

## CLASS 3 FELONIES

<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
<b>Securities</b>	
1. <i>Fraudulent practices.</i> Any person who willfully violates the provisions of section 11-51-501 regarding the fraudulent offer, sale, or purchase of any security, directly or indirectly, commits a class 3 felony.	11-51-603 (1)
<b>Colorado Commodity Code</b>	
2. <i>Unlawful activities - commodity sales.</i> Any violation of any provision of Article 53 of Title 11 or violation of section 11-53-108 when the person makes a statement which is false or misleading is a class 3 felony.	11-53-204 (1)
<b>Colorado Municipal Bond Supervision Act</b>	
3. <i>Misleading filing.</i> Any person who willfully makes a false or misleading statement in any document filed with the securities commissioner commits a class 3 felony.	11-59-115 (1)
<b>Medical Practice</b>	
4. <i>Unprofessional conduct.</i> Dispensing or injecting an anabolic steroid for a second or subsequent violation unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 3 felony.	12-36-129 (2.5)
<b>Colorado Limited Gaming Act</b>	
5. <i>Personal pecuniary gain or conflict of interest.</i> Any person who issues, suspends, revokes, or renews any license pursuant to the Colorado Limited Gaming Act for any personal pecuniary gain or any thing of value commits a class 3 felony.	12-47.1-838 (2)
<b>Inchoate Offenses</b>	
6. <i>Criminal attempt.</i> If a person intentionally engages in conduct which constitutes a substantial step toward the commission of a class 2 felony, that person commits a class 3 felony.	18-2-101 (4)
7. <i>Conspiracy.</i> Conspiracy to commit a class 2 felony is a class 3 felony.	18-2-206 (1)

**Elements of Offense**

**C.R.S. Citation**

8. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a class 2 felony, commits a class 3 felony. (Penalty provisions for criminal solicitation are the same as those for criminal attempt contained in section 18-2-101 (4).) 18-2-301 (5)

**Offenses Against the Person**

9. ***Second degree murder.*** It is a class 3 felony when a person knowingly causes the death of another where the act causing the death was performed upon a sudden heat of passion caused by a serious and highly provoking act of the victim, affecting the person causing the death sufficiently to excite an irresistible passion in a reasonable person. 18-3-103 (3) (b)
10. ***Vehicular homicide.*** It is a class 3 felony when a person who is under the influence of alcohol or drugs or both recklessly operates or drives a motor vehicle, and this conduct is the proximate cause of the death of another person. 18-3-106 (1) (c)
11. ***Assault in the first degree.*** If any person intentionally causes serious injury to another person through the use of a deadly weapon or conduct which creates a grave risk of death, or in the commission of a crime or flight therefrom the person causes serious injury to another, or, if a person threatens a peace officer or fireman or person employed by a detention facility with a deadly weapon with intent to cause harm, that person commits a class 3 felony. 18-3-202 (2) (b)
12. ***Assault in the second degree.*** It is considered a class 3 felony if the person who is assaulted, other than a participant in the crime, suffers serious bodily injury during the commission or attempted commission of or flight from the commission or attempted commission of murder, robbery, arson, burglary, escape, first degree kidnapping, sexual assault, first or second degree sexual assault as such offenses existed prior to July 1, 2000, or class 3 felony sexual assault on a child. 18-3-203 (2) (b.5)
13. ***Aggravated criminal extortion.*** A person who threatens another person by means of chemical or biological agents, weapons, poison, or radioactive agents to induce the person to do an act against his or her will or refrain from doing a lawful act commits a class 3 felony. 18-3-207 (4)

