

FELONIES AND MISDEMEANORS BY CRIME TYPE

This section lists all class 1 through class 6 felonies, level 1 through 4 drug felonies, class 1 through class 3 misdemeanors, level 1 and level 2 drug misdemeanors, and class 1 and class 2 misdemeanor traffic offenses by category of crime. The categories correspond to the headings of the 43 titles comprising the Colorado Revised Statutes. This section does not include petty offenses, traffic infractions, or unclassified felonies, misdemeanors, or misdemeanor traffic offenses.

This listing allows the review of all of the various offense levels of a specific crime. Each numbered item is a new offense. Each un-numbered item that follows is a different offense level of the same crime. For instance, all of the felony and misdemeanor sexual assault offenses are listed beginning on page 366. Item number 163 lists the class 2 felony, class 3 felony, class 4 felony and class 1 misdemeanor crimes of sexual assault. Also listed under the heading of sexual assault are the felony and misdemeanor crimes of unlawful sexual contact, sexual assault on a child, sexual assault on a child by one in a position of trust, Internet sexual exploitation of a child, sexual assault on a client by a psychotherapist, invasion of privacy for sexual gratification, and failure to register as a sex offender.

There are some instances in which all crimes of a certain type are not listed together because they are located in different places in the statutes. For example, the crimes of assault against at-risk adults and at-risk juveniles are listed on page 389 in a separate section of the statutes dealing with wrongs to at-risk adults and at-risk juveniles. The detailed table of contents on page v lists the categories of specific crimes.

All listings are current through the 2014 regular session laws.

Elements of Offense

C.R.S. Citation

ELECTIONS

Qualifications and Registration of Electors

1. ***False affirmation of voting qualifications.*** Making a false affirmation of one's voting qualifications is a class 1 misdemeanor. 1-2-213 (2) (a)

General Election Offenses

2. ***False certificates by officers.*** Making a false certificate in connection with an election is a class 1 misdemeanor. 1-13-105
3. ***Penalties for election offenses - forgery.*** Anyone who forges, makes, or alters any ballot, petition, nomination paper, or letter of acceptance, declination, or withdrawal, commits forgery, which is a class 5 felony (See section 18-5-102 (2)). 1-13-106
4. ***False statements relating to candidates or questions submitted to electors.*** Recklessly making, publishing, broadcasting, or circulating in any letter, circular, advertisement, or poster or in any other communication any false statement designed to affect the vote on any issue submitted to the electors at any election or relating to any candidate for election to public office is a class 2 misdemeanor. 1-13-109 (2) (b)
- Knowingly making false statements relating to candidates or questions submitted to electors is a class 1 misdemeanor. 1-13-109 (1) (b)
5. ***Voting by persons not entitled to vote.*** Any person voting in any election provided by law knowing that he or she is not entitled to vote in such election commits a class 5 felony. 1-13-704.5 (1)
6. ***Tampering with voting equipment.*** Tampering with any voting equipment with the intent to change the tabulation of votes is a class 1 misdemeanor. 1-13-708
7. ***False information regarding residence.*** Any person who votes by giving a false place of residence commits a class 6 felony. 1-2-228 and 1-13-709.5

UNIFORM COMMERCIAL CODE

Secured Transactions

8. ***Taking possession after default.*** Knowingly falsifying a repossession bond application or misrepresenting information contained in the application is a class 1 misdemeanor. 4-9-629 (e)

Elements of Offense

C.R.S. Citation

CONSUMER AND COMMERCIAL AFFAIRS

Colorado Consumer Protection Act

9. **Violations.** The first conviction of promoting a pyramid promotional scheme, violating the provisions related to licensed hearing aid providers, engaging in deceptive trade practices concerning dispensing hearing aids or engaging in deceptive trade practices to influence a real estate appraisal is a class 1 misdemeanor. 6-1-114
- Anyone who is convicted of a second or subsequent offense of violating the provisions related to licensed hearing aid providers or engaging in deceptive trade practices concerning dispensing hearing aids commits a class 6 felony. 6-1-114
10. **Telemarketing fraud.** Conducting business as a commercial telephone seller without having registered with the attorney general and after receiving notice of noncompliance from the attorney general or district attorney is a class 1 misdemeanor. 6-1-305 (1) (a)
- Knowingly engaging in any unlawful telemarketing practice as defined in section 6-1-304 (1) (b) to (1) (h) is a class 1 misdemeanor. 6-1-305 (1) (b)
11. **Warranties for assistive technology.** Any manufacturer, dealer, or lessor who engages in conduct to delay making a final repair that is required as a consequence of the enforcement of warranties or duties under the Warranties for Assistive Technology Act under the Colorado Consumer Protection Act with the intention of requiring payment of the cost of the repair to be made by a publicly funded program of public assistance, medical assistance, or rehabilitation assistance commits theft. Under section 18-4-401 (2), the classification of the crime of theft depends on the value of the thing involved. 6-1-409
12. **Warranties for facilitative technology.** Any manufacturer, dealer, or lessor who engages in conduct to delay making a final repair that is required as a consequence of the enforcement of warranties or duties under the Warranties for Facilitative Technology Act under the Colorado Consumer Protection Act with the intention of requiring payment of the cost of such repair to be made by a publicly funded program of public assistance, medical assistance, or rehabilitation assistance commits theft. Under section 18-4-401 (2), the classification of the crime of theft depends on the value of the thing involved. 6-1-508

Colorado Antitrust Act of 1992

13. **Violations.** Violation of any of the provisions of sections 6-4-104, 6-4-105, or 6-4-106 of the Colorado Antitrust Act of 1992 regarding illegal restraint of trade or commerce, monopolization, and bid-rigging is a class 5 felony. 6-4-117 (2)

Colorado Charitable Solicitations Act

14. **Violations.** Committing charitable fraud in violation of the provisions of section 6-16-111 (1) (a), (1) (e), or (1) (h) to (1) (p), or of subsection (1.5) of the Colorado Charitable Solicitations Act is a class 2 misdemeanor. 6-16-111 (3)
- Charitable fraud pursuant to section 6-16-111 (1) (a) or (1) (e) involving three separate contributors in any one solicitation campaign is a class 5 felony. 6-16-111 (3)

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Charitable fraud pursuant to section 6-16-111 (1) (b), (1) (c), (1) (d), (1) (f), or (1) (g) is a class 5 felony.

6-16-111 (2)

LABOR AND INDUSTRY

Division of Labor — Industrial Claim Appeals Office

15. **Penalty for false statements.** Anyone who willfully makes a false statement or misrepresentation for the purposes of obtaining a benefit under Article 1 of Title 8 regarding the Division of Labor's Industrial Claim Appeals Office commits a class 5 felony.

8-1-144

Labor Relations

16. **Armed guards.** Anyone who brings workmen into this state to guard other persons or property with arms, or removes them from one place to another without a permit from the governor, commits a class 6 felony.

8-2-106

Labor Peace Act

17. **Unfair labor practices.** Disclosing who signed a petition demanding a labor election, disclosing how a person voted in a labor election, refusing to call an election, or preventing or conspiring to prevent the call of an election is a class 2 misdemeanor.

8-3-108 (1) (c) (V)

Petroleum Storage Tanks

18. **Confidentiality.** Releasing confidential records regarding petroleum storage tanks without authorization is a class 3 misdemeanor.

8-20.5-105 (2)

Labor and Industry — Enforcement and Penalties

19. **Penalty for false statements/Workers' Compensation Act of Colorado.** Anyone who willfully makes a false statement or misrepresentation material to the claim in order to obtain labor benefits under Articles 40 to 47 of Title 8 commits a class 5 felony.

8-43-402

Insurance

20. **Transfer of experience - assignment of rates.** Knowingly violating or attempting to violate any of the provisions of law related to assignment of tax rates because of a transfer of experience in order to obtain a lower contribution rate is a class 1 misdemeanor.

8-76-104 (10) (d)

Elements of Offense

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SAFETY — INDUSTRIAL AND COMMERCIAL

Construction Requirements

21. ***Willful negligence to observe construction requirement.*** If any lives are lost by reason of the willful negligence and failure to observe the construction and fire regulations for buildings to be used for public assemblages, the person through whose default such loss of life was occasioned commits a class 6 felony. 9-1-106

Excavation Requirements

22. ***Removing markings of underground facilities.*** Willfully or maliciously removing markings used to mark the location of underground facilities is a class 2 misdemeanor. 9-1.5-103 (4) (b.5)

Elevator and Escalator Certification

23. ***Violations of the Elevator and Escalator Certification Act.*** Violating any of the provisions of the Elevator and Escalator Certification Act is a class 3 misdemeanor. 9-5.5-118

Explosives

24. ***Unlawfully transporting explosives.*** Any person who unlawfully transports explosives in violation of Article 6 of Title 9 commits a class 6 felony. 9-6-103
25. ***Death by negligence.*** Any person who knowingly and unlawfully places or allows explosives to be placed on a vehicle resulting in the death of another commits a class 4 felony. 9-6-104

INSURANCE

Regulation of Insurance Companies

26. ***Unauthorized companies.*** Procuring, receiving, or forwarding applications for insurance in, or issuing or delivering policies for, any insurance company not legally authorized to do business in this state is a class 1 misdemeanor. 10-3-104
27. ***Penalties for violations of the regulation of insurance companies.*** Any insurer or individual who willfully violates the provisions of Article 8 of Title 10 regarding regulation of insurance holding companies commits a class 6 felony. 10-3-810 (1)

Property and Casualty Insurance

28. ***Fraudulent Claims and Arson Information Reporting Act.*** Violating any of the provisions of the Fraudulent Claims and Arson Information Reporting Act is a class 2 misdemeanor. 10-4-1007

Elements of Offense

C.R.S. Citation

Captive Insurance Companies

29. ***False information given to the Division of Insurance.*** Knowingly or willfully making any materially false certificate, entry, or memorandum on any of the books or papers of any captive insurance company or on any statement filed or to be filed in the Division of Insurance is a class 2 misdemeanor. 10-6-128.5 (4)

Life Insurance

30. ***Viatical Settlements.*** Violating a provision of the Viatical Settlements Act after receiving a cease-and-desist order is a class 2 misdemeanor. 10-7-613 (6) (a)

Preneed Funeral Contracts

31. ***Violations of preneed funeral contracts.*** Violating any of the provisions regarding preneed funeral contracts or violating a cease-and-desist order issued regarding preneed funeral contracts is a class 3 misdemeanor. 10-15-118 (1)

FINANCIAL INSTITUTIONS

Credit Unions

32. ***Suspension or removal.*** Performing any duty or exercising any power of a credit union after receiving a suspension or removal order is a class 1 misdemeanor. 11-30-106 (8) (b) (IV)

Savings and Loan Associations

33. ***Defrauding savings and loan associations.*** Any employee of any savings and loan association who attempts to steal or defraud the association of any of its funds, securities, or properties, commits a class 5 felony. 11-41-127 (1)
34. ***Restrictions on foreign associations.*** A foreign savings and loan association that operates an office in this state in order to sell its shares or accounts or to make new loans in this state commits a class 2 misdemeanor. 11-43-101
35. ***Suspension or removal.*** Performing any duty or exercising any power of a domestic savings and loan association after receiving a suspension or removal order is a class 1 misdemeanor. 11-44-106.5 (2) (c)

Securities

36. ***Fraudulent practices.*** 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)
37. ***Violation of securities act.*** Any person who wilfully violates the provisions of the Colorado Securities Act (Article 51 of Title 11) commits a class 6 felony. 11-51-603 (2)
38. ***Unlawful activities - commodity sales.*** Any violation of laws governing the sale of commodities when the person makes a statement that is false or misleading is a class 3 felony. 11-53-204 (1)

Elements of Offense

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Public Securities

39. **Violation of "Uniform Facsimile Signature of Public Officials Act."** Any person who violates the provisions of Article 55 of Title 11 commits a class 6 felony. 11-55-105
40. **Colorado Municipal Bond Supervision Act.** Violating any of the provisions or any rule or order of the Colorado Municipal Bond Supervision Act is a class 3 misdemeanor. 11-59-115 (2)
- 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)

Colorado Banking Code

41. **Derogatory statements regarding state banks.** Willfully making, circulating, or transmitting a false derogatory statement regarding the financial condition of a state bank that impairs public confidence or that results in an extraordinary withdrawal of funds is a class 2 misdemeanor. 11-102-508
42. **Violation of banking laws.** Any person responsible for any act or omission expressly declared to be criminal by the banking code, if the act or omission was intended to defraud, commits a class 6 felony. 11-107-108 (1) (b)
43. **Penalty for violation or non-performance of duties concerning the State Banking Commission.** Any person who willfully fails to perform any act required, or commits any act in violation of his or her duties concerning bank examinations and liquidations commits a class 5 felony. 11-107-109

PROFESSIONS AND OCCUPATIONS

Accountants

44. **Violations.** The first violation of the provisions of section 12-2-115 regarding the use of the title "certified public accountant" or of section 12-2-120 (6) (a) regarding unlawful acts by accountants is a class 2 misdemeanor. 12-2-129
- A second or subsequent violation of the provisions of section 12-2-115 regarding the use of the title "certified public accountant" or of section 12-2-120 (6) (a) regarding unlawful acts by accountants is a class 6 felony. 12-2-129

Hearing Aid Providers

45. **Unauthorized practice.** The first offense of practicing as a hearing aid provider or engaging in the practice of dispensing, fitting, or dealing in hearing aids without an active license is a class 2 misdemeanor. 12-5.5-303 (6)
- The second or subsequent offense of practicing as a hearing aid provider or engaging in the practice of dispensing, fitting, or dealing in hearing aids without an active license is a class 6 felony. 12-5.5-303 (6)

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Automobiles

46. **Denied, suspended, or revoked licenses.** Any person whose motor vehicle dealer's, used motor vehicle dealer's, motor vehicle wholesaler's, motor vehicle salesperson's, powersports vehicle wholesaler's, powersports vehicle dealer's, used powersports vehicle dealer's, or powersports vehicle salesperson's license has been denied, suspended, or revoked who exercises any of the privileges of the license two or more times commits a class 6 felony. 12-6-119.5 (1) (b) and 12-6-522 (1) (b)
47. **Licensure.** Acting as a motor vehicle dealer, manufacturer, distributor, manufacturer representative, used motor vehicle dealer, buyer agent, wholesale motor vehicle auction dealer, or motor vehicle salesperson unless duly licensed is a class 3 misdemeanor. 12-6-121
- Willfully violating any provision of Part 1 of Article 6 of Title 12 regarding the licensure of a motor vehicle dealer, except for violations of section 12-6-120 (2), is a class 1 misdemeanor. 12-6-121
48. **Violation of automobile dealer Antimonopoly Financing Law.** Any person who violates the provisions of Part 2 of Article 6 of Title 12 commits a class 6 felony. 12-6-210
49. **Event data recorders.** Willfully violating any of the provisions of sections 12-6-402 (2) and (3) regarding event data recorders is a class 1 misdemeanor. 12-6-402 (5)
50. **Powersports vehicles.** Violating section 12-6-523 (2) by acting as a powersports vehicle wholesaler, dealer, manufacturer, distributor, manufacturer representative, or salesperson unless duly licensed is a class 3 misdemeanor. 12-6-527
- Willfully violating any of the provisions of Part 5 of Article 6 of Title 12 regarding powersports vehicles, except for the provisions of section 12-6-523 (2), is a class 1 misdemeanor. 12-6-527

Barbers and Cosmetologists

51. **Violations.** The first violation of practicing or attempting to practice barbering, hairstyling, esthetics, manicuring, or cosmetology without an active license is a class 2 misdemeanor. 12-8-127 (1)
- A second or subsequent offense of practicing or attempting to practice barbering, hairstyling, esthetics, manicuring, or cosmetology without an active license is a class 6 felony. 12-8-127 (1)

Bingo and Raffles Law

52. **Violations.** Willfully violating or procuring, aiding, or abetting in the violation of the Bingo and Raffles Law is a class 2 misdemeanor. 12-9-114

Boxing

53. **Toughperson fighting.** Violating any of the provisions regarding the prohibition against toughperson fighting in Colorado is a class 1 misdemeanor. 12-10-107.5
54. **Violations.** The first violation of engaging in or attempting to engage in the conduct, promotion, or performance of live boxing matches without an active license or permit is a class 2 misdemeanor. 12-10-110 (2)

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A second or subsequent offense of engaging in or attempting to engage in the conduct, promotion, or performance of live boxing matches without an active license is a class 6 felony.

12-10-110 (2)

Colorado Fair Debt Collection Practices Act

55. **Violations.** Violating any of the provisions of section 12-14-128 (1) through (4) of the Colorado Fair Debt Collection Practices Act is a class 1 misdemeanor.

12-14-129

Colorado Credit Services Organization Act

56. **Violations.** Violating any of the provisions of the Colorado Credit Services Organization Act is a class 1 misdemeanor.

12-14.5-110 (1)

Farm Products Act

57. **Unlawful acts.** Committing fraud or deception in the procurement of a farm products license is a class 1 misdemeanor.

12-16-115 (1) (g)

Failing to comply with any lawful order of the Commissioner of Agriculture concerning administration of the Farm Products Act is a class 1 misdemeanor.

12-16-115 (1) (h)

Interfering with or hindering an authorized representative of the Commissioner of Agriculture who is performing duties pursuant to the Farm Products Act is a class 1 misdemeanor.

12-16-115 (1) (i)

Failure of a licensed dealer who is a cash buyer to pay in cash or other permitted methods for any transaction without first complying with the bonding requirements of section 12-16-106 is a class 1 misdemeanor.

12-16-115 (1) (l)

Purchase for processing or resale of \$20,000 or more worth of farm products in one year, or of \$2,500 or more worth of farm products in any single transaction, by one who is licensed as a small-volume dealer is a class 1 misdemeanor.

12-16-115 (1) (m)

Violating any unspecified provision of the Farm Products Act is a class 1 misdemeanor.

12-16-116 (2)

A person commits a class 6 felony if that person:

(a) makes fraudulent charges or returns for the handling, sale, or storage or for any service in connection with the handling, sale, or storage of farm products;

12-16-115 (1) (a)

(b) willfully fails or refuses to render a true account of sales or storage or to make a settlement thereon to pay for farm products received within the time and in the manner required by Part 1 of Article 16 of Title 12;

12-16-115 (1) (b)

(c) intentionally makes false or misleading statements as to market conditions for farm products or false or misleading statements as to the condition, quality, or quantity of farm products received, handled, sold, or stored;

12-16-115 (1) (c)

(d) engages in fictitious sales, in collusion, or in unfair practices to defraud the owners; or

12-16-115 (1) (d)

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- (e) acts as a dealer, small volume dealer, agent, or transporter without having obtained a license or acts as a dealer or agent without having executed and delivered a surety bond as provided in Part 1 of Article 16 of Title 12. 12-16-115 (1) (e)
- It is theft, as defined in section 18-4-401, to willfully convert to one's own use or benefit the farm products of another. 12-16-115 (1) (f)
- It is theft, as defined in section 18-4-401, if a licensed dealer or small-volume dealer sells farm products for less than the current market price to any person with whom such dealer has any direct or indirect financial connection. 12-16-115 (1) (j)
- It is theft, as defined in section 18-4-401, if a licensed dealer or small-volume dealer sells farm products out of the purchase price of which the dealer receives any portion thereof other than the lawfully allowed commission. 12-16-115 (1) (j)
- It is fraud by check, as defined in section 18-5-205, to act as a dealer, small-volume dealer, or agent, and, with the intent to defraud, make, draw, utter, or deliver any check, draft, or the order for the payment of money to the owner for the purchase price of any farm products when there are insufficient funds for the payment of such check, draft, or order. 12-16-115 (1) (k)
- It is theft of farm products, as defined in section 18-4-401, if a person purchases farm products in the state and moves the products to another state and issues a check in payment for those products knowing that there are insufficient funds to pay for the products. 12-16-118 (2)

Commodity Handler Act

58. ***Farm commodity warehousing.*** Committing fraud or deception in the procurement of a farm commodity warehouse license is a class 1 misdemeanor. 12-16-221 (1) (g)
- Failing to comply with any lawful order of the Commissioner of Agriculture pursuant to the Commodity Handler Act is a class 1 misdemeanor. 12-16-221 (1) (h)
- Interfering with or hindering an authorized representative of the Commissioner of Agriculture who is performing duties pursuant to the Commodity Handler Act is a class 1 misdemeanor. 12-16-221 (1) (i)
- Violating any unspecified provision of the Commodity Handler Act is a class 1 misdemeanor. 12-16-222 (2)
- A person commits a class 6 felony if that person:
- (a) makes fraudulent charges or returns for the handling, sale, or storage or for the rendering of any service in connection with the handling, sale, or storage of any commodities; 12-16-221 (1) (a)
- (b) willfully fails or refuses to render a true account of sales or storage or to make a settlement thereon or to pay for commodities received within the time and in the manner required by Part 2 of Article 16 of Title 12; 12-16-221 (1) (b)
- (c) intentionally makes false or misleading statements as to the market conditions for commodities or false or misleading statements as to the condition, quality, or quantity of commodities received, handled, sold, or stored; 12-16-221 (1) (c)
- (d) engages in fictitious sales, in collusion, or in unfair practices to defraud the owners; 12-16-221 (1) (d)

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- (e) acts as a commodity handler without an active license or filing a surety bond or letter of credit; or 12-16-221 (1) (e)
- (f) willfully alters or destroys any negotiable warehouse receipt or the record of such receipt or issues a receipt without preserving a record thereof; or issues a receipt when the commodity described is not available; or issues, with intent of defraud, a second receipt for a commodity for which a valid negotiable warehouse receipt is already outstanding and in force; or while any valid receipt is outstanding and in force, sells, pledges, mortgages, encumbers, or transfers a commodity in violation of the provisions of Part 2 of Article 16 of Title 12 without the written consent of the holder of the receipt. 12-16-221 (1) (j)
- It is theft, as defined in 18-4-401, for any individual to willfully convert to his or her own use or benefit the commodities of another. 12-16-221 (1) (f)
- It is theft, as defined in 18-4-401, if any individual sells commodities for less than the current market price to any person with whom such individual has any direct or indirect financial connection. 12-16-221 (1) (k)
- It is theft, as defined in 18-4-401, if any individual sells commodities out of the purchase price of which the individual receives any portion thereof other than the lawfully allowed commission. 12-16-221 (1) (k)
- It is fraud by check, as defined in 18-5-205, to act as a commodity handler, and, with the intent to defraud, make, draw, utter, or deliver any check, draft, or the order for the payment of money to the owner for the purchase price of any commodities when there are insufficient funds for the payment of such check, draft, or order. 12-16-221 (1) (l)

Electricians

59. **Unauthorized practice.** The first violation of practicing or attempting to practice the profession of an electrician without an active license is a class 2 misdemeanor. 12-23-119 (2)
- A second or subsequent violation of practicing or attempting to practice the profession of an electrician without an active license is a class 6 felony 12-23-119 (2)

Engineers, Surveyors, and Architects

60. **Engineers.** The first violation of practicing or attempting to practice professional engineering without an active license is a class 2 misdemeanor. 12-25-105 (7)
- A second or subsequent violation of practicing or attempting to practice professional engineering without an active license is a class 6 felony. 12-25-105 (7)
61. **Surveyors.** The first violation of practicing or attempting to practice professional land surveying without an active license is a class 2 misdemeanor. 12-25-205 (4)
- A second or subsequent violation of practicing or attempting to practice professional land surveying without an active license is a class 6 felony. 12-25-205 (4)
62. **Architects.** The first violation of practicing or attempting to practice architecture without an active license is a class 2 misdemeanor. 12-25-305 (1)

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A second or subsequent violation of practicing or attempting to practice architecture without an active license is a class 6 felony. 12-25-305 (1)

Background Checks — Gun Shows

63. **Violations.** Violating any of the provisions of section 12-26.1-101 regarding background checks at gun shows is a class 1 misdemeanor. 12-26.1-101 (4)

Providing false information affecting the records kept by a licensed gun dealer who performs background checks at a gun show is a class 1 misdemeanor. 12-26.1-102 (2)

Failure of a gun show promoter to post notice setting forth the requirement for background checks is a class 1 misdemeanor. 12-26.1-104 (2)

Fireworks

64. **Violations.** Violating any of the provisions of Article 28 of Title 12 regarding fireworks is a class 3 misdemeanor. 12-28-110

Acupuncturists

65. **Unauthorized practice.** The first violation of practicing or attempting to practice acupuncture without an active license is a class 2 misdemeanor. 12-29.5-108 (1)

A second or subsequent violation of practicing or attempting to practice acupuncture without an active license is a class 6 felony. 12-29.5-108 (1)

Sexual contact by an acupuncturist with a patient during the course of patient care is a class 1 misdemeanor. 12-29.5-108 (2)

Sexual intrusion or penetration by an acupuncturist with a patient during the course of patient care is a class 4 felony. 12-29.5-108 (3)

Athletic Trainer Practice Act

66. **Unauthorized practice.** The first violation of practicing or attempting to practice athletic training without an active registration is a class 2 misdemeanor. 12-29.7-111

A second or subsequent violation of practicing or attempting to practice athletic training without an active registration is a class 1 misdemeanor. 12-29.7-111

Audiologists

67. **Unauthorized practice.** The first violation of practicing or attempting to practice audiology without an active license is a class 2 misdemeanor. 12-29.9-110 (6)

A second or subsequent violation of practicing or attempting to practice audiology without an active license is a class 6 felony. 12-29.9-110 (6)

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Cancer Cure Control

68. **False advertising of cancer cure.** Any person who is convicted of a third or subsequent offense of willfully and falsely representing a device, substance, or treatment as being of value in the treatment, alleviation, or cure of cancer, commits a class 6 felony. 12-30-107 (2)

Podiatrists

69. **Unauthorized practice.** The first violation of practicing or attempting to practice podiatry without an active license is a class 2 misdemeanor. 12-32-109 (1)
- A second or subsequent violation of practicing or attempting to practice podiatry without an active license is a class 6 felony. 12-32-109 (1)
- Any person who presents as his or her own the diploma, license, certificate, or credentials of another, or who gives false or forged evidence to the Colorado Podiatry Board in connection with the application for license to practice podiatry, or who practices podiatry under an assumed name or who falsely impersonates a licensee commits a class 6 felony. 12-32-109 (1.5)
70. **Fees.** Violating the provisions of section 12-32-117 regarding the division of fees or compensation received by podiatrists is a class 3 misdemeanor. 12-32-117 (1)

Chiropractors

71. **Unauthorized practice.** The first violation of practicing or attempting to practice chiropractic without an active license is a class 2 misdemeanor, with certain exceptions for out-of-state chiropractors. 12-33-120 (1)
- A second or subsequent violation of practicing or attempting to practice chiropractic without an active license is a class 6 felony. 12-33-120 (1)

Revised Uniform Anatomical Gift Act

72. **Prohibited acts.** Intentionally falsifying, forging, concealing, defacing, or obliterating a document of an anatomical gift, an amendment or revocation of such a document, or a refusal of an anatomical gift, in order to obtain financial gain, is a class 1 misdemeanor. 12-34-117

Dentists and Dental Hygienists

73. **Unauthorized practice.** The first violation of practicing or attempting to practice dentistry or dental hygiene without an active license is a class 2 misdemeanor. 12-35-135 (1)
- A second or subsequent violation of practicing or attempting to practice dentistry or dental hygiene without an active license is a class 6 felony. 12-35-135 (1)

Massage Therapists

74. **Unauthorized practice.** The first violation of offering or attempting to practice massage therapy without an active license is a class 2 misdemeanor. 12-35.5-115

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A second or subsequent violation of offering or attempting to practice massage therapy without an active license is a class 1 misdemeanor.

12-35.5-115

Medical Practice

75. ***Division of fees.*** Violating the provisions of section 12-36-125 regarding the division of fees or compensation received by physicians is a class 3 misdemeanor.

12-36-125 (1) (a)

Receiving pay or compensation in violation of section 12-36-125 regarding the division of fees is a class 3 misdemeanor.

12-36-127

76. ***Unauthorized practice.*** The first violation of practicing or attempting to practice medicine, as a physician assistant, or as an anesthesiologist assistant without an active license is a class 2 misdemeanor.

12-36-129 (1)

A second or subsequent violation of practicing or attempting to practice medicine, as a physician assistant, or as an anesthesiologist assistant without an active license is a class 6 felony.

12-36-129 (1)

A person who practices medicine, as a physician assistant, or as an anesthesiologist assistant under a false or assumed name or who uses false or forged evidence to obtain a license commits a class 6 felony.

12-36-129 (2)

Dispensing or injecting an anabolic steroid unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 5 felony.

12-36-129 (2.5)

A second or subsequent offense of dispensing or injecting an anabolic steroid unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 3 felony.

12-36-129 (2.5)

Midwives

77. ***Unauthorized practice.*** The first violation of practicing or attempting to practice direct-entry midwifery without an active registration is a class 2 misdemeanor.

12-37-108

A second or subsequent violation of practicing or attempting to practice direct-entry midwifery without an active registration is a class 6 felony.

12-37-108

Naturopathic Doctors

78. ***Unauthorized practice.*** Any person who practices or offers or attempts to practice as a naturopathic doctor without an active registration commits a class 2 misdemeanor.

12-37.3-113

Colorado Parental Notification Act

79. ***False information - notification concerning abortion.*** It is a class 5 felony to counsel, encourage, or conspire to persuade a pregnant minor to provide false information to a physician about the minor's age, marital status, or other facts or circumstances in order to induce or attempt to induce the physician to perform an abortion without providing written notice required by Article 37.5 of Title 12.

12-37.5-106 (3)

Elements of Offense

C.R.S. Citation

Nurses

80. ***Unauthorized practice.*** The first violation of practicing or attempting to practice practical or professional nursing without an active license is a class 2 misdemeanor. 12-38-123 (2)
- A second or subsequent violation of practicing or attempting to practice practical or professional nursing without an active license is a class 6 felony 12-38-123 (2)

Nurse Aides

81. ***Unauthorized practice.*** The first violation of practicing as a nurse aide or medication administrator without the proper certification is a class 2 misdemeanor. 12-38.1-118 (2)
- A second or subsequent violation of practicing as a nurse aide or medication administrator without the proper certification is a class 6 felony. 12-38.1-118 (2)

Nursing Home Administrators

82. ***Unauthorized practice.*** The first violation of practicing or attempting to practice as a nursing home administrator without an active license is a class 2 misdemeanor. 12-39-116 (2)
- A second or subsequent violation of practicing or attempting to practice as a nursing home administrator without an active license is a class 6 felony. 12-39-116 (2)

Optometrists

83. ***Unauthorized practice.*** The first violation of practicing or attempting to practice optometry without an active license is a class 2 misdemeanor. 12-40-124
- A second or subsequent violation of practicing or attempting to practice optometry without an active license is a class 6 felony. 12-40-124

Occupational Therapy Practice Act

84. ***Unauthorized practice.*** The first violation of practicing or offering or attempting to practice occupational therapy without an active license is a class 2 misdemeanor. 12-40.5-111
- A second or subsequent violation of practicing or offering or attempting to practice occupational therapy without an active license is a class 1 misdemeanor. 12-40.5-111

Physical Therapists

85. ***Unauthorized practice.*** The first violation of practicing or attempting to practice physical therapy without an active license is a class 2 misdemeanor. 12-41-121 (2)
- A second or subsequent violation of practicing or attempting to practice physical therapy without an active license is a class 6 felony. 12-41-121 (2)

Elements of Offense

C.R.S. Citation

Physical Therapist Assistants

86. **Unauthorized practice.** Any person who, without an active certification, uses the title "physical therapist assistant" or the letters "P.T.A." or any other generally accepted terms, letters, or figures that indicate that the person is a physical therapist assistant, commits a class 2 misdemeanor. 12-41-216

Any person who, without an active certification, violates any of the limitations of the authority of a certified physical therapist assistant, commits a class 2 misdemeanor. Such limitations include prohibitions against: (1) practicing unauthorized forms of medicine, surgery, or other forms of healing; (2) using roentgen rays and radioactive materials for therapeutic purposes, or using electricity for surgical purposes or the diagnosis of disease; or (3) practicing physical therapy without supervision by a licensed physical therapist. 12-41-216

Respiratory Therapy Practice Act

87. **Unauthorized practice.** The first violation of practicing or attempting to practice respiratory therapy without an active license is a class 2 misdemeanor. 12-41.5-112 (2)

A second or subsequent violation of practicing or attempting to practice respiratory therapy without an active license is a class 6 felony. 12-41.5-112 (2)

Psychiatric Technicians

88. **Unauthorized practice.** The first violation of practicing or attempting to practice as a psychiatric technician without an active license is a class 2 misdemeanor. 12-42-119 (2)

A second or subsequent violation of practicing or attempting to practice as a psychiatric technician without an active license is a class 6 felony. 12-42-119 (2)

Pharmacists, Pharmacy Businesses, and Pharmaceuticals

89. **Unauthorized practice.** The first violation of practicing or attempting to practice pharmacy without an active license is a class 2 misdemeanor. 12-42.5-127

A second or subsequent violation of practicing or attempting to practice pharmacy without an active license is a class 6 felony. 12-42.5-127

Mental Health

90. **Unauthorized practice of mental health occupations.** The first violation of practicing or attempting to practice as a psychologist, social worker, marriage and family therapist, licensed professional counselor, psychotherapist, or addiction counselor without an active license, registration, or certification is a class 2 misdemeanor. 12-43-226 (2)

A second or subsequent violation of practicing or attempting to practice as a psychologist, social worker, marriage and family therapist, licensed professional counselor, psychotherapist, or addiction counselor without an active license, registration, or certification is a class 6 felony. 12-43-226 (2)

Elements of Offense

C.R.S. Citation

The first violation of practicing psychotherapy as an unlicensed person without first complying with the recording requirements of section 12-43-702.5 is a class 2 misdemeanor.

12-43-702.5 (5)

A second or subsequent violation of practicing psychotherapy as an unlicensed person without first complying with the recording requirements of section 12-43-702.5 is a class 6 felony.

12-43-702.5 (5)

Surgical Assistants and Surgical Technologists

91. ***Unauthorized practice.*** The first violation of performing the duties of a surgical assistant or surgical technologist without being registered is a class 2 misdemeanor.

12-43.2-102 (1) (b)

A second or subsequent violation of performing the duties of a surgical assistant or surgical technologist without being registered is a class 1 misdemeanor.

12-43.2-102 (1) (b)

Colorado Medical Marijuana Code

92. ***Unlawful acts.*** Violating any of the provisions of the Colorado Medical Marijuana Code, unless the offense also violates the Criminal Code, is a class 2 misdemeanor.

12-43.3-901 (7)

Colorado Retail Marijuana Code

93. ***Unlawful acts.*** Violating any of the provisions of the Colorado Retail Marijuana Code, unless the offense also violates the Criminal Code, is a class 2 misdemeanor.

12-43.4-901 (6)

Speech-language Pathologists

94. ***Unauthorized practice.*** The first violation of practicing or attempting to practice speech-language pathology without an active certification is a class 2 misdemeanor.

