

CLASS 3 FELONIES

Elements of Offense

C.R.S. Citation

FINANCIAL INSTITUTIONS

Offenses Related to Securities

1. ***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)
2. ***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)

Offenses Related to Public Securities

3. ***Misleading filing.*** 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)

PROFESSIONS AND OCCUPATIONS

Offenses Related to Medical Practice

4. ***Unprofessional conduct.*** A second or subsequent violation 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)

Colorado Limited Gaming Act

5. ***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)

CRIMINAL CODE — INCHOATE OFFENSES

Inchoate Offenses

6. ***Criminal attempt.*** Intentionally engaging in conduct that constitutes a substantial step toward the commission of a class 2 felony is a class 3 felony. 18-2-101 (4)
7. ***Criminal conspiracy.*** A person who agrees with another person to engage in conduct that constitutes a class 2 felony or an attempt to commit a class 2 felony, with the intent to facilitate or promote the commission of such a crime, or agrees to aid another person in planning or committing the crime or attempting to commit the crime, commits a class 3 felony. 18-2-206 (1)
8. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a class 2 felony commits a class 3 felony. 18-2-301 (5)

**CRIMINAL CODE —
OFFENSES AGAINST THE PERSON**

Homicide and Related Offenses

9. **Second degree murder.** 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. 18-3-103 (3) (b)
10. **Vehicular homicide.** 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. 18-3-106 (1) (c)

Assaults

11. **Assault in the first degree.** If any person intentionally causes serious injury to another person through the use of a deadly weapon or conduct which creates a grave risk of death, or in the commission of a crime or flight therefrom 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. 18-3-202 (2) (b)
12. **Assault in the second degree.** 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)
13. **Aggravated criminal extortion.** A person who threatens another person by means of chemical or biological agents, weapons, poison, or radioactive agents to induce the person to do an act against his or her will or refrain from doing a lawful act commits a class 3 felony. 18-3-207 (4)

Kidnapping

14. **Second degree kidnapping.** 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)

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15. **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 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)

Unlawful Sexual Behavior

16. **Sexual assault.** Sexual assault is a class 3 felony when the victim is physically helpless and the actor knows the victim is physically helpless and has not consented. 18-3-402 (3.5)
- 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)
17. **Sexual assault on a child.** 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 4 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)
18. **Sexual assault on a child by one in a position of trust.** Sexual assault on a child by one in a position of trust is a class 3 felony if the victim is less than 15 years of age or the actor commits the offense as part of a pattern of sexual abuse. 18-3-405.3 (2)

Human Trafficking and Slavery

19. **Trafficking in adults.** A person commits the class 3 felony of trafficking in adults if he or she: a) sells, exchanges, barter, or leases an adult (a person who is 18 or older) and receives anything of value for the adult as a result of the transaction; or b) receives an adult as a result of such a transaction. 18-3-501 (3)

Offenses Against Pregnant Women

20. **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 pregnancy in the first degree, a class 3 felony. 18-3.5-103 (2)

CRIMINAL CODE — OFFENSES AGAINST PROPERTY

Arson

21. **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)

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Burglary and Related Offenses

22. **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)
23. **Second degree burglary.** A person who knowingly and unlawfully enters a place with intent to commit a crime against a person or property commits second degree burglary, 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)

Robbery

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

Theft

25. **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)
 - willfully convert to his or her own use or benefit the farm products of another; 12-16-115 (1) (f)

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- 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)
- 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 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)
- fail to pay or remit to the Colorado Sheep and Wool Authority an assessment for licensing or to knowingly falsify any document furnished in connection with such a payment or remission; 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 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)

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- 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; 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)
- 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)
26. **Aggravated motor vehicle theft.** A person who takes any motor vehicle from another without authorization and who either retains control of the vehicle for over twenty-four hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 3 felony if the value of the motor vehicle or vehicles involved is more than \$20,000 or if the defendant has twice previously been convicted of charges separately brought and tried. 18-4-409 (3) (b)

Trespass, Tampering, and Criminal Mischief

27. **Criminal mischief.** A person who knowingly damages real or personal property of another, including property owned by the person jointly with another person or property owned by the person in which another person has an interest, valued \$20,000 or more in the aggregate, commits a class 3 felony. 18-4-501 (1)

CRIMINAL CODE — OFFENSES INVOLVING FRAUD

Fraud in Obtaining Property or Services

28. **Defrauding a secured creditor or debtor.** A person who, with the intent to defraud a creditor, impairs, renders worthless or unenforceable any security interest, or who sells, assigns, transfers, conveys, pledges, encumbers, conceals, destroys, or disposes of any collateral subject to a security interest, and the value of the collateral is \$20,000 or more, commits a class 3 felony. 18-5-206 (1) (d)
- If a creditor, with the intent to defraud a debtor, sells, assigns, transfers, conveys, pledges, buys, or encumbers a promissory note or contract signed by the debtor, and the amount owed on such note or contract is \$20,000 or more, the creditor commits a class 3 felony. 18-5-206 (2) (d)

Fraudulent and Deceptive Sales and Business Practices

29. **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)

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Financial Transaction Device Crime Act

- 30. **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. If such cash, credit, property, or service obtained or financial payment made exceeds \$20,000, it is a class 3 felony. 18-5-702 (3) (d)
- 31. **Criminal possession of a blank financial transaction device.** Any person who delivers, circulates, or sells two or more blank financial transaction devices that have not been embossed or magnetically encoded with the name of the account holder, personal identification code, expiration date, or other proprietary institutional information, commits a class 3 felony. 18-5-705 (5)

