

CLASS 1 MISDEMEANORS

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)

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. ***False statements relating to candidates or questions submitted to electors.*** Knowingly 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 1 misdemeanor. 1-13-109 (1) (b)
4. ***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

UNIFORM COMMERCIAL CODE

Secured Transactions

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

CONSUMER AND COMMERCIAL AFFAIRS

Colorado Consumer Protection Act

6. ***Promoting a pyramid promotional scheme and other 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
7. ***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)

Elements of Offense

C.R.S. Citation

LABOR AND INDUSTRY

Insurance

8. **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)

INSURANCE

Regulation of Insurance Companies

9. **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

FINANCIAL INSTITUTIONS

Credit Unions

10. **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

11. **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)

PROFESSIONS AND OCCUPATIONS

Automobiles

12. **Licensure.** Willfully violating any provision of Part 1 of Article 6 of Title 12 regarding the licensure of motor vehicle dealer, except for violations of section 12-6-120 (2), is a class 1 misdemeanor. 12-6-121
13. **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)
14. **Powersports vehicles.** 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

Elements of Offense

C.R.S. Citation

Boxing

15. **Toughperson fighting.** Violating any of the provisions regarding the prohibition against toughperson fighting in Colorado is a class 1 misdemeanor. 12-10-107.5

Colorado Fair Debt Collection Practices Act

16. **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

17. **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

18. **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)

Commodity Handler Act

19. **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)

Elements of Offense

C.R.S. Citation

Background Checks — Gun Shows

20. **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)

Acupuncturists

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

Athletic Trainer Practice Act

22. **Unauthorized practice.** 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

Revised Uniform Anatomical Gift Act

23. **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

Massage Therapists

24. **Unauthorized practice.** 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

Occupational Therapy Practice Act

25. **Unauthorized practice.** 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

Surgical Assistants and Surgical Technologists

26. **Unauthorized practice.** 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)

Elements of Offense

C.R.S. Citation

Speech-language Pathologists

27. **Unauthorized practice.** 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)

Indian Arts and Crafts Sales Act

28. **Violations.** Violating any of the provisions of the Indian Arts and Crafts Sales Act is a class 1 misdemeanor. 12-44.5-107

Colorado Liquor Code

29. **Unlawful acts and violations.** 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)

Colorado Limited Gaming Act

30. **Records.** Disclosing confidential records or information of the Colorado Limited Gaming Control Commission is a class 1 misdemeanor. 12-47.1-527 (4) (a)
31. **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)
32. **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)
33. **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)
34. **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)
35. **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)
36. **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)

Elements of Offense

C.R.S. Citation

37. **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

Money Transmitters Act

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

Pawnbrokers

39. **Violations.** 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)

Private Investigators

40. **Title protection for voluntary license.** 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

41. **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

Real Estate

42. **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)
43. **Unauthorized practice of mortgage loan originating.** Acting as a mortgage loan originator without a license or after a license has been revoked or suspended is a class 1 misdemeanor. 12-61-910 (1) (a)

COURTS AND COURT PROCEDURE

Evidence

44. **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)

Elements of Offense

C.R.S. Citation

45. ***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)

PROBATE, TRUSTS, AND FIDUCIARIES

Colorado Medical Treatment Decision Act

46. ***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)

CRIMINAL PROCEEDINGS

Crime Stopper Organizations

47. ***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

48. ***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 — OFFENSES AGAINST THE PERSON

Assaults

49. ***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

Elements of Offense

C.R.S. Citation

Unlawful Sexual Behavior

50. **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)
51. **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)
52. **Sexual assault on a client by a psychotherapist.** 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)
53. **Invasion of privacy for sexual gratification.** 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. This law applies to offenses committed on or after July 1, 2012. 18-3-405.6 (2) (a)
54. **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)

**CRIMINAL CODE —
OFFENSES AGAINST PROPERTY**

Theft

55. **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)
 - 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)

Elements of Offense

C.R.S. Citation

- 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)
- 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)

Elements of Offense

C.R.S. Citation

- 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)
56. **Theft of trade secrets.** 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)
57. **Aggravated motor vehicle theft.** 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) (c)
- 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.
58. **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

59. **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 a class 1 misdemeanor when the aggregate damage to real or personal property is \$500 or more but less than \$1,000.
60. **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
61. **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
62. **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. 18-4-509 (2) (a)
- A second or subsequent conviction for defacing property is a class 1 misdemeanor.
- 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)

Elements of Offense

C.R.S. Citation

63. ***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

64. ***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)
65. ***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)
66. ***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)

CRIMINAL CODE — OFFENSES INVOLVING FRAUD

Forgery, Simulation, Impersonation, and Related Offenses

67. ***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)
68. ***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)
69. ***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)
70. ***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 (2) (a) (II) (A)

A second or subsequent offense of trademark counterfeiting, regardless of the number or value of the items involved, is a class 1 misdemeanor.

