

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-1023.01 Richard Sweetman x4333

HOUSE BILL 15-1303

HOUSE SPONSORSHIP

Melton,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING ELIMINATING THE APPLICATION OF CERTAIN
102 SENTENCING PROVISIONS TO CERTAIN PERSONS WHO ARE
103 CONVICTED OF ASSAULT IN THE SECOND DEGREE.

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, for sentencing purposes, second-degree assault is considered a crime of violence if the defendant caused bodily injury to any person with intent to prevent one whom he or she knows, or should know, to be a peace officer, firefighter, or emergency medical service provider from performing a lawful duty. Under the bill, such an offense

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.

is not necessarily a crime of violence.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-3-203, **amend** (2)

3 (c) as follows:

4 **18-3-203. Assault in the second degree.** (2) (c) If a defendant is
5 convicted of assault in the second degree pursuant to paragraph (b), ~~(e)~~,
6 (d), or (g) of subsection (1) of this section or paragraph (b.5) of this
7 subsection (2), except with respect to sexual assault or sexual assault in
8 the first degree as it existed prior to July 1, 2000, the court shall sentence
9 the defendant in accordance with the provisions of section 18-1.3-406. A
10 defendant convicted of assault in the second degree pursuant to paragraph
11 (b.5) of this subsection (2) with respect to sexual assault or sexual assault
12 in the first degree as it existed prior to July 1, 2000, shall be sentenced in
13 accordance with section 18-1.3-401 (8) (e) or (8) (e.5).

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