

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 22-0995.01 Michael Dohr x4347

HOUSE BILL 22-1371

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A BILL FOR AN ACT

101 CONCERNING REMOVING THE REQUIREMENT THAT A PEACE OFFICER
102 BE A BONA FIDE COLORADO RESIDENT.

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>.)

Current law requires a peace officer to be a bona fide Colorado resident. The bill removes that requirement.

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.

SENATE
2nd Reading Unamended
April 29, 2022

HOUSE
3rd Reading Unamended
April 22, 2022

HOUSE
Amended 2nd Reading
April 21, 2022

1 **SECTION 1.** In Colorado Revised Statutes, **amend** 29-5-101 as
2 follows:

3 **29-5-101. Peace officers appointment.** ~~No sheriff, mayor of a~~
4 ~~city, or other person authorized by law to appoint special deputy sheriffs,~~
5 ~~marshals, policemen, or other peace officers in the state to preserve the~~
6 ~~public peace and prevent or quell public disturbances shall hereafter~~
7 ~~appoint as such special deputy sheriff, marshal, policeman, or other peace~~
8 ~~officer any person who is not at the time of the appointment a bona fide~~
9 ~~resident of the state of Colorado, and No person shall~~ A PERSON SHALL
10 NOT assume or exercise the functions, powers, duties, or privileges
11 incident and belonging to ~~the office of special deputy sheriff,~~ A marshal,
12 ~~policeman~~ POLICE OFFICER, or other peace officer without having first
13 received ~~his~~ AN appointment in writing from the lawfully constituted
14 authorities of the state. ~~Notwithstanding the residency requirement stated~~
15 ~~in this section, a person may be deputized or otherwise assigned to law~~
16 ~~enforcement duty pursuant to section 29-5-104 (2) although such person~~
17 ~~is not a bona fide resident of this state.~~

18 **SECTION 2. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly; except
21 that, if a referendum petition is filed pursuant to section 1 (3) of article V
22 of the state constitution against this act or an item, section, or part of this
23 act within such period, then the act, item, section, or part will not take
24 effect unless approved by the people at the general election to be held in
25 November 2022 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.