

**Second 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. 18-0876.01 Conrad Imel x2313

SENATE BILL 18-169

SENATE SPONSORSHIP

Gardner,

HOUSE SPONSORSHIP

Carver,

Senate Committees
Judiciary

House Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING OFFENSES AGAINST WITNESSES IN NONCRIMINAL**
102 **PROCEEDINGS.**

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>.)

The bill clarifies that the offenses of intimidating a witness or victim and retaliation against a witness or victim apply to witnesses in criminal, civil, and administrative proceedings.

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

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

HOUSE
Amended 2nd Reading
April 4, 2018

SENATE
3rd Reading Unamended
March 8, 2018

SENATE
2nd Reading Unamended
March 5, 2018

1 **SECTION 1.** In Colorado Revised Statutes, 18-8-704, **amend** (1)
2 introductory portion as follows:

3 **18-8-704. Intimidating a witness or victim.** (1) A person
4 commits intimidating a witness or victim if, by use of a threat, act of
5 harassment as defined in section 18-9-111, or act of harm or injury to any
6 person or property directed to or committed upon a witness ~~or~~ IN ANY
7 CRIMINAL OR CIVIL PROCEEDING; a victim ~~to~~ OF any crime; a person he or
8 she believes has been or is to be called or who would have been called to
9 testify as a witness IN ANY CRIMINAL OR CIVIL PROCEEDING or a victim OF
10 ANY CRIME; a member of the witness' family; a member of the victim's
11 family; a person in close relationship to the witness or victim; a person
12 residing in the same household with the witness or victim; or any person
13 who has reported a crime or who may be called to testify as a witness to
14 or victim of any crime, he or she intentionally attempts to or does:

15 **SECTION 2.** In Colorado Revised Statutes, 18-8-706, **amend** (1)
16 as follows:

17 **18-8-706. Retaliation against a witness or victim.** (1) An
18 individual commits retaliation against a witness or victim if such person
19 uses a threat, act of harassment as defined in section 18-9-111, or act of
20 harm or injury upon any person or property, which action is directed to or
21 committed upon a witness ~~or~~ IN ANY CRIMINAL OR CIVIL PROCEEDING; a
22 victim ~~to~~ OF any crime; an individual whom the person believes has been
23 or would have been called to testify as a witness IN ANY CRIMINAL OR
24 CIVIL PROCEEDING or A victim OF ANY CRIME; a member of the witness'
25 family; a member of the victim's family; an individual in close
26 relationship to the witness or victim; an individual residing in the same
27 household with the witness or victim, as retaliation or retribution against

1 such witness or victim.

2 **SECTION 3. Effective date - applicability.** This act takes effect
3 July 1, 2018, and applies to offenses committed on or after said date.

4 **SECTION 4. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety.