CLASS 1 PETTY OFFENSES

Offense	C.R.S. Citation

PROFESSIONS AND OCCUPATIONS

Offenses Related to Professions and Occupations - General

1.	***Veterinarian reporting requirements.*** A licensed veterinarian who, during the course of attending or treating an animal, has reasonable cause to know or suspect that the animal has been subjected to unlawful cruelty or animal fighting commits a class 1 petty offense if he or she fails to report this fact or belief to a local law enforcement agency or to the Bureau of Animal Protection.	12-64-121 (3)
	A licensed veterinarian who knowingly makes a false report of animal cruelty or animal fighting commits a class 1 petty offense.	12-64-121 (3)

CRIMINAL CODE

Inchoate Offenses

2.	***Criminal attempt.*** Criminal attempt to commit a class 1 petty offense is a class 1 petty offense.	18-2-101 (8)
3.	***Criminal conspiracy.*** Criminal conspiracy to commit a class 1 petty offense is a class 1 petty offense.	18-2-206 (6)

Offenses Against Property

4.	***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:	18-4-401 (1)
	• 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

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• 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)
• 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)

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• 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)
Theft is a class 1 petty offense when the value of the thing involved is less than $50.	18-4-401 (2) (b)
5. ***Third degree criminal trespass.*** Any person who unlawfully enters or remains in or upon the premises of another commits third degree criminal trespass, which is a class 1 petty offense unless the premises have been classified as agricultural land.	18-4-504 (2)
6. ***Defacing posted notice.*** Any person who knowingly mars, destroys, or removes any posted notice authorized by law commits a class 1 petty offense.	18-4-510

Offenses Involving Fraud

7. ***False statements as to circulation.*** Any person who is engaged in the publication of a newspaper, magazine, periodical, or other advertising medium published in the state and who knowingly makes any statement concerning the circulation of the medium which is untrue or misleading when publication charges are based on such circulation commits a class 1 petty offense.	18-5-304

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Offenses Relating to Morals

8.	***Prostitute making display.*** Any person who by word, gesture, or action endeavors to further the practice of prostitution in any public place or within public view commits a class 1 petty offense.	18-7-207
9.	***Public indecency.*** Any person who performs any of the following actions in a public place or where conduct may reasonably be expected to be viewed by members of the public commits public indecency: an act of sexual intercourse; a lewd exposure of an intimate part, not including the genitals, with the intent to arouse or to satisfy the sexual desire of any person; a lewd fondling or caress of the body of another; or a knowing exposure of the person's genitals to the view of another under circumstances in which such conduct is likely to cause affront or alarm. Public indecency is a class 1 petty offense.	18-7-301 (2) (a)

Offenses Relating to Governmental Operations

10.	***Accessory to crime.*** Being an accessory to a crime is a class 1 petty offense if the offender knows that the person being assisted has committed, has been convicted of, or is charged, suspected, or wanted for a misdemeanor.	18-8-105 (6)
11.	***Refusal to permit inspections.*** A person who knows that public servant is legally authorized to inspect property and who refuses to produce or make the property available for inspection at a reasonable hour or who refuses to permit the inspection of property at a reasonable hour commits a class 1 petty offense.	18-8-106 (1)
12.	***Refusing to aid a peace officer.*** A person who is at least 18 years old and who, upon command by a person known to him or her to be a peace officer, unreasonably refuses or fails to aid the peace officer in effecting or securing an arrest or in preventing the commission of an offense commits a class 1 petty offense.	18-8-107
13.	***Inducing prisoners to absent selves.*** Any person who invites, entices, solicits, or induces any prisoner in custody or confinement to absent himself from his work or who substantially delays or hinders a prisoner in his work commits a class 1 petty offense.	18-8-202
14.	***Aiding escape from civil process.*** Any person who aids, abets, or assists the escape of a person who is in legal custody under civil process commits a class 1 petty offense.	18-8-205
15.	***Escapes.*** A person commits a class 1 petty offense if, while being in custody or confinement following conviction of a misdemeanor or petty offense or a violation of a municipal ordinance, he or she knowingly escapes.	18-8-208 (5)
16.	***Second degree official misconduct.*** A public servant commits the class 1 petty offense of second degree official misconduct if he or she knowingly, arbitrarily, and capriciously refrains from performing a duty imposed upon him or her by law or violates any statute or lawfully adopted rule or regulation relating to his or her office.	18-8-405 (2)
17.	***Designation of insurer prohibited.*** Any public servant who directly or indirectly requires or directs a bidder on any public building or construction contract which is about to be or has been competitively bid to obtain a surety bond or contract of insurance from a particular insurer, agent, or broker commits a class 1 petty offense.	18-8-408 (2)

