

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-0895.01 Richard Sweetman x4333

**HOUSE BILL 17-1188**

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**HOUSE SPONSORSHIP**

**Foote,**

**SENATE SPONSORSHIP**

**Coram and Moreno,**

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**House Committees**  
Judiciary

**Senate Committees**  
State, Veterans, & Military Affairs

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**A BILL FOR AN ACT**

101 **CONCERNING BIAS-MOTIVATED HARASSMENT.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Colorado's law concerning bias-motivated crimes prohibits the intimidation or harassment of another person because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation. However, Colorado's harassment statute makes harassment a class 1 misdemeanor if the offender commits harassment with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
2nd Reading Unamended  
April 10, 2017

HOUSE  
3rd Reading Unamended  
March 15, 2017

HOUSE  
Amended 2nd Reading  
March 14, 2017

The bill adds physical or mental disability and sexual orientation to the categories described in the harassment statute to make the statute consistent with Colorado's law concerning bias-motivated crimes.

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

2           **SECTION 1.** In Colorado Revised Statutes, 18-9-111, **amend** (2)  
3 as follows:

4           **18-9-111. Harassment - Kiana Arellano's law.** (2) Harassment  
5 pursuant to subsection (1) of this section is a class 3 misdemeanor; except  
6 that harassment is a class 1 misdemeanor if the offender commits  
7 harassment pursuant to subsection (1) of this section with the intent to  
8 intimidate or harass another person because of that person's actual or  
9 **perceived race; color; religion; ancestry; or national origin; PHYSICAL OR**  
10 **MENTAL DISABILITY, AS DEFINED IN SECTION 18-9-121 (5)(a); OR SEXUAL**  
11 **ORIENTATION, AS DEFINED IN SECTION 18-9-121 (5)(b).**

12           **SECTION 2. Act subject to petition - effective date.** This act  
13 takes effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly (August  
15 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
16 referendum petition is filed pursuant to section 1 (3) of article V of the  
17 state constitution against this act or an item, section, or part of this act  
18 within such period, then the act, item, section, or part will not take effect  
19 unless approved by the people at the general election to be held in  
20 November 2018 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.