

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-1215.01 Michael Dohr x4347

**SENATE BILL 18-278**

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**SENATE SPONSORSHIP**

**Priola and Martinez Humenik,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Finance  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101    **CONCERNING INCREASING THE PENALTY FOR ASSAULT ON CERTAIN**  
102            **FIRST RESPONDERS, AND, IN CONNECTION THEREWITH, MAKING**  
103            **AN APPROPRIATION.**

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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>.)*

The bill increases the penalty level for a second degree on a peace officer or firefighter by one class.

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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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-3-203, **amend**  
3 (2)(b); and **add** (2)(a.5) as follows:

4 **18-3-203. Assault in the second degree - definition.**

5 (2) (a.5) (I) IF ASSAULT IN THE SECOND DEGREE IS COMMITTED AGAINST  
6 A FIREFIGHTER, AS DEFINED IN SECTION 18-3-201 (1.5), AN EMERGENCY  
7 MEDICAL SERVICE PROVIDER, AS DEFINED IN SECTION 18-8-104, OR A  
8 PEACE OFFICER WHILE ENGAGED IN THE PERFORMANCE OF HIS OR HER  
9 DUTIES, AND THE PERSON WHO COMMITTED THE ASSAULT IN THE SECOND  
10 DEGREE KNEW OR REASONABLY SHOULD HAVE KNOWN THE PERSON IS A  
11 FIREFIGHTER, EMERGENCY MEDICAL SERVICE PROVIDER, OR PEACE  
12 OFFICER, IT IS A CLASS 3 FELONY.

13 (II) FOR PURPOSES OF THIS SUBSECTION (2)(a.5), "PEACE OFFICER"  
14 MEANS A PEACE OFFICER DESCRIBED IN SECTION 16-2.5-103, 16-2.5-105,  
15 16-2.5-106, 16-2.5-107, 16-2.5-108, 16-2.5-110, 16-2.5-114, 16-2.5-120,  
16 16-2.5-131, 16-2.5-135, 16-2.5-136, 16-2.5-137, 16-2.5-138, 16-2.5-139,  
17 16-2.5-140, 16-2.5-141, 16-2.5-144, 16-2.5-146, 16-2.5-147, 16-2.5-148,  
18 16-2.5-150, OR 16-2.5-151.

19 (b) If assault in the second degree is committed without the  
20 circumstances provided in ~~paragraph (a) of this subsection~~ (2)  
21 SUBSECTION (2)(a), (2)(a.5), OR (2)(b.5) OF THIS SECTION, it is a class 4  
22 felony.

23 **SECTION 2.** In Colorado Revised Statutes, **add** 17-18-124 as  
24 follows:

25 **17-18-124. Appropriation to comply with section 2-2-703 - SB**  
26 **18-278 - repeal.** (1) PURSUANT TO SECTION 2-2-703, THE FOLLOWING  
27 STATUTORY APPROPRIATIONS ARE MADE IN ORDER TO IMPLEMENT SENATE

1 BILL 18-278, ENACTED IN 2018:

2 (a) FOR THE 2022-23 STATE FISCAL YEAR, SIX HUNDRED  
3 EIGHTY-SEVEN THOUSAND FIVE HUNDRED TWENTY-NINE DOLLARS IS  
4 APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND.

5 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

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

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