

CHAPTER 82

CRIMINAL LAW AND PROCEDURE

SENATE BILL 07-115

BY SENATOR(S) Shaffer, and Williams;
also REPRESENTATIVE(S) Carroll T., Carroll M., Gibbs, Jahn, King, Marshall, Massey, and Stephens.

AN ACT

**CONCERNING PROVISIONS TO STRENGTHEN THE PROCEDURAL CRIMINAL LAW OF THE STATE
AUTHORIZING THE INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATION.**

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

SECTION 1. 16-15-102 (18) (a) (I), Colorado Revised Statutes, is amended to read:

16-15-102. Ex parte order authorizing the interception of wire, oral, or electronic communications. (18) (a) Any other provision of this article notwithstanding, any investigative or law enforcement officer specifically designated by the attorney general or a district attorney may intercept wire, oral, or electronic communications for a period not to exceed twenty-four hours under the following circumstances:

(I) When an emergency situation exists that involves the holding of hostages or kidnapping by the use of physical force, a deadly weapon, or an explosive device, and there is imminent danger of serious bodily injury or death to any person, OR WHERE ONE OR MORE SUSPECTS IN A FELONY CRIME HAVE BARRICADED THEMSELVES IN A BUILDING AND THERE IS A REASONABLE BELIEF THAT ONE OR MORE OF THE SUSPECTS IS ARMED WITH A DEADLY WEAPON OR EXPLOSIVE DEVICE; and

SECTION 2. 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: April 2, 2007

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