

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0905.01 Richard Sweetman

SENATE BILL 11-201

SENATE SPONSORSHIP

Roberts and Carroll,

HOUSE SPONSORSHIP

Barker,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING CLARIFYING THE ELEMENTS OF THE CRIMINAL OFFENSE
102 OF CRIMINAL IMPERSONATION.

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/billssummaries>.)

The bill clarifies some of the elements of the offense of criminal impersonation.

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.

1 **SECTION 1.** 18-5-113 (1), Colorado Revised Statutes, is
2 amended, and the said 18-5-113 is further amended BY THE ADDITION
3 OF A NEW SUBSECTION, to read:

4 **18-5-113. Criminal impersonation.** (1) A person commits
5 criminal impersonation if he OR SHE knowingly:

6 (a) Assumes a false or fictitious identity or LEGAL capacity, and
7 in such identity or capacity he OR SHE:

8 ~~(a)~~ (I) Marries, or pretends to marry, or to sustain the marriage
9 relation toward another without the connivance of the latter; ~~or~~

10 ~~(b)~~ (II) Becomes bail or surety for a party in an action or
11 proceeding, civil or criminal, before a court or officer authorized to take
12 the bail or surety; or

13 ~~(c)~~ (III) Confesses a judgment, or subscribes, verifies, publishes,
14 acknowledges, or proves a written instrument which by law may be
15 recorded, with the intent that the same may be delivered as true; or

16 (b) ASSUMES A FALSE OR FICTITIOUS IDENTITY OR CAPACITY,
17 LEGAL OR OTHER, AND IN SUCH IDENTITY OR CAPACITY HE OR SHE:

18 ~~(d)~~ (I) ~~Does~~ PERFORMS an act ~~which~~ THAT, if done by the person
19 falsely impersonated, might subject such person to an action or special
20 proceeding, civil or criminal, or to liability, charge, forfeiture, or penalty;
21 or

22 ~~(e)~~ (II) ~~Does~~ PERFORMS any other act with intent to unlawfully
23 gain a benefit for himself, HERSELF, or another or to injure or defraud
24 another.

25 (3) FOR THE PURPOSES OF SUBSECTION (1) OF THIS SECTION, USING
26 FALSE OR FICTITIOUS PERSONAL IDENTIFYING INFORMATION, AS DEFINED
27 IN SECTION 18-5-901 (13), SHALL CONSTITUTE THE ASSUMPTION OF A

1 FALSE OR FICTITIOUS IDENTITY OR CAPACITY.

2 **SECTION 2. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.