

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 12-0750.01 Brita Darling x2241

**SENATE BILL 12-102**

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**SENATE SPONSORSHIP**

**Brophy,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**  
Judiciary

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE REPEAL OF THE CRIME OF CRIMINAL LIBEL.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill repeals the crime of criminal libel, effective September 1, 2012.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
2nd Reading Unamended  
February 17, 2012

1           **SECTION 1.** In Colorado Revised Statutes, **repeal** 18-13-105 as  
2 follows:

3           **18-13-105. Criminal libel.** ~~(1) A person who shall knowingly~~  
4 ~~publish or disseminate, either by written instrument, sign, pictures, or the~~  
5 ~~like, any statement or object tending to blacken the memory of one who~~  
6 ~~is dead, or to impeach the honesty, integrity, virtue, or reputation or~~  
7 ~~expose the natural defects of one who is alive, and thereby to expose him~~  
8 ~~to public hatred, contempt, or ridicule, commits criminal libel.~~

9           ~~(2) It shall be an affirmative defense that the publication was true,~~  
10 ~~except libels tending to blacken the memory of the dead and libels~~  
11 ~~tending to expose the natural defects of the living.~~

12           ~~(3) Criminal libel is a class 6 felony.~~

13           **SECTION 2. Act subject to petition - effective date.** This act  
14 takes effect September 1, 2012; except that, if a referendum petition is  
15 filed pursuant to section 1 (3) of article V of the state constitution against  
16 this act or an item, section, or part of this act within the ninety-day period  
17 after final adjournment of the general assembly, then the act, item,  
18 section, or part will not take effect unless approved by the people at the  
19 general election to be held in November 2012 and, in such case, will take  
20 effect on the date of the official declaration of the vote thereon by the  
21 governor.