12-43.7-112 (1)

A second or subsequent violation of practicing or attempting to practice speech-language pathology without an active certification is a class 1 misdemeanor.

12-43.7-112 (1)

Hotels and Food Service Establishments

95. ***Procuring food or accommodations with intent to defraud.*** Any person who procures food or accommodations with intent to defraud and without making payment, and the amount due under the agreement with the public establishment is more than \$1,000, commits a class 6 felony.

12-44-102

Indian Arts and Crafts Sales Act

96. ***Violations.*** Violating any of the provisions of the Indian Arts and Crafts Sales Act is a class 1 misdemeanor.

12-44.5-107

Elements of Offense

C.R.S. Citation

Landscape Architects Professional Licensing Act

97. **Unauthorized practice.** The first violation of practicing or attempting to practice landscape architecture without an active license is a class 2 misdemeanor. 12-45-115 (1)
- A second or subsequent offense of practicing or attempting to practice landscape architecture without an active license is a class 6 felony. 12-45-115 (1)

Colorado Liquor Code

98. **Unlawful acts and violations.** Violating any of the provisions of sections 12-47-901 (1)(a), (1)(b), (1)(c), (1)(f), (1)(g), (1)(i), (1)(k), (1)(l), (5)(a)(I), or (5)(b) or 12-47-902.5 regarding alcoholic beverages is a class 2 misdemeanor. 12-47-903 (2) and (3); and 12-47-901 (1.5)
- Selling, serving, giving away, disposing of, exchanging, or delivering, or permitting the sale, serving, giving, or procurement of any alcohol beverage to or for anyone who is less than 21 years old is a class 1 misdemeanor. 12-47-903 (2.5)
- It is a class 5 felony, in the case of an establishment licensed to sell alcoholic beverages, to permit or authorize gambling activity, except that which is conducted by an authorized nonprofit organization. 12-47-901 (5) (n) (II)

Colorado Limited Gaming Act

99. **Records.** Disclosing confidential records or information of the Colorado Limited Gaming Control Commission is a class 1 misdemeanor. 12-47.1-527 (4) (a)
100. **Violations of taxation provisions.** Failing to pay tax due pursuant to the Colorado Limited Gaming Act within 30 days after the due date is a class 1 misdemeanor. 12-47.1-603 (1) (b)
- Failing to file a return pursuant to the Colorado Limited Gaming Act within 30 days after the due date is a class 1 misdemeanor. 12-47.1-603 (1) (c)
- Any person who makes any false or fraudulent return in an attempt to defeat or evade taxes imposed pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 12-47.1-603 (1) (a)
- Any person who, twice within a year, fails to pay taxes due or file a return pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 12-47.1-603 (1) (d)
- Any person who willfully aids, assists, procures, counsels, or advises, in any matter before the Colorado Limited Gaming Control Commission, a return, affidavit, claim, or other document which is fraudulent or contains false information, commits a class 5 felony. 12-47.1-603 (1) (e)
101. **False statement on application.** Any person who knowingly makes a false statement in any application for a license, or who fails to keep books and records to substantiate receipts or expenses, or who falsifies any books or records relating to any transaction connected with any limited gaming, or who knowingly violates any of the provisions of the provisions of the Colorado Limited Gaming Act or any rule or regulation promulgated by the Colorado Limited Gaming Control Commission commits a class 5 felony. 12-47.1-802
102. **Slot machines - shipping notices.** Violation of any of the provisions regarding the shipping or importing of a slot machine into the state of Colorado is a class 5 felony. 12-47.1-803 (1) (b)

<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
103. Age of participants. Violating any of the provisions of the Colorado Limited Gaming Act that prohibit a person under 21 years of age from participating in limited gaming or from sharing in the proceeds from limited gaming is a class 2 misdemeanor.	12-47.1-809 (4)
104. Failure to pay winners. Willfully refusing to pay a winner of any limited gaming game is a class 1 misdemeanor.	12-47.1-817 (2)
105. Cheating. Cheating at any limited gaming activity, provided that the offender is neither a licensee nor a repeating gambling offender, is a class 1 misdemeanor.	12-47.1-822 (3)
Cheating at any limited gaming activity is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act.	12-47.1-822 (3)
Cheating at any limited gaming activity by an owner, employee of, or player at a limited gaming establishment is a class 5 felony if the person is a repeat gambling offender.	12-47.1-822 (3)
106. Fraudulent acts. Committing any fraudulent act pursuant to the Colorado Limited Gaming Act, provided that the offender is neither a licensee nor a repeating gambling offender, is a class 1 misdemeanor.	12-47.1-823 (2)
Violation of any of the provisions of section 12-47.1-823 regarding fraudulent gaming acts is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act.	12-47.1-823 (2)
Violation of any of the provisions of section 12-47.1-823 regarding fraudulent gaming acts is a class 5 felony if the person is a repeat gambling offender.	12-47.1-823 (2)
107. Use of a device for calculating probabilities. Using, or possessing with the intent to use, any device for calculating probabilities pursuant to the Colorado Limited Gaming Act, provided that the offender is neither a licensee nor a repeating gambling offender, is a class 1 misdemeanor.	12-47.1-824 (2)
Use or possession of any device used to assist in projecting the outcome of a game, keep track of cards played, or analyze the probability of an event occurring or the strategy for playing or betting is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act.	12-47.1-824 (2)
Use or possession of any device used to assist in projecting the outcome of a game, keep track of cards played, or analyze the probability of an event occurring or the strategy for playing or betting is a class 5 felony when the person is a repeat gambling offender.	12-47.1-824 (2)
108. Use of counterfeit or unlawful devices, equipment, products, or materials. Violation of any of the provisions of section 12-47.1-825 regarding the use of counterfeit or unapproved chips or tokens, unlawful coins or devices, and the possession of certain unlawful devices, equipment, products, or materials is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act.	12-47.1-825 (8)
Violation of any of the provisions of section 12-47.1-825 regarding the use of counterfeit or unapproved chips or tokens, unlawful coins or devices, and the possession of certain unlawful devices, equipment, products, or materials commits a class 5 felony when the person is a repeat gambling offender.	12-47.1-825 (8)

Elements of Offense

C.R.S. Citation

109. ***Cheating games and devices.*** Knowingly conducting, operating, or allowing any cheating or thieving game or device, or knowingly dealing, conducting, or operating any game with cards or devices which have been marked or tampered with or operated in a manner that alters the normal results of the game is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-826 (2)
- Knowingly conducting, operating, or allowing any cheating or thieving game or device, or knowingly dealing, conducting, or operating any game with cards or devices which have been marked or tampered or operated in a manner that alters the normal results of the game with is a class 5 felony when the offender is a repeat gambling offender. 12-47.1-826 (2)
110. ***Unlawful manufacture, sale, or distribution of equipment and devices associated with limited gaming.*** Manufacturing, selling, distributing, marking, altering, or modifying equipment and devices intended to be used to violate the provisions of the Colorado Limited Gaming Act, or instructing another in cheating or in the use of any device for that purpose, provided that the offender is neither a licensee nor a repeating gambling offender, is a class 1 misdemeanor. 12-47.1-827 (4)
- Violation of any of the provisions of section 12-47.1-827 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-827 (4)
- Violation of any of the provisions of section 12-47.1-827 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming is a class 5 felony when the offender is a repeat gambling offender. 12-47.1-827 (4)
111. ***Unlawful entry.*** Unlawful entry into the premises of a licensed gaming establishment by a person whose name is on the list of persons who are to be excluded and ejected from gaming establishments is a class 5 felony. 12-47.1-828 (3)
112. ***Failure to display license.*** Failing to permanently and conspicuously display the operator and premises license issued pursuant to the Colorado Limited Gaming Act and a notice stating that it is unlawful for any person under the age of 21 to engage in limited gaming is a class 2 misdemeanor. 12-47.1-830 (2)
113. ***Violations.*** Violating any of the provisions of the Colorado Limited Gaming Act, or any of the rules and regulations promulgated pursuant to the act, except as otherwise specified, is a class 1 misdemeanor. 12-47.1-832
114. ***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. 12-47.1-838 (2)
115. ***False or misleading information.*** Providing any false or misleading information pursuant to the Colorado Limited Gaming Act is a class 5 felony. 12-47.1-839 (2)

Money Transmitters Act

116. ***Violations.*** The first violation of the provisions governing money transmitter agents is a class 2 misdemeanor. 12-52-206 (1)

Elements of Offense

C.R.S. Citation

Knowingly acting as an agent of an unlicensed person who is required to be licensed as a money transmitter agent is a class 2 misdemeanor. 12-52-206 (2)

A second or subsequent violation of the provisions governing money transmitter agents is a class 1 misdemeanor. 12-52-206 (1)

Notaries Public Act

117. **Violations.** Unlawfully possessing and using a notary's journal, official seal, electronic signature, or any papers, copies, or electronic records relating to notarial acts is a class 3 misdemeanor. 12-55-118

Knowingly and willfully violating the duties of a notary public is a class 2 misdemeanor. 12-55-116 (1)

Acting as or otherwise willfully impersonating a notary public while not lawfully appointed and commissioned to perform notarial acts is a class 2 misdemeanor. 12-55-117

Outfitters and Guides

118. **Unauthorized practice.** The first violation of engaging in or offering to engage in activities as an outfitter without an active registration is a class 2 misdemeanor. 12-55.5-108 (6)

A second or subsequent violation of engaging in or offering to engage in activities as an outfitter without an active registration is a class 6 felony. 12-55.5-108 (6)

Pawnbrokers

119. **Violations.** Violation by a pawnbroker of the terms of a contract for purchase involving a fixed price is a class 2 misdemeanor. 12-56-104 (3) (b)

Violation by a pawnbroker of any of the provisions of Article 56 of Title 12 regarding pawnbrokers, except as otherwise provided, is a class 1 misdemeanor. 12-56-104 (4)

A second or subsequent conviction for a violation of Article 56 of Title 12 regarding pawnbrokers within three years after the date of a prior conviction constitutes a class 6 felony. 12-56-104 (4)

Any customer who knowingly gives false information with respect to the information a pawnbroker is required to obtain and keep, commits a class 6 felony. 12-56-104 (5)

Plumbers

120. **Unauthorized practice.** The first violation of engaging in, working at, or attempting to engage in or work at the business of a residential journeyman, master, or apprentice plumber without an active license, permit, or registration is a class 2 misdemeanor. 12-58-116 (2)

A second or subsequent violation of engaging in, working at, or attempting to engage in or work at the business of a residential journeyman, master, or apprentice plumber without an active license, permit, or registration is a class 6 felony. 12-58-116 (2)

Elements of Offense

C.R.S. Citation

Private Investigators

121. ***Title protection for voluntary license.*** The first violation of holding oneself out as a "licensed private investigator" or using such a title without an active license is a class 2 misdemeanor. 12-58.5-104 (2)
- A second or subsequent violation of holding oneself out as a "licensed private investigator" or using such a title without an active license is a class 1 misdemeanor. 12-58.5-104 (2)

Private Occupational Education Act of 1981

122. ***Duties of private occupational schools.*** Divulging, except by court order, data pertaining to individual students or personnel at private occupational schools is a class 1 misdemeanor. 12-59-105.4

Racing

123. ***Limitations on pari-mutuel wagering.*** Unlicensed wagering or betting on the results of a pari-mutuel horse or greyhound race is a class 2 misdemeanor. 12-60-703.5 (2) (b)
124. ***Violations.*** Violating any of the provisions of section 12-60-507 (1) regarding investigation, denial, suspension, and revocation actions against racing licensees, unless the offense also violates the Criminal Code, is a class 2 misdemeanor. 12-60-801 (1)

Real Estate

125. ***Acting as subdivision developer without registering.*** Any person who acts as a subdivision developer without having been properly and legally registered commits a class 6 felony. 12-61-407
126. ***Preowned housing home warranty service contract.*** Knowingly violating the provisions of the Preowned Housing Home Warranty Service Contracts statute is a class 2 misdemeanor. 12-61-612
127. ***Unlawful acts by real estate appraisers.*** Violating any of the provisions of section 12-61-712 (1) regarding unlawful actions of a real estate appraiser is a class 1 misdemeanor. 12-61-712 (2)
- A subsequent violation of any of the provisions of section 12-61-712 (1) regarding unlawful actions of a real estate appraiser that occurs within five years after the date of a prior conviction for the same offense is a class 5 felony. 12-61-712 (2)
128. ***Unauthorized practice of mortgage loan originating.*** Acting as a mortgage loan originator without an active license or after a license has been revoked or suspended is a class 1 misdemeanor. 12-61-910 (1) (a)

Colorado Veterinary Practice Act

129. ***Unauthorized practice.*** The first violation of practicing or attempting to practice veterinary medicine without an active license is a class 2 misdemeanor. 12-64-114 (2)

Elements of Offense

C.R.S. Citation

A second or subsequent violation of practicing or attempting to practice veterinary medicine without an active license is a class 6 felony.

12-64-114 (2)

COURTS AND COURT PROCEDURE

Courts of Record

130. **Confidentiality of decisions.** Releasing information regarding a decision of a court of record before such decision is publicly announced by the court is a class 6 felony.

13-1-128 (4)

Evidence

131. **Genetic tests to determine parentage.** Intentionally releasing an identifiable specimen of another individual for any purpose not relevant to a proceeding to determine parentage without a court order or the written permission of the individual who furnished the specimen is a class 1 misdemeanor.

13-25-126 (1) (e)

132. **Documents arising from environmental self-evaluation.** A public entity, employee, or official who divulges or disseminates any information contained in an environmental audit report commits a class 1 misdemeanor. In addition, the entity, employee, or official may be found in contempt of court and be assessed a penalty of up to \$10,000.

13-25-126.5 (5) (b) (II)

Habeas Corpus

133. **Avoiding writ.** Any person who attempts to avoid a writ of habeas corpus commits a class 6 felony.

13-45-114

Juries and Jurors

134. **Juror summons.** Knowingly failing to obey a juror summons without justifiable excuse is a class 3 misdemeanor.

13-71-111

135. **Juror questionnaires.** Willfully misrepresenting a material fact on a juror questionnaire is a class 3 misdemeanor.

13-71-115 (1)

136. **Harassment of a juror by an employer.** Willful harassment of a juror by an employer is a class 2 misdemeanor.

13-71-134 (2)

DOMESTIC MATTERS

Nonsupport

137. **Nonsupport of spouse and children.** Any person who willfully neglects, fails, or refuses to provide reasonable support and maintenance or proper food, care, and clothing for his or her spouse or children commits a class 5 felony.

14-6-101 (1)

Elements of Offense

C.R.S. Citation

PROBATE, TRUSTS, AND FIDUCIARIES

Colorado Medical Treatment Decision Act

138. ***Falsifying or forging a declaration.*** Willfully concealing, defacing, damaging, or destroying a declaration regarding medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act is a class 1 misdemeanor. 15-18-113 (1)
- Willfully withholding information concerning the revocation of the declaration regarding medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act is a class 1 misdemeanor. 15-18-113 (4)
- Any person who falsifies or forges a declaration of another commits a class 5 felony. 15-18-113 (2)
- Any person who falsifies or forges a declaration of another, and the terms of the declaration are carried out, resulting in the death of the purported declarant, commits a class 2 felony. 15-18-113 (3)

CRIMINAL PROCEEDINGS

Crime Stopper Organizations

139. ***Confidentiality of records.*** Knowingly or intentionally disclosing confidential records or information in violation of the provisions regarding a Crime Stopper Organization is a class 1 misdemeanor. 16-15.7-104 (2) (b)

Safe-2-tell Program

140. ***Confidentiality of records.*** Knowingly disclosing confidential records or information in violation of the provisions regarding the Safe-2-tell Program is a class 1 misdemeanor. 16-15.8-104 (2) (b)

**CRIMINAL CODE —
INCHOATE OFFENSES**

Attempts

141. ***Criminal attempt.*** Intentionally engaging in conduct that constitutes a substantial step towards the commission of a misdemeanor other than a class 1 misdemeanor is a class 3 misdemeanor. 18-2-101 (7)
- Criminal attempt to commit a class 1 misdemeanor is a class 2 misdemeanor. 18-2-101 (6)
- Criminal attempt to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony. 18-2-101 (5)
- Criminal attempt to commit a class 5 or class 6 felony is a class 6 felony. 18-2-101 (4)
- Criminal attempt to commit a class 4 felony is a class 5 felony. 18-2-101 (4)

Elements of Offense

C.R.S. Citation

Criminal attempt to commit a class 3 felony is a class 4 felony.	18-2-101 (4)
Criminal attempt to commit a class 2 felony is a class 3 felony.	18-2-101 (4)
Criminal attempt to commit a class 1 felony is a class 2 felony.	18-2-101 (4)
Criminal attempt to commit a level 2 drug misdemeanor is a level 2 drug misdemeanor.	18-2-101 (10)
Criminal attempt to commit a level 1 drug misdemeanor is a level 2 drug misdemeanor.	18-2-101 (10)
Criminal attempt to commit a level 4 drug felony is a level 1 drug misdemeanor.	18-2-101 (10)
Criminal attempt to commit a level 3 drug felony is a level 4 drug felony.	18-2-101 (10)
Criminal attempt to commit a level 2 drug felony is a level 3 drug felony.	18-2-101 (10)
Criminal attempt to commit a level 1 drug felony is a level 2 drug felony.	18-2-101 (10)

Criminal Conspiracy

142. <i>Criminal conspiracy.</i> A person who agrees with another person to engage in conduct that constitutes a misdemeanor defined outside of the Criminal Code, or who agrees to attempt to commit such a misdemeanor, or who agrees to aid another in the planning, commission, or attempt to commit such a crime, with the intent to facilitate or promote commission of such crime, commits a class 3 misdemeanor.	18-2-201 (5)
Conspiracy to commit a misdemeanor other than a class 1 misdemeanor is a class 3 misdemeanor.	18-2-206 (5)
Conspiracy to commit a class 1 misdemeanor is a class 2 misdemeanor.	18-2-206 (4)
Conspiracy to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony.	18-2-201 (5)
Conspiracy to commit a class 5 or class 6 felony is a class 6 felony.	18-2-206 (1)
Conspiracy to commit a class 4 felony is a class 5 felony.	18-2-206 (1)
Conspiracy to commit a class 3 felony is a class 4 felony.	18-2-206 (1)
Conspiracy to commit a class 2 felony is a class 3 felony.	18-2-206 (1)
Conspiracy to commit a class 1 felony is a class 2 felony.	18-2-206 (1)
Conspiracy to commit a level 2 drug misdemeanor is a level 2 drug misdemeanor.	18-2-206 (7)
Conspiracy to commit a level 1 drug misdemeanor is a level 2 drug misdemeanor.	18-2-206 (7)
Conspiracy to commit a level 4 drug felony is a level 1 drug misdemeanor.	18-2-206 (7)
Conspiracy to commit a level 3 drug felony is a level 4 drug felony.	18-2-206 (7)
Conspiracy to commit a level 2 drug felony is a level 3 drug felony.	18-2-206 (7)
Conspiracy to commit a level 1 drug felony is a level 2 drug felony.	18-2-206 (7)

Elements of Offense

C.R.S. Citation

Criminal Solicitation

143. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a felony defined outside of the criminal code and for which no penalty is specified commits a class 6 felony.
- Criminal solicitation to commit a class 5 or class 6 felony is a class 6 felony.
- Criminal solicitation to commit a class 4 felony is a class 5 felony.
- Criminal solicitation to commit a class 3 felony is a class 4 felony.
- Criminal solicitation to commit a class 2 felony is a class 3 felony.
- Criminal solicitation to commit a class 1 felony is a class 2 felony.
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|----------------------------------|
| 18-2-301 (5) and
18-2-101 (4) |

CRIMINAL CODE — OFFENSES AGAINST THE PERSON

Homicide and Related Offenses

144. ***Murder in the first degree.*** A person commits the class 1 felony of murder in the first degree if:
- a) after deliberation and with the intent to cause the death of another person, he or she causes the death of that person or of another person;
- b) acting either alone or with one or more persons, he or she commits or attempts to commit arson, robbery, burglary, kidnapping, sexual assault in the first or second degree, or a class 3 felony for sexual assault on a child, or the crime of escape, and, in the course of or in furtherance of the crime that he or she is committing or attempting to commit, or of immediate flight therefrom, the death of a person, other than one of the participants, is caused by anyone (felony murder);
- c) by perjury or subornation of perjury he or she procures the conviction and execution of any innocent person;
- d) under circumstances evidencing an attitude of universal malice manifesting extreme indifference to the value of human life generally, he or she knowingly engages in conduct which creates a grave risk of death to another person or persons, and thereby causes the death of another;
- e) he or she commits unlawful distribution, dispensation, or sale of a controlled substance to a person under the age of 18 years on school grounds, and the death of such person is caused by the use of such controlled substance; or
- f) he or she knowingly causes the death of a child who has not yet attained twelve years of age, and was in a position of trust with respect to the victim.
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| 18-3-102 (1) (a) |
| 18-3-102 (1) (b) |
| 18-3-102 (1) (c) |
| 18-3-102 (1) (d) |
| 18-3-102 (1) (e) |
| 18-3-102 (1) (f) |

Elements of Offense

C.R.S. Citation

145. ***Murder in the second degree.*** A person who 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 without a sufficient interval between the provocation and the killing for the voice of reason and humanity to be heard commits a class 3 felony.
- A person commits the class 2 felony of murder in the second degree if he or she knowingly causes the death of a person.
146. ***Manslaughter.*** A person who recklessly causes the death of another person, or intentionally causes or aids another person to commit suicide, commits a class 4 felony.
147. ***Criminally negligent homicide.*** A person who causes the death of another person by conduct amounting to criminal negligence commits a class 5 felony.
148. ***Vehicular homicide.*** A person who recklessly operates or drives a motor vehicle, and this conduct is the proximate cause of the death of another person, commits a class 4 felony.
- Vehicular homicide is a class 3 felony if the actor is under the influence of alcohol or drugs or both and, as a result, causes the death of another.
149. ***First degree murder of a peace officer or fireman.*** A person who commits murder in the first degree and the victim is a peace officer or fireman engaged in the performance of official duties, commits the class 1 felony of first degree murder of a peace officer or fireman.

Assaults

150. ***Assault in the first degree.*** If assault in the first degree is committed in the heat of passion caused by a highly provoking act of the victim, affecting the person causing the injury sufficiently to excite an irresistible passion in a reasonable person, and without an interval between the provocation and the injury sufficient for the voice of reason and humanity to be heard, it is a class 5 felony.
- 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 he or she 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.
151. ***Assault in the second degree.*** Assault in the second degree is a class 6 felony when it is committed upon a sudden heat of passion, caused by a highly provoking act of the victim, affecting the person causing the assault sufficiently to excite an irresistible passion in a reasonable person, and without an interval between the provocation and the injury sufficient for the voice of reason and humanity to be heard.

Elements of Offense

C.R.S. Citation

A person commits assault in the second degree, a class 4 felony, if he or she: a) intentionally causes serious bodily injury to another; b) attempts to cause serious bodily injury with a deadly weapon; c) causes bodily injury with intent to prevent a peace officer or firefighter from doing his or her duty; d) recklessly causes serious injury by means of a deadly weapon; e) harms someone by means of administering a drug or other substance; or f) when lawfully confined, uses physical force against a peace officer, firefighter, judge, officer of the court, or employee or contract employee of a detention facility in the performance of his or her duties.

18-3-203 (2) (b)

Assault in the second degree is a class 3 felony if a 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, first degree escape, first degree kidnapping, sexual assault, or class 3 felony sexual assault on a child.

18-3-203 (2) (b.5)

152. **Assault in the third degree.** A person commits the class 1 misdemeanor of assault in the third degree if he or she: a) knowingly or recklessly causes bodily injury to another person; b) causes bodily injury to another person by means of a deadly weapon and with criminal negligence; or c) with intent to infect, injure, harm, harass, annoy, threaten, or alarm another person whom the actor knows or reasonably should know is a peace officer, firefighter, emergency medical care provider, or emergency medical technician, causes such other person to come into contact with blood, seminal fluid, urine, feces, saliva, mucus, vomit, or any toxic, caustic, or hazardous material by any means, including, but not limited to, throwing, tossing, or expelling such fluid or material.

18-3-204

153. **Vehicular assault.** A person who drives a motor vehicle in a reckless manner, and this conduct is the proximate cause of the serious bodily injury to another, commits a class 5 felony.

18-3-205 (1) (c)

A person who operates a motor vehicle while under the influence of alcohol or drugs and is the proximate cause of serious bodily injury to another commits a class 4 felony.

18-3-205 (1) (c)

Menacing

154. **Menacing.** A person who knowingly places or attempts to place another in fear of imminent serious bodily injury by any threat or physical action commits a class 3 misdemeanor.

18-3-206 (1)

A person who menaces another by 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 who represents verbally or otherwise that he or she is armed with a deadly weapon, commits a class 5 felony.

18-3-206 (1)

Criminal Extortion

155. **Criminal extortion.** A person who threatens a person, or his or her property or reputation, to induce that person to act against his will to do an act or refrain from doing a lawful act commits a class 4 felony.

18-3-207 (4)

Elements of Offense

C.R.S. Citation

It is a class 4 felony to, with intent to induce another person against that other person's will to give the actor money or another item of value, threaten to report to law enforcement officials the immigration status of the threatened person or another person.

18-3-207 (4)

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 *aggravated criminal extortion*, which is a class 3 felony.

18-3-207 (4)

Reckless Endangerment

156. ***Reckless endangerment.*** A person who recklessly engages in conduct which creates a substantial risk of serious bodily injury to another person commits reckless endangerment, which is a class 3 misdemeanor.

18-3-208

Kidnapping

157. ***First degree kidnapping.*** A person who does any of the following acts with the intent thereby to force the victim or any other person to make any concession or give up anything of value in order to secure a release of a person under the offender's actual or apparent control commits first degree kidnapping: a) forcibly seizes and carries any person from one place to another; b) entices or persuades any person to go from one place to another; or c) imprisons or forcibly secretes any person.

18-3-301 (1)

First degree kidnapping is a class 2 felony if the kidnapped person was liberated unharmed.

18-3-301 (3)

First degree kidnapping is a class 1 felony if the person kidnapped suffered bodily injury; but no person convicted of first degree kidnapping may be sentenced to death if the person kidnapped was liberated alive prior to the conviction of the kidnapper.

18-3-301 (2)

158. ***Second degree kidnapping.*** A person who knowingly seizes and carries any person from one place to another, without consent or lawful justification or takes, entices, or decoys away any child not his or her own who is under the age of 18 commits a class 4 felony, if the person kidnapped is not a victim of sexual assault or robbery, and the use of a deadly weapon is not employed.

18-3-302 (5)

Second degree kidnapping is a class 3 felony if the kidnapping is accomplished with the intent to sell, trade, or barter the victim for consideration.

18-3-302 (4) (a) (I)

Second degree kidnapping that 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 (excluding kidnappings involving sexual assault or robbery) is a class 3 felony.

18-3-302 (4) (a) (II)

Second degree kidnapping that is accomplished by the perpetrator representing that he or she is armed with a deadly weapon is a class 3 felony.

18-3-302 (4) (a) (III)

Second degree kidnapping is a class 2 felony if the person kidnapped is a victim of a sexual offense or a robbery.

18-3-302 (3) (a)

Elements of Offense

C.R.S. Citation

False Imprisonment

159. ***False imprisonment.*** Knowingly confining or detaining a person without that person's consent and without proper legal authority is a class 2 misdemeanor. 18-3-303 (2)
- Any person other than a peace officer acting within the scope of his or her duties who uses or threatens force to confine or detain another, and who confines or detains the person for 12 hours or longer commits a class 5 felony. 18-3-303 (2)

Violation of Custody Order

160. ***Violation of custody order.*** A person who takes or entices any child under the age of 18 from the custody of his or her parents, guardian, legal custodian, or person with parental responsibilities with respect to the child commits a class 5 felony. 18-3-304 (1)
- A parent who violates an order of court granting custody of a child or parental responsibilities with respect to a child under 18 to any person, agency, or institution, with the intent to deprive the lawful custodian or person with parental responsibilities of the custody or care of the child, commits a class 5 felony. 18-3-304 (2)
- A person who, in the course of taking or enticing any child under the age of 18 from the custody of his or her parents, guardian, or other lawful custodian or who violates an order of any district or juvenile court granting the custody of a child under 18 years of age to any person, agency, or institution with the intent to deprive the lawful custodian of the custody of a child under the age of 18 and who, in the course of doing so, removes a child under the age of 18 from the country commits a class 4 felony. 18-3-304 (2.5)

Enticement of a Child

161. ***Enticement of a child.*** A person who, with the intent to commit sexual assault or unlawful sexual contact, invites or persuades or attempts to invite or persuade a child under the age of 15 to enter a vehicle, building, room, or secluded place commits a class 4 felony. 18-3-305 (2)
- A person who, with the intent to commit sexual assault or unlawful sexual contact, invites or persuades or attempts to invite or persuade a child under the age of 15 to enter a vehicle, building, room, or secluded place commits a class 3 felony if it is a second or subsequent offense or if the enticement results in bodily injury to that child. 18-3-305 (2)

Internet Luring of a Child

162. ***Internet luring of a child.*** A person who knowingly communicates over a computer or computer network, telephone network, or data network or by text message or instant message to a person who the actor knows or believes to be under the age of 15 and, in that communication or in any subsequent communication, describes explicit sexual conduct and makes a statement persuading or inviting the person to meet the actor (who is more than four years older than the other person or than the age the actor believes the other person to be) commits a class 5 felony. 18-3-306 (3)
- Internet luring of a child is a class 4 felony if committed with the intent to meet for the purpose of engaging in sexual exploitation of a child or sexual contact. 18-3-306 (3)

Elements of Offense

C.R.S. Citation

Sexual Assault

163. **Sexual assault.** An actor, who is at least 10 years older than the victim and not the victim's spouse, who knowingly inflicts sexual intrusion or sexual penetration on a victim who is at least 15 years of age but less than 17, commits a class 1 misdemeanor. 18-3-402 (3)
- An actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits a class 4 felony if: a) he or she causes the submission of a victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; b) the actor knows the victim is unable to appraise the nature of the victim's conduct; c) the actor knows that the victim submits believing the actor to be the victim's spouse; d) the victim is less than 15 years of age and the actor is four years older than and is not the spouse of the victim; e) the victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses the position of authority to coerce the victim to submit unless the act is a lawful search; or f) the actor, while purporting to offer a medical service, engages in treatment or examination of the victim for other than bona fide medical purposes. 18-3-402 (2)
- 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)
- Sexual assault is a class 3 felony when the actor: a) causes submission of the victim through physical force or violence; 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; 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)
- Sexual assault is a class 2 felony when: a) more than one person aids the actor in the assault; b) the victim suffers serious bodily injury; or c) the actor uses a deadly weapon, or uses an article fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents verbally that the actor is armed with a deadly weapon, and uses the deadly weapon, article, or representation to cause the victim to submit. 18-3-402 (5)
164. **Unlawful sexual contact.** An actor who knowingly subjects a victim to any sexual contact commits a class 1 misdemeanor if: a) the actor knows that the victim does not consent; b) the actor knows that the victim is incapable of appraising the nature of the victim's conduct; c) the victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; d) the actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or e) the victim is in custody of a law enforcement agency or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit. 18-3-404 (2) (a)

Elements of Offense

C.R.S. Citation

	Unlawful sexual contact is a class 4 felony when an actor compels a victim to submit by the 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 adult actor knowingly, with or without sexual contact, induces or coerces a child to expose intimate parts or to engage in any sexual activity with another person for the actor's own sexual gratification.	18-3-404 (2) (b)
165.	<i>Sexual assault on a child.</i> Any actor who subjects a child under the age of 15 to sexual contact when that actor is at least four years older than the victim commits a class 4 felony.	18-3-405 (2)
	Sexual assault on a child is a class 3 felony if the actor subjects a victim who is less than 15 years of age to any sexual contact, and the actor is at least four years older than the victim, and the actor applies force, or threatens death, injury, kidnapping, or future retaliation or the actor commits the offense as part of a pattern of sexual abuse.	18-3-405 (2)
166.	<i>Sexual assault on a child by one in a position of trust.</i> Sexual assault on a child by one in a position of trust is a class 4 felony if the victim is 15 years of age or older but less than 18 years of age and the offense is not committed as part of a pattern of sexual abuse.	18-3-405.3 (3)
	Sexual assault on a child by one in a position of trust is a class 3 felony if the victim is less than 15 years of age or the actor commits the offense as part of a pattern of sexual abuse.	18-3-405.3 (2)
167.	<i>Internet sexual exploitation of a child.</i> An actor who knowingly importunes, invites, or entices, through communication via a computer network or system, telephone network, or data network or by text message or instant message, a victim whom the actor knows or believes to be under the age of 15 at and least four years younger than the actor to: a) expose or touch the victim's own or another person's intimate parts while communicating with the actor; or b) observe the actor's intimate parts via a computer network or system, telephone network, or data network or by text message or instant message, commits a class 4 felony.	18-3-405.4 (3)
168.	<i>Sexual assault on a client by a psychotherapist.</i> Sexual contact by an actor who is a psychotherapist with a client who is a patient or sexual contact between a psychotherapist and a patient that occurs by means of therapeutic deception is a class 1 misdemeanor.	18-3-405.5 (2) (b)
	Sexual penetration or sexual intrusion on a victim by an actor who is a psychotherapist with a victim who is a patient or sexual penetration or intrusion between a psychotherapist and a patient that occurs by means of therapeutic deception is aggravated sexual assault on a client by a psychotherapist and a class 4 felony.	18-3-405.5 (1) (b)
169.	<i>Invasion of privacy for sexual gratification.</i> Knowingly observing or taking a photograph of another person's intimate parts without that person's consent, in a situation where the person has a reasonable expectation of privacy is a class 1 misdemeanor.	18-3-405.6 (2) (a)
	Invasion of privacy for sexual gratification is a class 6 felony if the offense is committed subsequent to a prior conviction for unlawful sexual behavior.	18-3-405.6 (2) (b) (I)

Elements of Offense

C.R.S. Citation

Invasion of privacy for sexual gratification is a class 6 felony if an actor who is at least four years older observes or takes a photograph of the intimate parts of a person under the age of 15. This law applies to offenses committed on or after July 1, 2012.

18-3-405.6 (2) (b) (II)

170. **Failure to register as a sex offender.** Failing to register as a sex offender when convicted of misdemeanor unlawful sexual behavior or of another offense, the underlying factual basis of which involved misdemeanor unlawful sexual behavior, is a class 1 misdemeanor. If a person is adjudicated for an offense that would constitute misdemeanor unlawful sexual behavior if committed by an adult, or if the person is convicted of a misdemeanor sex offense in another state or jurisdiction and fails to register, it is a class 1 misdemeanor.

18-3-412.5 (3)

Failing to register as a sex offender when convicted of felony unlawful sexual behavior or of another offense, the underlying factual basis of which involved felony unlawful sexual behavior, is a class 6 felony. If a person was adjudicated for an offense that would constitute felony sexual behavior if committed by an adult, or if the person is convicted of a felony sex offense in another state or jurisdiction and fails to register, it is a class 6 felony.

