

CHAPTER 177

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 96-1281

BY REPRESENTATIVES Gordon, Dean, Martin, Nichol, and Saliman;
also SENATOR Blickensderfer.

AN ACT

CONCERNING CREATION OF THE CRIME OF USE OF FORGED ACADEMIC RECORDS.

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

SECTION 1. Part 1 of article 5 of title 18, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

18-5-104.5. Use of forged academic record. (1) A PERSON COMMITS USE OF A FORGED ACADEMIC RECORD IF, WITH INTENT TO SEEK EMPLOYMENT OR WITH INTENT TO SEEK ADMISSION TO A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION IN THIS STATE OR FOR THE PURPOSE OF SECURING A SCHOLARSHIP OR OTHER FORM OF FINANCIAL ASSISTANCE FROM THE INSTITUTION ITSELF OR FROM OTHER PUBLIC OR PRIVATE SOURCES OF FINANCIAL ASSISTANCE, SUCH PERSON FALSELY MAKES, COMPLETES, ALTERS, OR UTTERS A WRITTEN INSTRUMENT WHICH IS OR PURPORTS TO BE, OR IS CALCULATED TO BECOME OR TO REPRESENT IF COMPLETED, A BONA FIDE ACADEMIC RECORD OF AN INSTITUTION OF SECONDARY OR HIGHER EDUCATION.

(2) FOR PURPOSES OF THIS SECTION:

(a) "ACADEMIC RECORD" MEANS A TRANSCRIPT, DIPLOMA, GRADE REPORT, OR SIMILAR DOCUMENT OF AN INSTITUTION OF SECONDARY OR HIGHER EDUCATION.

(b) "FINANCIAL ASSISTANCE" MEANS FINANCIAL ASSISTANCE FOR EDUCATIONAL PURPOSES, INCLUDING, BUT NOT LIMITED TO, LOANS, SCHOLARSHIPS, GRANTS, FELLOWSHIPS, ASSISTANTSHIPS, WORK-STUDY PROGRAMS, OR OTHER FORMS OF FINANCIAL AID.

(3) USE OF A FORGED ACADEMIC RECORD IS A CLASS 1 MISDEMEANOR.

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

SECTION 2. 18-5-104 (1), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

18-5-104. Second degree forgery. (1) A person commits second degree forgery if, with intent to defraud, such person falsely makes, completes, alters, or utters a written instrument of a kind not described in section 18-5-102 OR 18-5-104.5.

SECTION 3. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 4. Effective date - applicability. This act shall take effect July 1, 1996, and shall apply to offenses committed on or after said date.

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, and safety.

Approved: May 23, 1996