

**Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 06-0401.01 Michael Dohr

HOUSE BILL 06-1027

HOUSE SPONSORSHIP

Lindstrom,

SENATE SPONSORSHIP

Johnson,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PERSONS AUTHORIZED AS PEACE OFFICERS IN**
102 **COLORADO.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Clarifies peace officer status for municipal court marshals and public transit officers. Eliminates the option of a municipal court marshal receiving reserve officer training in lieu of basic peace officer standards and training board certification training.

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.** 16-2.5-101 (1), Colorado Revised Statutes, is
2 amended to read:

3 **16-2.5-101. Peace officer - description - general authority.**

4 (1) A person who is included within the provisions of this article and
5 who meets all standards imposed by law on a peace officer is a peace
6 officer, and, notwithstanding any other provision of law, no person other
7 than a person designated in this article is a peace officer. A peace officer
8 may be certified by the peace officers standards and training board
9 pursuant to part 3 of article 31 of title 24, C.R.S., and, at a minimum, has
10 the authority to enforce all laws of the state of Colorado while acting
11 within the scope of his or her authority and in the performance of his or
12 her duties, UNLESS OTHERWISE LIMITED WITHIN THIS PART 1.

13 **SECTION 2.** 16-2.5-145, Colorado Revised Statutes, is amended
14 to read:

15 **16-2.5-145. Municipal court marshal.** A municipal court
16 marshal ~~employed by a municipality is~~ WHO IS EMPLOYED BY A
17 MUNICIPALITY AND IS SPECIFICALLY DESIGNATED a peace officer BY THE
18 MUNICIPALITY IS A PEACE OFFICER while engaged in the performance of
19 his or her duties. ~~whose authority~~ THE AUTHORITY OF SUCH A MUNICIPAL
20 COURT MARSHAL shall be limited to providing security for the municipal
21 court, transporting, detaining, and maintaining control over prisoners,
22 executing all arrest warrants within the municipal court and its grounds,
23 executing municipal court arrest warrants within the municipal limits, and
24 serving legal process issued by the municipal court within the municipal
25 limits. ~~and who~~ A MUNICIPAL COURT MARSHAL shall be certified by the
26 P.O.S.T. board. ~~or receive the training required for a reserve officer~~
27 ~~pursuant to section 16-2.5-110.~~

1 **SECTION 3.** 16-2.5-146 (1), Colorado Revised Statutes, is
2 amended to read:

3 **16-2.5-146. Public transit officer - definitions.** (1) A public
4 transit officer WHO IS employed by a public transportation entity, as
5 defined in section 18-4-801 (2), C.R.S., ~~is~~ AND IS SPECIFICALLY
6 DESIGNATED a peace officer BY THE PUBLIC TRANSPORTATION ENTITY IS
7 A PEACE OFFICER while engaged in the performance of his or her duties.
8 A public transit officer's authority shall be limited to the enforcement of
9 all laws of the state of Colorado and the provision of security for
10 passengers, employees, and property of the public transportation entity on
11 public transportation vehicles, as defined in section 18-4-801 (3), C.R.S.,
12 and at public transportation facilities. A public transit officer's authority
13 shall include the power of arrest based upon probable cause while
14 engaged in the performance of his or her duties. A public transit officer
15 shall be certified by the P.O.S.T. board.

16 **SECTION 4. Effective date.** This act shall take effect July 1,
17 2007.

18 **SECTION 5. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.