## Elements of Offense

## C.R.S. Citation

14. ***Second degree kidnapping.*** Second degree kidnapping is a class 3 felony if the kidnaping is accomplished with intent to sell, trade, or barter the victim for consideration or does not include sexual assault or robbery but is accomplished by the use of a deadly weapon or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon or if the kidnaping is accomplished by the perpetrator representing that he or she is armed with a deadly weapon. 18-3-302 (4)
15. ***Enticement of a child.*** Enticement of a child is a class 3 felony if the defendant has a previous conviction for enticement of a child or sexual assault on a child. A person commits enticement of a child if, with the intent to commit sexual assault or unlawful sexual contact, the person invites or persuades, or attempts to invite or persuade, a child under the age of fifteen years to enter any vehicle, building, room, or secluded place. 18-3-305 (2)
16. ***Sexual assault.*** Sexual assault is a class 3 felony when the victim is physically helpless and the actor knows the victim is physically helpless and has not consented. 18-3-402 (3.5)
17. ***Sexual assault.*** Sexual assault is a class 3 felony when the actor: (a) causes submission of the victim through physical force or violence; or (b) the actor causes submission of the victim by threat of death, serious bodily injury, extreme pain or kidnapping and the victim believes the actor can execute the threats; or (c) the actor causes the victim to submit by threatening future retaliation; or (d) the actor has substantially impaired the victim's power to appraise or control the victim's conduct by use of any drug, intoxicant, or other means. 18-3-402 (4)
18. ***Sexual assault on a child.*** A person commits a class 3 felony if he or she subjects a victim who is less than fifteen years of age to any sexual contact, the actor is at least four years older than the victim, and the actor applies force, or threatens death, injury, kidnaping, or future retaliation, or the actor commits the offense as part of a pattern of sexual abuse. 18-3-405 (2)
19. ***Sexual assault on a child by one in a position of trust.*** Sexual assault on a child by one in a position of trust is a class 3 felony if the victim is less than fifteen years of age or the actor commits the offense as part of a pattern or sexual abuse. 18-3-405.3 (2)

## **Offenses Against Property**

20. ***First degree arson.*** A person who by means of fire or explosives knowingly damages or destroys any building or occupied structure that is the property of another commits a class 3 felony. 18-4-102 (2)

<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
21. <b><i>First degree burglary.</i></b> A person who unlawfully enters a building with intent to commit a crime and assaults or menaces any person or is armed with explosives or a deadly weapon commits first degree burglary, which is a class 3 felony.	18-4-202 (2)
22. <b><i>Second degree burglary.</i></b> A person who knowingly and unlawfully enters a place with intent to commit a crime against a person or property commits a class 3 felony if it is a burglary of a dwelling or the objective of the burglary is theft of controlled substances.	18-4-203 (2)
23. <b><i>Aggravated robbery.</i></b> If possession or use of a deadly weapon is involved in a robbery by the actor or an accomplice, aggravated robbery is a class 3 felony.	18-4-302 (3)
24. <b><i>Theft.</i></b> Theft is a class 3 felony if the value of the thing involved is \$15,000 or more.	18-4-401 (2) (d)
25. <b><i>Theft.</i></b> Theft is a class 3 felony if a person has committed theft more than once within a six-month period without being charged for the earlier offense and the aggregate value of the things involved is \$15,000 or more.	18-4-401 (4)
26. <b><i>Theft of rental property.</i></b> Theft of rental property is a class 3 felony where the value of the property involved is \$15,000 or more.	18-4-402 (5)
27. <b><i>Theft of rental property.</i></b> Theft of rental property twice or more within a period of six months without having been placed in jeopardy for prior offenses and when the aggregate value of the property is \$15,000 or more is a class 3 felony.	18-4-402 (6)
28. <b><i>Aggravated motor vehicle theft.</i></b> A person who takes any motor vehicle from another without authorization and who either retains control for over twenty-four hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 3 felony if the value of the motor vehicle or vehicles involved is more than \$15,000 or if the defendant has twice previously been convicted of charges separately brought and tried.	18-4-409 (3) (b)
29. <b><i>Theft by receiving.</i></b> When a person receives, retains, loans money by pawn or pledge on, or disposes of another's property, knowing that said property has been stolen, and the person intends to deprive the owner permanently of the property, and the value of the property is \$15,000 or more, said person commits a class 3 felony.	18-4-410 (5)
30. <b><i>Theft by receiving.</i></b> When the value of the property involved is \$500 or more and the person is engaged in the business of buying and selling of stolen goods for profit, theft by receiving is a class 3 felony.	18-4-410 (6)

**Elements of Offense**

**C.R.S. Citation**

- 31. ***Theft by receiving.*** When a person commits theft by receiving twice or more within a period of six months without being placed in jeopardy for the prior offenses and the aggregate value of the things involved is \$15,000 or more, he or she commits a class 3 felony. 18-4-410 (7)
- 32. ***Criminal mischief.*** A person who knowingly damages real or personal property of another, including property owned by the person jointly with another person or property owned by the person in which another person has an interest, valued \$15,000 or more in the aggregate commits a class 3 felony. 18-4-501 (1)

