

HB1229\_L.002

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.HB15-1229 be amended as follows:

- 1 Amend printed bill, page 2, strike lines 2 through 23 and substitute:  
 2 "SECTION 1. In Colorado Revised Statutes, add 18-8-616 as  
 3 follows:  
 4 **18-8-616. Retaliation against a prosecutor.** (1) (a) AN  
 5 INDIVIDUAL COMMITS RETALIATION AGAINST A PROSECUTOR IF THE  
 6 INDIVIDUAL MAKES A CREDIBLE THREAT, AS DEFINED IN SECTION 18-3-602  
 7 (2) (b), OR COMMITS AN ACT OF HARM OR INJURY UPON A PERSON OR  
 8 PROPERTY AS RETALIATION OR RETRIBUTION AGAINST A PROSECUTOR,  
 9 WHICH ACTION IS DIRECTED AGAINST OR COMMITTED UPON:  
 10 (I) A PROSECUTOR WHO HAS SERVED OR IS SERVING IN A LEGAL  
 11 MATTER ASSIGNED TO THE PROSECUTOR INVOLVING THE INDIVIDUAL OR  
 12 A PERSON ON WHOSE BEHALF THE INDIVIDUAL IS ACTING;  
 13 (II) A MEMBER OF THE PROSECUTOR'S FAMILY;  
 14 (III) A PERSON IN CLOSE RELATIONSHIP TO THE PROSECUTOR; OR  
 15 (IV) A PERSON RESIDING IN THE SAME HOUSEHOLD WITH THE  
 16 PROSECUTOR.  
 17 (b) AN INDIVIDUAL COMMITS RETALIATION AGAINST A  
 18 PROSECUTOR BY MEANS OF A CREDIBLE THREAT AS DESCRIBED IN  
 19 PARAGRAPH (a) OF THIS SUBSECTION (1) IF THE INDIVIDUAL KNOWINGLY  
 20 MAKES THE CREDIBLE THREAT:  
 21 (I) DIRECTLY TO THE PROSECUTOR; OR  
 22 (II) TO ANOTHER PERSON:  
 23 (A) IF THE INDIVIDUAL INTENDED THAT THE COMMUNICATION  
 24 WOULD BE RELAYED TO THE PROSECUTOR; OR  
 25 (B) IF THE OTHER PERSON IS REQUIRED BY STATUTE OR ETHICAL  
 26 RULE TO REPORT THE COMMUNICATION TO THE PROSECUTOR.  
 27 (2) RETALIATION AGAINST A PROSECUTOR IS A CLASS 4 FELONY.  
 28 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
 29 REQUIRES, "PROSECUTOR" MEANS THE ATTORNEY GENERAL, DEPUTY  
 30 ATTORNEY GENERAL, ASSISTANT ATTORNEY GENERAL, DISTRICT  
 31 ATTORNEY, DEPUTY DISTRICT ATTORNEY, ASSISTANT DISTRICT ATTORNEY,  
 32 APPOINTED SPECIAL PROSECUTOR, CITY ATTORNEY, UNITED STATES  
 33 ATTORNEY, DEPUTY UNITED STATES ATTORNEY, ASSISTANT UNITED  
 34 STATES ATTORNEY, OR SPECIAL ASSISTANT UNITED STATES ATTORNEY."

35 Page 3, strike lines 1 through 14.

\*\* \*\* \*\* \*\* \*\*