18-3-412.5 (2) (a)

A second or subsequent offense of failure to register as a felony sex offender is a class 5 felony.

18-3-412.5 (2) (a)

Human Trafficking and Slavery

171. **Trafficking in adults.** A person commits the class 3 felony of trafficking in adults if the actor: a) sells, exchanges, barter, or leases an adult (a person who is 18 years of age or older) and receives anything of value for the adult as a result of the transaction; or b) receives such an adult as a result of such a transaction.

18-3-501 (3)

Trafficking in adults is a class 2 felony if the adults are illegally present in the United States.

18-3-501 (3)

172. **Trafficking in children.** A person commits the class 2 felony offense of trafficking in children if he or she: a) sells, exchanges, barter, or leases a child (a person who is under the age of 18) and receives anything of value for the child as a result of the transaction; or b) receives a child as a result of such a transaction.

18-3-502 (3)

173. **Coercion of involuntary servitude.** A person commits the class 6 felony of coercion of involuntary servitude if he or she coerces another person to perform labor or services by: a) withholding or threatening to destroy documents relating to a person's immigration status; b) threatening to notify law enforcement officials that a person is illegally present in the United States; c) threatening serious harm or physical restraint against that person or another person; d) means of a scheme, plan, or pattern intended to cause the person to believe that, if the person does not perform the labor or services, he or she or another person will suffer serious harm or physical restraint; or e) abusing or threatening abuse of law or the legal process.

18-3-503 (3)

Elements of Offense

C.R.S. Citation

Stalking

174. **Stalking.** A person commits the class 5 felony of stalking if he or she knowingly makes a credible threat to another person (or causes that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship serious emotional distress) that involves repeatedly following, approaching, contacting, placing under surveillance, or making any form of communication that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship.
- A second or subsequent offense of stalking is a class 4 felony.
- Stalking is a class 4 felony, regardless of the number of prior offenses, if, at the time of the offense, a protection order or other court order was in place against the defendant, prohibiting the behavior described above.

18-3-602 (3) (a)

18-3-602 (3) (b)

18-3-602 (5)

CRIMINAL CODE — OFFENSES AGAINST PREGNANT WOMEN

Unlawful Termination of Pregnancy

175. **Unlawful termination of pregnancy in the first degree.** A person who, with intent to unlawfully terminate the pregnancy of a woman, terminates the woman's pregnancy commits unlawful termination of a pregnancy in the first degree, a class 3 felony.
- Unlawful termination of pregnancy in the first degree is a class 2 felony if the woman dies as a result of the termination.
176. **Unlawful termination of pregnancy in the second degree.** A person who knowingly causes the unlawful termination of the pregnancy of a woman commits unlawful termination of a pregnancy in the second degree, which is a class 5 felony if the act was performed in the sudden heat of passion, caused by a serious and highly provoking act of the intended victim, affecting the offender sufficiently to excite an irresistible passion in a reasonable person and without an interval for the voice of reason or humility to be heard.
- Unlawful termination of pregnancy in the second degree is a class 4 felony.
177. **Unlawful termination of pregnancy in the third degree.** A person who, under circumstances manifesting extreme indifference to the value of human life, knowingly engages in conduct that creates a grave risk of death to another person, and thereby causes the unlawful termination of the pregnancy of a woman, commits unlawful termination of pregnancy in the third degree, a class 5 felony.
178. **Unlawful termination of pregnancy in the fourth degree.** A person who recklessly causes the unlawful termination of a pregnancy of a woman and who knew or reasonably should have known that the woman was pregnant commits unlawful termination of pregnancy in the fourth degree, a class 6 felony.

18-3.5-103 (2)

18-3.5-103 (2)

18-3.5-104 (2)

18-3.5-104 (2)

18-3.5-105 (2)

18-3.5-106 (2)

Elements of Offense

C.R.S. Citation

- Unlawful termination of pregnancy in the fourth degree is a class 5 felony if the pregnancy of the woman, other than a participant in the crime, is unlawfully terminated during the commission or attempted commission of or flight from the commission or attempted commission of murder, assault in the first or second degree, robbery, arson, burglary, escape, kidnapping in the first degree, sexual assault, sexual assault in the first or second degree as those offenses existed prior to July 1, 2000, or class 3 felony sexual assault on a child, provided that the offender is a principal in the criminal act or attempted criminal act.
179. ***Vehicular unlawful termination of pregnancy.*** A person who operates or drives a motor vehicle in a reckless manner and whose conduct is the proximate cause of the unlawful termination of the pregnancy of a woman commits vehicular unlawful termination of a pregnancy, a class 5 felony. 18-3.5-107 (2)
180. ***Aggravated vehicular unlawful termination of pregnancy.*** A person who operates or drives a motor vehicle while under the influence of alcohol or drugs, or a combination of alcohol and drugs and whose conduct is the proximate cause of the unlawful termination of the pregnancy of a woman commits aggravated vehicular unlawful termination of a pregnancy, a class 4 felony. 18-3.5-108 (2)
181. ***Careless driving resulting in unlawful termination of pregnancy.*** Any person who drives a motor vehicle, bicycle, or low-power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other circumstances and causes the unlawful termination of a pregnancy of a woman commits a class 1 misdemeanor traffic offense. 18-3.5-109 (2)

CRIMINAL CODE — OFFENSES AGAINST PROPERTY

Arson

182. ***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)
183. ***Second degree arson.*** A person who, by means of fire or explosives, knowingly damages or destroys the property of another, other than a building or occupied structure, commits a class 2 misdemeanor if the damage caused is valued at less than \$100. 18-4-103 (3)
- Second degree arson is a class 4 felony if the damage caused is valued at \$100 or more. 18-4-103 (2)
184. ***Third degree arson.*** A person who, by means of fire or explosives, intentionally damages any property with the intent to defraud commits a class 4 felony. 18-4-104 (2)
185. ***Fourth degree arson.*** A person who knowingly or recklessly starts or maintains a fire or causes an explosion on his or her or another's property, and thereby places another in danger of bodily injury or death or places any building or occupied structure of another in danger of damage, commits a class 3 misdemeanor when only property is endangered and the value of such property is less than \$100. 18-4-105 (4)

Elements of Offense

C.R.S. Citation

Fourth degree arson is a class 2 misdemeanor when only property is endangered and the value of the property is \$100 or more. 18-4-105 (3)

Fourth degree arson is a class 4 felony if a person is endangered. 18-4-105 (2)

Burglary and Related Offenses

186. **First degree burglary.** A person who unlawfully enters or remains within a building with intent to commit a crime other than trespassing and assaults or menaces any person, is or is with a participant armed with explosives or a deadly weapon, or uses or is with a participant who uses a deadly weapon or possesses and threatens the use of one commits first degree burglary, a class 3 felony. 18-4-202 (2)

A person who engages in first degree burglary involving controlled substances within a pharmacy or other place that has lawful possession thereof commits first degree burglary of controlled substances, a class 2 felony. 18-4-202 (3)

187. **Second degree burglary.** A person who knowingly and unlawfully enters a place with intent to commit a crime against a person or property commits a class 4 felony. 18-4-203 (2)

Second degree burglary is 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)

188. **Third degree burglary.** A person who enters or breaks into any vault, safe, cash register, coin vending machine, product dispenser, money depository, safety deposit box, coin telephone, coin box, etc., commits a class 5 felony. 18-4-204 (2)

Third degree burglary is a class 4 felony if the object of the burglary is the theft of a controlled substance that is lawfully kept in or upon the property burglarized. 18-4-204 (2)

189. **Possession of burglary tools.** Possession of any explosive, tool, instrument, or other article adapted, designed, or commonly used for committing or facilitating burglary is a class 5 felony. 18-4-205 (2)

Robbery

190. **Robbery.** A person who takes anything of value from a person by the use of force, threats, or intimidation commits a class 4 felony. 18-4-301 (2)

191. **Aggravated robbery.** If possession or use of a deadly weapon by the actor or an accomplice is involved in a robbery, it is a class 3 felony. 18-4-302 (3)

192. **Aggravated robbery of controlled substances.** It is a class 2 felony if robbery of controlled substances involves the use of a deadly weapon, placing the victim in fear of death or injury, or being aided and abetted by an armed confederate. 18-4-303 (2)

Elements of Offense

C.R.S. Citation

Theft

193. **Theft.** A person commits theft if he or she knowingly obtains, retains, or exercises control over anything of value belonging to another without authorization, or by threat or deception, or receives, loans money on, or disposes of anything of value or belonging to another that he or she knows or believes to have been stolen and: a) intends to deprive the other person permanently of the use or benefit of the thing of value; b) knowingly uses, conceals, or abandons the thing of value in such a manner as to deprive the owner permanently of its use or benefit; c) uses, conceals, or abandons the thing of value intending that such use, concealment, or abandonment will deprive the owner permanently of its use or benefit; or d) demands any consideration to which he or she is not legally entitled as a condition of restoring the thing of value to the owner; or e) knowingly retains the thing of value for more than 72 hours after the agreed-upon time of return in any lease or hire agreement. It is also theft to:
- be a manufacturer, dealer, or lessor who engages in conduct to delay making a final repair that is required as a consequence of the enforcement of warranties or duties under the Warranties for Assistive Technology Act of the Colorado Consumer Protection Act with the intention of requiring payment of the cost of such repair to be made by a publicly funded program of public assistance, medical assistance, or rehabilitation assistance; 6-1-409
 - be a manufacturer, dealer, or lessor who engages in conduct to delay making a final repair that is required as a consequence of the enforcement of warranties or duties under the Warranties for Facilitative Technology Act under the Colorado Consumer Protection Act with the intention of requiring payment of the cost of such repair to be made by a publicly funded program of public assistance, medical assistance, or rehabilitation assistance; 6-1-508
 - violate the trust fund provisions of law regarding preneed funeral contracts or any other misappropriation of funds; 10-15-118 (1)
 - violate the trust fund provisions of law regarding preneed funeral contracts or any other misappropriation of funds; 10-15-118 (1)
 - willfully convert to his or her own use or benefit the farm products of another; 12-16-115 (1) (f)
 - if licensed as a dealer or small-volume dealer, sell farm products for less than the current market price to any person with whom such dealer has any financial connection or to sell farm products out of the purchase price of which the dealer receives any portion thereof other than the lawfully allowed commission; 12-16-115 (1) (j)
 - purchase farm products in the state and move the products to another state and issue a check in payment for those products knowing that there are insufficient funds to pay for the products; 12-16-118 (2)
 - willfully convert to his or her own use or benefit the commodities of another; 12-16-221 (1) (f)
 - sell commodities for less than the current market price to any person with whom one has any direct or indirect financial connection; 12-16-221 (1) (k)
 - sell commodities out of the purchase price of which one receives any portion thereof other than the lawfully allowed commission; 12-16-221 (1) (k)

Elements of Offense

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- exercise undue influence to convert or take possession of an at-risk elder's money, assets, or other property; 18-6.5-103 (7.5)
- knowingly obtain any telecommunications service by charging such service to or causing such service to be charged to a stolen or fraudulent telephone number, access device, or credit card number, or by any method of code calling, or by installing, rearranging, or tampering with any equipment, physically or electronically, or by the use of any other fraudulent means, method, trick, device, or scheme; 18-9-309 (3) (a)
- obtain telecommunications services with fraudulent intent through the use of a false name, telephone number, address, or credit card number or through the unauthorized use of the name, telephone number, address, or credit card information of another; 18-9-309 (3) (b)
- obtain or willfully aid or abet another, by means of a willfully false statement, representation, impersonation, or other fraudulent device, to obtain public assistance or vendor payments or medical assistance to which the person is not entitled or in an amount greater than that to which the person is justly entitled or payment of any forfeited installment grants or benefits to which the person is not entitled or in a greater amount than that to which the person is entitled; 26-1-127 (1)
- obtain or willfully aid or abet another, by means of a willfully false statement, representation, impersonation, or other fraudulent device, to obtain food stamp coupons or authorization to purchase cards or an electronic benefits transfer card or similar device for delivering food stamp benefits to which the person is not entitled, or in a value greater than that to which the person is entitled; 26-2-305 (1)
- file a fraudulent or false claim for a refund from the Colorado Beef Council Authority, or by any false pretense obtain or attempt to obtain a refund not legally due the actor, or sign a refund claim in the name of and for another person; 35-57-119 (4)
- file a fraudulent or false claim for a refund from the Colorado Sheep and Wool Authority, or by any false pretense obtain or attempt to obtain a refund not legally due the actor, or sign a refund claim in the name of and for another person; 35-57.5-119 (5)
- file a fraudulent or false claim for a refund from the Colorado Horse Development Authority, or by any false pretense obtain or attempt to obtain a refund not legally due the actor, or sign a refund claim in the name of and for another person; 35-57.8-111 (4)
- violate the trust funds provisions of law regarding lien claims to property by subcontractors, laborers, or material providers; 38-22-127 (5)
- remove property covered by a lien on a well or equipment when the lien has been filed; 38-24-108
- violate the trust funds provisions of law regarding verified claims to property by subcontractors, laborers, or material providers; 38-26-109 (4)
- misappropriate funds held in escrow or a trustee account; or 38-40-101 (4)
- as a unit operator or first purchaser, collect but fail to remit the tax from the fractional interest owners pursuant to the property tax collection article. 39-10-106 (4) (b) (III)

Elements of Offense

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	Theft is a class 3 misdemeanor when the value of the thing involved is \$50 or more but less than \$300.	18-4-401 (2) (c)
	Theft is a class 2 misdemeanor when the value of the thing involved is \$300 or more but less than \$750.	18-4-401 (2) (d)
	Theft is a class 1 misdemeanor if the value of the thing involved is \$750 or more but less than \$2,000.	18-4-401 (2) (e)
	Theft is a class 6 felony if the value of the thing involved is \$2,000 or more but less than \$5,000.	18-4-401 (2) (f)
	Theft is a class 5 felony if the value of the thing involved is \$5,000 or more but less than \$20,000.	18-4-401 (2) (g)
	Theft is a class 5 felony, regardless of the value of the thing taken, if the thing involved was taken from another person by means other than the use of force, threat, or intimidation.	18-4-401 (5)
	Theft is a class 4 felony if the value of the thing involved is \$20,000 or more but less than \$100,000.	18-4-401 (2) (h)
	Theft is a class 3 felony if the value of the thing involved is \$100,000 or more but less than \$1 million.	18-4-401 (2) (i)
	Theft is a class 2 felony if the value of the thing involved is \$1 million or more.	18-4-401 (2) (j)
194.	<i>Theft of trade secrets.</i> Any person who steals or discloses to an unauthorized person a trade secret or makes or causes to be made a copy of an article representing a trade secret with intent to deprive or withhold the control of the trade secret or to appropriate the trade secret to his or her own or to another's use commits theft of a trade secret, which is a class 1 misdemeanor.	18-4-408 (3) (a)
	A second or subsequent offense of theft of trade secrets committed within five years of a prior conviction is a class 5 felony.	18-4-408 (3) (a)
195.	<i>Aggravated motor vehicle theft.</i> A person commits aggravated motor vehicle theft in the second degree if he or she obtains or exercises control over the motor vehicle of another without authorization or by threat or deception.	18-4-409 (4)
	Aggravated motor vehicle theft in the second degree is a class 1 misdemeanor when the value of the motor vehicle or vehicles involved is less than \$1,000.	18-4-409 (4) (c)
	Aggravated motor vehicle theft in the second degree is a class 6 felony if the value of the motor vehicle or vehicles involved is at least \$1,000, but less than \$20,000.	18-4-409 (4) (b)
	Aggravated motor vehicle theft in the second degree is a class 5 felony if the value of the motor vehicle or vehicles involved is more than \$20,000.	18-4-409 (4) (a)

Elements of Offense

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A person commits aggravated motor vehicle theft in the first degree if he or she obtains or exercises control over the motor vehicle of another without authorization or by threat or deception and: a) retains possession or control of the motor vehicle for more than 24 hours; b) alters or disguises (including attempts) the appearance of the motor vehicle; c) removes or alters (including attempts) the vehicle identification number; d) uses the motor vehicle in the commission of a crime other than a traffic offense; e) causes at least \$500 in property damage while in control of the vehicle; f) causes bodily injury to another person while he or she is in control of the vehicle; g) removes the vehicle from the state for a period of time in excess of 12 hours; or h) unlawfully attaches or otherwise displays license plates other than those officially issued for the motor vehicle.

18-4-409 (2)

Aggravated motor vehicle theft in the first degree is a class 4 felony when the value of the motor vehicle or motor vehicles involved is \$20,000 or less.

18-4-409 (3) (a)

Aggravated motor vehicle theft in the first degree is a class 3 felony when the value of the motor vehicle or motor vehicles involved is more than \$20,000 or the individual has two or more convictions for offenses related to the theft of a motor vehicle.

18-4-409 (3) (b)

196. ***Theft of medical records or medical information.*** Any person who obtains medical records or medical information without authorization and who uses the records or information for his or her own use or the use of another commits theft of medical records or medical information, which is a class 6 felony.

18-4-412 (3)

197. ***Theft detection shielding device.*** Knowingly deactivating or removing any component of a theft detection device in a store prior to purchase or manufacturing, distributing, or possessing a theft detection deactivating device with the knowledge that some person intends to use the device to commit an offense involving theft is a class 1 misdemeanor.

18-4-417 (3)

Trespass, Tampering, and Criminal Mischief

198. ***Criminal mischief.*** A person who knowingly damages the 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, commits criminal mischief.

18-4-501 (1)

Criminal mischief is class 2 misdemeanor when the aggregate damage to real or personal property is less than \$500.

18-4-501 (1)

Criminal mischief is a class 1 misdemeanor when the aggregate damage to real or personal property is \$500 or more but less than \$1,000.

18-4-501 (1)

Criminal mischief when the aggregate damage to real or personal property is at least \$1,000, but less than \$20,000, is a class 4 felony.

18-4-501 (1)

Criminal mischief when the aggregate damage to real or personal property is at least \$20,000 is a class 3 felony.

18-4-501 (1)

199. ***First degree criminal trespass.*** A person who knowingly and unlawfully enters a building or enters a car with intent to commit a crime therein commits a class 5 felony.

18-4-502

Elements of Offense

C.R.S. Citation

200. ***Second degree criminal trespass.*** A person commits the crime of second degree criminal trespass if he or she: unlawfully enters or remains in or upon premises which are enclosed in a manner designed to exclude intruders or which are fenced; knowingly and unlawfully enters or remains in or upon the common areas of a hotel, motel, condominium, or apartment building; or knowingly and unlawfully enters or remains in a motor vehicle of another. 18-4-503 (1)
- Second degree criminal trespass is a class 3 misdemeanor unless the premises have been classified as agricultural land. 18-4-503 (2)
- Second degree criminal trespass on premises that have been classified as agricultural land pursuant to section 39-1-102 (1.6) is a class 2 misdemeanor. 18-4-503 (2) (a)
- It is a class 4 felony if a person unlawfully enters or remains on fenced or enclosed premises classified as agricultural land with the intent to commit a felony. 18-4-503 (2) (b)
201. ***Third degree criminal trespass.*** Unlawfully entering or remaining on premises that have been classified as agricultural land pursuant to section 39-1-102 (1.6) is a class 3 misdemeanor. 18-4-504 (2) (a)
- It is a class 5 felony if a person unlawfully enters or remains on premises classified as agricultural land with the intent to commit a felony. 18-4-504 (2) (b)
202. ***First degree criminal tampering.*** Tampering with the property of a utility or an institution providing health or safety protection with the intent to interrupt or impair service is a class 1 misdemeanor. 18-4-505
203. ***Second degree criminal tampering.*** A person commits the crime of second degree criminal tampering if he or she tampers with the property of another with the intent to cause injury, inconvenience, or annoyance or if he or she knowingly makes an unauthorized connection with the property of a utility. Second degree criminal tampering is a class 2 misdemeanor. 18-4-506
204. ***Tampering with oil or gas gathering operations.*** Knowingly destroying, breaking, removing, or otherwise tampering with (including attempts to do so) any equipment associated with oil or gas gathering operations is a class 2 misdemeanor. 18-4-506.3 (1)
- Knowingly altering, obstructing, interrupting, or interfering with (including attempts to do so) the action of any equipment used or associated with oil or gas gathering operations without the consent of the owner or operator is a class 2 misdemeanor. 18-4-506.3 (2)
205. ***Tampering with utility meters.*** Connecting any device or instrument with any known medium conducting or supplying gas, water, or electricity to any building without authorization is a class 2 misdemeanor. 18-4-506.5 (1)
- Altering, obstructing, or interfering with the action of any meter provided for measuring or registering the quantity of gas, water, or electricity passing through said meter without authorization is a class 2 misdemeanor. 18-4-506.5 (2)
206. ***Defacing or destruction of written instruments.*** Defacing or destroying, with intent to defraud, any written instrument evidencing a property right is a class 1 misdemeanor. 18-4-507
207. ***Defacing, destroying, or removing landmarks, monuments, or accessories.*** Defacing, destroying, or removing landmarks, monuments, or accessories is a class 2 misdemeanor. 18-4-508 (1) and (2)

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208. **Defacing property.** A person who destroys, defaces, removes, or damages any historical monument commits the crime of defacing property. The crime of defacing property also occurs when a person defaces, causes, aides, or permits the defacing of public or private property without consent by use of paint, spray paint, ink, or other method that otherwise mars the surface of the property. Finally, a person who defaces or damages a public or private cave commits the crime of defacing property.
- The first conviction for defacing property is a class 2 misdemeanor. 18-4-509 (2) (a)
- A second or subsequent conviction for defacing property is a class 1 misdemeanor. 18-4-509 (2) (a)
- Any person who, twice or more within a period of six months, defaces, causes, aides, or permits the defacing of public or private property without consent by use of paint, spray paint, ink, or other method that otherwise mars the surface of the property, the violations may be aggregated and charged as a class 1 misdemeanor. 18-4-509 (2) (a) (I) (B)
209. **Abandonment of a motor vehicle.** Abandoning a motor vehicle on public or private property without authorization is a class 3 misdemeanor. 18-4-512 (4)
210. **Criminal use of a noxious substance.** Criminal use of a noxious substance, which is defined as depositing any stink bomb or device, irritant, or offensive-smelling substance on another's land, building, or vehicle with the intent to interfere with another's enjoyment of that land, building, or vehicle, is a class 3 misdemeanor. 18-4-513 (1)
211. **Criminal operation of a device in a motion picture theater.** Knowingly operating an audiovisual recording device in a motion picture theater for the purpose of recording a motion picture without the consent of the motion picture's owner or lessor is a class 1 misdemeanor. 18-4-516 (2)

Theft of Sound Recordings

212. **Unlawful transfer for sale.** Any person who, without the consent of the owner, transfers any copyrighted sound recordings with the intent to sell such article on which such sounds are recorded or to cause the same to be sold for profit or used for promotion, commits a class 6 felony. 18-4-602 (2)
213. **Trafficking in unlawfully transferred articles.** Knowingly advertising, offering for sale or resale, distributing, or possessing with intent to distribute an unlawfully transferred sound recording is a class 3 misdemeanor. 18-4-603 (2)
214. **Dealing in unlawfully packaged recorded articles.** Knowingly and for commercial advantage dealing in an article on which sounds are recorded and the cover, box, jacket, or label of which does not disclose the actual name and address of the manufacturer is a class 1 misdemeanor. If the offense involves more than 100 unlawfully packaged recorded articles or the offense is a second or subsequent offense, the court is required to assess a fine of at least \$1,000. 18-4-604 (2)
215. **Unlawful recording of a live performance.** Unlawfully recording a live performance with the intent to sell the recording is a class 1 misdemeanor. 18-4-604.3 (4)

Elements of Offense

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216. **Trafficking in unlawfully recorded live performances.** A person who knows or who reasonably should know that an article is an unlawful recording of a live performance and who advertises, offers for sale, or otherwise distributes the article commits trafficking in an unlawfully recorded live performance. Each act of trafficking in an unlawfully recorded live performance is a class 1 misdemeanor. 18-4-604.7 (2)

Theft of Cable Television Services

217. **Violations.** Any violation of section 18-4-701 regarding theft of cable television service is a class 2 misdemeanor. 18-4-701 (4)

CRIMINAL CODE — OFFENSES INVOLVING FRAUD

Forgery, Simulation, Impersonation, and Related Offenses

218. **Forgery.** A person commits the class 5 felony of forgery if, with the intent to defraud, he or she falsely makes, completes, or alters a written instrument listed in section 18-5-102 (1) (a) through (1) (g). 18-5-102 (2)
219. **Second degree forgery.** An individual commits the class 1 misdemeanor of second degree forgery if, with the intent to defraud, he or she falsely makes, completes, alters, or utters a written instrument of a kind not described in sections 18-5-102 or 18-5-104.5. 18-5-104 (2)
220. **Use of forged academic record.** Use of forged academic record with the intent to seek employment, admission to a higher education institution, or financial assistance is a class 1 misdemeanor. 18-5-104.5 (3)
221. **Criminal possession of first degree forged instrument.** Any person who possesses a forged instrument and intends to use the instrument to defraud, commits a class 6 felony. 18-5-105
222. **Criminal possession of second degree forged instrument.** Possessing a second degree forged instrument with knowledge that it is forged and with intent to defraud is a class 2 misdemeanor. 18-5-107
223. **Criminal possession of forgery devices.** Any person who makes or possesses forgery devices with the intent to fraudulently use them commits a class 6 felony. 18-5-109 (2)
224. **Criminal simulation.** An individual commits the class 1 misdemeanor of criminal simulation when he or she, with the intent to defraud, makes, alters, or represents any object so that it appears to have an antiquity, rarity, source or authorship, ingredient, or composition it does not have. It is also criminal simulation to misrepresent or to possess such an object with the intent to defraud. 18-5-110 (2)
225. **Trademark counterfeiting.** An individual commits trademark counterfeiting if he or she intentionally manufactures, displays, advertises, distributes, offers for sale, sells, or possesses with the intent to sell or distribute marks, goods, or services that the individual knows are counterfeit and has possession of more than 25 items bearing a counterfeit mark. 18-5-110.5 (1)

Elements of Offense

C.R.S. Citation

- Trademark counterfeiting is a class 2 misdemeanor for a first offense involving fewer than 100 counterfeit items or when the retail value of the counterfeit goods is less than \$1,000. 18-5-110.5 (2) (a) (I)
- A second or subsequent offense of trademark counterfeiting, regardless of the number or value of the items involved, is a class 1 misdemeanor. 18-5-110.5 (2) (a) (II) (A)
- Trademark counterfeiting is a class 1 misdemeanor if the violation involves at least 100 items or when the retail value of the counterfeit goods is \$1,000 or more. 18-5-110.5 (2) (a) (II) (B)
226. **Unlawfully using slugs.** Knowingly inserting, depositing, or using a slug (coin substitute) in a coin machine with intent to defraud the vendor, or making, possessing, or disposing of a slug with the intent to enable a person to use the slug fraudulently is a class 3 misdemeanor. 18-5-111 (4)
227. **Obtaining a signature by deception.** Obtaining signatures by deception with the intent to defraud or to acquire benefits is a class 2 misdemeanor. 18-5-112 (3)
228. **Criminal impersonation.** Any person who assumes a false or fictitious identity or capacity and in such identity or capacity does an act with intent to unlawfully gain a benefit for himself or herself or another or to injure or defraud another commits a class 6 felony. Using false or fictitious personal identifying information constitutes the assumption of a false or fictitious identity or capacity. 18-5-113 (2)
229. **Offering a false instrument for recording.** A person who offers a false written instrument for recording related to or affecting real or personal property or directly affecting contractual relationships commits the class 1 misdemeanor of offering a false instrument for recording in the second degree. 18-5-114 (4)
- An individual who offers a false written instrument relating to or affecting real or personal property or directly affecting contractual relationships for recording with the intent to defraud commits the class 5 felony offense of offering a false instrument for recording in the first degree. 18-5-114 (2)
230. **Controlled substances - consumption by fraudulent means.** Any individual who fraudulently causes another person to unknowingly consume or receive the direct administration of any controlled substance commits a class 4 felony. 18-5-116 (2)

Fraud in Obtaining Property or Services

231. **Fraud by check.** Any individual, knowing he or she has insufficient funds, who, with the intent to defraud, issues a check for the payment of anything of value commits fraud by check. 18-5-205 (2)
- Fraud by check is a class 2 misdemeanor if the fraudulent check was for less than \$500 or if the fraud involves the issuance of two or more checks within any 60-day period totaling less than \$500 in aggregate. 18-5-205 (3) (b)
- Opening a checking account, negotiable order of withdrawal account, or share draft account using false identification or an assumed name for the purpose of issuing fraudulent checks is a class 2 misdemeanor. 18-5-205 (5)
- Fraud by check is a class 1 misdemeanor if the fraudulent check was for \$500 or more but less than \$1,000 or if the fraud involves the issuance of two or more checks within any 60-day period totaling \$500 or more but less than \$1,000 in aggregate. 18-5-205 (3) (b.5)

Elements of Offense

C.R.S. Citation

	Fraud by check is a class 6 felony if the fraudulent check was for at least \$1,000, or if the offender is convicted of fraud by check involving the issuance of two or more checks within any 60-day period totaling \$1,000 or more.	18-5-205 (3) (c)
	A second or subsequent conviction of fraud by check, regardless of the amount or the time frame, is a class 6 felony.	18-5-205 (3) (c)
	Fraud by check is a class 6 felony if the fraudulent check was drawn on an account which did not exist or which had been closed for a period of 30 days or more prior to issuance of the check.	18-5-205 (3) (d)
232.	<i>Defrauding a secured creditor or debtor.</i> An individual 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 commits the offense of defrauding a secured creditor.	18-5-206 (1)
	A creditor who, with the intent to defraud a debtor, sells, assigns, transfers, conveys, pledges, buys, or encumbers a promissory note or contract signed by the debtor commits the offense of defrauding a debtor.	18-5-206 (2)
	Defrauding a secured creditor or debtor is a class 2 misdemeanor when the value of the collateral or amount owed is less than \$500.	18-5-206 (1) (b) and (2) (b)
	Defrauding a secured creditor or debtor is a class 1 misdemeanor when the value of the collateral or the amount owed is \$500 or more but less than \$1,000.	18-5-206 (1) (b.5) and (2) (b.5)
	Defrauding a secured creditor or debtor is a class 5 felony if the value of the collateral or the amount owed is at least \$1,000, but less than \$20,000.	18-5-206 (1) (c) and (2) (c)
	Defrauding a secured creditor or debtor is a class 3 felony if the value of the collateral or the amount owed is at least \$20,000.	18-5-206 (1) (d) and (2) (d)
233.	<i>Purchase on credit to defraud.</i> Purchasing personal property on credit and then, prior to paying for it, selling or otherwise disposing of that property with the intent to defraud the seller or vender is a class 2 misdemeanor.	18-5-207
234.	<i>Dual contracts to induce loans.</i> Knowingly making, issuing, delivering, or receiving dual contracts for the purchase or sale of real property is a class 3 misdemeanor.	18-5-208
235.	<i>Issuing a false financial statement.</i> Issuing a false financial statement is a class 2 misdemeanor.	18-5-209 (2)
	Issuing a false financial statement for purposes of obtaining a financial transaction device in order to obtain property, services, or money is a class 1 misdemeanor.	18-5-209 (4)
	Issuing two or more false financial statements for the purpose of obtaining two or more financial transaction devices in order to obtain property, services, or money is a class 6 felony.	18-5-209 (5)
236.	<i>Receiving deposits in a failing financial institution.</i> Any officer, manager, or other person directing a financial institution, who receives deposits or investments, knowing that the institution is insolvent, commits a class 6 felony.	18-5-210

Elements of Offense

C.R.S. Citation

Fraudulent and Deceptive Sales and Business Practices

237. ***Fraud in effecting sales.*** Fraud in effecting sales, which includes violations such as using a false measure, selling less than the represented quantity of a service, and making a false statement in an advertisement, is a class 2 misdemeanor. 18-5-301 (1)
238. ***Unlawful activity concerning the selling of land.*** Signing a lien waiver for a construction loan and knowingly failing to pay any debts resulting from a construction agreement covered by the waiver is a class 1 misdemeanor unless there is a legitimate dispute as to the existence or amount of the debt. 18-5-302 (3)
- Any person who knowingly makes a false representation as to the existence of an ownership interest in land that is relied upon commits a class 6 felony. 18-5-302 (2)
- A person who sells the same land twice with intent to defraud commits a class 5 felony. 18-5-302 (1)
239. ***Bait advertising.*** A person who offers property or services as part of a scheme or plan with the intent to not provide the property or services as advertised commits the crime of bait advertising, which is a class 2 misdemeanor. 18-5-303 (3)
240. ***Identification number.*** Altering an identification number is a class 3 misdemeanor. 18-5-305 (5)
241. ***Electronic mail fraud.*** The first offense of electronic mail fraud, which is defined as violating any provision of 18 U.S.C. sec. 1037 (a), is a class 2 misdemeanor. 18-5-308 (3)
- A second or subsequent of electronic mail fraud is a class 1 misdemeanor. 18-5-308 (3)
242. ***Money laundering.*** Any person who knowingly and intentionally violates any of the provisions of section 18-5-309 regarding money laundering or illegal investments commits a class 3 felony. 18-5-309 (2)

Bribery and Rigging of Contests

243. ***Commercial bribery and breach of duty to act disinterestedly.*** A person who solicits, accepts, or agrees to accept any benefit as consideration for knowingly violating or agreeing to violate a duty of fidelity commits a class 6 felony. 18-5-401 (1)
- A person who holds himself or herself out to the public as being engaged in the business of making disinterested selection, appraisal, or criticism of commodities, property, or services commits a class 6 felony if he or she knowingly solicits, accepts, or agrees to accept any benefit to alter, modify, or change his or her selection, appraisal, or criticism. 18-5-401 (2)
- A person who confers or offers or agrees to confer any benefit the acceptance of which would be a felony under subsections 18-5-401 (1) and 18-5-401 (2) commits a class 6 felony. 18-5-401 (3)
244. ***Rigging publicly exhibited contests.*** Rigging a publicly exhibited contest or knowingly participating in a rigged publicly exhibited contest is a class 3 misdemeanor. 18-5-402 (1) and (2)
245. ***Bribery in sports.*** Any person involved in bribery in sports contests or of sports participants or officials commits a class 6 felony. 18-5-403 (3)

