

UNCLASSIFIED FELONIES

Elements of Offense

C.R.S. Citation

CONSTITUTIONAL OFFENSES

Offenses Related to Revenue

1. ***Making profit on public money.*** Any public officer who uses state, county, city, town, or school district money for any purpose not authorized by law commits a felony. Article X, Section 13, Colorado Constitution

CONSUMER AND COMMERCIAL AFFAIRS

Colorado Antitrust Act of 1992

2. ***Colorado Antitrust Act of 1992 Violations.*** Violation of the provisions of sections 6-4-104, 6-4-105, or 6-4-106 of the Colorado Antitrust Act of 1992 by any person, other than a natural person and a governmental or public entity, is a felony. 6-4-117 (3)
Punishment is a maximum fine of \$1 million.

CRIMINAL CODE — GOVERNMENTAL OPERATIONS

Escape and Offenses Relating to Custody

3. ***Riots in detention facilities.*** Any person confined to a detention facility who actively participates in a riot without employing (or causing others to believe he or she is employing) a deadly weapon or destructive device commits a felony. 18-8-211 (2) (b)
Punishment is imprisonment in a detention facility for at least 2 years, but no more than 10 years.

HEALTH

Offenses Related to Environmental Control

4. ***Knowing endangerment of air quality.*** Any person who knowingly releases into the air any hazardous air pollutant and who knows at the time that such action places another person in imminent danger of death or serious bodily injury commits a felony. 25-7-122.1 (3) (a)
Punishment for an individual is a maximum fine of \$50,000 for each day of violation, up to four years imprisonment, or both. Punishment for an organization is a maximum fine of \$1 million. Upon a second or subsequent conviction, the maximum penalty shall be doubled.

Elements of Offense

C.R.S. Citation

5. **Hazardous waste.** Knowingly transporting, treating, storing, or disposing of hazardous waste without a permit or violating provisions of law concerning required documents related to hazardous waste is a felony.
- 25-15-310 (3)
Punishment is a maximum fine of \$50,000 for each day of violation, up to four years imprisonment, or both. Upon a second or subsequent conviction, the maximum penalty must be doubled.

MINERAL RESOURCES

Offenses Related to Mines and Minerals

6. **Officers not to reveal information.** Revealing information stamped confidential pertaining to mine and metallurgical processes, ore bodies or deposits, or to the location, course, or character of underground workings is a felony.
- 34-21-106 (2)
Punishment is a fine of at least \$1,000, but no more than \$5,000, and removal from position.

TAXATION

Sales and Use Tax

7. **False or fraudulent return, statement.** Any person or corporation who willfully violates any of the provisions of section 39-26-120 regarding false or fraudulent sales tax returns commits a felony.
- 39-26-120 (2)
The Department of Revenue must estimate the amount of taxes due and add a penalty of \$15 or 10 percent of the unpaid taxes plus 0.5 percent per month from the date when the taxes were due, not exceeding 18 percent in the aggregate, and interest if applicable.