**Offenses Involving Fraud**

- 33. ***Defrauding a secured creditor or debtor.*** A person who, with intent to defraud a creditor, impairs, renders worthless or unenforceable any security interest, or who sells, assigns, transfers, conveys, pledges, encumbers, conceals, destroys, or disposes of any collateral subject to a security interest, and the value of the collateral is \$15,000 or more, commits a class 3 felony. 18-5-206 (1) (d)
- 34. ***Defrauding a secured creditor or debtor.*** If a creditor, with intent to defraud a debtor, sells, assigns, transfers, conveys, pledges, buys, or encumbers a promissory note or contract signed by the debtor, and the amount owed on such note or contract is \$15,000 or more, the creditor commits a class 3 felony. 18-5-206 (2) (d)
- 35. ***Unauthorized use of a financial device.*** Any person who uses a financial transaction device for the purpose of obtaining cash, credit, property, or services or for making financial payment, with intent to defraud, commits unauthorized use of a financial device. If such cash, credit, property, or service obtained or financial payment made exceeds \$15,000, it is a class 3 felony. 18-5-702 (3) (d)
- 36. ***Sale of a financial transaction device.*** Any person who, with intent to defraud, sells or possesses to sell, two or more financial transaction devices which he or she knows to be lost, stolen, forged, altered, counterfeited, or delivered under a mistake commits a class 3 felony. 18-5-704 (2)
- 37. ***Sale of a blank financial transaction device.*** Any person who delivers, circulates, or sells two or more blank financial transaction devices which have not been embossed or magnetically encoded with the name of the account holder, personal identification code, expiration date, or other proprietary institutional information, commits a class 3 felony. 18-5-705 (5)

**Elements of Offense**

**C.R.S. Citation**

**Computer Crime**

38. ***Computer crime.*** Any person who commits computer crime, and the loss, damage, value of services, thing of value taken, or cost of restoration or repair caused is \$15,000 or more, it is a class 3 felony. 18-5.5-102 (3) (a)

**Offenses Involving the Family Relations**

39. ***Aggravated incest.*** A person commits aggravated incest who knowingly marries a natural child, inflicts sexual penetration or intrusion on, or subjects to sexual contact a natural child, stepchild, adopted child, and certain other whole or half blood relatives. The provision does not apply to a legal marriage to a stepchild or adopted child. Aggravated incest is a class 3 felony. 18-6-302 (2)
40. ***Child abuse.*** When a person acts with criminal negligence and the child abuse results in the death of the child, it is a class 3 felony. 18-6-401 (7) (a) (II)
41. ***Child abuse.*** When a person acts knowingly or recklessly and the child abuse results in serious bodily injury to the child, it is a class 3 felony. 18-6-401 (7) (a) (III)
42. ***Child abuse.*** When, in the presence of a child, on the premises where a child is found, or where a child resides, a person engages in the manufacture or attempted manufacture of a controlled substance or possesses ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, with the intent to use the product as an immediate precursor in the manufacture of a controlled substance, it is a class 3 felony. 18-6-401 (7) (d)
43. ***Trafficking in children.*** Selling, exchanging, bartering, or leasing a child and receiving money or other consideration or thing of value for the child as a result of such transaction is a class 3 felony. 18-6-402 (3)
44. ***Sexual exploitation of children.*** A person who, for any commercial purpose, knowingly causes a child to engage in or be used for explicit sexual conduct or traffics in sexually exploitative material, commits sexual exploitation of a child which is a class 3 felony. 18-6-403 (5)
45. ***Procurement of a child for sexual exploitation.*** Any person who intentionally gives, transports, provides, or makes available, or offers to do the same for the purpose of sexually exploiting a child, commits a class 3 felony. 18-6-404