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18. ***False swearing.*** A person who is under an oath required or authorized by law and who knowingly makes a materially false statement which he or she does not believe to be true commits false swearing, which is a class 1 petty offense, unless the offense qualifies as perjury in the first or second degree.	18-8-504 (2)

Offenses Against Public Peace, Order and Decency

19. ***Disorderly conduct.*** A person who intentionally, knowingly, or recklessly: makes a coarse and obviously offensive utterance, gesture, or display in a public place and the utterance, gesture, or display tends to incite an immediate breach of the peace; or makes unreasonable noise in a public place or near a private residence that he or she has no right to occupy commits a class 1 petty offense of disorderly conduct.	18-9-106 (3)
20. ***Loitering.*** A person commits a class 1 petty offense when he or she, with the intent to interfere with or disrupt the school program or with the intent to interfere with or endanger schoolchildren, loiters in a school building or on or within 100 feet of school grounds when persons under the age of 18 are present, when the person has no responsibility for any pupil nor any other specific and legitimate reason for his or her presence, and when the person has been asked to leave.	18-9-112 (2)
21. ***Throwing missiles at vehicles.*** Any person who knowingly projects any missile at or against a vehicle or equipment (other than a bicycle) designed for the transportation of persons or property commits a class 1 petty offense.	18-9-116 (1)
22. ***Bringing alcohol beverages, bottles, or cans into the major league baseball stadium.*** Bringing or carrying alcoholic beverages, bottles, or cans into the Denver metropolitan major league baseball stadium is a class 1 petty offense.	18-9-123 (3)
23. ***Unlawful ownership of dangerous dog.*** Any owner who commits ownership of a dangerous dog and whose dog damages or destroys the property of another person commits a class 1 petty offense.	18-9-204.5 (3) (e) (III) (B.5)
24. ***Refusal to yield party line.*** Any person who willfully refuses to immediately yield or surrender the use of a party line on a telephone circuit when informed that the line is needed for an emergency call commits a class 1 petty offense, unless that person is using the line for such an emergency call.	18-9-307 (2)
Any person who requests the use of a party line on the pretext that an emergency exists while knowing that no emergency exists commits a class 1 petty offense.	18-9-307 (3) ($100 fine)
25. ***Telephone directories to contain notice concerning refusals to yield party lines.*** Any person who or firm or corporation that provides telephone services and distributes state telephone directories must provide notice regarding the provisions of section 18-9-307 concerning the refusal to yield a party line. Failure to provide this notice constitutes a class 1 petty offense.	18-9-308
26. ***Automated dialing systems prohibited.*** Any person who uses an automated dialing system with a prerecorded message for the purpose of soliciting another person to purchase goods or services commits a class 1 petty offense unless there is an existing business relationship between the persons involved and the recipient consents to hear the message.	18-9-311 (2)

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Offenses Related to Gambling

27.	***Gambling.*** A person who engages in gambling commits a class 1 petty offense, provided that the person does not engage in professional gambling and the person is not a repeating gambling offender.	18-10-103 (1)

Offenses Involving Disloyalty

28.	***Unlawful to display flag.*** Any person who displays any flag other than the flag of the United States of America or of the state of Colorado or any of its subdivisions, agencies, or institutions on a permanent flagstaff located on a state, county, municipal, or other public building or on its grounds commits a class 1 petty offense.	18-11-205 (1)

Offenses Related to Firearms and Weapons

29.	***Permit contents - validity - carrying requirements.*** Any person who fails to carry and produce a concealed carry permit and valid photo identification when requested to do so by a law enforcement officer commits a class 1 petty offense.	18-12-204 (2) (a)
30.	***Maintenance of a permit.*** Any person who has a concealed carry permit and who fails to notify the issuing sheriff within 30 days following a change of address or within three business days following the loss, theft, or destruction of the permit commits a class 1 petty offense.	18-12-210 (1)

