTION (1.5), "ELECTED OFFICIAL"
29 MEANS ANY PERSON WHO IS SERVING IN AN ELECTED POSITION IN THE
30 STATE OF COLORADO AT ANY LEVEL OF GOVERNMENT.

31 (2) (a) Retaliation against a judge is a class 4 felony.

32 (b) RETALIATION AGAINST AN ELECTED OFFICIAL IS A CLASS 1
33 MISDEMEANOR, UNLESS COMMITTED BY MEANS OF A CREDIBLE THREAT, AS
34 DEFINED IN SECTION 18-3-602 (2)(b), THEN IT IS A CLASS 6 FELONY."

35 Page 3, strike lines 1 through 15.

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