A BILL FOR AN ACT

CONCERNING BIAS-MOTIVATED HARASSMENT.

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://leg.colorado.gov.)

Colorado's law concerning bias-motivated crimes prohibits the intimidation or harassment of another person because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation. However, Colorado's harassment statute makes harassment a class 1 misdemeanor if the offender commits harassment with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin.
The bill adds physical or mental disability and sexual orientation to the categories described in the harassment statute to make the statute consistent with Colorado's law concerning bias-motivated crimes.

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

SECTION 1. In Colorado Revised Statutes, 18-9-111, amend (2) as follows:

18-9-111. Harassment - Kiana Arellano's law. (2) Harassment pursuant to subsection (1) of this section is a class 3 misdemeanor; except that harassment is a class 1 misdemeanor if the offender commits harassment pursuant to subsection (1) of this section with the intent to intimidate or harass another person because of that person's actual or perceived race; color; religion; ancestry; or national origin; PHYSICAL OR MENTAL DISABILITY, AS DEFINED IN SECTION 18-9-121 (5)(a); OR SEXUAL ORIENTATION, AS DEFINED IN SECTION 18-9-121 (5)(b).

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.