



CRIMINAL CODE UPDATES

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Purpose

- To bring outdated sections of the criminal code into alignment with State law
- To add additional sections to allow certain crimes to be charged into Municipal Court
- To clean up, clarify and simplify language

Impacted Titles

- Title 1: Administrative (9 sections)
- Title 3: Business Regulations (1 section)
- Title 6: Police Regulations (46 sections)
- Title 9: Traffic Regulations (2 sections)

Updates to Align with State Law

- 36 sections
- Highlights:
 - Maximum jail sentence is now 364 days (as opposed to 1 year)
 - Theft amount went up (\$1,000 to \$2,000) and statute amended
 - Repealed Statute References updated
 - Alcohol/Drug sections to include “immunity” clauses for reporting of overdoses
 - Smoking sections to include “vaping”

Smoking Sections

- General Smoking Restrictions
 - Align with updates to “Colorado Clean Indoor Air Act”
 - Add prohibition of smoking in certain public outdoor spaces (parks, trails, open space)
- Sale or Possession of Tobacco
 - Adding language to include ESDs (electronic smoking devices)
 - Raised age from 18 to 21 as it changed in December

Addition of 9 Sections

- Removal of Dog Waste Required
- Conspiracy
- Solicitation
- Theft Detection Devices (replacing Theft by Receiving)
- Criminal Tampering
- Obstruction of Telephone Service
- Prohibition of Open Marijuana Containers
- Resisting Arrest
- Improper Use of 911 Emergency Communications System

Repeal of 2 sections

- Loitering
- Synthetic Cocaine

Clean Up/ Simplify / Clarify

- 20+ Sections
 - Update outdated language
 - Remove unnecessary language
 - Clarify court processes and terms based on how the codes practically operate

Clean Up/ Simplify / Clarify

- Surcharges
 - Electronic Citation Surcharge
 - Proposing an increase from \$6.75 to \$10.00 to reflect court operating costs
 - Surcharge Levied on Criminal Actions and Traffic Offenses
 - Proposing a flat fee for non fine cases and a raise in percentage (from 10% to 15%) on fines
 - State statute is currently at 37%

Questions?