Elements of Offense

C.R.S. Citation

Offenses Related to the Uniform Commercial Code

246. **Failure to pay over assigned accounts.** A class 1 misdemeanor is committed when an assignor for the collection of a debt account fails to pay the assignee any money collected from the debtor, where the amount of the proceeds withheld is less than \$1,000. 18-5-502
- Failure to pay over assigned accounts where the amount of the proceeds withheld is at least \$1,000 is a class 5 felony. 18-5-502
247. **Concealment or removal of secured property.** If a person has given security interest in personal property and conceals or removes the encumbered property from Colorado without written consent, that person commits a class 1 misdemeanor when the value of the property concealed or removed is less than \$1,000. 18-5-504
- Concealment or removal of secured property where the value of the property concealed or removed is at least \$1,000 is a class 5 felony. 18-5-504
248. **Failure to pay over proceeds.** Any person giving security interest and retaining possession of the encumbered property and having liberty of sale or other disposition, and who wrongfully fails to pay to the secured creditor the amounts due on account thereof, commits a class 1 misdemeanor when the amount of the proceeds withheld is less than \$1,000. 18-5-505
- Failure to pay over proceeds of security interest in personal property when the amount of the proceeds withheld is at least \$1,000 is a class 5 felony. 18-5-505
249. **Fraudulent receipt.** A warehouse that fraudulently issues a receipt for goods knowing that the goods have not been actually received, or are not under the control of the warehouse at the time of issuing the receipt, commits a class 6 felony. 18-5-506
250. **False statement in receipt.** Fraudulently issuing a receipt for goods knowing that it contains a false statement is a class 2 misdemeanor. 18-5-507
251. **Duplicate receipt not marked.** A warehouse that issues a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods is outstanding and uncanceled, without placing upon the face thereof the word "duplicate," commits a class 6 felony. 18-5-508
252. **Warehouse's goods mingled.** Issuing a negotiable receipt for goods without fully stating the ownership of such goods is a class 2 misdemeanor. 18-5-509
253. **Delivery of goods without receipt.** Delivering goods knowing that a negotiable receipt of those goods is outstanding and uncanceled without obtaining the possession of that receipt before the time of delivery is a class 2 misdemeanor. 18-5-510
254. **Mortgaged goods receipt.** Depositing goods to which the person does not have title or upon which there is a security interest and taking a negotiable receipt for such goods with the intention of negotiating for value without disclosing the want of title or the existence of the security interest is a class 2 misdemeanor. 18-5-511
255. **Issuance of a bad check.** Issuing a bad check is a class 3 misdemeanor unless the offense violates the provisions of section 18-5-205 relating to fraud by check. 18-5-512 (3)

Elements of Offense

C.R.S. Citation

Financial Transaction Device Crime Act

256. **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 the intent to defraud, commits unauthorized use of a financial device. When the value of the cash, credit, property, or services obtained or of the financial payment made is less than \$1,000, it is a class 1 misdemeanor. 18-5-702 (3) (b)
- Unauthorized use of a financial device if the value of cash, credit, property, or services obtained or financial payments made exceeds \$1,000 but is less than \$20,000 is a class 5 felony. 18-5-702 (3) (c)
- Unauthorized use of a financial transaction device if the value of the cash, credit, property, or services obtained or of the financial payment made exceeds \$20,000, it is a class 3 felony. 18-5-702 (3) (d)
257. **Criminal possession of a blank financial transaction device.** Any person who possesses a blank financial transaction device and who intends to use, deliver, circulate, or sell it without the authorization of the issuer or manufacturer commits a class 6 felony. 18-5-705 (2)
- Any person who possesses two or more blank financial transaction devices and who intends to use, deliver, circulate, or sell them without the authorization of the issuer or manufacturer commits a class 5 felony. 18-5-705 (3)
- Delivery, circulation, or sale of one blank financial transaction device is a class 5 felony. 18-5-705 (4)
- Delivery, circulation, or sale of two or more blank financial transaction devices is a class 3 felony. 18-5-705 (5)
258. **Criminal possession of forgery devices.** A person commits the class 6 felony of criminal possession of forgery devices if he or she possesses any tools, photographic equipment, printing equipment, or any other device used for committing forgery with the intent to use the device to commit forgery. 18-5-706 (2)
259. **Unlawful manufacture of a financial transaction device.** A person commits a class 5 felony if he or she commits unlawful manufacture of a financial transaction device, with intent to defraud, by: (a) falsely making or manufacturing such a device; (b) falsely altering or adding codes or information to such a device; or (c) falsely completing such a device. 18-5-707 (3)

Elements of Offense

C.R.S. Citation

Equity Skimming and Related Offenses

260. **Equity skimming of real property.** A person commits the class 5 felony of equity skimming of real property if he or she acquires an interest in real property that is encumbered by a loan and the loan is in arrears; and either a) fails to apply all rent derived from the property first toward the satisfaction of all outstanding payments due on the loan and second toward any homeowner's association dues or fees; or b) after a foreclosure, collects rent on behalf of any person other than the owner of the property. 18-5-802 (3)
261. **Equity skimming of a vehicle.** A person commits the class 6 felony of equity skimming of a vehicle if he or she accepts possession or exercises control over a vehicle subject to a security interest, lien, or lease in exchange for a thing of value; and a) sells or leases (or arranges the sale or lease of) the vehicle to a third party without first obtaining written authorization from the creditor, lessor, or lienholder unless the entire balance is satisfied within 30 days of the transaction; or b) knowingly fails to ascertain on a monthly basis whether payments are due to the creditor, lessor, or lienholder and to apply all funds he or she receives for any sale or lease of the vehicle toward the satisfaction of any outstanding payment due in a timely manner. 18-5-803 (2)

Identity Theft

262. **Identity theft.** A person commits the class 4 felony of identity theft if he or she: 18-5-902 (2)
- knowingly uses the personal identifying information, financial identifying information, or financial device of another without permission or lawful authority with the intent to obtain anything of value or to make a financial payment; 18-5-902 (1) (a)
 - knowingly possesses the personal identifying information, financial identifying information, or financial device of another without permission or lawful authority, with the intent to use or to aid or permit some other person to use such information or device to obtain anything of value or to make a financial payment; 18-5-902 (1) (b)
 - with the intent to defraud, falsely makes, completes, alters, or utters a written instrument or financial device containing any personal identifying information or financial identifying information of another; 18-5-902 (1) (c)
 - knowingly possesses the personal identifying information or financial identifying information of another without permission or lawful authority to use in applying for or completing an application for a financial device or other extension of credit; or 18-5-902 (1) (d)
 - knowingly uses or possesses the personal identifying information of another without permission or lawful authority with the intent to obtain a government-issued document. 18-5-902 (1) (e)
263. **Criminal possession of a financial device.** A person commits the class 1 misdemeanor of criminal possession of a financial device if he or she possesses or controls one financial device that was delivered under mistake, lost, or stolen from another. 18-5-903 (2) (a)
- Criminal possession of a financial device is a class 6 felony if it involves the possession or control of two or more lost or stolen financial devices. 18-5-903 (2) (b)

Elements of Offense

C.R.S. Citation

- Criminal possession of a financial device is a class 5 felony if it involves the possession or control of four or more lost or stolen financial devices, at least two of which are issued to different account holders. 18-5-903 (2) (c)
264. ***Criminal possession of an identification document.*** A person commits criminal possession of an identification document if he or she possesses or controls another person's actual driver's license, actual government-issued identification card, actual social security card, or actual passport without permission or lawful authority. Criminal possession of one or more identification documents issued to the same person is a class 1 misdemeanor. 18-5-903.5 (2) (a)
- Criminal possession of an identification document is a class 6 felony if it involves two or more documents, at least two of which are issued to different persons. 18-5-903.5 (2) (b)
265. ***Gathering identity information by deception.*** A person commits the class 5 felony of gathering information by deception if he or she makes or conveys a false statement, without permission or lawful authority, with the intent to obtain, record, or access the personal identifying information or financial identifying information of another. 18-5-904 (2)
266. ***Possession of identity theft tools.*** A person commits the class 5 felony of possession of identity theft tools if he or she possesses any tools, equipment, computer, computer network, scanner, printer, or other article adapted, designed, or commonly used for committing or facilitating the commission of identity theft with the intent to use the tools to commit identity theft. 18-5-905 (2)

Elements of Offense

C.R.S. Citation

**CRIMINAL CODE —
COMPUTER CRIME**

Computer Crime

267. Computer crime. A person commits computer crime if he or she knowingly:	18-5.5-102 (1)
<ul style="list-style-type: none">• accesses or exceeds authorized access to a computer, computer network, or computer system without authorization;• access any computer, computer network, or computer system for the purpose of devising or executing any scheme or artifice to defraud;• accesses any computer, computer network, or computer system to falsely or fraudulently obtain money, property, services, passwords, or similar information or another thing of value;• accesses any computer, computer network, or computer system to commit theft;• alters, damages, interrupts, or causes the interruption or impairment of the proper functioning of, or causes any damage to, any computer, computer network, or computer system or data contained in such without authorization;• causes the transmission of a computer program, software, information, code, data, or command by means of a computer, computer network, or computer system with the intent to cause damage to or to cause the interruption or impairment of the proper functioning of any computer, computer network, computer system, or part thereof; or• uses or causes to be used a software application that runs automated tasks over the internet to access a computer, computer network, or computer system in order to circumvent or disable any electronic queues, waiting periods, or other technological measure intended to limit the number of event tickets that may be purchased by any single person in an on-line event ticket sale.	
Computer crime is a class 2 misdemeanor when the loss, damage, value of services, cost of repair, or thing of value taken is less than \$500.	18-5.5-102 (3) (a)
Accessing or using a computer, computer network, or computer system without authorization or exceeding authorized access to a computer, computer network, or computer system is a class 2 misdemeanor.	18-5.5-102 (3) (b)
Computer crime is a class 1 misdemeanor when the loss, damage, value of services, cost of repair, or thing of value taken is \$500 or more but less than \$1,000.	18-5.5-102 (3) (a)
Using a software application in order to circumvent or disable queues or other measures that are intended to limit the number of tickets that may be purchased by any single person in an on-line ticket sale is a class 1 misdemeanor.	18-5.5-102 (3) (c) (I)
It is a class 6 felony if an individual with one or more prior convictions for a computer crime accesses or uses a computer, computer network, or computer system without authorization; or exceeds authorized access to a computer, computer network, or computer system.	18-5.5-102 (3) (b)
Computer crime is a class 4 felony if the loss, damage, cost of repair, value of services, or thing of value taken is at least \$1,000, but less than \$20,000.	18-5.5-102 (3) (a)

Elements of Offense

C.R.S. Citation

Computer crime is a class 3 felony if the loss, damage, cost of repair, value of services, or thing of value taken is at least \$20,000.

18-5.5-102 (3) (a)

CRIMINAL CODE — OFFENSES INVOLVING THE FAMILY RELATIONS

Bigamy

268. **Bigamy.** Any married person who, while still married, marries or cohabits with another commits bigamy which is a class 6 felony.

18-6-201

269. **Marrying a bigamist.** A person who knowingly marries a bigamist or who knowingly cohabits with another who would thereby be guilty of bigamy commits a class 2 misdemeanor.

18-6-202

Incest

270. **Incest.** Any person who knowingly marries, inflicts sexual penetration or sexual intrusion, or subjects to sexual contact, an ancestor or descendant, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood commits the class 4 felony of incest.

18-6-301 (1)

271. **Aggravated incest.** A person commits the class 3 felony of aggravated incest if he or she 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.

18-6-302 (2)

Wrongs to Children

272. **Child abuse.** Child abuse is a class 3 misdemeanor when a person acts with criminal negligence but where no death or injury results.

18-6-401 (7) (b) (II)

Child abuse is a class 2 misdemeanor when a person acts with criminal negligence and any injury other than serious bodily injury results.

18-6-401 (7) (a) (VI)

Child abuse is a class 2 misdemeanor when a person acts knowingly and recklessly but no death or injury to the child results.

18-6-401 (7) (b) (I)

Child abuse is a class 1 misdemeanor when a person acts knowingly or recklessly and any injury other than serious bodily injury results.

18-6-401 (7) (a) (V)

A second or subsequent offense of child abuse where no death or serious bodily injury occurred is a class 5 felony if the new offense involved any of the following acts: (a) the defendant, who was in a position of trust with respect to the child, participated in a continued pattern of conduct resulting the child's malnourishment or failed to ensure the child's access to proper medical care; (b) the defendant participated in a continued pattern of cruel punishment or unreasonable isolation or confinement of the child; (c) the defendant made repeated threats of harm or death in the presence of the child to the child or to a significant person in the child's life; (d) the defendant committed a continued pattern of acts of domestic violence in the presence of the child; or (e) the defendant participated in a continued pattern of extreme deprivation of hygienic or sanitary conditions in the child's daily living environment.

18-6-401 (7) (e)

Elements of Offense

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When a person acts with criminal negligence and the child abuse results in serious bodily injury to the child, it is a class 4 felony.	18-6-401 (7) (a) (IV)
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)
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)
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)
A person who acts knowingly or recklessly and the child abuse results in the death of the child commits a class 2 felony.	18-6-401 (7) (a) (I)
A person who knowingly causes the death of a child under the age of 12 and who is in a position of trust with respect to the child commits murder in the first degree, which is a class 1 felony.	18-6-401 (7) (c)
273. Sexual exploitation of a child. Any person who possesses or controls sexually exploitative material commits a class 6 felony.	18-6-403 (5) (b)
The sexual exploitation of a child by possession or control of sexually exploitative material is a class 4 felony if it is a second or subsequent offense or the possession is of a video, video tape, or motion picture or more than 20 different items qualifying as sexually exploitative material.	18-6-403 (5) (b)
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 the class 3 felony offense of sexual exploitation of a child.	18-6-403 (5) (a)
274. Procurement of a child for sexual exploitation. Any person who intentionally gives, transports, provides, or makes available a child, or offers to do the same for the purpose of sexually exploiting a child, commits a class 3 felony.	18-6-404

Harboring a Minor

275. Harboring a minor. Harboring a minor is a class 2 misdemeanor.	18-6-601 (2)
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Contributing to Delinquency

276. Contributing to delinquency. Inducing, aiding, or encouraging any person under the age of 18 to violate any state or federal law, municipal or county ordinance, or court order is a class 4 felony.	18-6-701 (2)
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Domestic Violence

277. Domestic violence - sentencing. Any person who fails to timely file with the court a copy of the receipt and, if applicable, the written statement of the results of a background check, when relinquishing firearms after conviction of a crime with an underlying factual basis of domestic violence commits a class 2 misdemeanor.	18-6-801 (8) (i) (I) (A)
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Elements of Offense

C.R.S. Citation

Any person with three or more prior felony or misdemeanor domestic violence convictions who is convicted of any new offense that would otherwise be a misdemeanor, the underlying factual basis of which includes an act of domestic violence, may be adjudged a habitual domestic violence offender and convicted of a class 5 felony.

18-6-801 (7)

278. **Violation of a protection order.** Violating a protection order is a class 2 misdemeanor.

18-6-803.5 (2) (a)

Violating a protection order after having been previously convicted of violating a protection order or an analogous municipal ordinance, or violating a protection order issued pursuant to section 18-1-1001 concerning mandatory protection orders is a class 1 misdemeanor.

18-6-803.5 (2) (a)

CRIMINAL CODE — WRONGS TO AT-RISK ADULTS AND AT-RISK JUVENILES

Criminal Negligence

279. **Criminal negligence.** A crime against an at-risk adult or at-risk juvenile that amounts to criminal negligence resulting in bodily injury is a class 6 felony.

18-6.5-103 (2) (c)

A crime against an at-risk adult or at-risk juvenile that amounts to criminal negligence resulting in serious bodily injury is a class 5 felony.

18-6.5-103 (2) (b)

A crime against an at-risk adult or at-risk juvenile that amounts to criminal negligence resulting in the death of the at-risk adult or at-risk juvenile is a class 4 felony.

18-6.5-103 (2) (a)

Assault Against At-risk Adults and At-risk Juveniles

280. **Assault against at-risk adults and at-risk juveniles.** Assault in the third degree, as described in section 18-3-204, when the victim is an at-risk adult or at-risk juvenile is a class 6 felony.

18-6.5-103 (3) (c)

Assault in the second degree, as described in section 18-3-203, when the victim is an at-risk adult or at-risk juvenile and the act was committed upon a sudden heat of passion, caused by a serious and highly provoking act of the victim, causing an irresistible passion in a reasonable person, is a class 5 felony.

18-6.5-103 (3) (b)

Assault in the first degree, as described in section 18-3-202, when the victim is an at-risk adult or an at-risk juvenile and the act causing the injury is performed, not after deliberation, upon a sudden heat of passion, caused by a serious and highly provoking act of the intended victim, affecting the person causing the injury sufficiently to excite an irresistible passion in a reasonable person is a class 4 felony.

18-6.5-103 (3) (a)

Assault in the second degree, as described in section 18-3-203, when the victim is an at-risk adult or at-risk juvenile, is a class 3 felony.

18-6.5-103 (3) (b)

Assault in the first degree, as described in section 18-3-202, when the victim is an at-risk adult or at-risk juvenile, is a class 2 felony.

18-6.5-103 (3) (a)

Elements of Offense

C.R.S. Citation

Robbery/Theft

281. **Robbery from at-risk adults and at-risk juveniles.** Robbery, as described in section 18-4-301, when the victim is an at-risk adult or at-risk juvenile, is a class 3 felony. 18-6.5-103 (4)
282. **Theft from at-risk adults and at-risk juveniles.** Any person who commits theft, as described in section 18-4-401, and commits any element of the offense in the presence of the victim when the victim is an at-risk adult or at-risk juvenile, or who is in a position of trust with regard to the at-risk adult or at-risk juvenile, regardless of whether the act took place in the presence of the victim, commits a class 5 felony when the value of the thing involved is less than \$500. 18-6.5-103 (5)
- Any person who commits theft, as described in section 18-4-401, from an at-risk adult or at-risk juvenile by means other than the use of force, threat, or intimidation commits a class 4 felony without regard to the value of the thing taken. 18-6.5-103 (5)
- Any person who commits theft, as described in section 18-4-401, and commits any element of the offense in the presence of the victim when the victim is an at-risk adult or at-risk juvenile, or who is in a position of trust with regard to the at-risk adult or at-risk juvenile, regardless of whether the act took place in the presence of the victim, commits a class 3 felony when the value of the thing involved is \$500 or more. 18-6.5-103 (5)
283. **Theft from at-risk elders.** Any person who commits theft, as described in section 18-4-401, and commits any element of the offense in the presence of the victim when the victim is an at-risk elder, or who commits theft against an at-risk elder knowing that the victim is an at-risk elder, regardless of whether the act took place in the presence of the victim, commits a class 5 felony when the value of the thing involved is less than \$500. 18-6.5-103 (5.5)
- Any person who commits theft, as described in section 18-4-401, from an at-risk elder by means other than the use of force, threat, or intimidation commits a class 4 felony without regard to the value of the thing taken. 18-6.5-103 (5.5)
- Any person who commits theft, as described in section 18-4-401, and commits any element of the offense in the presence of the victim when the victim is an at-risk elder, or who commits theft against an at-risk elder knowing that the victim is an at-risk elder, regardless of whether the act took place in the presence of the victim, commits a class 3 felony when the value of the thing involved is \$500 or more. 18-6.5-103 (5.5)

Neglect

284. **Neglect of at-risk adults, at-risk juveniles, and at-risk elders.** Knowingly neglecting an at-risk adult, at-risk juvenile, or at-risk elder or knowingly acting in a manner likely to be injurious to the physical or mental welfare of an at-risk adult, at-risk juvenile, or at-risk elder is a class 1 misdemeanor. 18-6.5-103 (6)

Sexual Assault Against At-risk Adults and At-risk Juveniles

285. **Sexual assault.** Sexual assault or first degree sexual assault, as described in section 18-3-402, against an at-risk adult or an at-risk juvenile is a class 2 felony. 18-6.5-103 (7) (a)

Elements of Offense

C.R.S. Citation

286. **Second degree sexual assault.** Any person who commits a crime of sexual assault in the second degree, as described in section 18-3-403, and the victim is an at-risk adult or an at-risk juvenile commits a class 3 felony. 18-6.5-103 (7) (b)
287. **Unlawful sexual contact.** Any person who commits unlawful sexual contact or third degree sexual assault, as described in section 18-3-404, when the victim is an at-risk adult or an at-risk juvenile commits a class 6 felony. 18-6.5-103 (7) (c)
- Unlawful sexual contact or third degree sexual assault of an at-risk adult or an at-risk juvenile is 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)
288. **Sexual assault on a child.** Sexual assault on a child, as described in section 18-3-405, when the victim is an at-risk juvenile is a class 3 felony. 18-6.5-103 (7) (d)
- Sexual assault on a child when the victim is an at-risk juvenile and the actor uses force, threat, threat of retaliation, or commits the abuse as part of a pattern is a class 2 felony. 18-6.5-103 (7) (d)
289. **Sexual assault by one in a position of trust.** Sexual assault on a child by one in a position of trust, as described in section 18-3-405.3, when the victim is an at-risk juvenile and between the ages of 15 and 18 is a class 3 felony. 18-6.5-103 (7) (e)
- Sexual assault on a child by one in a position of trust when the victim is an at-risk juvenile who is under the age of 15 is a class 2 felony. 18-6.5-103 (7) (e)
290. **Sexual assault by a psychotherapist.** Sexual assault on a client by a psychotherapist, as described in section 18-3-405.5, when the victim is an at-risk adult or an at-risk juvenile is a class 6 felony. 18-6.5-103 (7) (f)
- 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)

Other Crimes Against At-Risk Adults

291. **Undue influence.** Any person who exercises undue influence to convert or take possession of an at-risk elder's money, assets, or other property commits theft. Under section 18-4-401 (2), theft is classified according to the value of the thing involved. 18-6.5-103 (7.5)
292. **Mandatory reports of abuse and exploitation of at-risk elders.** Any person who is mandated by law to report the abuse or exploitation of an at-risk elder and who willfully fails to do so after observing such abuse or exploitation or having reasonable cause to believe that abuse or exploitation is occurring or is imminent commits a class 3 misdemeanor. 18-6.5-108 (1) (c)
- Any person who knowingly makes a false report of abuse or exploitation of an at-risk elder commits a class 3 misdemeanor. 18-6.5-108 (4)

Elements of Offense

C.R.S. Citation

**CRIMINAL CODE —
OFFENSES RELATING TO MORALS**

Obscenity

293. **Obscenity.** Promoting an obscene performance or obscene material is a class 2 misdemeanor. 18-7-102 (2) (b)
- Wholesale promotion of any obscene material is a class 1 misdemeanor. 18-7-102 (1) (b)
- Wholesale promotion of obscene material to a minor is a class 6 felony. 18-7-102 (1.5) (b)
- Promotion of an obscene performance or obscene material to a minor is a class 6 felony. 18-7-102 (2.5) (b)

Prostitution

294. **Prostitution.** Prostitution is a class 3 misdemeanor. 18-7-201 (3)
295. **Prostitution with knowledge of being infected with AIDS.** Prostitution with knowledge of being infected with AIDS is a class 5 felony. 18-7-201.7 (2)
296. **Soliciting for prostitution.** Soliciting for prostitution is a class 3 misdemeanor. 18-7-202 (2)
297. **Pandering.** Knowingly arranging or offering to arrange, in exchange for money or for another thing of value, a situation in which a person may practice prostitution is a class 3 misdemeanor. 18-7-203 (2)
- Inducing another person by menacing or criminal intimidation to commit prostitution in exchange for money or another thing of value is a class 5 felony. 18-7-203 (2)
298. **Keeping a place of prostitution.** A person who knowingly permits any place under his or her control to be used as a place of prostitution commits a class 2 misdemeanor. 18-7-204 (2)
299. **Patronizing a prostitute.** Any person who engages in an act of sexual intercourse or of deviate sexual conduct with a prostitute who is not his or her spouse, or who enters or remains in a place of prostitution with the intent to engage in an act of sexual intercourse or deviate sexual conduct with one who is not his or her spouse commits the crime of patronizing a prostitute, which is a class 1 misdemeanor. 18-7-205 (2)
300. **Patronizing a prostitute with knowledge of being infected with AIDS.** Patronizing a prostitute with knowledge of being infected with AIDS is a class 6 felony. 18-7-205.7 (2)
301. **Pimping.** Any person who knowingly lives on or is supported or maintained by any money earned by another person through prostitution commits a class 3 felony. 18-7-206

Public Indecency

302. **Public indecency.** A second or subsequent conviction for knowingly exposing one's genitals to the view of another under circumstances in which such conduct is likely to cause affront or alarm is a class 1 misdemeanor. 18-7-301 (2) (b)

Elements of Offense

C.R.S. Citation

303. **Indecent exposure.** A person commits the class 1 misdemeanor of indecent exposure if he or she knowingly exposes his or her genitals (with the intent to arouse the sexual desire of any person) or performs an act of masturbation in the view of any person under circumstances in which such conduct is likely to cause affront or alarm.

18-7-302 (2) (b)

A third or subsequent offense of indecent exposure to a child is a class 6 felony.

18-7-302 (4)

Child Prostitution

304. **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)

305. **Pandering of a child.** A person who arranges or offers to arrange a situation in which a child may practice prostitution commits a class 3 felony.

18-7-403 (2)

A person who induces a child to commit prostitution by threatening or intimidating the child commits a class 2 felony.

18-7-403 (2)

306. **Procurement of a child.** Any person who intentionally gives, transports, provides, or makes available a child, or offers to do the same for the purpose of child prostitution, commits a class 3 felony.

18-7-403.5

307. **Keeping a place of child prostitution.** Any person who exercises control over a place that offers seclusion or shelter for the purpose of prostitution of or by a child commits a class 3 felony.

18-7-404 (2)

308. **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

309. **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)

310. **Patronizing a prostituted child.** Any person who engages in an act which involves child prostitution, or who enters a place of prostitution with the intention of engaging in child prostitution commits a class 3 felony.

18-7-406 (2)

Sexually Explicit Materials Harmful to Children

311. **Violations.** Violating any of the provisions of Part 5 of Article 7 of Title 18 regarding sexually explicit materials that are harmful to children is a class 2 misdemeanor.

18-7-502 (6)

Sexual Conduct in Penal Institutions

312. **Sexual conduct in a correctional institution.** Sexual conduct in a correctional institution is a class 1 misdemeanor if the conduct consists solely of sexual contact and is committed by a volunteer.

18-7-701 (5)

Sexual conduct in a correctional institution is a class 6 felony if the conduct consists solely of sexual contact and is committed by an employee, contractor, or any individual who performs work functions in a correctional facility or for the Department of Corrections, Department of Human Services, or for a community corrections program.

18-7-701 (4) (a)

Elements of Offense

C.R.S. Citation

Sexual conduct in a correctional institution is a class 6 felony if the conduct includes sexual intrusion or sexual penetration and is committed by a volunteer at a correctional facility.

18-7-701 (4) (b)

Sexual conduct in a correctional institution is a class 5 felony if the conduct includes sexual intrusion or penetration and is committed by an employee, contractor, or any individual who performs work functions in a correctional facility or for the Department of Corrections, Department of Human Services, or for a community corrections program.

18-7-701 (3)

Criminal Invasion of Privacy

313. ***Criminal invasion of privacy.*** Knowingly observing or taking a photograph of another person's intimate parts without that person's consent in a situation where the person photographed has a reasonable expectation of privacy is a class 2 misdemeanor.

18-7-801 (2)

CRIMINAL CODE — GOVERNMENTAL OPERATIONS

Obstruction of Public Justice

314. ***Obstructing government operations.*** Intentionally obstructing, impairing, or hindering the performance of a governmental function by a public servant by using or threatening the use of violence, force, or physical interference is a class 3 misdemeanor.

18-8-102 (3)

315. ***Resisting arrest.*** Knowingly preventing or attempting to prevent a peace officer, acting in his or her official capacity, from effecting an arrest of any person is a class 2 misdemeanor.

18-8-103 (4)

316. ***Obstructing a peace officer, firefighter, emergency medical services provider, rescue specialist, or volunteer.*** Obstructing a peace officer, firefighter, emergency medical services provider, rescue specialist, or volunteer in the performance of any official duty by using or threatening the use of violence, force, or physical interference is a class 2 misdemeanor.

18-8-104 (4)

317. ***Accessory to crime.*** A person who renders assistance to another who has committed a crime in order to prevent the person's apprehension and punishment commits a class 6 felony if the person who renders assistance knows that the person being assisted has committed a class 6 felony.

18-8-105 (5)

Being an accessory to crime is a class 5 felony if the offender knows that the person being assisted is suspected of committing a class 1 or class 2 felony.

18-8-105 (4)

Being an accessory to crime is a class 5 felony if the offender knows that the person being assisted has committed, or has been convicted of, a felony other than a class 1 or class 2 felony.

18-8-105 (5)

Being an accessory to crime is a class 4 felony if the offender knows that the person being assisted has committed, or has been convicted of, or is charged with, or is suspected of or wanted for a class 1 or class 2 felony.

18-8-105 (3)

Elements of Offense

C.R.S. Citation

318. **Compounding.** A person commits the class 3 misdemeanor of compounding when he or she accepts or agrees to accept money for refraining from seeking prosecution for an offense or for refraining from reporting a crime to law enforcement authorities. 18-8-108 (3)
319. **Concealing death.** Concealing the death of another person and thereby preventing a determination of the cause or circumstances of death is a class 1 misdemeanor. 18-8-109
320. **False report of explosives.** Any person who reports that a bomb or other explosive, chemical or biological agent, poison or weapon, or harmful radioactive substance has been placed in any public or private place or vehicle, knowing that the report is false, commits a class 6 felony. 18-8-110
321. **False reporting to authorities.** A person commits the class 3 misdemeanor of false reporting to authorities if he or she knowingly causes a false alarm of fire or other emergency or a false emergency exit alarm to be transmitted to a fire department, ambulance service, or any other government agency that deals with emergencies involving danger to life or property, or knowingly prevents a legitimate fire alarm, emergency exit alarm, or other emergency alarm from sounding or from being transmitted to an agency that deals with emergencies. 18-8-111 (2)
- A person commits the class 3 misdemeanor of false reporting to authorities if he or she makes a report or knowingly causes the transmission of a report to law enforcement agencies of a crime or other incident while knowing that the incident did not occur. 18-8-111 (2)
- A person commits the class 3 misdemeanor of false reporting to authorities if he or she makes a report or knowingly causes the transmission of a report to law enforcement agencies pretending to furnish information related to an offense or other incident while knowing that he or she has no such information or the information is false. 18-8-111 (2)
- A person commits the class 3 misdemeanor of false reporting to authorities if he or she knowingly provides false identifying information to law enforcement authorities. 18-8-111 (2)
- A person commits the class 2 misdemeanor of false reporting to authorities if, during the commission of another criminal offense, he or she knowingly causes a false alarm of fire or other emergency or a false emergency exit alarm to be transmitted to a fire department, ambulance service, or any other government agency that deals with emergencies involving danger to life or property, or knowingly prevents a legitimate fire alarm, emergency exit alarm, or other emergency alarm from sounding or from being transmitted to an agency that deals with emergencies. 18-8-111 (2)
322. **Impersonating a peace officer.** Falsely pretending to be a peace officer and performing an act in that pretended capacity is a class 6 felony. 18-8-112 (2)
323. **Impersonating a public servant.** Impersonating a public servant (other than a peace officer) is a class 3 misdemeanor. 18-8-113 (3)
324. **Abuse of public records.** Knowingly abusing public records by making false entry or improperly altering a public record; destroying, mutilating, concealing, removing, or impairing the availability of a public record; or refusing to deliver a public record upon proper request to any person lawfully entitled to receive it is a class 1 misdemeanor. 18-8-114 (1)

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325. ***Disarming a peace officer.*** It is a class 5 felony to knowingly, without justification and without consent, remove the firearm of a peace officer who is acting under color of official authority. 18-8-116 (2)

Escape and Offenses Relating to Custody

326. ***Aiding an escape.*** Knowingly aiding, abetting, or assisting another person to escape or to attempt to escape from custody or confinement is a class 1 misdemeanor if the person aided was in custody or confinement for a misdemeanor or a petty offense. 18-8-201 (6)
- Aiding escape is a class 3 felony if the person aided was in custody or confinement for any felony other than a class 1 or class 2 felony. 18-8-201 (5)
- Aiding escape is a class 2 felony if the person aided was in custody or confinement for a class 1 or class 2 felony. 18-8-201 (4)
327. ***Aiding escape from mental hospital.*** Any person who aids the escape of any inmate from an institution for the care and treatment of persons with mental illness knowing the person was committed pursuant to the criminal insanity statute commits a class 5 felony. 18-8-201.1
328. ***Introducing contraband in the first degree.*** It is a class 4 felony for any person to attempt to introduce a dangerous instrument, alcoholic beverage, controlled substance, or marijuana into a detention facility, or for any person who is confined in a detention facility to make any of these items. 18-8-203 (2)
329. ***Introducing contraband in the second degree.*** Any person who introduces contraband, as defined in 18-8-204 (2), into a detention facility commits a class 6 felony. 18-8-204 (3)
330. ***Possession of contraband in the first degree.*** Any person confined in a detention facility who possesses an alcoholic beverage, controlled substance, or marijuana commits a class 6 felony. 18-8-204.1 (2)
- Possession of a dangerous instrument by an individual confined in a detention facility is a class 4 felony. 18-8-204.1 (3)
331. ***Possession of contraband in the second degree.*** A person who is confined in a detention facility commits the class 1 misdemeanor of possession of contraband in the second degree if he or she knowingly obtains or has in his or her possession contraband (as defined in 18-8-204 (2)), unless the possession is authorized by rule or by regulation. 18-8-204.2 (2)
332. ***Assault during escape.*** Any person confined in any lawful place of confinement within the state who, while escaping or attempting to escape, commits an assault with intent to commit bodily injury upon another person with a deadly weapon, or by any means of force likely to produce serious bodily injury, commits a class 3 felony if the person escaping has been convicted of a misdemeanor or petty offense or is being held for or charged with but not convicted of a felony. 18-8-206 (1) (c) and (1) (d)
- Assault during escape is a class 2 felony if the person escaping has been convicted of any felony other than a class 1 felony. 18-8-206 (1) (b)
- Assault during escape is a class 1 felony if the person escaping has been convicted of a class 1 felony. 18-8-206 (1) (a)

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333. ***Holding hostages.*** If, while escaping from lawful custody or confinement, a person holds another hostage by force or threat, he or she commits a class 2 felony. 18-8-207
334. ***Escape.*** A person commits a class 3 misdemeanor when he or she knowingly escapes while in custody or confinement following conviction of a misdemeanor, a petty offense, or a violation of a municipal ordinance. 18-8-208 (4)
- A person who has been committed to the Division of Youth Corrections in the Department of Human Services for a delinquent act, is over 18 years old, and escapes from a staff-secure facility, other than a state-operated locked facility, commits a class 3 misdemeanor. 18-8-208 (4.5)
- Escaping while confined pursuant to the criminal insanity statute (Article 8 of Title 16) is a class 1 misdemeanor if the person was charged with a misdemeanor at the proceeding in which he or she was committed. 18-8-208 (6) (a)
- Escape while confined pursuant to the criminal insanity statute (Article 8 of Title 16) is a class 1 misdemeanor if the person was charged with a felony at the proceeding in which he or she was committed and if the person does not travel from the state of Colorado. 18-8-208 (6) (b)
- Escape while confined pursuant to the criminal insanity statute (Article 8 of Title 16) if the person was charged with a felony at the proceeding in which he or she was committed is a class 5 felony if the person travels outside the state of Colorado. 18-8-208 (6) (c)
- Escape is a class 5 felony if the person was in custody or confinement pursuant to the "Uniform Extradition Act." 18-8-208 (8)
- Escape is a class 4 felony if the person has been charged with but not convicted of a felony. 18-8-208 (3)
- Escape is a class 3 felony if the person has been convicted of a felony other than a class 1 or class 2 felony. 18-8-208 (2)
- Escape is a class 2 felony if the person has been convicted of a class 1 or 2 felony. 18-8-208 (1)
335. ***Attempt to escape.*** Attempt to escape is a class 5 felony if the person was serving a direct sentence to a community corrections facility or was placed in an intensive supervision parole program following a felony conviction. 18-8-208.1 (1.5)
- A person who, while in custody or confinement and held for or charged with but not convicted of a felony, attempts to escape commits a class 5 felony. 18-8-208.1 (2)
- Attempt to escape is a class 4 felony if the person was in custody or confinement following a felony conviction. 18-8-208.1 (1)
336. ***Persons in custody or confinement for unclassified offenses.*** A person who violates section 18-8-201 (aiding escape), section 18-8-206 (assault during escape), or section 18-8-208 (escape) while in custody or confined for a misdemeanor offense which is unclassified or which was not classified at the time the custody or confinement began is deemed to have been in custody or confinement for a class 2 misdemeanor. 18-8-210

