

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0891.01 Jerry Barry x4341

HOUSE BILL 16-1307

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HOUSE SPONSORSHIP

Melton,

SENATE SPONSORSHIP

Cooke,

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THREATS AGAINST PERSONS AT POSTSECONDARY  
102 EDUCATIONAL INSTITUTIONS.

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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://www.leg.state.co.us/bills/summaries>.)*

Under current law, it is a class 1 misdemeanor for a person to knowingly make a threat of death or bodily injury to a person at an educational institution. The bill makes it a class 6 felony if the threat involves death or serious bodily injury and the person is at a postsecondary educational institution.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

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

2           **SECTION 1.** In Colorado Revised Statutes, 18-9-109, **amend** (6)  
3 (b) and (6) (c) as follows:

4           **18-9-109. Interference with staff, faculty, or students of**  
5 **educational institutions.** (6) (b) For purposes of this subsection (6),  
6 "credible threat" means a threat or physical action that would cause a  
7 reasonable person to be in fear of bodily injury with a deadly weapon,  
8 SERIOUS BODILY INJURY WITH A DEADLY WEAPON, or death.

9           (c) A person who violates this subsection (6) commits a class 1  
10 misdemeanor; EXCEPT THAT A PERSON COMMITS A CLASS 6 FELONY IF THE  
11 PERSON THREATENS DEATH OR SERIOUS BODILY INJURY WITH A DEADLY  
12 WEAPON AND THE THREAT IS MADE TO:

13           (I) A PERSON THE ACTOR KNOWS OR BELIEVES TO BE A STUDENT AT  
14 A POSTSECONDARY EDUCATIONAL INSTITUTION, A SCHOOL OFFICIAL OF A  
15 POSTSECONDARY EDUCATIONAL INSTITUTION, OR AN EMPLOYEE OF A  
16 POSTSECONDARY EDUCATIONAL INSTITUTION; OR

17           (II) AN INVITEE WHO IS ON THE PREMISES OF A POSTSECONDARY  
18 EDUCATIONAL INSTITUTION.

19           **SECTION 2. Potential appropriation.** Pursuant to section  
20 2-2-703, C.R.S., any bill that results in a net increase in periods of  
21 imprisonment in the state correctional facilities must include an  
22 appropriation of moneys that is sufficient to cover any increased capital  
23 construction and operational costs for the first five fiscal years in which  
24 there is a fiscal impact. Because this act may increase periods of  
25 imprisonment, this act may require a five-year appropriation.

26           **SECTION 3. Effective date - applicability.** This act takes effect

1 July 1, 2016, and applies to offenses committed on or after said date.

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