**CRIMINAL CODE —
COMPUTER CRIME**

Computer Crime

- 32. **Computer crime.** Any person who commits computer crime, and the loss, damage, value of services, thing of value taken, or cost of restoration or repair caused is \$20,000 or more, it is a class 3 felony. 18-5.5-102 (3) (a)

**CRIMINAL CODE —
OFFENSES INVOLVING THE FAMILY RELATIONS**

Incest

- 33. **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

- 34. **Child abuse.** When a person acts with criminal negligence and 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 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)
- 35. **Sexual exploitation of children.** A person who, for any commercial purpose, knowingly causes a child to engage in or be used for explicit sexual conduct or traffics in sexually exploitative material, commits a class 3 felony. 18-6-403 (5) (a)

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36. **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

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

Crimes Against At-risk Adults and At-risk Juveniles

37. **Assault.** 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)
38. **Robbery.** 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)
39. **Theft from at-risk adults or 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 3 felony when the value of the thing involved is at least \$500. 18-6.5-103 (5)
40. **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 3 felony when the value of the thing involved is \$500 or more. 18-6.5-103 (5.5)
41. **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)
42. **Unlawful sexual contact.** 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)
43. **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)
44. **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)
45. **Sexual assault on a client 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 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)

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**CRIMINAL CODE —
OFFENSES RELATING TO MORALS**

Prostitution

46. ***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

Child Prostitution

47. ***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)
48. ***Pandering of a child.*** Any 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)
49. ***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
50. ***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)
51. ***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
52. ***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)
53. ***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)

**CRIMINAL CODE —
GOVERNMENTAL OPERATIONS**

Escapes and Offenses Relating to Custody

54. ***Aiding escape.*** Knowingly aiding, abetting, or assisting another person to escape or attempt to escape from custody or confinement 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)
55. ***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)

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56. **Escapes.** A person who has been convicted of any felony other than a class 1 or class 2 felony and who knowingly escapes from custody or confinement commits a class 3 felony. 18-8-208 (2)
57. **Riots in detention facilities.** A person who engages with two or more other persons in violent conduct, using a deadly weapon, or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents that he or she is armed with a deadly weapon which creates grave danger and obstructs performance of institutional functions, commits a class 3 felony. 18-8-211 (2) (a)

Bribery and Corrupt Influences

58. **Bribery.** It is a class 3 felony if a person offers a pecuniary benefit to a public official with the intent to influence some action, or if a person who is a public official accepts a bribe. 18-8-302 (3)

Victims and Witnesses Protection

59. **Aggravated intimidation of a witness or victim.** If, in an attempt to influence a witness or victim, a person either: a) is armed with a deadly weapon and intends, if resisted, to kill, maim, or wound any person; or b) knowingly wounds any person or puts any person in a reasonable fear of death or bodily injury, said person commits a class 3 felony. 18-8-705 (3)
60. **Retaliation against a witness or victim.** A person who intentionally inflicts harm or injury upon any person or property as retaliation for testimony given in any official proceeding commits a class 3 felony. 18-8-706 (2)
61. **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)

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

Public Peace and Order

62. **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)
63. **Vehicular eluding.** Vehicular eluding that results in the death of another person is a class 3 felony. 18-9-116.5 (2) (a)

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

Firearms and Weapons

64. ***Possession, use, or removal of chemical, biological, or radiological weapons or parts.*** 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)

**CRIMINAL CODE —
MISCELLANEOUS OFFENSES**

Miscellaneous Offenses

65. ***Intentionally setting wildfire.*** A person who intentionally sets a wildfire commits a class 3 felony. 18-13-109.5 (2)
66. ***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)
67. ***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 —
OFFENSES RELATED TO LIMITED GAMING**

Offenses Related to Limited Gaming

68. ***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)

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STATE GOVERNMENT

Department of Personnel

69. **State agency contracts - criminal liability.** 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)

Department of Revenue

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

HEALTH

Offenses Related to Administration

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

HEALTH CARE POLICY AND FINANCING

Colorado Medical Assistance Act

72. **Patient personal needs trust fund.** A person who knowingly fails to deposit personal needs funds received from a patient or from the state for a patient's personal needs into the patient's personal needs trust fund within 60 days of the receipt of such moneys or who improperly uses such moneys commits a class 3 felony if the amount involved is \$20,000 or more. 25.5-6-206 (8) (d) (IV)

HUMAN SERVICES CODE

Offenses Related to the Department of Human Services

73. **Fraudulent acts.** Obtaining public assistance or vendor payments to which one is not entitled, or public assistance or vendor payments greater than those to which one is entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device is a class 3 felony when the value of the assistance or payment is \$20,000 or more (see section 18-4-401 (2) (d)). 26-1-127 (1)

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Colorado Public Assistance Act

- 74. ***Fraudulent acts.*** Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 3 felony when the value of the food stamps is \$20,000 or more (see section 18-4-401 (2) (d)). 26-2-305 (1)
- 75. ***Trafficking in food stamps.*** 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 period of six months without having been placed in jeopardy for the prior offense or offenses is a class 3 felony when the aggregate value of the food stamps involved is \$20,000 or more. 26-2-306 (3)

VEHICLES AND TRAFFIC

Accidents and Accident Reports

- 76. ***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 the death of another person commits a class 3 felony. 42-4-1601 (2) (c)

Automobile Theft Law

- 77. ***Tampering with a motor vehicle.*** 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)
- 78. ***Theft of motor vehicle parts.*** 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)