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- A person who violates section 18-8-201 (aiding escape), section 18-8-206 (assault during escape), or section 18-8-208 (escape) while in custody or confined for a felony offense which is unclassified or which was not classified at the time the custody or confinement began is deemed to have been in custody or confinement for a class 5 felony. 18-8-210
337. ***Riots in detention facilities.*** A person confined in any correctional institution commits a class 5 felony if, during a riot, he or she intentionally disobeys an order to move, disperse, or refrain from specified activities. 18-8-211 (3)
- 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)
338. ***Violation of bail bond conditions.*** A person who has been accused of a misdemeanor and who is released on bail bond commits a class 3 misdemeanor if he or she knowingly fails to appear for trial or if he or she knowingly violates the conditions of the bail bond. 18-8-212 (2)
- A person who has been accused of a felony and is released on bail bond commits a class 6 felony if he or she knowingly fails to appear for trial or if he or she knowingly violates the conditions of the bail bond. 18-8-212 (1)
339. ***Unauthorized residency by parolee or probationer from another state.*** A probationer or parolee from another state who, in order to stay in the state, is required to have permission of the administrator of the Interstate Compact for Adult Offender Supervision, and does not receive such approval, commits a class 5 felony. 18-8-213 (2)

Bribery and Corrupt Influences

340. ***Bribery.*** It is a class 3 felony to offer a pecuniary benefit to a public official with the intent to influence some action, or for a person who is a public official to accept a bribe. 18-8-302 (3)
341. ***Compensation for official behavior.*** A person who solicits or accepts compensation for having, as a public servant, given a decision, opinion, recommendation, or vote favorable to another or for having otherwise exercised a discretion in another person's favor; or a person who offers such compensation commits a class 6 felony. 18-8-303 (1)
342. ***Soliciting unlawful compensation.*** A public servant commits a class 2 misdemeanor if he or she requests a financial benefit for the performance of an official action knowing that he or she is required to perform that action without compensation or at a level of compensation lower than that requested. 18-8-304
343. ***Trading in public office.*** A person commits a class 1 misdemeanor if he or she offers, receives, or agrees to confer any financial benefits upon a public servant or a party officer upon an agreement that any person will be appointed to or nominated as a candidate for public office. 18-8-305 (3)
344. ***Attempt to influence a public servant.*** Any person who attempts to influence any public servant by means of deceit, threat of violence, or economic reprisal commits a class 4 felony. 18-8-306

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345. **Designation of supplier prohibited.** Any public servant who requires or directs a bidder or contractor to deal with a particular person in procuring goods or services required in submitting a bid to or fulfilling a contract with any government commits a class 6 felony. 18-8-307 (4)
346. **Failing to disclose a conflict of interest.** Failure by a public servant to disclose a conflict of interest is a class 2 misdemeanor. 18-8-308 (3)

Abuse of Public Office

347. **Misuse of official information.** Any public servant who, in contemplation of an official action or in reliance on information to which he or she has access in a official capacity and which has not been made public, commits a class 6 felony if he or she: acquires a pecuniary interest in any property, transaction, or enterprise that may be affected by such information or official action; speculates or wagers on the basis of such information or official action; or aids, advises, or encourages another to do any of the foregoing with intent to confer on any person a special pecuniary benefit. 18-8-402 (2)
348. **Official oppression.** A public servant commits a class 2 misdemeanor if he or she, knowing that such conduct is illegal, subjects another to arrest, detention, search, seizure, mistreatment, dispossession, assessment, or lien; or has legal authority and jurisdiction of any person legally restrained and denies that restrained person the reasonable opportunity to consult in private with an attorney, provided that there is no danger of imminent escape and the restrained person expresses a desire to consult with an attorney. 18-8-403 (2)
349. **First degree official misconduct.** A public servant who, with intent to obtain a benefit or to maliciously cause harm, knowingly commits an act relating to his or her office that constitutes an unauthorized exercise of official function; refrains from performing a duty imposed by law; or violates any statute, rule, or regulation relating to his or her office commits a class 2 misdemeanor. 18-8-404 (2)
350. **Issuing a false certificate.** A public servant who is authorized to make and issue official certificates or other official written instruments commits a class 6 felony if he or she makes and issues such an instrument containing a statement that he or she knows to be false. 18-8-406
351. **Embezzlement of public property.** A class 5 felony is committed when a public servant converts public moneys or properties to personal use or to any use other than the public use as authorized by law. 18-8-407 (2)

Perjury and Related Offenses

352. **Perjury in the first degree.** A person who makes a materially false statement under oath, that he or she does not believe to be true, in any official proceeding commits a class 4 felony. 18-8-502 (3)
353. **Perjury in the second degree.** A person who, in situations other than an official proceeding, makes a materially false statement under oath when he or she does not believe the statement to be true and with the intent to mislead a public servant in the performance of his or her duty, commits a class 1 misdemeanor. 18-8-503 (2)

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Offenses Relating to Judicial and Other Proceedings

354. **Bribe - receiving by a witness.** A witness accepting any benefit for the purpose of influencing his or her presence or testimony at an official proceeding commits a class 4 felony. 18-8-603 (1)
355. **Bribing a juror.** A person who attempts to influence a juror's decision by offering or conferring any benefit upon the juror commits a class 4 felony. 18-8-606 (2)
356. **Bribe - receiving by a juror.** Any juror who accepts any benefit for the purpose of influencing his or her vote commits a class 4 felony. 18-8-607 (2)
357. **Intimidating a juror.** A person who attempts to influence a juror's vote by use of threat of harm or injury to any person or property commits a class 4 felony. 18-8-608 (2)
358. **Jury tampering.** Knowing participation in the fraudulent processing or selection of jurors or prospective jurors or attempting to communicate with or influence jurors other than as a part of the official trial proceedings is a class 5 felony. 18-8-609 (2)
- Jury tampering in any class 1 felony trial is a class 4 felony. 18-8-609 (2)
359. **Tampering with physical evidence.** Tampering with physical evidence is a class 6 felony. 18-8-610 (3)
360. **Simulating legal process.** Knowingly delivering a request for payment which in form and substance simulates a court-issued legal process is a class 3 misdemeanor. 18-8-611 (2)
361. **Failure to obey a juror summons.** Failure to obey a juror summons is a class 3 misdemeanor. 18-8-612 (2)
362. **Juror questionnaire.** Willful misrepresentation of a material fact on a juror questionnaire is a class 3 misdemeanor. 18-8-613 (2)
363. **Harassment of a juror by an employer.** Willful harassment of a juror by an employer is a class 2 misdemeanor. 18-8-614 (2)
364. **Retaliation against a judge.** A person commits a class 4 felony if he or she makes a credible threat or commits an act of harassment, harm, or injury upon another person or property as retaliation or retribution against a judge. 18-8-615 (2)

Victims and Witnesses Protection

365. **Bribing a witness or victim.** A person commits a class 4 felony when he or she offers or confers any benefit upon a witness or victim, in any official proceeding, members of the witness or victim's family, or persons in close relationship to or residing in the same household with a witness or victim in an attempt to influence that witness or victim. 18-8-703 (2)
366. **Intimidating a witness or victim.** If, in an attempt to influence a witness or victim, a person threatens harm or injury to any person or property, that person commits a class 4 felony. 18-8-704 (2)
367. **Aggravated intimidation of a witness or victim.** If, in an attempt to influence a witness or victim, a person is armed with a deadly weapon and intends, if resisted, to kill, maim, or wound any person; or knowingly wounds any person or puts any person in a reasonable fear of death or bodily injury, that person commits a class 3 felony. 18-8-705 (3)

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368. **Retaliation against a witness or victim.** A person who intentionally inflicts harm or injury upon any person or property as retaliation or retribution for testimony given in any official proceeding commits a class 3 felony. 18-8-706 (2)
369. **Retaliation against a juror.** A person commits a class 3 felony if he or she uses a threat or an act of harassment, harm, or injury upon any person or property directed to or committed on a juror, 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. 18-8-706.5 (2)
370. **Tampering with a witness or victim.** A person who attempts to influence a victim or witness without bribery or threats commits a class 4 felony. 18-8-707 (2)

Offenses Relating to the Use of Force by Peace Officers

371. **Duty to report use of force by peace officers.** Failure of a peace officer to report use of excessive force by another peace officer is a class 1 misdemeanor. 18-8-802 (1) (c)

CRIMINAL CODE — OFFENSES AGAINST PUBLIC PEACE, ORDER, AND DECENCY

Public Peace and Order

372. **Inciting riot.** Any person who incites, urges, instructs, or signals a group of five or more persons to engage in a riot commits a class 1 misdemeanor provided that no injury to a person or damage to property results. 18-9-102 (3)
- Inciting a riot, if injury to a person or damage to property occurs is a class 5 felony. 18-9-102 (3)
373. **Arming rioters.** A person who supplies a deadly weapon or destructive device for use in a riot, or who teaches another to use such weapon or device in a riot, commits a class 4 felony. 18-9-103 (2)
374. **Engaging in a riot.** Engaging in a riot, provided that the person does not use or claim to be armed with a deadly weapon, is a class 2 misdemeanor. 18-9-104 (1)
- If, in the course of engaging in a riot, a person employs a deadly weapon, destructive device, or any article used or fashioned in a manner to cause a person to believe that the article is a deadly weapon, or if in the course of rioting, the actor represents verbally or otherwise that he or she is armed with a deadly weapon, that person commits a class 4 felony. 18-9-104 (1)
375. **Disobedience of public safety orders.** Knowingly disobeying a reasonable public safety order during riot conditions is a class 3 misdemeanor. 18-9-105
376. **Disorderly conduct.** Fighting with another in a public place, except in an amateur or professional contest, is a class 3 misdemeanor. 18-9-106 (3) (b)
- Intentionally, knowingly, or recklessly making a coarse or obviously offensive utterance, gesture, or display in a public place, or making unreasonable noise in a public place or near a private residence, when done with the intent to disrupt, impair, or interfere with a funeral, or with the intent to cause severe emotional distress to a person attending a funeral, is a class 2 misdemeanor. 18-9-106 (3) (a)

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	If a person who is not a peace officer discharges a firearm in a public place (except while lawfully engaged in target practice or hunting), or displays a deadly weapon or otherwise represents that he or she is armed with a deadly weapon in a public place in a manner calculated to alarm, he or she commits a class 2 misdemeanor.	18-9-106 (3) (c)
377.	<i>Obstructing a highway or other passageway.</i> Obstructing a highway or other passageway without legal privilege is a class 3 misdemeanor.	18-9-107 (3)
	Knowingly obstructing the entrance into or exit from a funeral or funeral site, or knowingly obstructing a highway or other passageway where a funeral procession is taking place is a class 2 misdemeanor.	18-9-107 (3)
378.	<i>Disrupting lawful assembly.</i> A person who, intending to prevent or disrupt any lawful meeting, procession, or gathering, obstructs or interferes with the meeting, procession, or gathering by physical action, verbal utterance, or any other means, commits a class 3 misdemeanor.	18-9-108 (2)
	Disrupting lawful assembly is a class 2 misdemeanor when the actor knows that the meeting, procession, or gathering is a funeral.	18-9-108 (2)
379.	<i>Interference with staff, faculty, or students of educational institutions.</i> Interfering with the staff, faculty, or students of educational institutions is a class 3 misdemeanor.	18-9-109 (5)
	Knowingly making or conveying a credible threat to cause bodily injury with a deadly weapon against a student, school official, or employee of an educational institution, or an invitee who is on the premises of an educational institution, is a class 1 misdemeanor.	18-9-109 (6) (c)
380.	<i>Public buildings.</i> Violating any of the provisions of section 18-9-110 regarding trespass or interference in public buildings is a class 2 misdemeanor.	18-9-110 (8)
381.	<i>Harassment.</i> A person commits a class 3 misdemeanor if he or she, with the intent to harass, annoy, or alarm another person, subjects the other person to physical contact; directs obscene language or gestures toward the other person in public; follows the other person in public; repeatedly initiates or attempts to initiate communication with the other person; or repeatedly insults, taunts, challenges, or makes communications in offensively coarse language to the other person.	18-9-111 (2)
	Harassment with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin is a class 1 misdemeanor.	18-9-111 (2)
382.	<i>Desecration of venerated objects.</i> A person commits a class 3 misdemeanor if he or she knowingly desecrates any public monument, structure, or other object of veneration by the public.	18-9-113 (1) (a)
	A person commits a class 1 misdemeanor if he or she knowingly desecrates any place of worship or burial of human remains.	18-9-113 (1) (b)
383.	<i>Hindering transportation.</i> A person who knowingly and without lawful authority forcibly stops and hinders the operation of any vehicle used in providing transportation services commits a class 2 misdemeanor.	18-9-114

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384. ***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)
385. ***Violation of a restraining order related to public conveyances.*** A person commits a class 3 misdemeanor if he or she violates a court order that specifically restrains that person from traveling in or on a particular public conveyance. 18-9-115.5
386. ***Harassment of bicyclists.*** Knowingly projecting any missile at or against a bicyclist is a class 2 misdemeanor. 18-9-116 (2)
387. ***Vehicular eluding.*** Any person who, while operating a motor vehicle, knowingly eludes or attempts to elude a peace officer also operating a motor vehicle, and who operates the vehicle in a reckless manner, commits a class 5 felony when no bodily injury or death occurs. 18-9-116.5 (2) (a)
- Vehicular eluding that results in bodily injury to another person is a class 4 felony. 18-9-116.5 (2) (a)
- Vehicular eluding that results in the death of another person is a class 3 felony. 18-9-116.5 (2) (a)
388. ***Unlawful conduct on public property.*** Violating any order, rule or regulation that issued by any officer or agency having the power of control, management, or supervision of a public building or public property and that is reasonably necessary for the administration, protection, and maintenance of such public building or property is a class 3 misdemeanor, with some exceptions. 18-9-117 (3) (a)
- Violating any order, rule, or regulation regarding the control and limitation of fires is a class 2 misdemeanor, provided that the order, rule, or regulation has been issued by any officer or agency having the power of control, management, or supervision of a public building or public property and it is reasonably necessary for the protection and maintenance of the public building or property. 18-9-117 (3) (b)
- Violating any order, rule, or regulation regarding the prohibition of activities or conduct within public buildings or on public property which may interfere with, impair, or disrupt a funeral or funeral procession is a class 2 misdemeanor. 18-9-117 (3) (c)
389. ***Firearms, explosives, or incendiary devices in facilities of public transportation.*** Any person who, without legal authority, possesses any loaded firearm or explosive or incendiary device, or carries or brings any of such items into any facility of public transportation, commits a class 6 felony. 18-9-118
390. ***Failure to leave premises upon request of a peace officer.*** Barricading or refusing police entry to any premises or property through use of or threatened use of force, or knowingly refusing or failing to leave any premises or property when requested to do so by a peace officer, is a class 3 misdemeanor. 18-9-119 (2)
- Barricading or refusing police entry to any premises or property through use or threatened use of force, or knowingly refusing or failing to leave any premises or property when requested to do so by a peace officer and, in the same criminal episode, knowingly holding another person hostage or confining or detaining such person without his or her consent and without proper legal authority, is a class 2 misdemeanor, provided that no deadly weapon is used. 18-9-119 (3)

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	Barricading or refusing police entry to any premises or property through use or threatened use of force, or knowingly refusing or failing to leave any premises or property when requested to do so by a peace officer, or knowingly holding another person hostage without legal authority during such an episode, while, at the same time, recklessly or knowingly causing a peace officer to believe that the actor possesses a deadly weapon, is a class 1 misdemeanor.	18-9-119 (4)
	Any person who barricades or refuses police entry to any premises through use or threat of force and fails to leave upon request by a peace officer outside the structure, and holds a hostage by feigning possession of a deadly weapon commits a class 5 felony.	18-9-119 (7)
	Any person who barricades or refuses police entry to any premises through use or threat of force, fails to leave upon request by a peace officer outside the structure, and holds another person hostage with use of a deadly weapon commits a class 4 felony.	18-9-119 (5)
391.	Terrorist training activities. Any person who teaches, demonstrates, practices with, or is instructed in the use, application, or making of firearms, explosive or incendiary devices, or techniques capable of causing injury or death and who knows that the same will be used in the furtherance of a civil disorder commits a class 5 felony.	18-9-120 (2)
392.	Bias-motivated crimes. Placing another person in fear of imminent lawless action directed at that person or that person's property while knowing that such words or conduct will likely produce bodily injury to that person or damage to that person's property; or knowingly causing damage to or destruction to another person's property, with the intent to intimidate or harass that person because of his or her actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation, is a class 1 misdemeanor.	18-9-121 (3)
	Knowingly causing bodily injury to another person because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation, constitutes a class 5 felony.	18-9-121 (3)
	Commission of a bias-motivated crime is a class 4 felony if the offender is physically aided or abetted by one or more other persons during the commission of the offense.	18-9-121 (3)
393.	Preventing passage to and from a health care facility. Knowingly obstructing, detaining, hindering, impeding, or blocking another person's entry to or exit from a health care facility is a class 3 misdemeanor.	18-9-122 (2)
	Knowingly approaching another person within 8 feet of that person, without consent, for the purpose of passing information to, displaying a sign to, or engaging in oral protest, education, or counseling with that person within a radius of 100 feet from any entrance to a health care facility is a class 3 misdemeanor.	18-9-122 (3)
394.	Hazing. Any activity in which a person recklessly endangers the health or safety of, or causes a risk of bodily injury to, another person for purposes of initiation or admission into or affiliation with any student organization is hazing, which is a class 3 misdemeanor.	18-9-124 (4)

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395. ***Interference with a funeral.*** If a person, knowing that a funeral is being conducted, refuses to leave any private property within 100 feet of the funeral site upon the request of the owner or the owner's agent, or refuses to leave any public property within 100 feet of the funeral site upon the request of a public official or peace officer acting on reasonable belief of a violation, that person commits a class 2 misdemeanor. 18-9-125 (2)
- Cruelty to Animals**
396. ***Cruelty to animals.*** The first offense of cruelty to animals is a class 1 misdemeanor. 18-9-202 (2) (a)
- A second or subsequent conviction of cruelty to animals is a class 6 felony. 18-9-202 (2) (b) (I)
- Aggravated cruelty to animals (knowing torture, torment, needless mutilation, or killing) is a class 6 felony. 18-9-202 (2) (c)
- A second or subsequent conviction of aggravated cruelty to animals (knowing torture, torment, needless mutilation, or killing) is a class 5 felony. 18-9-202 (2) (c)
397. ***Animal fighting - penalty.*** Any person who causes, sponsors, arranges, or encourages a fight between animals for monetary gain or entertainment commits a class 5 felony. 18-9-204 (2)
- Any person committing a second or subsequent offense of causing, sponsoring, arranging, or encouraging a fight between animals for monetary gain or entertainment commits a class 4 felony. 18-9-204 (2)
398. ***Unlawful ownership of a dangerous dog.*** The first offense of unlawful ownership of a dangerous dog is a class 3 misdemeanor when the dog inflicts bodily injury upon any other person. 18-9-204.5 (3) (b)
- The first offense of unlawful ownership of a dangerous dog is a class 3 misdemeanor when the dog injures or destroys any domestic animal. 18-9-204.5 (3) (e) (I)
- A second or subsequent offense of unlawful ownership of a dangerous dog is a class 2 misdemeanor when the dog inflicts bodily injury upon another person. 18-9-204.5 (3) (b)
- A second or subsequent offense of unlawful ownership of a dangerous dog is a class 2 misdemeanor when the dog injures or destroys any domestic animal. 18-9-204.5 (3) (e) (II)
- The first offense of unlawful ownership of a dangerous dog is a class 1 misdemeanor when the dog inflicts serious bodily injury to a person. 18-9-204.5 (3) (c)
- A second or subsequent offense of unlawful ownership of a dangerous dog when the dog inflicts bodily injury upon a person is a class 6 felony. 18-9-204.5 (3) (c)
- Any person who owns a dangerous dog when the dog causes the death of a person commits a class 5 felony. 18-9-204.5 (3) (d)
399. ***Unauthorized release of an animal.*** Intentionally releasing, without the consent of the owner or custodian, an animal that is lawfully confined for any scientific, research, commercial, legal sporting, public safety, or educational purposes is a class 2 misdemeanor. 18-9-206 (2)
400. ***Tampering with or drugging livestock.*** Tampering with or drugging livestock is a class 1 misdemeanor. 18-9-207 (3)

Elements of Offense

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401. ***False reporting of animal cruelty.*** Knowingly making a false report of animal cruelty to a local law enforcement agency or to the state bureau of animal protection is a class 3 misdemeanor. 18-9-209 (3)

Offenses Involving Communications

402. ***Wiretapping and eavesdropping devices prohibited.*** The first offense of buying, selling, or knowingly having in one's possession any device used for wiretapping or eavesdropping, when committed with the intent to unlawfully use such device, or knowingly aiding another person in unlawfully manufacturing, buying, selling, or possessing such a device, is a class 2 misdemeanor. 18-9-302
- A second or subsequent offense of possessing devices used for wiretapping or eavesdropping is a class 5 felony. 18-9-302
403. ***Wiretapping prohibited.*** Wiretapping involving a cordless telephone is a class 1 misdemeanor. 18-9-303 (2)
- Wiretapping that does not involve a cordless telephone is a class 6 felony. 18-9-303 (2)
404. ***Eavesdropping prohibited.*** Any person not visibly present during a conversation or discussion commits the class 1 misdemeanor offense of eavesdropping if he or she:
- knowingly overhears or records (or attempts to do so) the conversation without the consent of at least one of the principal parties;
 - intentionally overhears or records the conversation for the purpose of committing, aiding, or abetting the commission of an unlawful act;
 - knowingly uses or discloses (or attempts to do so) the contents of the conversation while knowing or having reason to know that the information was obtained through eavesdropping; or
 - knowingly aiding, authorizing, agreeing with, employing, permitting, or intentionally conspiring with any person to violate the provisions of the eavesdropping statute.
405. ***Abuse of telephone and telegraph service.*** Abuse of telephone or telegraph service is a class 3 misdemeanor. 18-9-306 (1)
406. ***Obstruction of telephone or telegraph service.*** Obstruction of telephone or telegraph service is a class 1 misdemeanor. 18-9-306.5 (2)
407. ***Telecommunications crime.*** Knowingly accessing, using, manipulating, or damaging any telecommunications device without the authority of the owner or person that has lawful possession or use of the device is a class 3 misdemeanor. 18-9-309 (2) (a)
- Making, possessing, or using illegal telecommunications equipment is a class 3 misdemeanor. 18-9-309 (2) (b)
- Selling, giving, or advertising illegal telecommunications equipment or instructions for making, assembling, or using illegal telecommunications equipment is a class 3 misdemeanor. 18-9-309 (2) (c) and (2) (d)
- Selling, renting, lending, giving, publishing, or otherwise transferring or disclosing to another the number or code of a counterfeited, cancelled, expired, revoked, or nonexistent telephone number, credit card number, or method of numbering or coding telephone numbers without proper authority is a class 3 misdemeanor. 18-9-309 (2) (e)

Elements of Offense

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- A second or subsequent offense of any of the telecommunications offenses listed above within five years of the first offense is a class 6 felony. 18-9-309 (2.5)
- A person commits a class 4 felony if he or she knowingly uses cloning equipment (or aids, abets, advises, or encourages another person) to: intercept signals, including signals transmitted to or from a cellular phone, between a telecommunications provider and persons using telecommunications services, or between persons using telecommunications services; or create a cellular phone. 18-9-309 (4)
- It is theft, as defined in 18-4-401, to knowingly obtain any telecommunications service by charging such service to or causing such service to be charged to a stolen or fraudulent telephone number, access device, or credit card number, or by any method of code calling, or by installing, rearranging, or tampering with any equipment, physically or electronically, or by the use of any other fraudulent means, method, trick, device, or scheme. 18-9-309 (3) (a)
- It is theft, as defined in 18-4-401, to obtain telecommunications services with fraudulent intent through the use of a false name, telephone number, address, or credit card number or through the unauthorized use of the name, telephone number, address, or credit card information of another. 18-9-309 (3) (b)
408. **Unlawful use of information.** Any person who, having obtained information pursuant to a court order for wiretapping or eavesdropping, knowingly uses, publishes, or divulges the information to any person or in any manner not authorized by law commits a class 6 felony. 18-9-310
409. **Peace officer personal information on the Internet.** Any person who knowingly makes available on the Internet personal information about a peace officer or the officer's immediate family member, if the dissemination of the information poses an imminent and serious threat to the peace officer's safety or the safety of the officer's immediate family, commits a class 1 misdemeanor. 18-9-313 (3)

CRIMINAL CODE — GAMBLING

Gambling

410. **Professional gambling.** A person who is not a repeating gambling offender and who engages in professional gambling commits a class 1 misdemeanor. 18-10-103 (2)
- Engaging in professional gambling is a class 5 felony if the offender is a repeating gambling offender. 18-10-103 (2)
411. **Possession of gambling devices.** A person who is not a repeating gambling offender and who possesses a gambling device or record commits a class 2 misdemeanor. 18-10-105 (2)
- Possession of a gambling device or record by a repeating gambling offender is a class 6 felony. 18-10-105 (2)
412. **Gambling information.** Knowingly transmitting or receiving gambling information, or knowingly installing or maintaining equipment for such transmission is a class 3 misdemeanor if the offender is not a repeating gambling offender. 18-10-106 (1)

Elements of Offense

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- Any person who is a repeating gambling offender and knowingly transmits or receives gambling information or knowingly installs or maintains transmission equipment commits a class 6 felony. 18-10-106 (1)
413. ***Gambling premises.*** Maintaining gambling premises is a class 3 misdemeanor if the offender is not a repeating gambling offender. 18-10-107 (3)
- A repeating gambling offender who maintains gambling premises commits a class 6 felony. 18-10-107 (3)

CRIMINAL CODE — OFFENSES INVOLVING DISLOYALTY

Treason and Related Offenses

414. ***Treason.*** A person commits the class 1 felony of treason if he or she levies war against the state of Colorado or adheres to its enemies, giving them aid and comfort. 18-11-101
415. ***Insurrection.*** Any person who intentionally, by force, resists the execution of state law or engages or participates with any armed force to invade the state, commits the class 5 felony of insurrection. 18-11-102 (2)

Anarchy — Sedition

416. ***Advocating overthrow of government.*** Any person who advocates for the destruction or overthrow of the government of the United States or of Colorado by violent force or action commits sedition, which is a class 5 felony. 18-11-201 (2)
417. ***Inciting destruction of life or property.*** Any person who advocates for the unlawful destruction of private or public property by the use of physical force, or the unlawful injury of any person, or the unlawful taking of human life, as a policy or course of conduct, under circumstances constituting a clear and present danger that violent action will result therefrom, commits a class 6 felony. 18-11-202
418. ***Membership in anarchistic and seditious associations.*** Any person who is a member of an unlawful organization which advocates violent and forceful change in the state of Colorado or in the United States commits a class 5 felony. 18-11-203 (2)
419. ***Mutilation - contempt of flag.*** Publicly mutilating, defacing, defiling, trampling upon, burning, cutting, or tearing the flag of the United States or of the state of Colorado with the intent to cast contempt or ridicule upon the flag, to outrage the sensibilities of observers, or to cause a breach of the peace or an incitement to riot, is a class 3 misdemeanor. 18-11-204 (3)

Elements of Offense

C.R.S. Citation

**CRIMINAL CODE — OFFENSES RELATING TO
FIREARMS AND WEAPONS**

Firearms and Weapons

420. **Possessing a dangerous or illegal weapon.** A person who knowingly possesses an illegal weapon (blackjack, gas gun, metallic knuckles, gravity knife, or switchblade knife) commits a class 1 misdemeanor. 18-12-102 (4)
- A person who knowingly possesses a dangerous weapon (firearm silencer, machine gun, short shotgun, short rifle, or ballistic knife) commits a class 5 felony. 18-12-102 (3)
- A second or subsequent offense of possessing a dangerous weapon is a class 4 felony. 18-12-102 (3)
421. **Possession of a defaced firearm.** Knowingly and unlawfully possessing a defaced firearm is a class 1 misdemeanor. 18-12-103
422. **Defacing a firearm.** Knowingly defacing the manufacturer's serial number or any other distinguishing number or identification mark of a firearm is a class 1 misdemeanor. 18-12-104
423. **Carrying a concealed weapon.** Knowingly and unlawfully carrying a concealed knife or firearm is a class 2 misdemeanor. 18-12-105 (1) (a) and (1) (b)
- Knowingly, unlawfully, and without legal authority possessing a firearm or any explosive, incendiary, or other dangerous device within the building, office, chambers, or hearing rooms of the General Assembly or of its employees is a class 2 misdemeanor. 18-12-105 (1) (c)
424. **Possession of weapons on school, college, or university grounds.** It is a class 6 felony to knowingly and unlawfully carry, bring, or possess a deadly weapon on the property of any school, college, or university. 18-12-105.5 (1)
425. **Prohibited use of weapons.** Knowingly and unlawfully aiming a firearm at another person is a class 2 misdemeanor. 18-12-106 (1) (a)
- Recklessly or with criminal negligence discharging a firearm or shooting a bow and arrow is a class 2 misdemeanor. 18-12-106 (1) (b)
- Knowingly setting a loaded gun, trap, or device designed to cause an explosion upon being tripped or approached, and leaving it unattended by a competent person who is immediately present, is a class 2 misdemeanor. 18-12-106 (1) (c)
- Possessing a firearm while under the influence is a class 2 misdemeanor. 18-12-106 (1) (d)
- Knowingly aiming, swinging, or throwing a throwing star or nunchaku at another person, or knowingly possessing a throwing star or nunchaku in a public place that is not an authorized public demonstration is a class 2 misdemeanor. 18-12-106 (1) (e)
426. **Use of stun guns.** The use of a stun gun in the commission of a criminal offense is a class 5 felony. 18-12-106.5

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427. **Second offense.** Any person who has within five years previously been convicted of possessing an illegal weapon, possessing a defaced firearm, unlawfully carrying a concealed weapon, or using a weapon in a prohibited manner, shall upon conviction for a second or subsequent offense be guilty of a class 5 felony. 18-12-107
428. **Illegal discharge of a firearm.** Any person who knowingly or recklessly discharges a firearm into any dwelling or other building, occupied structure, or occupied motor vehicle commits a class 5 felony. 18-12-107.5 (3)
429. **Possession of weapons by previous offenders.** A person who knowingly possesses, uses, or carries a firearm or any other weapon subsequent to the person's conviction or adjudication (in the case of juveniles) for a felony or attempt or conspiracy to commit a felony commits a class 6 felony. 18-12-108 (2) (a) and (4)(a)
- Possession of a weapon by a previous offender is a class 5 felony when the weapon is a dangerous weapon. 18-12-108 (2) (b) and (4)(b)
- Possession of a weapon by a previous offender is a class 5 felony when the previous conviction was for burglary, arson, or any felony involving the use of force or a deadly weapon. 18-12-108 (2) (c) and (4)(c)
- A second or subsequent offense of possession of a weapon by a person who has previously been convicted of or adjudicated for a felony, and when the weapon is a dangerous weapon or when the conviction was for, or the adjudication was based on, an offense involving burglary, arson, or any felony involving the use of force or the use of a deadly weapon is a class 4 felony. 18-12-108 (5)
430. **Possession of handguns by juveniles.** The first offense of illegal possession of a handgun by a person who has not attained the age of 18 years is a class 2 misdemeanor. 18-12-108.5 (1) (c) (I)
- A second or subsequent conviction of illegal possession of a handgun by a juvenile is a class 5 felony. 18-12-108.5 (1) (c) (II)
431. **Unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun.** Providing a firearm other than a handgun to a juvenile without the consent of the juvenile's parent or legal guardian is a class 1 misdemeanor. 18-12-108.7 (3)
- Any person who intentionally, knowingly, or recklessly provides a handgun to any person under the age of 18, or any person who knows of such juvenile's possession of a handgun and fails to make reasonable efforts to prevent such possession, commits a class 4 felony. 18-12-108.7 (1) (b)
- Any person who intentionally, knowingly, or recklessly provides a handgun to a juvenile or who permits a juvenile to possess a handgun, even though the person is aware of a substantial risk that such juvenile will use a handgun to commit a felony offense, or who fails to make reasonable efforts to prevent the commission of the offense, commits a class 4 felony. 18-12-108.7 (2) (b)
432. **Explosives or incendiary devices - chemical, biological, or radiological weapons.** Any person who manufactures or possesses or who gives, mails, or sends any false, facsimile, or hoax explosive or incendiary device or chemical, biological, or radiological weapon to another person or places any such purported device or weapon on real or personal property commits a class 5 felony 18-12-109 (7)

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Any person who knowingly possesses or controls an explosive or incendiary device commits a class 4 felony.	18-12-109 (2)
Any person who removes any explosive or incendiary device from the premises of a lawful possessor without consent commits a class 4 felony.	18-12-109 (5)
Any person who possesses any explosive or incendiary parts commits a class 4 felony.	18-12-109 (6)
Any person who possesses a valid permit issued under the provisions of Article 7 of Title 9 regarding the regulation and inspection of explosives, or an employee of a permittee acting within the scope of his or her employment who knowingly dispenses, distributes, or sells explosive or incendiary devices to a person not authorized to possess or control such devices commits a class 4 felony.	18-12-109 (8)
A person who knowingly possesses, controls, manufactures, gives, mails, or sends any chemical, biological or radiological weapon commits a class 3 felony.	18-12-109 (2.5)
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)
A person who possesses parts of chemical, biological, or radiological weapons commits a class 3 felony.	18-12-109 (6.5)
Any person who knowingly uses, gives, mails, or sends an explosive or incendiary device or a chemical, biological, or radiological weapon or materials in the commission of or attempt to commit a felony commits a class 2 felony.	18-12-109 (4)
433. Unlawful purchase of firearms. Any person who knowingly purchases or otherwise obtains a firearm on behalf of or for transfer to a person who the transferor knows or reasonably should know to be ineligible to possess a firearm commits a class 4 felony.	18-12-111 (1)
434. Private firearms transfers. Any person who violates the provisions of section 18-12-112 requiring background checks for certain private firearms transfers commits a class 1 misdemeanor.	18-12-112 (9) (a)

Large-Capacity Ammunition Magazines

435. Large-capacity ammunition magazines. Any person who sells, transfers, or possesses a large-capacity magazine (defined as ammunition magazines that can accept more than 15 rounds of ammunition, 8 shotgun shells when combined with a fixed magazine, or 28 inches of shotgun shells) commits a class 2 misdemeanor.	18-12-302 (1) (a)
Any person who, for the second or subsequent time, commits the crime of selling, transferring, or possessing a large-capacity magazine commits a class 1 misdemeanor.	18-12-302 (1) (b)
Any person who possesses a large-capacity magazine during the commission of a felony or any crime of violence commits a class 6 felony.	18-12-302 (1) (c)

Elements of Offense

C.R.S. Citation

436. **Identification markings for large-capacity magazines.** Any person who manufactures a large-capacity magazine (defined as ammunition magazines that can accept more than 15 rounds of ammunition, 8 shotgun shells when combined with a fixed magazine, or 28 inches of shotgun shells) and fails to include a permanent stamp or marking indicating that the large-capacity magazine was manufactured or assembled after July 1, 2013, commits a class 2 misdemeanor. 18-12-303 (3)

CRIMINAL CODE — MISCELLANEOUS OFFENSES

Miscellaneous Offenses

437. **Abuse of a corpse.** A person who, without statutory or court-ordered authority, removes the body or remains of any person from a grave without proper consent or who treats the body or remains of any person in a way that would outrage normal family sensibilities commits a class 2 misdemeanor. 18-13-101 (2)
438. **Dueling.** Persons who by agreement engage in a fight with deadly weapons commit dueling, which is a class 4 felony. 18-13-104 (2)
439. **Interference with persons with disabilities.** Beating, harassing, or otherwise interfering with a dog on a blaze orange leash, an assistance dog, or a dog that is accompanying a person carrying a cane or walking stick used by persons who are wholly or partially blind is a class 3 misdemeanor. 18-13-107 (4)
440. **Removal of timber from state lands.** Cutting or removing timber from state lands without lawful authority is a class 3 misdemeanor. 18-13-108
441. **Firing woods or prairie.** Any person who, without lawful authority, knowingly, recklessly, or with criminal negligence sets on fire any woods, prairie, or grounds belonging to another, or who permits such a fire to be set and to pass from his or her own grounds to the injury of another person commits a class 2 misdemeanor. 18-13-109 (1) (a)
- Firing of woods or prairie is a class 6 felony if it occurs during an official fire ban. 18-13-109 (2) (a)
442. **Intentionally setting wildfire.** A person who intentionally sets a wildfire commits a class 3 felony. 18-13-109.5 (2)
443. **Purchases of commodity metals.** Violating the following provisions related to the purchase of commodity scrap metal is a class 2 misdemeanor when the value of the metal involved is less than \$500: failing to keep a book or register detailing all transactions; knowingly giving false information for records kept on all transactions; failing to sign up with and interact with the scrap theft alert system; failing to pay a seller of a commodity metal with a check if the transaction involves more than \$300 and no picture of the seller is taken; or failing to keep digital or other records concerning commodity metal sales for at least 180 days. 18-13-111 (5) (a)
- Violating the provisions of law listed above is a class 1 misdemeanor when the value of the metal involved is \$500 or more. 18-13-111 (5) (b)
444. **Hazardous wastes violations.** Any person who abandons a vehicle containing hazardous wastes or intentionally spills such wastes on a street, highway, or public or private property without consent commits a class 4 felony. 18-13-112 (3)

Elements of Offense

C.R.S. Citation

445. ***Violations concerning the sale of secondhand property.*** An operator of a flea market or similar facility in which secondhand property is offered for sale or trade who does not properly notify each secondhand dealer of legal requirements concerning the recording of information related to the sale of secondhand property or who does not provide the required forms for making such records commits a class 3 misdemeanor. 18-13-114 (8)
- The failure of a secondhand dealer to keep records of each sale or trade of secondhand property or the failure to maintain required information related to such sales is a class 1 misdemeanor. 18-13-114 (6) (a)
- Any person who trades with a secondhand dealer or a secondhand dealer who knowingly provides false information with respect to the records such dealers are required to keep commits a class 1 misdemeanor. 18-13-114 (6) (b)
- A second or subsequent offense concerning the sale of secondhand property within a three-year period is a class 5 felony. 18-13-114 (6) (a)
446. ***Proof of ownership required.*** A violation of section 18-13-114.5 regarding proof of ownership required by dealers of secondhand property and retailers of new goods who sell certain goods at flea markets is a class 3 misdemeanor. 18-13-114.5 (4)
447. ***Notice.*** Failure of a secondhand dealer or operator of a flea market to conspicuously post a notice of the provisions of law regarding transactions involving secondhand property, sales tax requirements, and theft, is a class 3 misdemeanor. 18-13-115 (3)
448. ***Sales tax license.*** Failure of a secondhand dealer or operator of a flea market to obtain a sales tax license or failure of a secondhand dealer or other person operating at a flea market to collect sales tax and to remit the proceeds is a class 3 misdemeanor. 18-13-116 (2)
449. ***Record of sales.*** Failure of a secondhand dealer or dealer and retailer of new goods who sells goods at a flea market to keep and preserve suitable records of sales for use in calculating taxes is a class 3 misdemeanor. 18-13-117 (2)
450. ***Abuse of property insurance.*** Abuse of property insurance is a class 2 misdemeanor. 18-13-119.5 (5)
451. ***Transport, storage, or usage of drip gasoline.*** Unauthorized transport, storage, or usage of drip gasoline is a class 2 misdemeanor. 18-13-120 (4)
452. ***Illegal possession or consumption of ethyl alcohol by an underage person.*** A third or subsequent offense of illegal possession of ethyl alcohol by an underage person is a class 2 misdemeanor. 18-13-122 (2) (b) (III)
453. ***Unlawful use of gamma hydroxybutyrate (GHB).*** The unlawful manufacture, distribution, dispensing, sale, or possession with intent to manufacture, distribute, dispense, or sell GHB or ketamine or their immediate chemical precursors or analogs or to knowingly cause or attempt to cause any other person to unknowingly consume or receive the direct administration of any such substances is a class 3 felony. 18-13-123 (5)
- A second or subsequent offense of unlawful use of GHB or ketamine or the immediate precursors or chemical analogs for such substances is a class 2 felony. 18-13-123 (5)

<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
454. Dissemination of false information to obtain hospital admittance or care. Knowingly providing false identifying information for the purpose of either obtaining admittance to, or health services from, a hospital, or evading an obligation to a hospital for services provided, is a class 1 misdemeanor.	18-13-124 (2)
455. Sale or purchase of telephone records. Unauthorized trading in telephone records is a class 1 misdemeanor.	18-13-125 (4)
456. Locating protected persons. A person who accepts money or another form of compensation to assist a restrained person in locating a protected person when the person knows or reasonably should know that the restrained person is subject to a court order prohibiting contact with the protected person, commits a class 1 misdemeanor.	18-13-126 (2)
457. Smuggling of humans. A person commits the class 3 felony of smuggling of humans if, for the purpose of assisting another person to enter, remain in, or travel through the United States or the state of Colorado in violation of immigration laws, he or she provides or agrees to provide transportation to that person in exchange for any thing of value.	18-13-128 (2)

CRIMINAL CODE — MAKING, FINANCING, OR COLLECTION OF LOANS

Offenses — Making, Financing, or Collection of Loans

458. Extortionate extension of credit. Any agreement between a creditor and a debtor to the effect that delay or failure in making repayment for extension of credit will result in the use of extortionate means of collection is a class 4 felony.	18-15-102
459. Criminal usury. Any person who knowingly charges, takes, or receives any money or other property as a loan finance charge where the charge exceeds an annual percentage rate of 45 percent or the equivalent for a longer or shorter period commits a class 6 felony.	18-15-104 (1)
460. Financing extortionate extensions of credit. Any person advancing money or property to another whom he or she reasonably suspects will use such money or property for the purpose of making an extortionate extension of credit commits a class 5 felony.	18-15-105
461. Financing criminal usury. Any person who finances criminal usury commits a class 6 felony.	18-15-106
462. Collection of extensions of credit by extortionate means. Any person who uses extortionate means to collect any extension of credit commits a class 4 felony.	18-15-107 (2)
463. Records of criminal usury. Any person who possesses or conceals records of criminally serious transactions with intent to aid, assist, or facilitate criminal usury commits a class 6 felony.	18-15-108 (1)
464. Loan finders. Violation by a loan finder of the prohibition against charging or collecting any fee from a borrower until a borrower actually receives the agreed-upon loan is a class 1 misdemeanor.	18-15-109 (4)

Elements of Offense

C.R.S. Citation

**CRIMINAL CODE —
PURCHASERS OF VALUABLE ARTICLES**

Offenses Related to Purchasers of Valuable Articles

465. ***Violation of "Purchase of Valuable Articles" statute.*** Any person who violates the provisions of Article 16 of Title 18 regarding the purchase and sale of valuable articles, or who knowingly gives false information regarding the seller of a valuable article commits a class 6 felony. 18-16-108

**CRIMINAL CODE —
COLORADO ORGANIZED CRIME CONTROL ACT**

Colorado Organized Crime Control Act

466. ***Racketeering activities.*** It is a class 2 felony to knowingly invest proceeds from a pattern of racketeering activity (as defined in section 18-17-103 (5)) or collection of an unlawful debt in real property or any enterprise, to participate in racketeering activities, or to conspire to participate in racketeering activities. 18-17-105 (1)

**CRIMINAL CODE —
UNIFORM CONTROLLED SUBSTANCES ACT OF 1992**

Unlawful Possession and Use of a Controlled Substance

467. ***Unlawful possession of a controlled substance.*** Possession of any material, compound, mixture, or preparation that contains any quantity of a controlled substance listed in schedule III, IV, or V of Part 2 of Article 18 of Title 18 is a level 1 drug misdemeanor, except for possession of flunitrazepam or ketamine. 18-18-403.5 (2) (c)
- Possession of any material, compound, mixture, or preparation that contains any quantity of flunitrazepam, ketamine, or a controlled substance listed in schedule I or II of Part 2 of Article 18 of Title 18 is a level 4 drug felony. 18-18-403.5 (2) (a)
468. ***Unlawful use of a controlled substance.*** Any person who uses any controlled substance (other than marijuana or marijuana concentrate), except when it is dispensed by or under the discretion of a person licensed or authorized by law to prescribe, administer, or dispense the controlled substance for bona fide medical needs, commits a level 2 drug misdemeanor. 18-18-404 (1) (a)

Elements of Offense

C.R.S. Citation

Unlawful Distribution, Manufacturing, Dispensing, or Sale

469. <i>Unlawful distribution, manufacturing, dispensing, sale, or possession.</i> Any person who: knowingly manufactures, dispenses, sells, or distributes, or possesses with the intent to manufacture, dispense, sell, or distribute, a controlled substance; induces, attempts to induce, or conspires with one or more persons to manufacture, dispense, sell, distribute; possesses with intent to manufacture, dispense, sell, or distribute such a controlled substance; or possesses one or more chemicals, supplies, or pieces of equipment with the intent to manufacture such a controlled substance, commits a level 1 drug misdemeanor if the violation involves a controlled substance listed in schedule V of Part 2 of Article 18 of Title 18 or a transfer with no remuneration of not more than four grams of a controlled substance listed in schedule III or schedule IV of Part 2 of Article 18.	18-18-405 (2) (e)
Unlawful distribution, manufacture, dispensing, sale, or possession of a controlled substance is a level 4 drug felony if it involves: <ul style="list-style-type: none">• any material, compound, mixture, or preparation that weighs not more than 4 grams and contains a controlled substance listed in schedule III or schedule IV of Part 2 of Article 18 of Title 18; or• distribution or transfer of the controlled substance for the purpose of consuming all of the controlled substance with another person or persons at a time substantially contemporaneous with the transfer, provided that the transfer involves not more than 4 grams of a controlled substance listed in schedule I or II of Part 2 of Article 18 of Title 18 or not more than two grams of methamphetamine, heroin, ketamine, or cathinone.	18-18-405 (2) (d)
Unlawful distribution, manufacture, dispensing, sale, or possession of a controlled substance is a level 3 drug felony if it involves any material, compound, mixture, or preparation that weighs: <ul style="list-style-type: none">• not more than 14 grams and contains a controlled substance listed in schedule I or II of Part 2 of Article 18 of Title 18;• not more than 7 grams and contains methamphetamine, heroin, ketamine, or cathinone;• not more than 10 milligrams and contains flunitrazepam; or• more than 4 grams and contains a controlled substance listed in schedule III or IV of Part 2 of Article 18 of Title 18.	18-18-405 (2) (c)
Unlawful distribution, manufacture, dispensing, sale, or possession of a controlled substance is a level 2 drug felony if it involves any material, compound, mixture, or preparation that weighs: <ul style="list-style-type: none">• more than 14 grams, but not more than 225 grams, and contains a controlled substance listed in schedule I or II of Part 2 of Article 18 of Title 18;• more than 7 grams, but not more than 112 grams, and contains methamphetamine, heroin, ketamine, or cathinone; or• more than 10 milligrams, but not more than 50 milligrams, and contains flunitrazepam.	18-18-405 (2) (b)
Unlawful distribution, manufacture, dispensing, sale, or possession of a controlled substance is a level 2 drug felony if the offender is an adult who sells, dispenses, distributes, or otherwise transfers any quantity of a controlled substance listed on schedule III or IV of Part 2 of Article 18 of Title 18 or any material, compound, mixture, or preparation that contains any amount of such a substance to a minor when the adult is at least two years older than the minor.	18-18-405 (2) (b) (II)

Elements of Offense

C.R.S. Citation

Unlawful distribution, manufacture, dispensing, sale, or possession of a controlled substance is a level 1 drug felony if it involves any material, compound, mixture, or preparation that weighs:

18-18-405 (2) (a)

- more than 225 grams and contains a controlled substance listed in schedule I or II of Part 2 of Article 18 of Title 18;
- more than 112 grams and contains methamphetamine, heroin, ketamine, or cathinone; or
- more than 50 milligrams and contains flunitrazepam.

Unlawful distribution, manufacture, dispensing, sale, or possession of a controlled substance is a level 1 drug felony if the offender is an adult who sells, dispenses, distributes, or otherwise transfers any quantity of a controlled substance listed on schedule I or II of Part 2 of Article 18 of Title 18 other than marijuana or marijuana concentrate or any material, compound, mixture, or preparation that contains any amount of such a substance to a minor when the adult is at least two years older than the minor.

18-18-405 (2) (a) (II)

Offenses Relating to Marijuana

470. ***Offenses relating to marijuana and marijuana concentrate.*** A person arrested for possessing 2 ounces or less of marijuana, in order to secure release from arrest or detention, is required to promise in writing to appear in court. Any person who does not honor such a written promise commits a class 3 misdemeanor.

18-18-406 (5) (a) (II)

A person who possesses more than 2 ounces of marijuana but not more than 6 ounces of marijuana commits a level 2 drug misdemeanor.

18-18-406 (4) (c)

A person who possesses more than 6 ounces of marijuana but not more than 12 ounces of marijuana or not more than 3 ounces of marijuana concentrate commits a level 1 drug misdemeanor.

18-18-406 (4) (b)

Except as otherwise authorized by law, a person who knowingly dispenses, sells, distributes, or possesses with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate, or who attempts, induces, attempts to induce, or conspires with one or more persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate commits a level 1 drug misdemeanor if the amount is not more than 4 ounces of marijuana or not more than 2 ounces of marijuana concentrate.

18-18-406 (2) (b) (III)
(E)

Any person who knowingly cultivates, grows, or produces a marijuana plant or knowingly allows a marijuana plant to be cultivated, grown, or produced on land that the person owns, occupies, or controls commits a level 1 drug misdemeanor if the offense involves not more than six plants.

18-18-406 (3) (c)

Any person who sells, transfers, or dispenses not more than 1 ounce of marijuana or not more than one-half ounce of marijuana concentrate to a minor commits a level 4 drug felony if the person is an adult and is two years older than the minor.

18-18-406 (1) (d)

Elements of Offense

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Except as otherwise authorized by law, a person who knowingly dispenses, sells, distributes, or possesses with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate, or who attempts, induces, attempts to induce, or conspires with one or more persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate commits a level 4 drug felony if the amount of marijuana is more than 4 ounces but not more than 12 ounces of marijuana, or more than 2 ounces but not more than 6 ounces of marijuana concentrate.	18-18-406 (2) (b) (III) (D)
Any person who knowingly cultivates, grows, or produces a marijuana plant or knowingly allows a marijuana plant to be cultivated, grown, or produced on land that the person owns, occupies, or controls commits a level 4 drug felony if the offense involves more than 6 but not more than 30 plants.	18-18-406 (3) (b)
Any person who possesses more than 12 ounces of marijuana or more than 3 ounces of marijuana concentrate commits a level 4 drug felony.	18-18-406 (4) (a)
Any person who sells, transfers, or dispenses more than 1 ounce, but not more than 6 ounces of marijuana or more than one-half ounce, but not more than 3 ounces, of marijuana concentrate to a minor commits a level 3 drug felony if the person is an adult and is two years older than the minor.	18-18-406 (1) (c)
Except as otherwise authorized by law, any person who knowingly processes or manufactures any marijuana or marijuana concentrate or who knowingly allows to be processed or manufactured on land owned, occupied, or controlled by him or her any marijuana or marijuana concentrate commits a level 3 drug felony.	18-18-406 (2) (a) (II)
Except as otherwise authorized by law, a person who knowingly dispenses, sells, distributes, or possesses with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate, or who attempts, induces, attempts to induce, or conspires with one or more persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate commits a level 3 drug felony if the amount of marijuana is more than 12 ounces but not more than five pounds of marijuana or more than 6 ounces but not more than two and one-half pounds of marijuana concentrate.	18-18-406 (2) (b) (III) (C)
Any person who knowingly cultivates, grows, or produces a marijuana plant or knowingly allows a marijuana plant to be cultivated, grown, or produced on land that the person owns, occupies, or controls commits a level 3 drug felony if the offense involves more than 30 plants.	18-18-406 (3) (a)
Any person who sells, transfers, or dispenses more than 6 ounces, but not more than two and one-half pounds of marijuana or more than 3 ounces, but not more than one pound of marijuana concentrate to a minor commits a level 2 drug felony if the person is an adult and is two years older than the minor.	18-18-406 (1) (b)
Except as otherwise authorized by law, a person who knowingly dispenses, sells, distributes, or possesses with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate, or who attempts, induces, attempts to induce, or conspires with one or more persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate commits a level 2 drug felony if the amount of marijuana is more than five pounds but not more than 50 pounds or the amount of marijuana concentrate is more than two and one-half pounds but not more than 25 pounds.	18-18-406 (2) (b) (III) (B)

Elements of Offense

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	Any person who sells, transfers, or dispenses more than two and one-half pounds of marijuana or more than one pound of marijuana concentrate to a minor commits a level 1 drug felony if the person is an adult and is two years older than the minor.	18-18-406 (1) (a)
	Except as otherwise authorized by law, a person who knowingly dispenses, sells, distributes, or possesses with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate, or who attempts, induces, attempts to induce, or conspires with one or more persons to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate commits a level 1 drug felony if the amount of marijuana is more than 50 pounds or the amount of marijuana concentrate is more than 25 pounds.	18-18-406 (2) (b) (III) (A)
471.	<i>Unlawful use or possession of synthetic cannabinoids or salvia divinorum.</i> Any person who uses or possesses any amount of any synthetic cannabinoid or salvia divinorum commits a level 2 drug misdemeanor.	18-18-406.1 (2)
472.	<i>Unlawful distribution, manufacturing, dispensing, sale, or cultivation of synthetic cannabinoids or salvia divinorum.</i> Any person who knowingly manufactures, dispenses, sells, distributes, or possesses with the intent to manufacture, dispense, sell, or distribute any amount of synthetic cannabinoid or salvia divinorum, or who induces, attempts to induce, or conspires with one or more persons to do so, or who cultivates salvia divinorum with the intent to dispense, sell, or distribute any amount of salvia divinorm commits a level 3 drug felony.	18-18-406.2 (2)
	Any person who dispenses, sells, or distributes any amount of synthetic cannabinoid or salvia divinorum to a minor who is less than 18 years of age commits a level 2 drug felony provided that the offender is at least 18 years of age and is at least two years older than the minor.	18-18-406.2 (3)
473.	<i>Medical use of marijuana.</i> Fraudulently representing a medical condition for the purpose of falsely obtaining a marijuana registry identification card, or for the purpose of avoiding arrest and prosecution for a marijuana-related offense, is a class 1 misdemeanor.	18-18-406.3 (2) (a)
	Fraudulent use or theft of any person's marijuana registry identification card is a class 1 misdemeanor.	18-18-406.3 (3)
	Fraudulently producing, counterfeiting, or tampering with one or more marijuana registry cards is a class 1 misdemeanor.	18-18-406.3 (4)
	Releasing or making public, without written authorization of the marijuana registry patient involved, any confidential record or any confidential information contained in any such record that is provided to or by the marijuana registry is a class 1 misdemeanor.	18-18-406.3 (5)
	Any person who is an owner, officer, or employee of a licensed medical marijuana dispensary, an employee of the state or a local medical marijuana licensing authority, or an employee of the Colorado Department of Public Health and Environment, who releases or makes public a medical marijuana patients's medical record or other confidential information without the authorization of the patient, commits a class 1 misdemeanor.	18-18-406.3 (7)

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474. **Unlawful use of marijuana in a detention facility.** Any person confined in any detention facility who possesses or uses up to 8 ounces of marijuana commits a level 1 drug misdemeanor. 18-18-406.5 (1)
- Any person confined in any detention facility who possesses or uses 8 ounces or more of marijuana commits a level 1 drug misdemeanor. 18-18-406.5 (2)

Other Violations

475. **Keeping, maintaining, controlling, renting, or making available property for the unlawful distribution or manufacture of controlled substances.** Any person who knowingly or intentionally keeps, maintains, controls, rents, leases, or makes available for use any store, shop, warehouse, dwelling, building, vehicle, vessel, aircraft, room, enclosure, or other structure or place, which that person knows is resorted to for the purpose of keeping for distribution, transporting for distribution, or distributing controlled substances in violation of law commits a level 1 drug misdemeanor. 18-18-411 (4)
- Any person who knowingly or intentionally opens or maintains any place that he or she knows is resorted to for the purposes of unlawfully manufacturing a controlled substance, or who knowingly or intentionally rents, leases, or makes available for use, with or without compensation, a building, room, or enclosure that he or she knows is resorted to for the purpose of unlawfully manufacturing a controlled substance commits a level 1 drug misdemeanor. 18-18-411 (4)
476. **Abusing toxic vapors prohibited.** Any person who knowingly smells or inhales the fumes of toxic vapors for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, or who knowingly possesses, buys, or uses any such substance for such purposes, or who knowingly aids any other person to do so commits a level 2 drug misdemeanor. However, a person may not be sentenced to jail for a first offense. 18-18-412 (2)
477. **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 as an immediate precursor in the manufacture of a controlled substance commits a level 2 drug felony. 18-18-412.5 (3)
478. **Unlawful sale or distribution of materials to manufacture controlled substances.** Any 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 level 2 drug felony. 18-18-412.7 (2)
479. **Retail sale of methamphetamine precursor drugs.** Any person who knowingly violates any of the provisions regarding the retail sale or purchase of methamphetamine precursor drugs commits a level 2 drug misdemeanor. 18-18-412.8 (3) (a)
480. **Unlawful acts.** Any person who refills any a controlled substance listed in schedules III, IV, or V of Part 2 of Article 18 of Title 18 more than six months after the date on which the prescription was issued or more than five times commits a level 2 drug misdemeanor. 18-18-414 (1) (e)
- It is a level 2 drug misdemeanor for a pharmacy to fail to file and retain the prescription for a controlled substance as required by section 12-42.5-131. 18-18-414 (1) (f)

Elements of Offense

C.R.S. Citation

It is a level 2 drug misdemeanor for a hospital to fail to record and maintain a record of the dispensing of a prescription drug or controlled substance as required by section 12-42.5-131 and 27-80-210.	18-18-414 (1) (g)
It is a level 2 drug misdemeanor to refuse to make available for inspection and to accord full opportunity to check any record or file as required by the Uniform Controlled Substances Act of 1992, Part 1 of Article 42.5 of Title 12, or Part 2 of Article 80 of Title 27.	18-18-414 (1) (h)
It is a level 2 drug misdemeanor to fail to keep records as required by the Uniform Controlled Substances Act of 1992, Part 1 of Article 42.5 of Title 12, or Part 2 of Article 80 of Title 27.	18-18-414 (1) (i)
It is a level 2 drug misdemeanor to fail to obtain a license or registration as required by the Uniform Controlled Substances Act of 1992, Part 1 of Article 42.5 of Title 12, or Part 2 of Article 80 of Title 27.	18-18-414 (1) (j)
Except when controlled substances are dispensed by a practitioner for direct administration or for administration to hospital inpatients, it is a level 2 drug misdemeanor to fail to affix to the immediate container a label bearing certain information required by law.	18-18-414 (1) (k)
It is a level 2 drug misdemeanor for a practitioner, in dispensing a controlled substance other than by direct administration, to fail to affix to the immediate container a label bearing certain information required by law.	18-18-414 (1) (l)
It is a level 2 drug misdemeanor to administer a controlled substance other than to the patient for whom it is prescribed.	18-18-414 (1) (m)
It is a level 2 drug misdemeanor for a practitioner or pharmacy to possess a controlled substance that was not obtained from a pharmacy and that was received from a person who is not licensed as a manufacturer, distributor, or practitioner.	18-18-414 (1) (n)
It is a level 2 drug misdemeanor for a pharmacist or practitioner to fail to follow the provisions of law related to dispensing controlled substances in emergency situations.	18-18-414 (2)
It is a level 2 drug misdemeanor to violate any provision of Part 4 of Article 18 of Title 18 for which a penalty is not otherwise specified.	18-18-414 (4)
It is a level 4 drug felony to dispense or possess a controlled substance listed in schedule I of Part 2 of Article 18 of Title 18, unless the person is a researcher who is registered under federal law to conduct research with that controlled substance.	18-18-414 (1) (a)
Except in emergency situations, all controlled substances listed in schedule II of Part 2 of Article 18 of Title 18 must be dispensed from a pharmacy pursuant to a written or electronically submitted order or by a practitioner in the course of his or her professional practice. Any person who violates this requirement commits a level 4 drug felony.	18-18-414 (1) (b)
All controlled substances listed in schedules III, IV, or V of Part 2 of Article 18 of Title 18 must be dispensed from a pharmacy pursuant to a written, oral, mechanically produced, computer generated, electronically transmitted, or facsimile transmitted order or by a practitioner in the course of his or her professional practice. Any person who violates this requirement commits a level 4 drug felony.	18-18-414 (1) (c)
It is a level 4 drug felony to dispense any marijuana or marijuana concentrate.	18-18-414 (1) (d)

Elements of Offense

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	It is a level 3 drug felony to knowingly transfer drug precursors to any persons who uses them for an unlawful activity.	18-18-414 (1) (o)
	It is a level 3 drug felony to knowingly acquire or obtain, or to attempt to acquire or obtain, possession of a drug precursor by misrepresentation, fraud, forgery, deception, or subterfuge.	18-18-414 (1) (q)
	It is a level 3 drug felony to knowingly furnish false or fraudulent material information in, or to omit any material information from, any application, report, or other document required to be kept or filed under the Uniform Controlled Substances Act of 1992, Part 1 of Article 42.5 of Title 12, or Part 2 of Article 80 of Title 27.	18-18-414 (1) (r)
	It is a level 3 drug felony to refuse entry into any premises for any inspection authorized by the Uniform Controlled Substances Act of 1992, Part 1 of Article 42.5 of Title 12, or Part 2 of Article 80 of Title 27.	18-18-414 (1) (t)
481.	<i>Fraud and deceit.</i> Any person who violates any of the provisions of section 18-18-415 concerning the use of fraud and deceit to obtain a controlled substance commits a level 4 drug felony.	18-18-415 (2) (a)
482.	<i>Controlled substances - inducing consumption by fraudulent means.</i> Any person who, surreptitiously or by means of fraud, misrepresentation, suppression of truth, deception, or subterfuge, causes any other person to unknowingly consume or receive the direct administration of any controlled substance, commits a level 3 drug felony.	18-18-416 (2)
483.	<i>Imitation controlled substances.</i> Any person who places in a newspaper, magazine, handbill, or other publication or who posts or distributes in a public place an advertisement or solicitation that the person knows will promote the distribution of imitation controlled substances commits a level 1 drug misdemeanor.	18-18-422 (3) (b)
	Any person who manufactures, distributes, or possesses with the intent to distribute an imitation controlled substance commits a level 4 drug felony, unless the person is a practitioner who dispenses the imitation controlled substance in the lawful course of his or her professional practice.	18-18-422 (1) (b) (I)
	Any adult who distributes an imitation controlled substance to a minor commits a level 3 drug felony if the adult is at least two years older than the minor.	18-18-422 (2) (a)
484.	<i>Counterfeit substances.</i> Any person who knowingly or intentionally manufactures, delivers, or possesses with the intent to manufacture or deliver, a controlled substance which, or the container or label of, bears the unauthorized trademark, trade name, or other identifying mark, imprint, number, or device of a manufacturer, distributor, or dispenser, other than the person who in fact manufactured, distributed, or dispensed the substance commits a level 3 drug felony.	18-18-423 (3)
	Any person who knowingly or intentionally makes, distributes, or possesses a punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another upon any drug, container, or label commits a level 3 drug felony.	18-18-423 (3)
485.	<i>Drug paraphernalia.</i> Any person who sells or delivers, possesses with intent to sell or deliver, or manufactures with intent to sell or deliver equipment, products, or materials knowing or under circumstances where one reasonably should know that such items could be used as drug paraphernalia commits a level 2 drug misdemeanor.	18-18-429

Elements of Offense

C.R.S. Citation

486. **Advertisement of drug paraphernalia.** Any person who places an advertisement in any publication with the intent to promote the sale of drug paraphernalia commits a level 2 drug misdemeanor.

18-18-430

**CRIMINAL CODE —
OFFENSES RELATED TO LIMITED GAMING**

Offenses Related to Limited Gaming

487. **Violation of taxation provisions.** Failure to pay tax due under the Colorado Limited Gaming Act within 30 days after the return is due is a class 1 misdemeanor.

18-20-103 (1) (b)

Failure to file a return required by the Colorado Limited Gaming Act within 30 days after the return is due is a class 1 misdemeanor.

18-20-103 (1) (c)

Filing a fraudulent return in an attempt to evade taxes imposed pursuant to the Colorado Limited Gaming Act is a class 5 felony

18-20-103 (1) (a)

A second or subsequent offense of failure to pay tax or file a return pursuant to the Colorado Limited Gaming Act within a 12-month period is a class 5 felony.

18-20-103 (1) (d)

Any person who willfully aids or assists in, or procures, counsels, or advises the preparation or presentation of a return, affidavit, claim, or other document which is fraudulent or false pursuant to the Colorado Limited Gaming Act commits a class 5 felony.

18-20-103 (1) (e)

488. **False statement on application.** Any person who knowingly makes a false statement in any application for a license or who provides false or misleading information or who fails to keep books and records to substantiate receipts or expenses or who falsifies any books or records related to any transaction connected with limited card games or slot machines or who knowingly violates any of the provisions of or rules and regulations promulgated pursuant to the Colorado Limited Gaming Act commits a class 5 felony.

18-20-104

489. **Slot machines.** Any violation of the provisions of law concerning the requirements for shipping notices of slot machines commits a class 5 felony.

18-20-105 (1)

490. **Cheating.** Cheating at any limited gaming activity is a class 1 misdemeanor if the offender is neither a licensee nor a repeat gambling offender.

18-20-106 (3)

Cheating at any limited gaming activity when the offender has been issued a license pursuant to the Colorado Limited Gaming Act is a class 6 felony.

18-20-106 (3)

Cheating at any limited gaming activity when the offender is a repeat gambling offender is a class 5 felony.

18-20-106 (3)

491. **Fraudulent acts - gaming.** Violating any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 1 misdemeanor, provided that the offender is neither a licensee nor a repeat gambling offender.

18-20-107 (2)

Violation of any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 6 felony when the offender has been issued a license pursuant to the act.

