

CHAPTER 17

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 94-1144

BY REPRESENTATIVES Friednash, Adkins, Fleming, George, Hagedorn, Kaufman, Kreutz, Lawrence, Owen, Reeser, Williams, Agler, Allen, Anderson, Armstrong, Berry, Clark, Coffman, Duke, Eisenach, Entz, Epps, Faatz, Grampsas, Hernandez, Jerke, June, Keller, Kerns, Martin, May, Moellenberg, Morrison, Nichol, Pfiffner, Pierson, Prinster, Schauer, Shoemaker, Snyder, and Tucker; also SENATORS Mares, Owens, Ament, Bird, Bishop, Blickensderfer, Hopper, Johnson, Meiklejohn, Norton, R. Powers, Roberts, Schroeder, Tebedo, and Traylor.

AN ACT

CONCERNING CONSIDERATION THAT A DEFENDANT COMMITTED MULTIPLE KILLINGS AS AN ADDITIONAL STATUTORY AGGRAVATING FACTOR FOR DEATH PENALTY DETERMINATIONS.

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

SECTION 1. 16-11-103 (5), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

16-11-103. Imposition of sentence in class 1 felonies - appellate review. (5) For purposes of this section, aggravating factors shall be the following factors:

(1) THE DEFENDANT UNLAWFULLY AND INTENTIONALLY, KNOWINGLY, OR WITH UNIVERSAL MALICE MANIFESTING EXTREME INDIFFERENCE TO THE VALUE OF HUMAN LIFE GENERALLY, KILLED TWO OR MORE PERSONS DURING THE COMMISSION OF THE SAME CRIMINAL EPISODE.

SECTION 2. Effective date - applicability. This act shall take effect upon passage, and shall apply to acts 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, and safety.

Approved: March 15, 1994

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.