

SB166\_L.008

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.SB18-166 be amended as follows:

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

3 "SECTION 1. In Colorado Revised Statutes, 13-10-113, **amend**  
4 (1)(a) as follows:

5 **13-10-113. Fines and penalties.** (1) (a) Except as provided in  
6 ~~paragraph (b) of this subsection (1)~~ SUBSECTION (1)(b) OF THIS SECTION,  
7 any person convicted of violating a municipal ordinance in a municipal  
8 court of record may be incarcerated for a period not to exceed ~~one year~~  
9 THREE HUNDRED SIXTY-FOUR DAYS or fined an amount not to exceed two  
10 thousand six hundred fifty dollars, or both.

11 **SECTION 2.** In Colorado Revised Statutes, 18-1.3-501, **amend**  
12 (1)(a) and (1)(d) as follows:

13 **18-1.3-501. Misdemeanors classified - drug misdemeanors and**  
14 **drug petty offenses classified - penalties - definitions.** (1) (a) Except  
15 as otherwise provided in ~~paragraph (d) of this subsection (1)~~ SUBSECTION  
16 (1)(d) OF THIS SECTION, misdemeanors are divided into three classes that  
17 are distinguished from one another by the following penalties that are  
18 authorized upon conviction except as provided in subsection (1.5) of this  
19 section:

20	<b>Class</b>	<b>Minimum Sentence</b>	<b>Maximum Sentence</b>
21	1	Six months imprisonment, or five	Eighteen months
22		hundred dollars fine, or both	imprisonment,
23			or five thousand
24			dollars fine, or
25			both
26	2	Three months imprisonment, or two	<del>Twelve months</del>
27		hundred fifty dollars fine, or both	THREE HUNDRED
28			SIXTY-FOUR DAYS
29			imprisonment, or
30			one thousand
31			dollars fine, or
32			both
33	3	Fifty dollars fine	Six months
34			imprisonment, or
35			seven hundred
36			fifty dollars fine,
37			or both

38 (d) For purposes of sentencing a person convicted of a  
39 misdemeanor drug offense described in article 18 of this ~~title~~ TITLE 18,  
40 committed on or after October 1, 2013, drug misdemeanors are divided

1 into two levels that are distinguished from one another by the following  
2 penalties that are authorized upon conviction:

3	Level	Minimum Sentence	Maximum Sentence
4	DM1	Six months imprisonment,	Eighteen months
5		five hundred dollars fine,	imprisonment,
6		or both	five thousand
7			dollars fine, or
8			both
9	DM2	No imprisonment, fifty	<del>Twelve months</del>
10		dollars fine	THREE HUNDRED
11			SIXTY-FOUR DAYS
12			imprisonment,
13			seven hundred
14			fifty dollars fine,
15			or both

16 **SECTION 3.** In Colorado Revised Statutes, 18-1.3-505, amend  
17 (1) as follows:

18 **18-1.3-505. Penalty for misdemeanor not fixed by statute -**  
19 **punishment.** (1) In all cases where an offense is denominated a  
20 misdemeanor and no penalty is fixed in the statute therefor, the  
21 punishment shall be imprisonment for not more than ~~one year~~ THREE  
22 HUNDRED SIXTY-FOUR DAYS in the county jail, or a fine of not more than  
23 one thousand dollars, or both ~~such~~ imprisonment and fine.

24 **SECTION 4. Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly (August  
27 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
28 referendum petition is filed pursuant to section 1 (3) of article V of the  
29 state constitution against this act or an item, section, or part of this act  
30 within such period, then the act, item, section, or part will not take effect  
31 unless approved by the people at the general election to be held in  
32 November 2018 and, in such case, will take effect on the date of the  
33 official declaration of the vote thereon by the governor."

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