

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

ENGROSSED

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

LLS NO. 22-0303.01 Michael Dohr x4347

HOUSE BILL 22-1169

HOUSE SPONSORSHIP

Michaelson Jenet and Soper,

SENATE SPONSORSHIP

Winter,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AMENDING THE ELEMENTS OF SEXUAL ASSAULT TO**
102 **PROHIBIT SEXUAL MISCONDUCT WITHOUT CONSENT.**

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>.)

Under current law, sexual assault can be committed by means of sexual intrusion or penetration when the actor causes submission of the victim by means sufficient to cause submission against the victim's will. The bill changes that element to when the actor causes sexual intrusion or sexual penetration knowing the victim does not consent.

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
2nd Reading Unamended
February 18, 2022

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-3-402, **amend**
3 (1)(a) as follows:

4 **18-3-402. Sexual assault.** (1) Any actor who knowingly inflicts
5 sexual intrusion or sexual penetration on a victim commits sexual assault
6 if:

7 (a) The actor ~~causes submission of the victim by means of~~
8 ~~sufficient consequence reasonably calculated to cause submission against~~
9 ~~the victim's will~~ CAUSES SEXUAL INTRUSION OR SEXUAL PENETRATION
10 KNOWING THE VICTIM DOES NOT CONSENT; or

11 **SECTION 2. Effective date - applicability.** This act takes effect
12 July 1, 2022, and applies to offenses committed on or after said date.

13 **SECTION 3. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety.