

CHAPTER 87

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 16-1190

BY REPRESENTATIVE(S) Dore, Arndt, Becker J., Foote, Garnett, Kagan, Moreno, Primavera, Vigil, Wist;
also SENATOR(S) Cooke, Aguilar, Crowder, Grantham, Heath, Hill, Holbert, Jahn, Johnston, Jones, Lundberg, Marble, Martinez
Humenuk, Neville T., Roberts, Scott, Sonnenberg, Woods.

AN ACT**CONCERNING THE USE OF DEADLY FORCE IN A DETENTION FACILITY.**

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

SECTION 1. In Colorado Revised Statutes, 18-1-704.5, **add (5)** as follows:

18-1-704.5. Use of deadly physical force against an intruder. (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "DWELLING" DOES NOT INCLUDE ANY PLACE OF HABITATION IN A DETENTION FACILITY, AS DEFINED IN SECTION 18-8-211 (4).

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 14, 2016

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.