**Elements of Offense**

**C.R.S. Citation**

**Wrongs to At-risk Adults and At-risk Juveniles**

46. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits the crime of assault in the second degree when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony. 18-6.5-103 (3) (b)
47. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits robbery when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony. 18-6.5-103 (4)
48. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits theft in the presence of the victim when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony when the value of the item involved is \$500 or more. 18-6.5-103 (5)
49. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits a crime of sexual assault in the second degree and the victim is an at-risk adult or an at-risk juvenile commits a class 3 felony. 18-6.5-103 (7) (b)
50. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits third degree sexual assault and the victim is an at-risk adult or an at-risk juvenile commits a class 3 felony if the person compels the victim to submit by use of force, intimidation, or threat or if the actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner inconsistent with reasonable medical practices or if the actor, with or without sexual contact, induces or coerces a child to expose intimate parts or to engage in sexual contact for the purpose of the actor's own sexual gratification. 18-6.5-103 (7) (c)
51. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault on a child when the victim is an at-risk juvenile is a class 3 felony. 18-6.5-103 (7) (d)
52. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault on a child by one in a position of trust when the victim is an at-risk juvenile is a class 3 felony when the victim is fifteen years of age or older but less than eighteen years of age. 18-6.5-103 (7) (e)
53. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault on a client by a psychotherapist when the victim is an at-risk adult or an at-risk juvenile is a class 3 felony when the actor knowingly inflicts sexual penetration or sexual intrusion on the victim and the actor is a psychotherapist and the victim is a client or the actor is a psychotherapist and the victim is a client and the sexual penetration or intrusion occurred by means of therapeutic deception. 18-6.5-103 (7) (f)

**Elements of Offense**

**C.R.S. Citation**

**Offenses Relating to Morals**

- 54. ***Pimping.*** Any person who knowingly lives on or is supported or maintained by any money earned by another person through prostitution commits pimping, which is a class 3 felony. 18-7-206
- 55. ***Soliciting for child prostitution.*** A person who solicits another, arranges a meeting, or directs another to a place for the purpose of child prostitution commits a class 3 felony. 18-7-402 (2)
- 56. ***Pandering of a child.*** Anyone who arranges or offers to arrange a situation in which a child may practice prostitution commits a class 3 felony. 18-7-403 (2)
- 57. ***Procurement of a child.*** Any person who intentionally gives, transports, provides, or makes available or offers to do the same for the purpose of child prostitution commits a class 3 felony. 18-7-403.5
- 58. ***Keeping a place of child prostitution.*** Any person who exercises control over a place which offers seclusion or shelter for the purpose of prostitution of or by a child commits a class 3 felony. 18-7-404 (2)
- 59. ***Pimping of a child.*** Any person who lives on or is supported by money or other thing of value procured by a child through prostitution commits a class 3 felony. 18-7-405
- 60. ***Inducement of child prostitution.*** Any person who by word or action (other than menacing or criminal intimidation) induces a child to engage in prostitution commits a class 3 felony. 18-7-405.5 (2)
- 61. ***Patronizing a prostituted child.*** A class 3 felony is committed by anyone who engages in an act which involves child prostitution, or by anyone who enters a place of prostitution with the intention of engaging in child prostitution. 18-7-406 (2)

**Offenses — Governmental Operations**

- 62. ***Aiding escape.*** It is a class 3 felony to aid the escape of a person who has been convicted of a felony other than a class 1 or class 2 felony. 18-8-201 (5)
- 63. ***Assault during escape.*** It is a class 3 felony if a person who is being held or charged with but not convicted of a felony attempts to escape and assaults another intentionally with a deadly weapon or another means of force likely to produce injury. 18-8-206 (1) (c)
- 64. ***Assault during escape.*** It is a class 3 felony if a person in custody who is charged with, held for, or convicted of a misdemeanor or petty offense attempts to escape and assaults another intentionally with a deadly weapon or another means of force likely to produce injury. 18-8-206 (1) (d)

