

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 23-095

BY SENATOR(S) Ginal and Gardner, Hansen, Kolker, Marchman, Priola, Rich, Roberts, Smallwood;
also REPRESENTATIVE(S) Soper and Daugherty, Bird, Bockenfeld, Bottoms, Bradley, DeGraaf, Evans, Frizell, Herod, Kipp, Lieder, Mauro, Ortiz, Snyder, Taggart, Titone, Valdez, Weinberg, Young.

CONCERNING CRIMINALIZING UNLAWFULLY POINTING A LASER DEVICE AT AN AIRCRAFT.

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

SECTION 1. In Colorado Revised Statutes, **add** 18-3-210 as follows:

18-3-210. Unlawfully aiming a laser device at an aircraft - definitions. (1) A PERSON WHO KNOWINGLY POINTS, FOCUSES, OR AIMS THE BEAM OF A LASER DEVICE AT AN AIRCRAFT IN FLIGHT OR ON THE GROUND WHILE OCCUPIED, AND THE INCIDENT IS REPORTED BY THE PILOT OR A CREW MEMBER OF THE IMPACTED AIRCRAFT TO A LAW ENFORCEMENT OFFICER OR LAW ENFORCEMENT AGENCY, COMMITS THE OFFENSE OF UNLAWFULLY AIMING A LASER DEVICE AT AN AIRCRAFT, WHICH IS A CLASS 6 FELONY.

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.

(2) THE OFFENSE DESCRIBED IN SUBSECTION (1) OF THIS SECTION DOES NOT APPLY IF THE PERSON:

(a) IS AN AUTHORIZED INDIVIDUAL CONDUCTING RESEARCH AND DEVELOPMENT OR FLIGHT TEST OPERATIONS FOR AN AIRCRAFT MANUFACTURER OR THE FEDERAL AVIATION ADMINISTRATION, OR ANY OTHER PERSON AUTHORIZED BY THE FEDERAL AVIATION ADMINISTRATION TO CONDUCT RESEARCH AND DEVELOPMENT OR FLIGHT TEST OPERATIONS;

(b) IS A MEMBER OF THE UNITED STATES DEPARTMENT OF DEFENSE OR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ACTING IN AN OFFICIAL CAPACITY FOR THE PURPOSE OF RESEARCH, DEVELOPMENT, OPERATIONS, TESTING, OR TRAINING; OR

(c) USES A LASER DEVICE WITH THE INTENT OF SENDING AN EMERGENCY DISTRESS SIGNAL.

(3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AIRCRAFT" MEANS A DEVICE MANNED BY A PERSON THAT IS USED OR INTENDED TO BE USED FOR FLIGHT IN THE AIR.

(b) "LASER DEVICE" MEANS ANY DEVICE DESIGNED OR USED TO AMPLIFY ELECTROMAGNETIC RADIATION BY STIMULATED EMISSION THAT EMITS A BEAM IN THE ULTRAVIOLET, VISIBLE, OR INFRARED REGION OF THE SPECTRUM.

SECTION 2. Effective date - applicability. This act takes effect July 1, 2023, and applies to offenses committed on or after said date.

SECTION 3. 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.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO