

CHAPTER 11

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 06-1027

BY REPRESENTATIVE(S) Lindstrom, Berens, Boyd, Carroll T., Coleman, McGihon, Merrifield, and Rose;
also SENATOR(S) Johnson.**AN ACT****CONCERNING PERSONS AUTHORIZED AS PEACE OFFICERS IN COLORADO.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** 16-2.5-101 (1), Colorado Revised Statutes, is amended to read:

16-2.5-101. Peace officer - description - general authority. (1) A person who is included within the provisions of this article and who meets all standards imposed by law on a peace officer is a peace officer, and, notwithstanding any other provision of law, no person other than a person designated in this article is a peace officer. A peace officer may be certified by the peace officers standards and training board pursuant to part 3 of article 31 of title 24, C.R.S., and, at a minimum, has the authority to enforce all laws of the state of Colorado while acting within the scope of his or her authority and in the performance of his or her duties, UNLESS OTHERWISE LIMITED WITHIN THIS PART 1.

SECTION 2. 16-2.5-145, Colorado Revised Statutes, is amended to read:

16-2.5-145. Municipal court marshal. A municipal court marshal ~~employed by a municipality is~~ WHO IS EMPLOYED BY A MUNICIPALITY AND IS SPECIFICALLY DESIGNATED a peace officer BY THE MUNICIPALITY IS A PEACE OFFICER while engaged in the performance of his or her duties. ~~whose authority~~ THE AUTHORITY OF SUCH A MUNICIPAL COURT MARSHAL shall be limited to providing security for the municipal court, transporting, detaining, and maintaining control over prisoners, executing all arrest warrants within the municipal court and its grounds, executing municipal court arrest warrants within the municipal limits, and serving legal process issued by the municipal court within the municipal limits. ~~and who~~ A MUNICIPAL COURT MARSHAL shall be certified by the P.O.S.T. board. ~~or receive the~~

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

~~training required for a reserve officer pursuant to section 16-2.5-110:~~

SECTION 3. 16-2.5-146 (1), Colorado Revised Statutes, is amended to read:

16-2.5-146. Public transit officer - definitions. (1) A public transit officer WHO IS employed by a public transportation entity, as defined in section 18-4-801 (2), C.R.S., ~~is~~ AND IS SPECIFICALLY DESIGNATED a peace officer BY THE PUBLIC TRANSPORTATION ENTITY IS A PEACE OFFICER while engaged in the performance of his or her duties. A public transit officer's authority shall be limited to the enforcement of all laws of the state of Colorado and the provision of security for passengers, employees, and property of the public transportation entity on public transportation vehicles, as defined in section 18-4-801 (3), C.R.S., and at public transportation facilities. A public transit officer's authority shall include the power of arrest based upon probable cause while engaged in the performance of his or her duties. A public transit officer shall be certified by the P.O.S.T. board.

SECTION 4. Effective date. This act shall take effect July 1, 2007.

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: March 13, 2006