**Elements of Offense**

**C.R.S. Citation**

65. ***Escapes.*** It is a class 3 felony if a person who has been convicted of a felony other than a class 1 or class 2 felony escapes from custody or confinement. 18-8-208 (2)
66. ***Riots in detention facilities.*** A person who engages with two or more other persons in violent conduct, using a deadly weapon, or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents that he or she is armed with a deadly weapon which creates grave danger and obstructs performance of institutional functions, commits a class 3 felony. 18-8-211 (2) (a)
67. ***Bribery.*** It is a class 3 felony if a person offers a pecuniary benefit to a public official with the intent to influence some action, or if a person who is a public official accepts a bribe. 18-8-302 (3)
68. ***Aggravated intimidation of a witness or victim.*** If, in an attempt to influence a witness or victim, a person either: (a) is armed with a deadly weapon and intends, if resisted, to kill, maim, or wound any person; or (b) knowingly wounds any person or puts any person in a reasonable fear of death or bodily injury, said person commits a class 3 felony. 18-8-705 (3)
69. ***Retaliation against a witness or victim.*** A person who intentionally inflicts harm or injury upon any person or property as retaliation for testimony given in any official proceeding commits a class 3 felony. 18-8-706 (2)
70. ***Retaliation against a juror.*** If an individual uses a threat, act of harassment, or act of harm or injury upon any person or property, which action is directed to or committed upon a juror who has served for a criminal or civil trial involving the individual or a person or persons on whose behalf the individual is acting, or upon a member of the juror’s family, an individual in close relationship to the juror, or an individual residing in the same household with the juror, as retaliation or retribution against the juror, he or she commits a class 3 felony. 18-8-706.5 (2)

**Offenses Against Public Peace, Order, and Decency**

71. ***Endangering public transportation.*** If a person tampers with a facility of public transportation intentionally to cause damage which would result in possible bodily harm or death, or intends to commit a crime on the public conveyance or threatens anyone with a deadly weapon on a public conveyance, he or she commits a class 3 felony. 18-9-115 (5)
72. ***Vehicular eluding.*** Vehicular eluding which results in death to another person is a class 3 felony. 18-9-116.5

## Elements of Offense

## C.R.S. Citation

### Offenses Relating to Firearms and Weapons

73. ***Possession, use, or removal of chemical, biological, or radiological weapons or parts.*** A person who knowingly possesses, controls, manufactures, gives, mails, or sends such weapons commits a class 3 felony. 18-12-109 (2.5)
74. ***Possession, use, or removal of chemical, biological, or radiological weapons or parts.*** A person who removes any chemical, biological or radiological weapon from the place where it is lawfully kept without the consent of the lawful possessor commits a class 3 felony. 18-12-109 (5.5)
75. ***Possession, use, or removal of chemical, biological, or radiological weapons or parts.*** A person who possesses parts of such weapons commits a class 3 felony. 18-12-109 (6.5)

### Miscellaneous Offenses

76. ***Intentionally setting wildfire.*** It is a class 3 felony to intentionally set a wildfire. 18-13-109.5 (2)
77. ***Unlawful use of gamma hydroxybutyrate (GHB).*** It is a class 3 felony to knowingly manufacture, distribute, dispense, sell, or possess with intent to manufacture, distribute, dispense, or sell GHB or to knowingly cause or attempt to cause any other person to unknowingly consume or receive the direct administration of GHB or ketamine or the immediate precursors or chemical analogs for either substance. 18-13-123 (5)

### Uniform Controlled Substances Act of 1992

78. ***Controlled substances.*** It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 3 felony:
- if a person is convicted on a first offense for such activity in the case of schedule I or II controlled substances; or (2) (a) (I) (A), (2.1) (a) (I) (A)
  - if the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory for such activity in the case of schedule III controlled substances. (2) (a) (II) (B), (2.1) (a) (II) (B)
79. ***Unlawful distribution, manufacturing, dispensing, sale, or possession.*** Any person who knowingly manufactures, dispenses, sells, distributes, possesses, or possesses with intent to manufacture, dispense, sell, or distribute flunitrazepam or to induce, attempt to induce, or conspire with one or more other persons to manufacture, dispense, sell, distribute, possess, or possesses with intent to manufacture, dispense, sell or distribute flunitrazepam commits a class 3 felony when convicted of a first violation. 18-18-405 (2.5) (a), (2.6) (a)

