

HB1059 L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB18-1059 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add 18-13-131 as
4 follows:

5 **18-13-131. Duty to summon assistance - Eric's law.** (1) ANY
6 PERSON WHO KNOWS THAT ANOTHER PERSON IS AT RISK OF OR HAS
7 SUFFERED SERIOUS BODILY INJURY AND IS IN NEED OF IMMEDIATE
8 EMERGENCY ASSISTANCE SHALL DIAL 911 OR SHALL USE ANOTHER MEANS
9 TO SUMMON THE POLICE, THE FIRE DEPARTMENT, OR MEDICAL PERSONNEL
10 TO THE SCENE, TO THE EXTENT THAT THE PERSON CAN DO SO WITHOUT
11 DANGER OR PERIL TO HIMSELF, HERSELF, OR OTHERS.

12 (2) (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(b) OF THIS
13 SECTION, A VIOLATION OF SUBSECTION (1) OF THIS SECTION IS A CLASS 3
14 MISDEMEANOR.

15 (b) IF THE PERSON IS THE DIRECT AND PROXIMATE CAUSE OF THE
16 CIRCUMSTANCE THAT CAUSED ANOTHER PERSON TO NEED EMERGENCY
17 ASSISTANCE AND THE OTHER PERSON DIES AS A DIRECT RESULT OF THE
18 FAILURE TO SUMMON ASSISTANCE, THE VIOLATION OF SUBSECTION (1) OF
19 THIS SECTION IS AN UNCLASSIFIED MISDEMEANOR AND SHALL BE PUNISHED
20 BY A FINE OF NOT MORE THAN FIVE THOUSAND DOLLARS, OR BY
21 IMPRISONMENT IN THE COUNTY JAIL FOR UP TO EIGHTEEN MONTHS, OR BY
22 BOTH FINE AND IMPRISONMENT.

23 (3) A PERSON WHO, PURSUANT TO SUBSECTION (1) OF THIS
24 SECTION, DIALS 911 OR USES ANOTHER MEANS TO SUMMON THE POLICE,
25 THE FIRE DEPARTMENT, OR MEDICAL PERSONNEL TO THE SCENE IS NOT
26 LIABLE FOR ANY CIVIL DAMAGES AS A RESULT OF ACTS OR OMISSIONS BY
27 THAT PERSON IN RENDERING AID, UNLESS THE PERSON ACTS IN A WILLFUL,
28 WANTON, OR RECKLESS MANNER IN PROVIDING CARE, ADVICE, OR
29 ASSISTANCE TO THE INJURED PERSON.

30 (4) THIS SECTION IS KNOWN AND MAY BE CITED AS "ERIC'S LAW".

31 **SECTION 2. Effective date - applicability.** This act takes effect
32 July 1, 2018, and applies to offenses committed on or after said date.

33 **SECTION 3. Safety clause.** The general assembly hereby finds,
34 determines, and declares that this act is necessary for the immediate
35 preservation of the public peace, health, and safety."

** ** ** ** **