

CHAPTER 372

CRIMINAL LAW AND PROCEDURE

SENATE BILL 21-280

BY SENATOR(S) Fields and Cooke, Bridges, Buckner, Danielson, Fenberg, Ginal, Gonzales, Hansen, Holbert, Jaquez Lewis, Kolker, Lee, Lundeen, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Story, Winter, Garcia;
also REPRESENTATIVE(S) Weissman and Soper, Amabile, Bacon, Benavidez, Burnett, Bird, Boesenecker, Caraveo, Cutter, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jodeh, McCluskie, McCormick, Michaelson Jenet, Mullica, Ricks, Roberts, Sirota, Snyder, Titone, Valdez A., Woodrow, Young.

AN ACT**CONCERNING CRIMES THAT ARE BIAS-MOTIVATED.**

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, *IN WHOLE OR IN PART*, because of that person's actual or perceived race; color; religion; ancestry; 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. In Colorado Revised Statutes, 18-9-121, **amend** (2) introductory portion as follows:

18-9-121. Bias-motivated crimes. (2) A person commits a bias-motivated crime if, with the intent to intimidate or harass another person, *IN WHOLE OR IN PART*, because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation, he or she:

SECTION 3. In Colorado Revised Statutes, 24-4.1-302, **add** (1)(cc.4) as follows:

24-4.1-302. Definitions. As used in this part 3, and for no other purpose,

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.

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.4) HARASSMENT THAT IS BIAS-MOTIVATED, IN VIOLATION OF SECTION 18-9-111 (2);

SECTION 4. Applicability. This act applies to offenses committed on or after the effective date of this act.

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 28, 2021