

CHAPTER 217

CRIMINAL LAW AND PROCEDURE

SENATE BILL 11-201

BY SENATOR(S) Roberts and Carroll, Boyd, Jahn, King S., Newell, Nicholson, Williams S.;
also REPRESENTATIVE(S) Barker, Fields, Gerou, Kerr J., Labuda, Pace, Peniston, Priola, Schafer S., Summers, Todd, Wilson.

AN ACT

CONCERNING CLARIFYING THE ELEMENTS OF THE CRIMINAL OFFENSE OF CRIMINAL
IMPERSONATION.

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

SECTION 1. 18-5-113 (1), Colorado Revised Statutes, is amended, and the said 18-5-113 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

18-5-113. Criminal impersonation. (1) A person commits criminal impersonation if he OR SHE knowingly:

(a) Assumes a false or fictitious identity or LEGAL capacity, and in such identity or capacity he OR SHE:

~~(a)~~ (I) Marries, or pretends to marry, or to sustain the marriage relation toward another without the connivance of the latter; ~~or~~

~~(b)~~ (II) Becomes bail or surety for a party in an action or proceeding, civil or criminal, before a court or officer authorized to take the bail or surety; or

~~(c)~~ (III) Confesses a judgment, or subscribes, verifies, publishes, acknowledges, or proves a written instrument which by law may be recorded, with the intent that the same may be delivered as true; or

(b) ASSUMES A FALSE OR FICTITIOUS IDENTITY OR CAPACITY, LEGAL OR OTHER, AND IN SUCH IDENTITY OR CAPACITY HE OR SHE:

~~(d)~~ (I) ~~Does~~ PERFORMS an act ~~which~~ THAT, if done by the person falsely

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

impersonated, might subject such person to an action or special proceeding, civil or criminal, or to liability, charge, forfeiture, or penalty; or

(e) (II) ~~Does~~ PERFORMS any other act with intent to unlawfully gain a benefit for himself, HERSELF, or another or to injure or defraud another.

(3) FOR THE PURPOSES OF SUBSECTION (1) OF THIS SECTION, USING FALSE OR FICTITIOUS PERSONAL IDENTIFYING INFORMATION, AS DEFINED IN SECTION 18-5-901 (13), SHALL CONSTITUTE THE ASSUMPTION OF A FALSE OR FICTITIOUS IDENTITY OR CAPACITY.

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: May 27, 2011