18-20-107 (2)

Elements of Offense

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- Violation of any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 5 felony when the offender is a repeat gambling offender. 18-20-107 (2)
492. ***Use of device for calculating probabilities.*** Any person who uses or possesses with the intent to use a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game, or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 1 misdemeanor, provided that the offender is neither a licensee nor a repeat gambling offender. 18-20-108 (2)
- Any person who uses or possesses a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 6 felony when the offender has been issued a license pursuant to the act. 18-20-108 (2)
- Any person who uses or possesses a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 5 felony when the offender is a repeat gambling offender. 18-20-108 (2)
493. ***Counterfeit or unapproved chips or tokens - unlawful coins or devices.*** Violation of any of the provisions of section 18-20-109 regarding the use of counterfeit or unapproved chips or tokens or unlawful coins or devices or the possession of unlawful devices, equipment, products or materials pursuant to the Colorado Limited Gaming Act is a class 6 felony. 18-20-109 (8)
- Violation of any of the provisions of section 18-20-109 regarding the use of counterfeit or unapproved chips or tokens or unlawful coins or devices or the possession of unlawful devices, equipment, products or materials pursuant to the Colorado Limited Gaming Act is a class 5 felony when the offender is a repeat gambling offender. 18-20-109 (8)
494. ***Cheating game and devices.*** Any person who knowingly conducts or allows any cheating or thieving game or conducts any game played with cards or a mechanical device which has been marked commits a class 6 felony. 18-20-110 (2)
- Any person who knowingly conducts or allows any cheating or thieving game or conducts any game played with cards or a mechanical device which has been marked commits a class 5 felony when the offender is a repeat gambling offender. 18-20-110 (2)
495. ***Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming.*** Any person who manufactures, sells, or distributes any cards, chips, dice, game, or device that is intended to be used to violate any provision of the Colorado Limited Gaming Act, or who marks, alters, or otherwise modifies equipment related to limited gaming in a manner that affects the results of a wager or alters the normal criteria of random selection, commits a class 1 misdemeanor, provided that the person is neither a licensee nor a repeating gambling offender. 18-20-111 (4)

Elements of Offense

C.R.S. Citation

- Any person who manufactures, sells, or distributes any cards, chips, dice, game, or device that is intended to be used to violate any provision of the Colorado Limited Gaming Act, or who marks, alters, or otherwise modifies equipment related to limited gaming in a manner that affects the results of a wager or alters the normal criteria of random selection, commits a class 6 felony if the person has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-111 (4)
- Any person who manufactures, sells, or distributes any cards, chips, dice, game, or device that is intended to be used to violate any provision of the Colorado Limited Gaming Act, or who marks, alters, or otherwise modifies equipment related to limited gaming in a manner that affects the results of a wager or alters the normal criteria of random selection, commits a class 5 felony if the person is a repeat gambling offender. 18-20-111 (4)
496. **Unlawful entry by excluded and ejected persons.** Any person who enters the licensed premises of a limited gaming licensee or who has any personal pecuniary interest in any limited gaming establishment when that person's name is on the list of persons who are to be excluded and ejected from such premises commits a class 5 felony. 18-20-112 (3)
497. **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)
498. **False or misleading information.** Any person who provides any false or misleading information pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-114 (2)

CRIMINAL CODE — GANG RECRUITMENT ACT

Gang Recruitment Act

499. **Recruitment of a juvenile.** Recruitment of a juvenile for a criminal street gang is a class 1 misdemeanor. 18-23-102 (2)

CHILDREN'S CODE

Offenses Related to the Children's Code

500. **Records.** An operator of a facility or agency licenced to provide child care who requests information from records or reports of child abuse or neglect concerning a person who is neither an employee nor an applicant for employment is a class 1 misdemeanor. 19-1-307 (2) (k)
- Improperly releasing or willfully permitting or encouraging the release of information contained in records or reports of child abuse or neglect to persons not permitted access to such information is a class 1 misdemeanor. 19-1-307 (4)

Elements of Offense

C.R.S. Citation

501. **Dependency and neglect.** Willful violation of the provisions of section 19-3-304 (2) regarding required reporting of child abuse or neglect is a class 3 misdemeanor. 19-3-304 (4) (a)
- Willful violation of the provisions of section 19-3-304 (3.5) regarding knowingly making a false report of child abuse or neglect is a class 3 misdemeanor. 19-3-304 (4) (a)
502. **Relinquishment and adoption.** Failure of a licensed child placement agency to provide notice to the court of any suspension, revocation, or other disciplinary action taken by the state against the agency is a class 3 misdemeanor. 19-5-207 (9)

EDUCATION

Offenses Related to Education

503. **Interest in contracts - penalty.** It is a class 6 felony for the board of trustees or any treasurer, superintendent, or other officer or agent of the school to be directly or indirectly interested in any contract or other agreement for building, repairing, furnishing, or supplying the school, or to be given or receive drawbacks or secret discounts on account of any articles or materials furnished to or labor done for the school. 22-80-108

POSTSECONDARY EDUCATION

Offenses Related to State Universities and Colleges

504. **Student information.** An employee of the Colorado Commission on Higher Education who divulges data on individual students or individual personnel of any state-supported higher education institution, except as provided by law, commits a class 1 misdemeanor. 23-1-108 (9)
- The director of the Colorado Commission on Higher Education or an employee of the Department of Higher Education who divulges data on individual students or personnel of any private colleges, universities, seminaries, or religious training institutions, except as provided by law, commits a class 1 misdemeanor. 23-2-103.1 (1) (d)
505. **Degrees.** Violating the provisions of section 23-2-103 regarding the conferring of an honorary or academic degree is a class 3 misdemeanor. 23-2-105
506. **Athlete agents.** An athlete agent who engages in prohibited conduct pursuant to section 23-16-213 with the intent to induce a student athlete to enter into an agency contract commits a class 2 misdemeanor for a first offense. 23-16-214
- A second or subsequent violation of section 23-26-213 is a class 6 felony. 23-16-214

Elements of Offense

C.R.S. Citation

STATE GOVERNMENT

Standards of Conduct

507. ***Proscribed acts related to contracts and claims.*** Knowing violation by a public official of the prohibition against having a financial interest in contracts made by that official in his or her official capacity is a class 1 misdemeanor. 24-18-206

Knowing violation by a public official, within six months of leaving office, of the prohibition of entering into contracts or being employed by someone with government contracts that are related to that official's former capacity is a class 1 misdemeanor. 24-18-206

State Treasurer

508. ***Personal profit on state moneys unlawful.*** It is a class 6 felony for the State Treasurer or any employee in the Department of the Treasury to accept any fee in consideration of the deposit of state moneys with any person or in consideration of any agreement or arrangement touching upon the use of state moneys. 24-22-110

509. ***Unlawful acts - State Treasurer.*** Any person who pays to the State Treasurer or an employee of that office any fee in consideration of the deposit or investment of state moneys with any person commits a class 6 felony. 24-22-111

Department of Personnel and Administration

510. ***Procedures - vouchers and warrants.*** Any state officer or employee who receives any profit in consideration of the loan or deposit of state moneys for any purpose not authorized by law commits a class 6 felony. 24-30-202 (15)

Any person who offers compensation to any state officer or employee in consideration of the loan or deposit with such person of state moneys commits a class 6 felony. 24-30-202 (16)

511. ***Private use of state postage meters.*** Using a state-installed postage meter for private purposes is a class 3 misdemeanor. 24-30-1111 (2)

512. ***State agency contracts - criminal liability.*** A professional services provider who offers to pay or pays any fee, gift, or consideration that is contingent upon making a contract for professional services with a state agency commits a class 1 misdemeanor. 24-30-1406 (2)

A state agency official or employee who solicits or secures a contract for professional services with a state agency and receives any fee, gift, or other consideration that is contingent upon making that contract commits a class 1 misdemeanor. 24-30-1406 (3)

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

Elements of Offense

C.R.S. Citation

513. **Disclosure of actual address prohibited.** Any person who knowingly and intentionally obtains or discloses any address or telephone number, other than the designated substitute address, of a participant in the Address Confidentiality Program, except as required by law, commits a class 1 misdemeanor. 24-30-2109 (6)

Department of Public Safety

514. **Confidentiality of materials.** Knowingly or intentionally disclosing confidential materials related to a witness protection order is a class 1 misdemeanor. 24-33.5-106.5 (2) (b)

Colorado State Patrol

515. **Unauthorized use of badges or uniforms.** Wearing or attempting to duplicate the badge, uniform, or equipment of a member of the Colorado State Patrol without authority and with the intent of representing oneself as a member of the Colorado State Patrol is a class 1 misdemeanor. 24-33.5-219 (2)
516. **Permits for athletic or special events.** Conducting an athletic or special event on a state highway without a permit for the event, or in violation of the terms of the permit issued for said event, is a class 1 misdemeanor. 24-33.5-226 (2.5) (b)

Colorado Bureau of Investigation

517. **National Instant Criminal Background System.** Willfully making any false or fictitious statement or willfully furnishing any false, fictitious, or misrepresented identification that is intended to or is likely to deceive the transferor of a firearm regarding facts material to the lawfulness of a firearm transfer is a class 1 misdemeanor. 24-33.5-424 (10) (b)
- A firearm transferor who knowingly requests criminal history record information or a background check under false pretenses or who knowingly disseminates criminal history record information to any person other than the subject of such information commits a class 1 misdemeanor. 24-33.5-424 (10) (b)
- Any current or former agent or employee of the Colorado Bureau of Investigation who willfully violates any of the provisions of section 24-33.5-424 commits a class 1 misdemeanor. 24-33.5-424 (10) (b)

Disaster Relief

518. **False claims for disaster relief.** Any person who fraudulently or willfully makes a misstatement of fact in connection with an application for financial assistance for disaster relief and who thereby receives assistance to which he or she is not entitled commits a class 6 felony. 24-33.5-1103

Division of Fire Safety

519. **Fire suppression.** The first violation of failing to register as a fire suppression contractor or of acting or advertising as a fire suppression contractor when not registered as such is class 3 misdemeanor. 24-33.5-1206.5 (1)

Elements of Offense

C.R.S. Citation

Subsequent failure to register as a fire suppression contractor or of acting or advertising as a fire suppression contractor while unregistered, after previous convictions of the same crime, is a class 2 misdemeanor.

24-33.5-1206.5 (1)

Knowingly or willfully making any false statement, or concealing material facts, with the intent to influence negotiations regarding the installation, alteration, or repair of any fire suppression system is a class 1 misdemeanor.

24-33.5-1206.5 (2)

Department of Regulatory Agencies

520. ***Persons with disabilities.*** Violating the rights of persons with assistance dogs is a class 3 misdemeanor.

24-34-804 (2)

Department of Revenue

521. ***State lottery.*** Any person who violates the provisions of section 24-35-214 regarding the sale of lottery tickets commits a class 2 misdemeanor.

24-35-215 (1)

Any person violating any disclosure provision required under the state lottery statute by providing any false or misleading information commits a class 6 felony.

24-35-215 (4)

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)

Office of Information Technology

522. ***Penalty for breach of confidentiality.*** An employee of the Office of Information Technology who divulges information disclosed in any restricted or protected document, program, or dataset located at or in the custody of the Office of Information Technology commits a class 1 misdemeanor and must be removed or dismissed from state employment.

24-37.5-603 (2) (b)

Office of Economic Development and International Trade

523. ***Small Business Assistance Center.*** Charging a fee for information developed by the Small Business Assistance Center and knowingly failing to disclose that the information is available at no cost from the center is a class 3 misdemeanor.

24-48.5-102 (4)

Publications

524. ***Public printing contracts - penalty for bribe.*** Any person who either offers to pay another not to bid for a public printing contract or any person who accepts payment for not bidding for a public printing contract commits a class 6 felony.

24-70-220

State History, Archives, and Emblems

525. ***Punishment for illegal use.*** Illegal use of the seal of the state of Colorado is a class 5 felony.

24-80-902

Elements of Offense

C.R.S. Citation

526. **Unmarked human graves.** A person who knows that an unmarked human burial is being unlawfully disturbed and who fails to notify the local law enforcement agency commits a class 2 misdemeanor. 24-80-1305 (2)
- Knowingly disturbing an unmarked human burial is a class 1 misdemeanor. 24-80-1305 (1)

Libraries

527. **Library property.** Theft or mutilation of library property is a class 3 misdemeanor. 24-90-117

HEALTH

Department of Public Health and Environment

528. **Tampering with public water system.** An attempt or threat to tamper with a public water system or with drinking water after its withdrawal for or treatment by a public water system is a class 5 felony. 25-1-114 (5) (b) (II)
- 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) (1)
529. **Confidentiality of reports and records.** Any officer, employee, or agent of the state or local department of health who violates the provisions of section 25-1-122 (4) and (5) regarding confidential public health reports or records commits a class 1 misdemeanor. 25-1-122 (6)

County or District Public Health Agencies

530. **Unlawful acts.** Willfully violating, disobeying, or disregarding the provisions of the public health laws or the terms of any lawful notice, order, standard, or rule is a class 1 misdemeanor. 25-1-516 (3)
- Failing to make or file a report required by law or rule relating to the existence of disease or other facts and statistics relating to the public health is a class 1 misdemeanor. 25-1-516 (3)
- Willfully and falsely making or altering a certificate or certified copy of any certificate issued pursuant to the public health laws is a class 1 misdemeanor. 25-1-516 (3)
- Willfully failing to remove any nuisance, source of filth, or cause of sickness from private property within 48 hours of being ordered to do so by the county or district public health agency is a class 1 misdemeanor. 25-1-516 (3)
- Paying, giving, or otherwise conveying to any officer or employee of a public health agency any gift, remuneration, or other consideration that the officer or employee is forbidden to receive by Part 5 of Article 1 of Title 25 is a class 1 misdemeanor. 25-1-516 (3)
- An officer or employee of any public health agency or a member of any county or district board of health who accepts any gift, remuneration, or other consideration for the incorrect or improper performance of his or her duties commits a class 1 misdemeanor. 25-1-516 (3)

Elements of Offense

C.R.S. Citation

Hospitals

531. **Emergency medical and trauma services.** Violating any of the transportation subsystem requirements of the Colorado Emergency Medical and Trauma Services Act is a class 3 misdemeanor. 25-3.5-306

Disease Control

532. **Pet animal and psittacine bird dealerships.** Violating any of the provisions of the Pet Animal and Psittacine Bird statute is a class 2 misdemeanor. 25-4-713 (1)
533. **Disease control.** Violating any of the provisions of section 25-4-1808 relating to the sale of shellfish and shellfish dealer certification is a class 3 misdemeanor. 25-4-1813
534. **Immunization Registry Act.** Releasing or making public confidential immunization records or epidemiological information in the immunization tracking system without authorization or otherwise breaching the confidentiality requirements of the Immunization Registry Act, is a class 1 misdemeanor. 25-4-2403 (5) (a)
- Wrongfully releasing or making public confidential immunization records or epidemiological information in the immunization tracking system or otherwise breaching the confidentiality requirements of the Immunization Registry Act in exchange for money or any other thing of value is a class 1 misdemeanor. 25-4-2403 (5) (b)

Products Control and Safety

535. **Passenger tramway safety.** Operation, by an area operator, of a passenger tramway which has not been licensed or when the license has been suspended, or failure of an area operator to comply with an order, is a class 3 misdemeanor. 25-5-707 (4)

Environmental Control

536. **Hazardous waste disposal sites.** Violating any of the provisions of the State Hazardous Waste Siting Act is a class 3 misdemeanor. 25-15-211
- Violating any of the provisions of the State Hazardous Waste Incinerator or Processor Siting Act is a class 3 misdemeanor. 25-15-513

Waste Diversion and Recycling

537. **Waste tire fees.** Any person who fails to comply with the provisions of section 25-17-202 related to the collection and payment of waste tire fees by willfully failing to collect or pay the tax commits a class 5 felony. 25-17-202 (2) (c); 39-21-118 (2)

Prevention, Intervention, and Treatment Services

538. **Child Fatality Prevention Act.** Knowingly violating the confidentiality requirements of the Child Fatality Prevention Act is a class 3 misdemeanor. 25-20.5-408 (2) (b)

Elements of Offense

C.R.S. Citation

HEALTH CARE POLICY AND FINANCING

Colorado Indigent Care Program

539. **Misrepresentation.** Representing that any medical service is reimbursable or subject to payment under the Colorado Indigent Care Program with the knowledge that such representation is false is a class 2 misdemeanor. 25.5-3-111

Representing oneself as eligible for assistance under the Colorado Indigent Care Program with the knowledge that such representation is false is a class 2 misdemeanor. 25.5-3-111

Colorado Medical Assistance Act

540. **Patient personal needs trust fund.** Unlawfully retaining patient personal needs funds established pursuant to the Colorado Medical Assistance Act is a class 3 misdemeanor. 25.5-6-206 (8) (c)

Unlawful use of a patient personal needs trust fund is a class 2 misdemeanor when the amount involved is less than \$500. 25.5-6-206 (8) (d) (I)

Unlawful use of a patient personal needs trust fund is a class 1 misdemeanor when the amount involved is at least \$500, but less than \$1,000. 25.5-6-206 (8) (d) (II)

A person who unlawfully retains patient personal need funds twice or more within a period of six months, without having been placed in jeopardy for prior offenses, commits a class 1 misdemeanor. 25.5-6-206 (8) (c)

Unlawful use of a patient personal needs trust fund is a class 4 felony if the amount involved is at least \$1,000, but less than \$20,000. 25.5-6-206 (8) (d) (III)

Unlawful use of a patient personal needs trust fund is a class 3 felony if the amount involved is \$20,000 or more. 25.5-6-206 (8) (d) (IV)

HUMAN SERVICES CODE

Department of Human Services

541. **Fraudulent acts.** Any recipient of public assistance who knowingly fails to notify the county Department of Human Services within 30 days of receipt of property or income in excess of that declared at the time when eligibility for public assistance was determined, or of any other change in circumstances affecting eligibility, commits a class 3 misdemeanor. 26-1-127 (2) (a)

A recipient or vendor of public assistance who falsifies any required report commits a class 3 misdemeanor. 26-1-127 (3)

Obtaining or wilfully abetting another to obtain public assistance or vendor payments to which the recipient is not entitled, or public assistance or vendor payments greater than those to which the recipient is justly entitled, by means of a wilfully false statement or representation or by impersonation, or by any other fraudulent device, is theft. Under section 18-4-401 (2), the crime of theft is classified based on the value of the thing stolen. 26-1-127 (1)

Elements of Offense

C.R.S. Citation

Colorado Public Assistance Act

542. ***Fraudulent acts.*** Any recipient of food stamps who knowingly fails to notify the county or state Department of Human Services of any change in circumstances affecting the recipient's eligibility for food stamps or the amount of food stamp coupons to which the recipient is entitled and who by such failure receives benefits in excess of those to which the person was in fact entitled commits a class 3 misdemeanor. 26-2-305 (2)
- Obtaining or abetting another to obtain food stamps to which the recipient is not entitled by means of a willfully false statement or representation or by impersonation, is theft. Under section 18-4-401 (2), the crime of theft is classified based on the value of the thing stolen. 26-2-305 (1) (a)
543. ***Trafficking in food stamps.*** Trafficking in food stamps is a class 2 misdemeanor when the value of the food stamps is less than \$500. 26-2-306 (2) (b)
- Trafficking in food stamps is a class 1 misdemeanor when the value of the food stamps is at least \$500, but less than \$1,000. 26-2-306 (2) (b.5)
- Trafficking in food stamps is a class 4 felony if the value of the food stamps is at least \$1,000, but less than \$20,000. 26-2-306 (2) (c)
- Trafficking in food stamps twice or more within a six-month period without having been placed in jeopardy for the prior offense or offenses is a class 4 felony when the aggregate value of the food stamps is at least \$1,000, but less than \$20,000. 26-2-306 (3)
- Trafficking in food stamps is a class 3 felony if the value of the food stamps is \$20,000 or more. 26-2-306 (2) (d)
- Trafficking in food stamps twice or more within a six-month period 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 \$20,000 or more. 26-2-306 (3)

Protective Services for Adults at Risk of Mistreatment or Self-neglect

544. ***Reporting requirements.*** Willfully and knowingly making a false report of mistreatment, self-neglect, or exploitation regarding an at-risk adult to a county department or local law enforcement agency is a class 3 misdemeanor. 26-3.1-102 (4)

Blind-Made Products

545. ***Violations.*** Willfully or knowingly making unauthorized use of the official imprint, stamp, symbol, or label approved by the Department of Human Services for use on blind-made products is a class 2 misdemeanor. 26-8.3-105 (3)
- Willfully or knowingly representing, for the purpose of financial gain, that particular goods, wares, or merchandise are blind-made products when this representation is false is a class 2 misdemeanor. 26-8.3-105 (3)

Elements of Offense

C.R.S. Citation

MILITARY AND VETERANS

Offenses Related to the Military and Veterans

546. **Interference with duty - arrest - penalty.** Obstructing or interfering with a member of the National Guard who is on duty is a class 3 misdemeanor. 28-3-507
547. **Misuse of property and funds by military.** Any officer or enlisted person who misuses military property or funds commits a class 6 felony. 28-3-701
548. **Trial procedure.** Willfully neglecting or refusing to appear, testify, or produce evidence before a military court or military or civil officer after being subpoenaed pursuant to trial procedures under the Colorado Code of Military Justice is a class 3 misdemeanor. 28-3.1-312 (1)

LOCAL GOVERNMENT

Local Hazardous Substance Incidents

549. **Hazardous substance listing required.** Releasing information, without express written consent, that is required to be provided to state and local authorities pursuant to section 29-22-107 (2) regarding the listing of hazardous substances is a class 3 misdemeanor. 29-22-107 (2) (c) (III)
550. **Hazardous substance incidents.** Any person who willfully, recklessly, or with criminal negligence causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 5 felony. 29-22-108 (2)
- Any person who intentionally causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 4 felony. 29-22-108 (1)

COUNTY GOVERNMENT

County Officers

551. **County coroners.** Knowing violation by a county coroner of provisions related to conflicts of interest is a class 2 misdemeanor. 30-10-619 (4)

Dog Licensing and Control

552. **Violations.** Violating any county regulation related to the control and licensing of pet animals is a class 2 misdemeanor if the offense results in bodily injury. 30-15-102 (2)

MUNICIPAL GOVERNMENT

Violations

553. **Formation and reorganization.** Violating any of the provisions of section 31-2-225 regarding petitions related to home rule charters is a class 2 misdemeanor. 31-2-225 (2)

Elements of Offense

C.R.S. Citation

554. **Initiative and referendum.** Tampering with a municipal initiative or referendum petition is a class 2 misdemeanor. 31-11-115 (1)
555. **False statement.** A person who, for the purpose of obtaining any order, benefit, award, compensation, or payment related to a fire or police pension plan, makes a false statement or representation material the benefit claim commits a class 5 felony. 31-31-1203

SPECIAL DISTRICTS

Offenses Related to Special Districts

556. **Interference.** A director, employee, or agent who interferes with the State Auditor's examination of the books, records, reports, or vouchers, or other information of the Denver Metropolitan Major League Baseball Stadium District commits a class 2 misdemeanor. 32-14-109 (2) (b)
- A director, employee, or agent who interferes with the State Auditor's examination of the books, records, reports, vouchers, or other information of the Metropolitan Football Stadium District commits a class 2 misdemeanor. 32-15-109 (2) (b)

PARKS AND WILDLIFE

Licenses, Certificates, and Fees

557. **License agents - reports - board of claims.** Any license agent who fails to account for licenses or who fails to pay over to the Division of Parks and Wildlife or its authorized representative moneys received from the sales of licenses and all donations received, when the amount in question is \$200 or more, commits a class 6 felony. 33-4-101 (11) (b)
558. **Black bears.** Taking a black bear by any means during the period from March 1 through September 1 of any calendar year is a class 1 misdemeanor. 33-4-101.3 (6)
- Taking a black bear with the use of bait or dogs at any time during any calendar year is a class 1 misdemeanor. 33-4-101.3 (6)

Wildlife

559. **Illegal sale of wildlife.** Any person who sells or purchase or offers for sale or purchase any big game, endangered species, or eagles, or who solicits another person in the illegal taking of such wildlife for the purpose of monetary gain, commits a class 5 felony. 33-6-113 (2) (a)
560. **Native and nonnative fish.** Possessing live native or nonnative fish or viable fish gametes which are infected with any disease designated as detrimental to existing fish populations or habitat is a class 1 misdemeanor, unless the Division of Parks and Wildlife is notified within two business days of the discovery of the disease's presence. 33-6-114.5 (7) (a)
- Possessing live native or nonnative fish or viable fish gametes which are of a species designated as detrimental to existing fish populations or habitats is a class 1 misdemeanor. 33-6-114.5 (7) (a)

Elements of Offense

C.R.S. Citation

Importing any live native or nonnative fish or viable fish gametes into the state without a current and valid importation license and health certificate is a class 1 misdemeanor.

33-6-114.5 (7) (a)

561. **Willful destruction of wildlife.** Any person who hunts or takes, or solicits another person to hunt or take, any big game, eagles and endangered species and removes, with the intent to abandon the carcass or body, only the head, hide, claws, teeth, antlers, horns, internal organs, or feathers or any or all of such parts commits a class 5 felony.

33-6-117 (1) (a)

Parks and Outdoor Recreation

562. **Aquatic nuisance species.** The third and any subsequent knowing and wilful violation of the provisions of section 33-10.5-105 prohibiting aquatic nuisance species is a class 2 misdemeanor.

33-10.5-105 (2) (c)

563. **Pass and registration agents - reports - board of claims.** Any pass or registration agent who fails to account for passes and registrations or who fails to pay over to the Division of Parks and Wildlife or its authorized representative moneys received from the sale of passes and registrations when the amount in question is \$200 or more, commits a class 6 felony.

33-12-104 (11) (b)

564. **Fires.** Any person who starts, builds, tends, or maintains a fire in violation of the provisions of any applicable order lawfully issued by a governmental authority that prohibits, bans, or regulates fires during periods of extreme fire hazard and that is designed to protect promote the safety of persons and property commits a class 2 misdemeanor.

33-15-106 (2) (b)

Any person who starts, builds, tends, or maintains a fire in violation of the provisions of any applicable order lawfully issued by a governmental authority that prohibits, bans, or regulates fires during periods of extreme fire hazard and that is designed to promote the safety of persons and property when such person knows or reasonably should know that he or she violates any such order commits a class 6 felony.

33-15-106 (2) (c)

565. **Littering.** Throwing, dropping, or otherwise expelling a lit cigarette, cigar, match or other burning material from a motor vehicle upon land under the control of the Division of Parks and Wildlife is a class 2 misdemeanor.

33-15-108 (2)

566. **Damage to state property.** Damaging, alerting, or destroying any property that is under the control of the Division of Parks and Wildlife is a class 2 misdemeanor.

33-15-109

567. **River outfitters.** A river outfitter, guide, trip leader, or guide instructor who fails to have one personal flotation device for each person on board commits a class 3 misdemeanor.

33-32-107 (2) (a)

A river outfitter, guide, trip leader, or guide instructor who operates a vessel in a careless or imprudent manner without due regard for river conditions or in such a manner as to endanger any person, property, or wildlife commits a class 3 misdemeanor.

33-32-107 (2) (b)

A river outfitter who operates a river-outfitting business without a valid license or without insurance commits a class 2 misdemeanor.

33-32-107 (1)

A river outfitter, guide, trip leader, or guide instructor who operates a vessel with wanton or willful disregard for the safety of persons or property commits a class 2 misdemeanor.

33-32-107 (2) (c)

Elements of Offense

C.R.S. Citation

A river outfitter, guide, trip leader, or guide instructor who operates a vessel on a regulated trip while under the influence of alcohol or of any controlled substance commits a class 1 misdemeanor.

33-32-107 (4) (b)

MINERAL RESOURCES

Offenses Related to Mineral Resources

568. **Colorado Mined Land Reclamation Act.** Willfully and knowingly releasing confidential information relating to an application for a reclamation permit filed with the Mined Land Reclamation Board is a class 2 misdemeanor. 34-32-112 (9)
569. **Colorado Land Reclamation Act for the Extraction of Construction Materials.** Willfully or knowingly releasing confidential information relating to an application for a reclamation permit or notice of intent to conduct exploration filed with the Mined Land Reclamation Board is a class 2 misdemeanor. 34-32.5-112 (8)
570. **Mining equipment - violation.** Any person who violates the provisions of Article 46 of Title 34 regarding the ownership and transportation of mining equipment commits a class 6 felony. 34-46-105
571. **Failure to account for mine proceeds.** Any owner, manager, or agent of a facility employed in extracting gold from quartz or other minerals who neglects to account for, or pay over and deliver, all of the proper proceeds to the owner of such quartz or other minerals commits a class 6 felony. 34-53-104

AGRICULTURE

Pesticide Act

572. **Embargoed pesticides.** Removing or disposing any detained or embargoed pesticide or device, by sale or otherwise, without prior permission, or removing or altering the tag or marking of such pesticide or device is a class 1 misdemeanor. 35-9-123 (3)
573. **Violations.** Violating any of the provisions of section 35-9-120 (2) (e) of the Pesticide Act is a class 3 misdemeanor. 35-9-125 (4)
- Violating any of the provisions of section 35-9-120 (1) (g), (2) (d), or (2) (f) of the Pesticide Act is a class 2 misdemeanor. 35-9-125 (3)
- Violating any of the provisions of section 35-9-120 (1) (a), (1) (b), (1) (c), (1) (e), (1) (f), (1) (h), (1) (j), (1) (k), (2) (a), (2) (b), (2) (c), or (2) (g) of the Pesticide Act is a class 1 misdemeanor. 35-9-125 (2)

Pesticide Applicators' Act

574. **Violations.** Violating any of the provisions of section 35-10-117 (1) (f), (2) (f), (2) (g), (4) (b), or (5) of the Pesticide Applicators' Act is a class 2 misdemeanor. 35-10-123 (3)
- Violating any of the provisions of section 35-10-117 (1) (a), (1) (b), (1) (c), (1) (e), (1) (g), (1) (i), (1) (j), (2) (a), (2) (b), (2) (c), (2) (d), (3) (a), or (4) (a) of the Pesticide Applicators' Act is a class 1 misdemeanor. 35-10-123 (2)

Elements of Offense

C.R.S. Citation

Colorado Chemigation Act

575. **Violations.** Utilization of any process whereby chemicals are applied to land or crops in or with water through a closed irrigation system (chemigation) without a permit is a class 6 felony. 35-11-115 (1)

Measurement Standards Act of 1983

576. **Violations.** Willfully making, installing, selling, offering to sell, using, or allowing to be used any counterfeit seal or seal of the Commissioner of Agriculture without proper authority is a class 2 misdemeanor. 35-14-132 (1)

Colorado Bee Act

577. **Violations.** Any subsequent violation of any provision of the Colorado Bee Act is a class 2 misdemeanor. 35-25-111

Colorado Nursery Act

578. **Violations.** Intentionally violating any of the provisions of or rules and regulations promulgated pursuant to the Colorado Nursery Act is a class 3 misdemeanor. 35-26-109 (1)

Colorado Seed Act

579. **Violations.** Violating any of the provisions of section 35-27-113 (6) regarding the sale, barter, or distribution of seed and seed beans is a class 1 misdemeanor. 35-27-113 (6)

Weed Free Forage Crop Certification Act

580. **Violations.** Intentionally violating any of the provisions of or rules and regulations promulgated pursuant to the Weed Free Forage Crop Certification Act is a class 3 misdemeanor. 35-27.5-107

Custom Processing of Meat Animals Act

581. **License requirement.** Operating a custom processing facility without a valid license is a class 2 misdemeanor. 35-33-206 (5)
582. **Violations.** Violating any of the provisions of or rules promulgated pursuant to the Custom Processing of Meat Animals Act is a class 2 misdemeanor. 35-33-406

Sale of Meat Act

583. **Advertisements.** Violating any of the provisions of law regarding the advertisement of and sale of meat is a class 2 misdemeanor. 35-33.5-202 (12)
584. **License requirement.** Selling a home food service plan without a valid license is a class 2 misdemeanor. 35-33.5-301 (5)

Elements of Offense

C.R.S. Citation

585. **Violations.** Violating any of the provisions of or any rules promulgated pursuant to the Sale of Meat Act is a class 2 misdemeanor.

35-33.5-306

Alternative Livestock Act

586. **Violations.** Violating any of the provisions of section 35-41.5-109 regarding unlawful acts under the Alternative Livestock Act is a class 1 misdemeanor.

35-41.5-115

Animal Shelters and Pounds

587. **Violations.** Violating any of the provisions of section 35-42.5-101 regarding duties and restrictions relating to animal shelters and pounds is a class 1 misdemeanor.

35-42.5-101 (3)

Branding and Herding

588. **Wrongful branding - penalty.** Any person who brands an animal that is the property of another or who defaces or obliterates an existing brand commits a class 6 felony.

35-43-116

589. **Theft of certain animals.** Any person who commits theft of, or knowingly kills, sells, drives, leads, transports, rides away, purchases, or in any manner deprives the owner of the immediate possession of, any cattle, horses, mules, sheep, goats, swine, or asses, either live or slaughtered, commits a class 4 felony.

35-43-128

590. **Cattle in feedlots.** A second or subsequent violation of any of the provisions regarding the inspection of cattle in feedlots is a class 3 misdemeanor.

35-43-130 (2)

591. **Violations.** Violating any of the provisions of Part 2 of Article 43 of Title 35 relating to brand inspection is a class 3 misdemeanor, with some exceptions.

35-43-212 (1)

Violating, within three years of a previous violation of the same part, any of the provisions of Part 2 of Article 43 of Title 35 relating to brand inspection is a class 1 misdemeanor, with some exceptions.

35-43-212 (2)

Unlawfully butchering an animal belonging to another person is a class 1 misdemeanor.

35-43-212 (3)

Estrays

592. **Who may take up estrays.** Any person who takes into custody and retains possession of any stray (any bovine animal, horse, mule, ass, or alternative livestock found running at large upon public or private lands in the state of Colorado that are outside the limits of the animal's usual range or pasture, whose owner is either known or unknown in the area where the animal was found) without notifying the State Board of Stock Inspection Commissioners within five days commits a class 6 felony.

35-44-108

593. **Concealing stray.** Any person who conceals any stray found or taken into his or her custody, or changes any mark or brand thereon, or carries the same beyond the county limits, or knowingly allows the same to be done, or neglects to notify or give information of estrays to the State Board of Stock Inspection Commissioners commits a class 6 felony.

