



Colorado Legislative Council Staff Fiscal Note
NO FISCAL IMPACT

Drafting Number: LLS 08-0094**Date:** January 15, 2008**Prime Sponsor(s):** Rep. Gardner C.
Sen. Harvey**Bill Status:** House Judiciary**Fiscal Analyst:** Marc Carey (303-866-4102)

TITLE: CONCERNING THE USE OF PHYSICAL FORCE AGAINST A PERSON WHO MAKES AN UNLAWFUL ENTRY INTO A PLACE OF BUSINESS.**Summary of Legislation**

This bill creates a presumption that an occupant of a place of business who uses deadly physical force against an intruder has a reasonable fear of imminent death or serious bodily injury to himself or herself or another person and thus, is immune from criminal prosecution for the use of such force. Under current law, this presumption applies only to occupants of a dwelling. The bill will take effect 90 days following final adjournment of the General Assembly unless a referendum petition is filed (August 6, 2008, if final adjournment is May 7, 2008).

Assessment

While this bill may make cases more complicated due to the expansion of locations where an occupant may use deadly force, cases involving deadly force are infrequent and the increase in case complexity will only result in a minimal increase in the courts' workload. Thus, this bill will not affect state or local revenues or expenditures and is assessed as having no fiscal impact.

Departments Contacted

Corrections

Judicial

Public Safety