Miscellaneous Offenses

31.	***Fighting by agreement - dueling.*** If two or more persons fight by agreement in a public place, except in a lawfully authorized sporting event, such persons commit the offense of dueling, which is a class 1 petty offense unless deadly weapons are involved.	18-13-104 (1)
32.	***Unlawful to discard or abandon iceboxes or motor vehicles and similar items.*** Any person who abandons or discards in any public place or private place accessible to children, any chest, closet, piece of furniture, refrigerator, icebox, motor vehicle, or other article that has a compartment with a capacity of one and one-half cubic feet or more and a door or lid which cannot be easily opened from the inside, or who knowingly permits such an item to be abandoned or discarded on his or her property, commits a class 1 petty offense.	18-13-106
33.	***Interference with persons with disabilities.*** Any person who is not wholly or partially blind, wholly or partially deaf, or both, and who uses a cane or walking stick that is white or white tipped with red or metallic in color or who uses an orange leash blaze orange on any accompanying dog in a public place commits a class 1 petty offense.	18-13-107 (1)
34.	***Health care providers - abuse of health insurance.*** A person who provides health care commits abuse of health insurance if, when the effect is to eliminate any required deductible or copayment required from a patient, the health care provider knowingly: accepts from any third-party payer, as payment-in-full, the amount the third-party payer covers; or submits a fee to a third-party payer when the fee is higher than the fee the provider has agreed to accept from the insured patient. Abuse of health insurance is a class 1 petty offense.	18-13-119 (4)

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Offenses Related to Hotel Facility Rates

35.	***Hotel facility violations.*** Any owner, agent, lessee, or manager of any hotel facility who violates, or causes to be violated, any of the provisions of Article 14 of Title 18 regarding the posting and notice of hotel rates commits a class 1 petty offense.	18-14-104

HEALTH

Offenses Related to Environmental Control

36.	***On-site Wastewater Treatment Systems Act violations.*** Any person who violates the On-site Wastewater Treatment Systems Act commits a class 1 petty offense.	25-10-113 (1) (maximum $50 fine per day)

PARKS AND WILDLIFE

Law Enforcement and Penalties - Wildlife

37.	***Traps, poisons, and snares.*** Any person who attempts to take wildlife using any leghold trap, or by instant kill body-gripping design trap, poison, or snare commits a class 1 petty offense.	33-6-203 (2) ($40 fine, 4 license suspension points; $80 fine, 8 license suspension points if the offense occurred pursuant to an unlawful entry)

AGRICULTURE

Offenses Related to Livestock

38.	***Cattle in feedlots.*** Any lessee, lessor, commercial feedlot owner, or established livestock owner who violates, for the first time, any of the provisions of section 25-43-130 regarding cattle in feedlots commits a class 1 petty offense.	35-43-130 (2) (maximum $500 fine, 6 months in jail, or both)

REAL AND PERSONAL PROPERTY

Offenses Related to Manufactured Homes

39.	***Surrender and cancellation of certificate.*** Any owner of a manufactured home who fails to surrender and request the cancellation of the Colorado certificate of title for the home upon its destruction, dismantling, or sale or disposal as salvage commits a class 1 petty offense.	38-29-118 (1) (maximum $500 fine, 6 months in jail, or both)

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VEHICLES AND TRAFFIC

Offenses Related to Taxation

40.	***Perjury on a motor vehicle registration application.*** Any person who, under an oath required or authorized by law, knowingly makes a material false statement that he or she does not believe to be true on a motor vehicle registration commits a class 1 petty offense, provided that the statement does not qualify as perjury in the first or second degree.	42-3-122 (2)

Offenses Related to the Regulation of Vehicles and Traffic

41.	***Notice to appear or pay fine.*** Any person who is a parent or legal guardian of a minor and who fails to appear in court with the minor pursuant to Part 17 of Article 4 of Title 42 relating to penalties and procedure for violations of traffic regulations commits a class 1 petty offense.	42-4-1716 (4) (b) (maximum $500 fine, 6 months in jail, or both)

Automobile Theft Law

42.	***Duties of dealers - assembled motor vehicles.*** Any person who violates any of the provisions of section 42-5-106 relating to the duties of dealers regarding assembled motor vehicles commits a class 1 petty offense.	42-5-106 (maximum $500 fine, 6 months in jail, or both)

Offenses Related to Certificates of Title

43.	***Surrender and cancellation of certificate.*** Any owner of a motor or off-highway vehicle who fails to surrender and request the cancellation of the Colorado certificate of title for the vehicle upon its destruction, dismantling, or sale or disposal as salvage commits a class 1 petty offense.	42-6-136 (1) (maximum $500 fine, 6 months in jail, or both)