

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 13-0581.01 Richard Sweetman x4333

HOUSE BILL 13-1060

HOUSE SPONSORSHIP

McLachlan,

SENATE SPONSORSHIP

Newell,

House Committees
Judiciary

Senate Committees
Local Government

A BILL FOR AN ACT

101 **CONCERNING RAISING THE MAXIMUM FINE THAT MAY BE ASSESSED BY**
102 **A MUNICIPAL COURT.**

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>.)

Under current law, the maximum amount that a municipal court may fine a person convicted of violating a municipal ordinance is \$1,000. The bill raises this amount to \$5,000.

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
April 2, 2013

HOUSE
3rd Reading Unamended
March 5, 2013

HOUSE
Amended 2nd Reading
March 1, 2013

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-10-113, **amend**
3 (1) as follows:

4 **13-10-113. Fines and penalties.** (1) (a) EXCEPT AS PROVIDED IN
5 PARAGRAPH (b) OF THIS SUBSECTION (1), any person convicted of violating
6 a municipal ordinance in a municipal court of record may be incarcerated
7 for a period not to exceed one year or fined an amount not to exceed ~~one~~
8 ~~thousand~~ TWO THOUSAND SIX HUNDRED FIFTY dollars, or both.

9 (b) (I) THE LIMITATION ON MUNICIPAL COURT FINES SET FORTH IN
10 PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL BE ADJUSTED FOR
11 INFLATION ON JANUARY 1, 2014, AND ON JANUARY 1 OF EACH YEAR
12 THEREAFTER.

13 (II) AS USED IN THIS PARAGRAPH (b), "INFLATION" MEANS THE
14 ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
15 LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
16 DENVER-BOULDER, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS
17 SUCCESSOR INDEX.

18 **SECTION 2.** In Colorado Revised Statutes, 31-16-101, **amend**
19 (1) as follows:

20 **31-16-101. Ordinance powers - penalty.** (1) (a) EXCEPT AS
21 PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), the governing body
22 of each municipality has power to provide for enforcement of ordinances
23 adopted by it by a fine of not more than ~~one thousand~~ TWO THOUSAND SIX
24 HUNDRED FIFTY dollars, or by imprisonment for not more than one year,
25 or by both such fine and imprisonment.

26 (b) (I) THE LIMITATION ON MUNICIPAL COURT FINES SET FORTH IN
27 PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL BE ADJUSTED FOR

1 INFLATION ON JANUARY 1, 2014, AND ON JANUARY 1 OF EACH YEAR
2 THEREAFTER.

3 (II) AS USED IN THIS PARAGRAPH (b), "INFLATION" MEANS THE
4 ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
5 LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
6 DENVER-BOULDER, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS
7 SUCCESSOR INDEX.

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