

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 23-0403.01 Michael Dohr x4347

SENATE BILL 23-022

SENATE SPONSORSHIP

Hinrichsen, Gardner, Lundeen, Roberts

HOUSE SPONSORSHIP

Bird,

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary
Appropriations

A BILL FOR AN ACT

101 **CONCERNING ADDING AGGRAVATED MOTOR VEHICLE THEFT TO THE**
102 **LIST OF CONVICTIONS THAT APPLY TO THE OFFENSE OF**
103 **POSSESSION OF WEAPONS BY PREVIOUS OFFENDERS, AND, IN**
104 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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, it is illegal for someone to possess a firearm if the person was convicted of or adjudicated for certain felonies. The bill adds aggravated motor vehicle theft to the convictions that prohibit a

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

SENATE
3rd Reading Unamended
March 15, 2023

SENATE
Amended 2nd Reading
March 14, 2023

person from possessing a firearm.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-12-108, **add**
3 (7)(n.5) as follows:

4 **18-12-108. Possession of weapons by previous offenders.** (7) In
5 addition to a conviction for felony crime as defined in section 24-4.1-302
6 (1), a felony conviction or adjudication for one of the following felonies
7 prohibits a person from possessing, using, or carrying upon his or her
8 person a firearm as defined in section 18-1-901 (3)(h) or any other
9 weapon that is subject to this article 12 pursuant to subsection (1) or (3)
10 of this section:

11 (n.5) AGGRAVATED MOTOR VEHICLE THEFT IN VIOLATION OF
12 SECTION 18-4-409 WHEN THE THEFT IS BY THREAT COMMITTED WITH A
13 DEADLY WEAPON OR DEADLY FORCE; WHEN THE PERSON USED THE STOLEN
14 VEHICLE IN CONNECTION WITH THE COMMISSION OF A CRIME OF VIOLENCE,
15 AS DESCRIBED IN SECTION 18-1.3-406; BUT DOES NOT INCLUDE
16 UNAUTHORIZED USE OF THE VEHICLE OR OTHER NONVIOLENT ACTIVITIES
17 IN CONNECTION WITH THE MOTOR VEHICLE THEFT;

18 **SECTION 2. Appropriation.** For the 2023-24 state fiscal year,
19 \$48,217 is appropriated to the judicial department for use by probation
20 and related services. This appropriation is from the general fund and is
21 based on an assumption that the department will require an additional 0.6
22 FTE. To implement this act, the department may use this appropriation
23 for probation programs.

24 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.