35-44-111

Elements of Offense

C.R.S. Citation

Livestock Health Act

594. ***Criminal penalties.*** Moving or causing to be moved any single head or any herd of cattle, horses, sheep, goats, swine, poultry, or other livestock from a hold or quarantined area in violation of a hold or quarantine order or knowingly introducing a reportable disease into the state is a class 1 misdemeanor. A second subsequent conviction requires a mandatory sentence to prison. 35-50-119 (2)

Confinement of Calves Raised for Veal and Pregnant Sows

595. ***Violations.*** Violating any of the provisions of section 35-50.5-102 relating to the confinement of gestating sows and calves raised for veal is a class 2 misdemeanor. 35-50.5-102 (3)

Transportation of Animals

596. ***Shipping prior to inspection.*** A third or subsequent violation of the provisions of law concerning shipping cattle, horses, or mules without proper inspection is a class 6 felony. 35-53-112 (1)
597. ***Permanent permits.*** Fraudulent use of a permanent hauling transportation permit issued for the transportation of rodeo and other horses is a class 3 misdemeanor. 35-53-129 (1)
598. ***Annual transportation permits.*** Fraudulent use of an annual transportation permit issued for the transportation of cattle or alternative livestock is a class 3 misdemeanor. 35-53-130 (1)

Sale of Stock

599. ***Selling livestock without bill of sale - theft.*** Any person who sells livestock that does not carry the seller's brand, or for which the person has no bill of sale or power of attorney, commits a class 5 felony (see section 18-4-401 (5)). 35-54-105 (1)

Public Livestock Markets

600. ***Violations.*** Violating any of the provisions of or rules and regulations promulgated pursuant to the Public Livestock Markets statute is a class 3 misdemeanor. 35-55-117
- A second or subsequent violation of any of the provisions of or rules and regulations promulgated pursuant to the Public Livestock Markets statute is a class 1 misdemeanor. 35-55-117

Colorado Beef Council

601. ***Refunds.*** Any person who files a fraudulent or false claim for a refund, or who by false pretenses obtains or attempts to obtain a refund not legally due to such person, or who signs a refund claim in the name of and for another person commits theft. Under section 18-4-401 (2), the crime of theft is classified based on the value of the thing involved. 35-57-119 (4)

Elements of Offense

C.R.S. Citation

Colorado Sheep and Wool Authority

602. **Violations.** Any person who fails to pay or remit to the Colorado Sheep and Wool Authority an assessment for licensing or who knowingly falsifies any document furnished in connection with such a payment or remission commits theft. Under section 18-4-401 (2), the crime of theft is classified based on the value of the thing involved. 35-57.5-119 (5)

Colorado Horse Development Board

603. **Refunds.** Any person who files a fraudulent or false claim for a refund, or who by false pretenses obtains or attempts to obtain a refund not legally due to such person, or who signs a refund claim in the name of and for another person commits theft. Under section 18-4-401 (2), the crime of theft is classified based on the value of the thing involved. 35-57.8-111 (4)

Pet Animal Care and Facilities Act

604. **Violations.** Violating any of the provisions of section 35-80-108 (1) (a), (1) (b), (1) (c), (1) (f), or (1) (m) of the Pet Animal Care and Facilities Act is a class 2 misdemeanor. 35-80-114

NATURAL RESOURCES

Weather Modification

605. **Weather modification.** Any person who fails to obey an order issued by the director of the Department of Natural Resources to cease conducting weather modification because of the lack of a permit or a license commits a class 6 felony. 36-20-123 (2) (b)
- Any person responsible for conducting a weather modification operation without first having procured a license and permit or any person who contracts with another person known to be unlicensed and without a permit to conduct a weather modification operation commits a class 6 felony. 36-20-126 (1) (a)

WATER AND IRRIGATION

Offenses Related to Water and Irrigation

606. **Penalty for fraud by officer of water and irrigation district.** Any officer of a water or irrigation district who misuses district money commits a class 6 felony. 37-7-104
607. **Officer interested in contracts.** Any drainage district officer who has a direct or indirect interest in any contract awarded by the board or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-24-107
- Any director or officer of the Grand Valley Drainage District who has a direct or indirect interest in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-31-123

Elements of Offense

C.R.S. Citation

Any director or officer of an irrigation district who has a direct or indirect interest in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-41-108 and 37-42-110 (6)

Any director or officer of an internal improvement district who has a direct or indirect interest in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-44-142

REAL AND PERSONAL PROPERTY

Liens

608. ***Moneys for lien claims made—trust funds.*** Any person who violates the trust funds provisions of law regarding lien claims to property by subcontractors, laborers, or material providers commits theft. Under section 18-4-401 (2), the classification of theft is based on the value of the thing involved. 38-22-127 (5)
609. ***Penalty for removing property covered by a lien on a well or equipment.*** Any person who removed property covered by a lien on a well or equipment when the lien has been filed commits a class 5 felony (see section 18-4-401(5)). 38-24-108
610. ***Money for verified claims made—trust funds.*** Any person who violates the trust funds provisions of law regarding verified claims to property by subcontractors, laborers, or material providers commits theft. Under section 18-4-401 (2), the classification of theft is based on the value of the thing involved. 38-26-109 (4)

Manufactured Homes

611. ***Altering or using altered certificate.*** Any person who alters or forges or causes to be altered or forged any certificate issued pursuant to the provisions of Article 29 of Title 38 regarding titles to manufactured homes, or any written transfer thereof, or any official notation respecting the mortgaging of the manufactured home therein described, or who uses or attempts to use any such certificate for the transfer thereof, knowing the same to have been forged or altered, commits a class 6 felony. 38-29-121

Torrens Title Registration Act

612. ***Theft of certificate.*** Theft of a certificate of title to real estate is a class 6 felony. 38-36-192
613. ***Fraudulently procuring certificate of title to land.*** Fraudulently procuring any certificate of title to land is a class 6 felony. 38-36-194
614. ***Forging seal or signature.*** Any person who forges the seal of the registrar of titles commits a class 6 felony. 38-36-195

Elements of Offense

C.R.S. Citation

Mortgages and Trust Deeds

615. ***Removal of improvements from encumbered property.*** An owner of real property who removes any improvements from encumbered property without first obtaining the written consent of the lien holder commits a class 2 misdemeanor. 38-39-105 (2)

Mortgage Brokers—Lenders

616. ***Mortgage broker unlawful acts.*** Any mortgage broker who misappropriates funds held in escrow or a trustee account commits theft. Under section 18-4-401 (2), the classification of theft is based on the value of the thing involved. 38-40-101 (4)

TAXATION

Valuation and Taxation

617. ***Mobile homes - determination of value.*** A mobile home seller who is convicted for the second or subsequent time of knowingly failing to provide an itemized list of household furnishings commits a class 3 misdemeanor. 39-5-203 (3) (b)

Collection

618. ***Payment of taxes on fractional interests in lands.*** Any unit operator or first purchaser who collects but fails to remit the tax from the fractional interest owners pursuant to the property tax collection article commits theft. Under section 18-4-401 (2), the classification of theft is based on the value of the thing involved. 39-10-106 (4) (b) (III)

Sale of Tax Liens

619. ***Violations by county officials.*** A county official, county employee, or the family member or agent of any county official or employee who knowingly acquires a tax lien or property by the sale of a tax lien commits a class 1 misdemeanor. 39-11-151 (3)

Elements of Offense

C.R.S. Citation

Procedure and Administration

620. **Department of Revenue employees.** Any officer or employee of the Department of Revenue who: 1) extorts or willfully oppresses any person through use of his or her authority; 2) knowingly demands greater sums than are authorized by law or receives any fee, compensation, or reward for the performance of his or her job; 3) allows any person to defraud the state by intentionally failing to perform his or her duty; 4) conspires with any other person to defraud the state; 5) knowingly allows any person to defraud the state; 6) commits or fails to do any act with the intent to enable any other person to defraud the state; 7) makes or signs any fraudulent entry in any book or makes or signs any fraudulent certificate, return, or statement; 8) fails to report to the executive director in writing any information concerning a violation of any revenue law; or 9) demands directly or indirectly, any sum of money for the settlement of any charge or complaint commits a class 6 felony. 39-21-112 (7) (b)
621. **Criminal penalties.** It is a class 5 felony to willfully attempt to evade or defeat any tax administered. 39-21-118 (1)
- It is a class 5 felony to fail to collect or account for or pay such tax. Willfully making a materially false statement in connection with an application for a tax refund is included in this offense. 39-21-118 (2)
- It is a class 5 felony to willfully make or subscribe a return, statement, or document that is not true or not correct as to every material matter. 39-21-118 (4)
- It is a class 5 felony to willfully aid or assist in the fraudulent or false giving of information. 39-21-118 (5)

Income Tax

622. **Income tax violations.** Any person who is required to make a return, keep any records, or supply any information for the purpose of computation, assessment, or collection of income taxes and who willfully fails to do so commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-22-621 (3) (a)
- Any person who is required by law to collect, account for, and pay over any income tax and who willfully fails to collect or truthfully account for and pay over such tax, and any person who willfully fails to pay any income tax, or in any manner evades or defeats any income tax, commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-22-621 (3) (b)
623. **State sales tax refund.** Any person who claims but is not eligible to claim a state sales tax refund commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-22-2003 (7)

Elements of Offense

C.R.S. Citation

Colorado Estate Tax

624. ***Criminal acts relating to estate tax returns.*** Any person who willfully fails to file an estate tax return when required to do so, or who willfully files a false estate tax return, commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-23.5-113

Sales and Use Tax

625. ***Licenses and fees.*** A retailer who makes retail sales in this state without first securing a license to do so commits a class 3 misdemeanor. 39-26-103 (4)
626. ***Penalties for false or fraudulent returns.*** Any retailer or vendor who willfully refuses to make any required sales and use tax return or who makes any false or fraudulent return or false statement on any tax return, or who fails and refuses to make payment on any taxes collected or due to the state, or in any manner evades the collection and payment of the tax, commits a class 5 felony. It is also a class 5 felony for any person or purchaser to fail or refuse to pay the sales and use tax, to evade the payment of the tax, or to aid or abet another in any attempt to evade the payment of the tax. It is also a class 5 felony for any corporation to willfully make a false return or a return willfully containing a false statement. 39-26-120 (2)
39-26-121
- Any person who knowingly and willfully swears to or verifies any false statement in a return commits perjury in the second degree, which is a class 1 misdemeanor. 39-26-120 (3)
18-8-503 (2)
627. ***Failure to make periodic returns.*** Any person who willfully fails or refuses to make the return required by section 39-26-204, or who makes a false or fraudulent return, or who willfully fails to pay any tax owed, or who aids or abets another in an attempt to evade the tax, commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-26-206

Gasoline and Special Fuel Tax

628. ***Violation of the statute governing gasoline tax permits and refunds.*** Any person who willfully makes any false statement in connection with an application for a permit or an application for a refund, or who uses the gasoline or special fuel other than as stated in the permit and application, commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-27-103 (4)
629. ***Motor fuel and special fuel tax - no distributor license.*** Any person who acts as a motor fuel distributor, supplier, importer, exporter, carrier, or blender in this state without an active license commits a class 6 felony. 39-27-104 (3)

Elements of Offense

C.R.S. Citation

630. ***Distributor trustee of tax.*** Any distributor who willfully fails or refuses upon demand to pay over the moneys paid as gasoline taxes that are declared to be trust funds or who fraudulently withholds, converts to his or her own use, or appropriates or otherwise uses such moneys commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-27-106
631. ***Penalty for failure to report or pay gasoline tax.*** Any person who willfully fails or refuses to make the report or payment of tax due by law, for which no penalty is expressly provided, and any person who willfully makes any false report or statement as to the amount of gasoline or special fuel acquired, sold, or used or any false statement relative to the kind or character and the amount of the gasoline or special fuel received by such person and required to be reported, with intent to evade the payment of the gasoline tax, commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-27-108

Cigarette Tax

632. ***Violations.*** Violating any of the federal requirements regarding the placement of labels or stamps on cigarette packages, or violating other provisions related to the sale and labeling of cigarettes, is a class 1 misdemeanor. 39-28-104.5 (5)
633. ***Penalties related to taxes.*** Any person, firm, limited liability company, partnership, or corporation or agent thereof who at retail sells or offers for sale, displays for sale, or possesses with the intent to sell any cigarettes when the package does not bear the stamp, imprint, or impression evidencing the payment of cigarette taxes commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-28-108 (1)
634. ***Prohibited acts.*** Any wholesaler who sells and distributes any cigarettes in the state without a license or without first affixing the stamp, imprint, or impression upon each package as required by law, or who willfully makes any false or fraudulent return, or false statement on any return, or who willfully evades the payment of the cigarette tax, commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-28-114
635. ***Additional requirements for tobacco product manufacturers and stamping agents.*** A person who sells, distributes, acquires, holds, owns, possesses, transports, imports, or causes to be imported cigarettes when he or she knows or should know that the cigarettes are intended for unlawful distribution or sale in Colorado commits a class 2 misdemeanor. 39-28-306 (4)

Elements of Offense

C.R.S. Citation

Tax on Tobacco Products

636. ***Prohibited acts.*** Any distributor who willfully sells and distributes any tobacco products in the state without a license, or who willfully makes any false or fraudulent return or false statement on any return, or who willfully evades the payment of the tobacco tax, commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-28.5-110 (1)
637. ***Violations.*** Violating any of the federal requirements related to the affixing of labels and stamps on tobacco products, or violating other provisions relating to the sale and labeling of tobacco products, is a class 1 misdemeanor. 39-28.5-111 (5)

Taxes on Marijuana and Marijuana Products

638. ***Prohibited acts.*** Any retail marijuana cultivation facility or agent thereof who sells or transfers retail marijuana without a license, or who willfully makes any false or fraudulent return or false statement on any return, or who willfully evades the payment of the retail marijuana excise tax commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 39-28.8-306

UTILITIES

Enforcement

639. ***Violations by agents.*** An officer, agent, or employee of a public utility who fails to comply with or who helps another to not comply with an order or requirement of the Public Utilities Commission commits a class 2 misdemeanor. 40-7-106
640. ***Violations by individuals.*** An officer, agent, or employee of a corporation other than a public utility who fails to comply with or who helps another to not comply with an order or requirement of the Public Utilities Commission commits a class 2 misdemeanor. 40-7-108

Motor Carriers

641. ***Violations.*** Any person who violates or fails to comply with or who procures, aids, or abets in the violation of, Article 10.1 of Title 40 concerning motor carriers commits a class 2 misdemeanor. It is also a class 2 misdemeanor to fail to obey, observe, or comply with, or to procure, aid, or abet in any such failure, any order, decision, or rule of the Public Utilities Commission adopted under the motor carriers article. 40-10.1-114 (1)
- Any individual who is employed by or who contracts with a motor carrier and who operates a motor vehicle for the motor carrier's business without meeting the requirements of a criminal history record check commits a class 2 misdemeanor. 40-10.1-114 (2)

Elements of Offense

C.R.S. Citation

Killing Stock

642. **Owner driving stock on track.** An owner of stock who drives any stock on the track of any railway company with the intent to injure the company commits a class 6 felony. 40-27-101

VEHICLES AND TRAFFIC

Driver's Licenses

643. **License required.** Driving without a valid driver's license or instruction permit or driving a vehicle for which a person has not been issued the correct type or class of license is a class 2 misdemeanor traffic offense. 42-2-101 (10)
644. **License, permit, or identification card to be exhibited on demand.** Refusing to hand a driver's license to a peace officer upon demand is a class 2 misdemeanor traffic offense. 42-2-115 (2)
645. **Failure to surrender permit or license to the court.** Failing to immediately surrender a license upon conviction of an offense which makes revocation or suspension mandatory is a class 2 misdemeanor traffic offense. 42-2-124 (1) (a)
646. **Mandatory surrender of license or permit for driving under the influence.** Failing to immediately surrender a license upon conviction of driving under the influence or excessive alcohol content is a class 2 misdemeanor traffic offense. 42-2-129
647. **Period of suspension or revocation.** Making false application for a new license before the expiration of a period of suspension or revocation is a class 2 misdemeanor traffic offense. 42-2-132 (3)
648. **Mandatory and voluntary restricted licenses following alcohol convictions.** A person whose privilege to drive is restricted to the operation of a motor vehicle equipped with an approved ignition interlock device and who operates a vehicle not equipped with one, or who circumvents or attempts to circumvent the proper use of an ignition interlock device, commits a class 1 misdemeanor traffic offense. 42-2-132.5 (10)
649. **Unlawful possession or use of a license.** Photographing, photostating, duplicating, or in any other way reproducing any driver's license or facsimile of one for the purpose of distributing, reselling, reusing, or manipulating the license is a class 3 misdemeanor. 42-2-136 (6) (b)
- Possessing a lawfully issued driver's license or instruction permit knowing that such license or permit has been falsely altered is a class 2 misdemeanor traffic offense. 42-2-136 (6) (a)
- Fraudulently obtaining a driver's license or instruction permit is a class 2 misdemeanor traffic offense. 42-2-136 (6) (a)
- A person who possesses a paper, document, or other instrument which falsely appears or purports to be a lawfully issued and authentic driver's license or instruction permit and who knows that such instrument was falsely made and not lawfully issued commits a class 2 misdemeanor traffic offense. 42-2-136 (6) (a)

Elements of Offense

C.R.S. Citation

- Displaying or representing someone else's driver's license or instruction permit as one's own is a class 2 misdemeanor traffic offense. 42-2-136 (6) (a)
- Failing or refusing to surrender any driver's license or instruction permit that has been suspended, revoked, or cancelled is a class 2 misdemeanor traffic offense. 42-2-136 (6) (a)
- Permitting any unlawful use of one's driver's license is a class 2 misdemeanor traffic offense. 42-2-136 (6) (a)
650. **False affidavit.** Making a false affidavit or knowingly swearing or affirming falsely to any matter pursuant to Part 1 of Article 2 of Title 42 regarding drivers' licenses is a class 2 misdemeanor traffic offense. 42-2-137
651. **Driving under restraint.** Failing to surrender a driver's license or permit to the court upon conviction of driving while under restraint is a class 2 misdemeanor traffic offense. 42-2-138 (1) (f)

Habitual Offenders of Motor Vehicle Laws

652. **Driving after revocation prohibited.** A habitual offender who operates a motor vehicle while his or her driver's license is revoked commits a class 1 misdemeanor. 42-2-206 (1) (a) (I)
- A person commits the class 6 felony offense of aggravated driving with a revoked license if he or she is found to be a habitual offender and operates a motor vehicle in this state while the revocation is in effect and, as a part of the same criminal episode, also commits a DUI, DWAI, reckless driving, eluding a peace officer, vehicular eluding, or fleeing the scene of an accident. 42-2-206 (1) (b) (II)

Identification Cards

653. **Violations.** Violating any of the provisions of law regarding identification cards issued by Department of Revenue is a class 3 misdemeanor. 42-2-310

Commercial Drivers' Licenses

654. **Violations of out-of-service orders.** Operating a commercial motor vehicle in violation of an out-of-service order is a class 1 misdemeanor traffic offense. 42-2-405.5 (1)

Registration and Taxation

655. **Registration required.** Failing two or more times in five years to register a vehicle with the Department of Revenue within 60 days of purchase is a class 1 misdemeanor. 43-3-103 (1) (c)
656. **Taxable value of classes of property.** Fraudulently applying for the prorated specific ownership tax for special mobile machinery is a class 2 misdemeanor traffic offense. 42-3-107 (17) (e) (I)
657. **Manufacturers or dealers.** Violating any provisions of law pertaining to the issuance, return, and use of demonstration plates is a class 2 misdemeanor. 42-3-116 (7) (d)

Elements of Offense

C.R.S. Citation

658. ***Violations of registration provisions.*** Displaying, possessing, or offering to sell a fictitious, stolen, cancelled, revoked, suspended, or altered vehicle registration or certificate of title is a class 2 misdemeanor traffic offense. 42-3-121 (2) (b)
- Failing or refusing to surrender a vehicle registration or certificate of title that has been suspended, cancelled, or revoked is a class 2 misdemeanor traffic offense. 42-3-121 (2) (b)
- Using false information, knowingly making a false statement, or knowingly concealing a material fact in an application for vehicle registration, renewal, or duplicate registration is a class 2 misdemeanor traffic offense. 42-3-121 (2) (b)
659. ***Violations related to passenger-mile taxes.*** Any person who willfully fails or refuses to make the passenger-mile tax report required by law, or who makes a false or fraudulent return, or who willfully fails to pay any tax owed, commits a crime that must be punished in accordance with section 39-21-118. Such crimes are classified as either a class 5 felony or an unclassified misdemeanor, depending on the specific facts and circumstances of the case. 42-3-308 (3) (b)

Traffic Regulation

660. ***Obedience to police officers.*** Willfully failing or refusing to comply with any lawful order or direction of any police officer with the authority to direct, control, or regulate traffic is a class 2 misdemeanor traffic offense. 42-4-107

Equipment

661. ***Restrictions on tire equipment.*** Selling a motor vehicle equipped with tires that are not in compliance with set standards is a class 2 misdemeanor traffic offense. 42-4-228 (8) (b)
662. ***Alteration of suspension system.*** Operating a motor vehicle when the suspension system of the vehicle has been altered from the manufacturer's design is a class 2 misdemeanor traffic offense. 42-4-233 (3)
663. ***Minimum standards for commercial vehicles.*** Violating any of the rules promulgated by the chief of the Colorado State Patrol pursuant to section 42-4-235 regarding the minimum standards for commercial vehicles, or failing to return a form declaring knowledge of such rules, is a class 2 misdemeanor traffic offense. 42-4-235 (5)
664. ***Illegal use or possession of blue or red lights.*** Violating any of the provisions regarding the illegal use or possession of red or blue lights while in control of a vehicle is a class 1 misdemeanor. 42-4-238 (3)
665. ***Unlawful removal or use of tow-truck signage.*** Any person, other than a towing carrier or a peace officer, commits the crime of unlawful removal of tow-truck signage if: (1) a towing carrier has placed a tow-truck warning sign on or near the driver-side window of a vehicle to be towed; (2) the vehicle to be towed is within 50 feet of the towing carrier; and (3) the person removes the tow-truck warning sign from the vehicle before the tow is completed. Unlawful removal of tow-truck signage is a class 3 misdemeanor. 42-4-241 (2)

Elements of Offense

C.R.S. Citation

Any person who places a tow-truck warning sign on a vehicle when the vehicle is not in the process of being towed or when the vehicle is occupied commits the crime of unlawful usage of tow-truck signage, which is a class 3 misdemeanor.

42-4-241 (2)

Size, Weight, and Load Restrictions

666. **Wheel and axle loads.** Driving or owning a vehicle in violation of any of the provisions regarding wheel and axle loads is a class 2 misdemeanor traffic offense.

42-4-507 (6)

667. **Gross weight of vehicles and loads.** Driving or owning a vehicle in violation of any of the provisions regarding the gross weight of vehicles and loads is a class 2 misdemeanor traffic offense.

42-4-508 (4)

668. **Vehicles weighed.** Failing or refusing to stop and submit a vehicle and load to a weighing, or failing or refusing to stop a vehicle and otherwise comply with the provisions of law when directed to do so by an officer, is a class 2 misdemeanor traffic offense.

42-4-509 (3)

669. **Permits for excess size and weight and for manufactured homes.** The second or subsequent offense of moving, providing for the movement of, or assisting with the movement of a manufactured home without being the holder of a paid valorem tax certificate and a transportable manufactured home permit is a class 3 misdemeanor.

42-4-510 (12) (b)

Violating any of the provisions regarding permits for excess size and weight and for manufactured homes is a class 2 misdemeanor traffic offense.

42-4-510 (12) (a)

A driver or holder of a super-load permit who fails to comply with the terms of the permit or with other provisions of law pertaining to the permit commits a class 1 misdemeanor traffic offense.

42-4-510 (12) (d)

Signals, Signs, and Markings

670. **Interference with official devices.** Using an electronic device, without lawful authority, that causes a traffic light to change and thereby proximately causing bodily injury to another person is a class 1 misdemeanor traffic offense.

42-4-607 (2) (b)

Speed Regulations

671. **Speed limits.** Driving 25 miles per hour or more in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of 75 miles per hour is a class 2 misdemeanor traffic offense when the offense does not occur within a maintenance, repair, or construction zone.

42-4-1101 (12) (b)

Driving 25 miles per hour or more in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of 75 miles per hour is a class 1 misdemeanor traffic offense when the offense occurs within a maintenance, repair, or construction zone.

42-4-1101 (12) (b)

672. **Speed exhibitions.** Knowingly engaging in a speed exhibition on a highway is a class 2 misdemeanor traffic offense.

42-4-1105 (2) (c)

Elements of Offense

C.R.S. Citation

Speed contests. Knowingly engaging in a speed contest on a highway is a class 1 misdemeanor traffic offense.

42-4-1105 (1) (c)

673. **Immobilization of a motor vehicle.** Removing an immobilization device that is placed on a motor vehicle pursuant to an immobilization period ordered by the court, or the unauthorized removal of such an immobilization device at the end of the immobilization period, is a class 2 misdemeanor traffic offense.

42-4-1105 (8) (c)

Alcohol and Drug Offenses

674. **Driving under the influence - driving while impaired - driving with excessive alcoholic content.** A person under 21 years of age who commits a second or subsequent violation of the prohibition against driving a vehicle with a blood alcohol content that measures at least 0.02 but not more than 0.05 either at the time of driving or within two hours after driving commits a class 2 misdemeanor traffic offense.

42-4-1301 (2) (a.5) (II)

Other Traffic Offenses

675. **Reckless driving.** A person who drives a motor vehicle, bicycle, electrical assisted bicycle, or low-power scooter in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property commits reckless driving, which is a class 2 misdemeanor traffic offense.

42-4-1401 (2)

676. **Careless driving.** A person who drives a motor vehicle, electrical assisted bicycle, or low-powered scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, or use of the streets and highways and all other attendant circumstances, commits careless driving, which is a class 2 misdemeanor traffic offense when no bodily injury or death to another results.

42-4-1402 (2) (a)

A driver who fails to properly exhibit due care and caution while approaching or passing a stationary authorized emergency vehicle that is giving a visual signal commits careless driving, which is a class 2 misdemeanor traffic offense when no bodily injury or death to another results.

42-4-705 (3) (b)

A driver who fails to properly exhibit due care and caution while approaching or passing a maintenance, repair, or construction vehicle that is moving at less than 20 miles per hour commits careless driving, which is a class 2 misdemeanor traffic offense when no bodily injury or death to another results.

42-4-705 (3) (b)

A driver who fails to properly exhibit due care and caution while approaching or passing a motor vehicle where the tires are being equipped with chains on the side of the highway commits careless driving, which is a class 2 misdemeanor traffic offense when no bodily injury or death to another results.

42-4-705 (3) (b)

A driver who, in a careless and imprudent manner, drives his or her vehicle unnecessarily close to, toward, or near a bicyclist, commits careless driving, which is a class 2 misdemeanor traffic offense when no bodily injury or death to another results.

42-4-1008.5 (2)

Careless driving is a class 1 misdemeanor traffic offense when the actions are the proximate cause of bodily injury to another.

42-4-1402 (2) (b)

Careless driving is a class 1 misdemeanor traffic offense when the actions are the proximate cause of the death of another.

42-4-1402 (2) (c)

Elements of Offense

C.R.S. Citation

677. **Foreign matter on highways.** Throwing, dropping, or otherwise expelling a lit cigarette, cigar, match, or other burning material from a motor vehicle upon any highway is a class 2 misdemeanor. 42-4-1406 (5) (b)
678. **Spilling loads on highways.** Violating any provisions of law that prohibit spilling loads on highways is a class 2 misdemeanor traffic offense if the violation occurred while the person was driving or moving a car or pickup truck and his or her actions proximately caused bodily injury to another person. 42-4-1407 (3) (c)
679. **Compulsory insurance.** Operating or permitting the operation of a motor vehicle or low-power scooter without an insurance policy in effect or failing to present evidence of insurance following an accident or when asked to do so by a peace officer is a class 1 misdemeanor traffic offense. 42-4-1409 (4) (a)
680. **Operation of bicycles and other human-powered vehicles.** Violating any of the provisions regarding the operation of bicycles and other human-powered vehicles is a class 2 misdemeanor traffic offense. 42-4-1412 (12) (a)
681. **Eluding or attempting to elude a police officer.** Eluding or willfully attempting to elude a police officer when operating a motor vehicle is a class 2 misdemeanor traffic offense. 42-4-1413
682. **Radar jamming devices prohibited.** Using, possessing, or selling a radar jamming device, or operating a motor vehicle with a radar jamming device in the motor vehicle is a class 2 misdemeanor traffic offense. 42-4-1415 (4)

Accidents and Accident Reports

683. **Accidents involving death or personal injuries.** The driver of any vehicle who fails to stop and give notice, information, and aid after an accident in which he or she was directly involved and which results in injury to another person commits a class 1 misdemeanor traffic offense. 42-4-1601 (2) (a)
- The driver of any vehicle who fails to stop and give notice, information, and aid after an accident in which he or she was directly involved and which results in serious bodily injury to another person commits a class 4 felony. 42-4-1601 (2) (b)
- The driver of any vehicle who fails to stop and give notice, information, and aid after an accident in which he or she was directly involved and which results in the death of another person commits a class 3 felony. 42-4-1601 (2) (c)
684. **Accidents involving damage.** The driver of any vehicle who fails to stop and give notice, information, and aid after an accident resulting only in damage to a vehicle commits a class 2 misdemeanor traffic offense. 42-4-1602 (1)
685. **Duty upon striking an unattended vehicle or other property.** A driver who causes damage to an unattended vehicle and who fails to notify the operator of the unattended vehicle and to provide necessary contact information commits a class 2 misdemeanor traffic offense. 42-4-1604
686. **Duty upon striking highway fixtures or traffic control devices.** Failing to notify the road authority of a vehicular accident resulting only in damage to fixtures or traffic control devices on or adjacent to a highway is a class 2 misdemeanor traffic offense. 42-4-1605
687. **Duty to report accidents.** Violating any of the provisions of section 42-4-1606 regarding the duty to report traffic accidents is a class 2 misdemeanor traffic offense. 42-4-1606 (6)

Elements of Offense

C.R.S. Citation

A capable occupant of a vehicle that is involved in an accident who fails to report the accident when the driver is physically incapable of performing this duty commits a class 2 misdemeanor traffic offense.

42-4-1607 (3)

Penalties and Procedure

688. **Offenses by persons controlling vehicles.** Requiring or knowingly permitting the operation of a vehicle upon a highway in a manner contrary to law is a class 2 misdemeanor traffic offense.

42-4-1704

689. **Notice to appear or pay fine.** Failing to appear to answer any traffic offense other than a traffic infraction is a class 2 misdemeanor traffic offense.

42-4-1716 (2)

Vehicles Abandoned on Public Property

690. **Vehicles abandoned on public property.** Knowingly violating any of the provisions of Part 18 of Article 4 of Title 42 regarding vehicles abandoned on public property is a class 2 misdemeanor, unless otherwise specified.

42-4-1811

School Bus Requirements

691. **School buses.** A driver who meets or overtakes a school bus from either direction and who fails to stop his or her vehicle at least 25 feet before reaching the bus when visual signal lights are active or when the bus is receiving or discharging schoolchildren commits a class 2 misdemeanor traffic offense.

42-4-1903 (6) (a)

A second violation within five years of failing to stop a vehicle at least 25 feet from a school bus when visual signal lights are active or when the bus is receiving or discharging schoolchildren is a class 1 misdemeanor traffic offense.

42-4-1903 (6) (b)

Vehicles Abandoned on Private Property

692. **Vehicles abandoned on private property.** Knowingly violating any of the provisions of Part 21 of Article 4 of Title 42 regarding vehicles abandoned on private property is a class 2 misdemeanor, unless otherwise specified.

42-4-2110

Recycling Motor Vehicles

693. **Theft discovered - duties - liability.** A person who submits an inquiry to the Colorado Motor Vehicle Verification System and who fails to report to the nearest law enforcement agency when the system identifies a motor vehicle as stolen commits a class 3 misdemeanor.

42-4-2204 (3)

A person who, for the second time within five years, submits an inquiry to the Colorado Motor Vehicle Verification System and fails to report to the nearest law enforcement agency when the system identifies a motor vehicle as stolen commits a class 2 misdemeanor.

42-4-2204 (3)

Elements of Offense

C.R.S. Citation

A person who, for the third or subsequent time within five years, submits an inquiry to the Colorado Motor Vehicle Verification System and fails to report to the nearest law enforcement agency when the system identifies a motor vehicle as stolen commits a class 1 misdemeanor.

42-4-2204 (3)

Automobile Theft Law

694. **Stolen motor vehicle parts.** Any person who buys, sells, exchanges, or alters the appearance of a motor vehicle or motor vehicle part that is the property of another, or any person who aids in the commission of any such act and who knows or should know that such motor vehicle or motor vehicle part is stolen property, commits a class 5 felony.

42-5-102 (1)

Any person who, except as needed for legitimate repairs, intentionally removes, alters, or obliterates a motor vehicle identification number, manufacturer's number, or engine number or who knowingly possesses a motor vehicle or motor vehicle part containing a removed, altered, or obliterated vehicle identification number, manufacturer's number, or engine number commits a class 5 felony.

42-5-102 (2)

695. **Tampering with a motor vehicle.** Tampering with a motor vehicle is a class 1 misdemeanor when the damage caused is less than \$1,000.

42-5-103 (2) (a)

Tampering with a motor vehicle is a class 5 felony if the damage is at least \$1,000, but less than \$20,000.

42-5-103 (2) (b)

Tampering with a motor vehicle is a class 3 felony if the damage is \$20,000 or more or causes bodily injury to any person.

42-5-103 (2) (c)

696. **Theft of motor vehicle parts.** Theft of motor vehicle parts is a class 1 misdemeanor when the value of the things involved is less than \$1,000 or the part is a license plate.

42-5-104 (2) (a)

Theft of motor vehicle parts is a class 5 felony if the value of the thing involved is at least \$1,000, but less than \$20,000.

42-5-104 (2) (b)

Theft of motor vehicle parts two or more times within a period of six months is a class 5 felony if the aggregate value of the things involved is at least \$1,000, but less than \$20,000.

42-5-104 (3)

Theft of motor vehicle parts two times or more within a period of six months is a class 4 felony when the aggregate value of the things involved is \$20,000 or more.

42-5-104 (3)

Theft of motor vehicle parts is a class 3 felony if the value of the thing involved is \$20,000 or more.

42-5-104 (2) (c)

697. **Violations.** Violating any of the provisions of Part 1 of Article 5 of Title 42 regarding automobile theft is a class 3 misdemeanor, unless otherwise specified.

42-5-108

Certificates of Title

698. **Salvage vehicles.** Intentionally removing or altering a salvage brand or failing to retitle a vehicle with a salvage brand within 45 days of learning that the vehicle's brand may have been removed or altered is a class 1 misdemeanor.

42-6-136 (3) (c) (I)

Elements of Offense

C.R.S. Citation

699. **Altering or using altered certificate.** A person who alters or forges a certificate of title to any automobile commits a class 6 felony. 42-6-143
700. **Repossession of motor or off-highway vehicle.** Repossessing a motor or off-highway vehicle without notifying the appropriate law enforcement agency is a class 2 misdemeanor. 42-6-146 (2)

Used Motor Vehicle Sales

701. **Violations.** Violating any of the provisions of section 42-6-202 regarding used motor vehicle sales is a class 1 misdemeanor. 42-6-203

Motor Vehicle Financial Responsibility Law

702. **Disclosure of insurance information.** Knowingly disclosing information from the Uninsured Motorist Identification Database to an unauthorized individual is a class 1 misdemeanor. 42-7-606 (2)

Port of Entry Weigh Stations

703. **Fines and penalties.** Driving or owning a vehicle in violation of the provisions of section 42-8-105 (1) to (5), regarding the clearance of motor vehicles at port of entry weigh stations, or of section 42-8-106, regarding the issuance of clearance certificates, is a class 2 misdemeanor traffic offense. 42-8-109 (1)

Disposition of Personal Property

704. **Impounded vehicles.** An owner, operator, or employee of a garage or service station or an appointed custodian who releases an impounded vehicle without an official release from the Colorado State Patrol or a bona fide court order commits a class 3 misdemeanor. 42-13-105

Transportation of Hazardous and Nuclear Materials

705. **Violations.** Violating a rule or regulation promulgated pursuant to section 42-20-104 regarding the transportation of hazardous and nuclear materials is a class 3 misdemeanor. 42-20-109 (1)
- Failing to give immediate notice to law enforcement of a hazardous materials spill that occurs when transporting hazardous materials as cargo is a class 3 misdemeanor. 42-20-113 (4)
- Violating a rule promulgated pursuant to section 42-20-108 regarding the interstate and intrastate transportation of hazardous and nuclear materials by a motor vehicle is a class 2 misdemeanor traffic offense. 42-20-109 (2)
- Violating any of the provisions of or any rule or regulation promulgated pursuant to Parts 4 or 5 of Article 20 of Title 42 regarding the transportation of nuclear materials and the permits required for such transportation is a class 2 misdemeanor. 42-20-405 (1)

Elements of Offense

C.R.S. Citation

Intentionally or knowingly violating any of the provisions of Parts 1, 2, or 3 of Article 20 of Title 42 regarding the transportation of hazardous and nuclear materials is a class 1 misdemeanor.

42-20-111

Intentionally transporting hazardous materials without a permit in violation of section 42-20-201 is a class 1 misdemeanor.

42-20-204 (1)

Knowingly violating any of the terms and conditions of an annual or single trip hazardous materials transportation permit is a class 1 misdemeanor.

42-20-204 (3)

TRANSPORTATION

County and Other Public Highways

706. ***Closure of public highways extending to public lands.*** Intentionally and without good cause blocking, obstructing, or closing a public highway that extends to public land is a class 1 misdemeanor.

43-2-201.1 (1)