Elements of Offense

C.R.S. Citation

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)

71. **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)

Fraud in Obtaining Property or Services

72. **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 (3) (b.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.

73. **Defrauding a secured creditor or debtor.** 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 (2)

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.

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)

74. **Issuing a false financial statement.** 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)

Fraudulent and Deceptive Sales and Business Practices

75. **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)

76. **Electronic mail fraud.** A second or subsequent offense of electronic mail fraud, which is defined as a violation of any provision of 18 U.S.C. sec. 1037 (a), is a class 1 misdemeanor.

18-5-308 (3)

Elements of Offense

C.R.S. Citation

Offenses Related to the Uniform Commercial Code

77. ***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
78. ***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
79. ***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

Financial Transaction Device Crime Act

80. ***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)

Identity Theft

81. ***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)
82. ***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)

Elements of Offense

C.R.S. Citation

**CRIMINAL CODE —
COMPUTER CRIME**

Computer Crime

83. **Computer crime.** 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)

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

Wrongs to Children

84. **Child abuse.** 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)

Domestic Violence

85. **Violation of a protection order.** 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**

Crimes Against At-Risk Adults and At-Risk Juveniles

86. **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)

Elements of Offense

C.R.S. Citation

**CRIMINAL CODE —
OFFENSES RELATING TO MORALS**

Obscenity

87. **Obscenity.** Wholesale promotion of any obscene material is a class 1 misdemeanor. 18-7-102 (1) (b)

Prostitution

88. **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)

Public Indecency

89. **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)
90. **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)

Sexual Conduct in Penal Institutions

91. **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)

**CRIMINAL CODE —
GOVERNMENTAL OPERATIONS**

Obstruction of Public Justice

92. **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
93. **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)

Elements of Offense

C.R.S. Citation

Escape and Offenses Relating to Custody

94. ***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)
95. ***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)
96. ***Escape.*** 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)

Bribery and Corrupt Influences

97. ***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)

Perjury and Related Offenses

98. ***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)

Offenses Relating to the Use of Force by Peace Officers

99. ***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)

Elements of Offense

C.R.S. Citation

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

Public Peace and Order

100. ***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)
101. ***Interference with staff, faculty, or students of educational institutions.*** 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)
102. ***Harassment.*** A person commits a class 1 misdemeanor if he or she, with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin, 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)
103. ***Desecration of venerated objects.*** 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)
104. ***Failure to leave premises upon request of a peace officer.*** 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)
105. ***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)

Cruelty to Animals

106. ***Cruelty to animals.*** The first offense of cruelty to animals is a class 1 misdemeanor. 18-9-202 (2) (a)
107. ***Unlawful ownership of a dangerous dog.*** 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)

Elements of Offense

C.R.S. Citation

108. ***Tampering with or drugging livestock.*** Tampering with or drugging livestock is a class 1 misdemeanor. 18-9-207 (3)

Offenses Involving Communications

109. ***Wiretapping prohibited.*** Wiretapping involving a cordless telephone is a class 1 misdemeanor. 18-9-303 (2)
110. ***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
- A.knowingly aiding, authorizing, agreeing with, employing, permitting, or intentionally conspiring with any person to violate the provisions of the eavesdropping statute. 18-9-304 (2)
111. ***Obstruction of telephone or telegraph service.*** Obstruction of telephone or telegraph service is a class 1 misdemeanor. 18-9-306.5 (2)
112. ***Telecommunications crime.*** 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. Theft is a class 1 misdemeanor when the value of the thing involved is \$500 or more but less than \$1,000. 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. Theft is a class 1 misdemeanor when the value of the thing involved is \$500 or more but less than \$1,000. 18-9-309 (3) (b)
113. ***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)

Elements of Offense

C.R.S. Citation

**CRIMINAL CODE —
GAMBLING**

Offenses Involving Gambling

114. **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)

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

Firearms and Weapons

115. **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)
116. **Possession of a defaced firearm.** Knowingly and unlawfully possessing a defaced firearm is a class 1 misdemeanor. 18-12-103
117. **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
118. **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)
119. **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