**Elements of Offense**

**C.R.S. Citation**

80. ***Offenses relating to marihuana.*** The following offenses involving marihuana or marihuana concentrate are class 3 felonies:
- a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, of dispensing (with consideration) over one ounce of marihuana by a person age 18 or over to a person age 15 to 17, or any amount of marihuana concentrate (with or without consideration) to a person under age 18, or dispensing any amount of marihuana (with or without consideration) by a person age 18 or over to a person under age 15; (7) (c)
  - a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for cultivating, growing, producing, processing, or manufacturing marihuana or its concentrate on land owned or controlled by the person, or allowing these activities on his or her land; and (8) (a) (II) (B)
  - a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for manufacturing, dispensing, selling, possessing, or distributing marihuana or its concentrate. (8) (b) (III) (B)
81. ***Money laundering - illegal investments.*** A person commits a class 3 felony by knowingly or intentionally violating any of the provisions of paragraphs (a) through (d) of section 18-18-408 regarding money laundering or illegal investments pursuant to the Uniform Controlled Substances Act of 1992. 18-18-408
82. ***Unlawful possession of materials to make methamphetamine and amphetamine.*** Any person who possesses ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers with the intent to use such product to make any controlled substance commits a class 3 felony. 18-18-412.5 (3)
83. ***Unlawful sale or distribution of materials to manufacture controlled substances.*** A person who sells or distributes chemicals, supplies, or equipment, and who knows or reasonably should know or believes that a person intends to use the chemicals, supplies, or equipment to illegally manufacture a controlled substance commits a class 3 felony. 18-18-412.7 (2)
84. ***Imitation controlled substances.*** Any person aged 18 or over who distributes an imitation controlled substance to a person under 18 after a previous conviction of the same charge commits a class 3 felony. 18-18-422 (2) (b) (II)

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Limited Gaming**

85. *Personal pecuniary gain or conflict of interest.* Any person who issues, suspends, revokes, or renews any license pursuant to the Colorado Limited Gaming Act for any personal pecuniary gain or any thing of value commits a class 3 felony. 18-20-113 (2)

**Government — State Department of Personnel**

86. *State agency contracts - criminal liability.* Any person, other than a bona fide employee working solely for a person providing professional services, who offers, agrees, or contracts to solicit or secure for any other person state agency contracts for professional services and who, in so doing, receives any type of consideration contingent upon or resulting from the making of the contract commits a class 3 felony. 24-30-1406 (1)

**Government — State Department of Revenue**

87. *State lottery - criminal penalties.* Any person who, for personal pecuniary gain, issues, suspends, revokes, or renews a contract for gaming materials, or who violates the provisions concerning conflicts of interest in the operation of the state lottery commits a class 3 felony. 24-35-215 (3)

**Government — State Department of Public Health and Environment**

88. *Department of Health - penalties.* Tampering with a public water system or with drinking water after its withdrawal for or treatment by a public water system is a class 3 felony. 25-1-114 (5) (b) (I)

**Human Services Code — Department of Human Services**

89. *Fraudulent acts.* Obtaining public assistance or vendor payments to which one is not entitled, or public assistance or vendor payments greater than those to which one is entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device is a class 3 felony when the value of the assistance or payment is \$15,000 or greater (see 18-4-401 (2) (d)). 26-1-127 (1)

**Colorado Public Assistance Act**

90. *Fraudulent acts.* Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 3 felony when the value of the food stamps is \$15,000 or more (see 18-4-401 (2) (d)). 26-2-305 (1)

**Elements of Offense**

**C.R.S. Citation**

91. ***Trafficking in food stamps.*** Trafficking in food stamps is a class 3 felony if the value of the food stamps is \$15,000 or more. 26-2-306 (2) (d)
92. ***Trafficking in food stamps.*** Trafficking in food stamps twice or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 3 felony when the aggregate value of the food stamps involved is \$15,000 or more. 26-2-306 (3)

**Colorado Medical Assistance Act**

93. ***Personal needs trust fund.*** Unlawful use of a patient personal needs trust fund is a class 3 felony if the amount involved is \$15,000 or more. 26-4-504 (8) (d) (IV)

**Automobile Theft Law**

94. ***Tampering with a motor vehicle.*** Tampering with a motor vehicle is a class 3 felony if the damage is \$15,000 or more or causes bodily injury to any person. 42-5-103 (2) (c)
95. ***Theft of motor vehicle parts.*** Theft of motor vehicle parts is a class 3 felony if the value of the thing involved is \$15,000 or more. 42-5-104 (2) (c)