120. **Large-capacity ammunition magazines.** Any person who, for the second or subsequent time, commits the crime of selling, transferring, or possessing 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 1 misdemeanor. 18-12-302 (1) (b)

**CRIMINAL CODE —
MISCELLANEOUS OFFENSES**

Miscellaneous Offenses

121. ***Purchases of commodity metals.*** Violating the following provisions related to the purchase of commodity scrap metal is a class 1 misdemeanor when the value of the metal involved is \$500 or more: 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) (b)
122. ***Violations concerning the sale of secondhand property.*** 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)
123. ***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)
124. ***Sale or purchase of telephone records.*** Unauthorized trading in telephone records is a class 1 misdemeanor. 18-13-125 (4)
125. ***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)

**CRIMINAL CODE —
MAKING, FINANCING, OR COLLECTION OF LOANS**

Offenses — Making, Financing, or Collection of Loans

126. ***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)

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

Offenses Relating to Marijuana

127. **Medical use of marijuana.** 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)

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

Offenses Related to Limited Gaming

128. **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)
129. **Cheating.** Cheating at any limited gaming activity is a class 1 misdemeanor if the offender is neither a licensee nor a repeating gambling offender. 18-20-106 (3)
130. **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 repeating gambling offender. 18-20-107 (2)

Elements of Offense

C.R.S. Citation

131. ***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 repeating gambling offender. 18-20-108 (2)
132. ***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)

CRIMINAL CODE — GANG RECRUITMENT ACT

Gang Recruitment Act

133. ***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

134. ***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

POSTSECONDARY EDUCATION

Offenses Related to State Universities and Colleges

135. ***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)

STATE GOVERNMENT

Standards of Conduct

136. ***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

Department of Personnel

137. ***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)
138. ***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

139. ***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)

Elements of Offense

C.R.S. Citation

Colorado State Patrol

140. **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)
141. **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

142. **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)

Division of Fire Safety

143. **Fire suppression.** 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)

Office of Information Technology

144. **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. 24-37.5-603 (2) (b)

State History, Archives, and Emblems

145. **Unmarked human graves.** Knowingly disturbing an unmarked human burial is a class 1 misdemeanor. 24-80-1305 (1)

Elements of Offense

C.R.S. Citation

HEALTH

Department of Public Health and Environment

146. **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

147. **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)

Disease Control

148. **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)

Elements of Offense

C.R.S. Citation

HEALTH CARE POLICY AND FINANCING

Colorado Medical Assistance Act

149. ***Patient personal needs trust fund.*** A person who unlawfully retains patient personal needs 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)
- 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 1 misdemeanor if the amount involved is at least \$500, but less than \$1,000. 25.5-6-206 (8) (d) (II)

HUMAN SERVICES CODE

Colorado Public Assistance Act

150. ***Trafficking in food stamps.*** 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)

PARKS AND WILDLIFE

Licenses, Certificates, and Fees

151. ***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 and Outdoor Recreation

152. ***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)
- 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)

Elements of Offense

C.R.S. Citation

153. **River outfitters.** 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)

AGRICULTURE

Pesticide Act

154. **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)
155. **Violations.** 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

156. **Violations.** 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)

Colorado Seed Act

157. **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)

Alternative Livestock Act

158. **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

159. **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

160. **Violations.** 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)

Elements of Offense

C.R.S. Citation

Livestock Health Act

161. ***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)

Public Livestock Markets

162. ***Violations.*** 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

TAXATION

Collection and Redemption

163. ***Sale of tax liens.*** 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)

Sales and Use Tax

164. ***Penalties for false or fraudulent returns.*** 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)

Cigarette Tax

165. ***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)

Tax on Tobacco Products

166. ***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)

Elements of Offense

C.R.S. Citation

VEHICLES AND TRAFFIC

Habitual Offenders of Motor Vehicle Laws

167. ***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)

Registration and Taxation

168. ***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. 42-3-103 (1) (c)

Regulation of Vehicles and Traffic

169. ***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)
170. ***Theft discovered - duties - liability.*** 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

171. ***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)
172. ***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)

Certificates of Title

173. ***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)

Used Motor Vehicle Sales

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

Elements of Offense

C.R.S. Citation

Motor Vehicle Financial Responsibility Law

175. ***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)

Transportation of Hazardous and Nuclear Materials

176. ***Violations.*** 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

177. ***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)