

First Extraordinary Session
Sixty-fifth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 06B-2033.01 Dan Cartin

SENATE BILL 06S-007

SENATE SPONSORSHIP

Gordon,

HOUSE SPONSORSHIP

Buescher,

Senate Committees

Judiciary
Appropriations

House Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A CLASS 5 FELONY OFFENSE FOR ANY**
102 **PERSON WHO VOTES IN ANY ELECTION PROVIDED BY LAW**
103 **KNOWING THAT THE PERSON IS NOT ENTITLED TO VOTE IN SUCH**
104 **ELECTION, AND MAKING AN APPROPRIATION IN CONNECTION**
105 **THEREWITH.**

Bill Summary

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

Makes voting by a person in an election in which that person knows he or she is not entitled to vote a class 5 felony.

Makes a 5-year statutory appropriation.

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.

HOUSE
3rd Reading Unamended
July 8, 2006

HOUSE
Amended 2nd Reading
July 7, 2006

SENATE
3rd Reading Unamended
July 7, 2006

SENATE
Amended 2nd Reading
July 6, 2006

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

2 **SECTION 1.** Part 7 of article 13 of title 1, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **1-13-704.5. Voting by persons not entitled to vote - penalty.**

6 (1) ANY PERSON VOTING IN ANY ELECTION PROVIDED BY LAW KNOWING
7 THAT HE OR SHE IS NOT ENTITLED TO VOTE IN SUCH ELECTION COMMITS A
8 CLASS 5 FELONY AND SHALL BE PUNISHED AS PROVIDED IN SECTION
9 18-1.3-401, C.R.S.

10 (2) THIS SECTION SHALL BE ENFORCED WITHOUT REGARD TO RACE,
11 RELIGION, GENDER, ETHNICITY, OR NATIONAL ORIGIN.

12 **SECTION 2.** Part 1 of article 1 of title 17, Colorado Revised
13 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
14 read:

15 **17-1-160. Appropriation to comply with section 2-2-703 -**

16 **S.B. 06S-007.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
17 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
18 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT S.B. 06S-007,
19 ENACTED AT THE FIRST EXTRAORDINARY SESSION OF THE SIXTY-FIFTH
20 GENERAL ASSEMBLY:

21 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION
22 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM
23 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302,
24 C.R.S., TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN
25 SECTION 17-1-116, THE SUM OF EIGHTY-SEVEN THOUSAND ONE HUNDRED
26 NINETY-FOUR DOLLARS (\$87,194). ___ ___

1 **(b)** FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, IN ADDITION
2 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
3 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
4 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SIX
5 THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS (\$26,813) _____

6 **(c)** FOR THE FISCAL YEAR BEGINNING JULY 1, 2008, IN ADDITION
7 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
8 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
9 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-ONE
10 THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$21,450). _____

11 **SECTION 3.** 24-75-302 (2) (s), Colorado Revised Statutes, is
12 amended to read:

13 **24-75-302. Capital construction fund - capital assessment fees**
14 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
15 through July 1, 2010, a sum as specified in this subsection (2) shall accrue
16 to the capital construction fund. The state treasurer and the controller
17 shall transfer such sum out of the general fund and into the capital
18 construction fund as moneys become available in the general fund during
19 the fiscal year beginning on said July 1. Transfers between funds
20 pursuant to this subsection (2) shall not be deemed to be appropriations
21 subject to the limitations of section 24-75-201.1. The amount which shall
22 accrue pursuant to this subsection (2) shall be as follows:

23 (s) On July 1, 2006, forty-six million nine hundred forty-four
24 thousand six hundred eighty-seven dollars, plus twenty-two thousand nine
25 hundred twenty-four dollars pursuant to section 3 of H.B. 02S-1006,
26 enacted at the third extraordinary session of the sixty-third general
27 assembly; plus two hundred ninety-one thousand seven hundred sixty-one

1 dollars pursuant to H.B. 03-1004, enacted at the first regular session of
2 the sixty-fourth general assembly; plus one hundred twenty-five thousand
3 forty-one dollars pursuant to H.B. 03-1138, enacted at the first regular
4 session of the sixty-fourth general assembly; plus sixty-nine thousand
5 four hundred sixty-seven dollars pursuant to H.B. 03-1213, enacted at the
6 first regular session of the sixty-fourth general assembly; plus sixty-nine
7 thousand four hundred sixty-seven dollars pursuant to H.B. 03-1317,
8 enacted at the first regular session of the sixty-fourth general assembly;
9 plus ninety thousand three hundred seven dollars pursuant to H.B.
10 04-1021, enacted at the second regular session of the sixty-fourth general
11 assembly; plus sixty-nine thousand four hundred sixty-seven dollars
12 pursuant to H.B. 04-1016, enacted at the second regular session of the
13 sixty-fourth general assembly; plus fifteen million dollars pursuant to
14 H.B. 06-1373, enacted at the second regular session of the sixty-fifth
15 general assembly; plus one hundred seventy-four thousand three hundred
16 eighty-eight dollars pursuant to S.B. 06-206, enacted at the second regular
17 session of the sixty-fifth general assembly; plus one hundred seventy-four
18 thousand three hundred eighty-eight dollars pursuant to S.B. 06-207,
19 enacted at the second regular session of the sixty-fifth general assembly;
20 plus six hundred ten thousand three hundred fifty-eight dollars pursuant
21 to H.B. 06-1326, enacted at the second regular session of the sixty-fifth
22 general assembly; plus eighty-seven thousand one hundred ninety-four
23 dollars pursuant to H.B. 06-1145, enacted at the second regular session
24 of the sixty-fifth general assembly; plus four hundred thirty-five thousand
25 nine hundred seventy dollars pursuant to H.B. 06-1092, enacted at the
26 second regular session of the sixty-fifth general assembly; plus
27 eighty-seven thousand one hundred ninety-four dollars pursuant to H.B.

1 06-1151, enacted at the second regular session of the sixty-fifth general
2 assembly; plus five hundred twenty-three thousand one hundred
3 sixty-four dollars pursuant to H.B. 06-1011, enacted at the second regular
4 session of the sixty-fifth general assembly; PLUS EIGHTY-SEVEN
5 THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS PURSUANT TO
6 S.B. 06S-007, ENACTED AT THE FIRST EXTRAORDINARY SESSION OF THE
7 SIXTY-FIFTH GENERAL ASSEMBLY;

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9 **SECTION 4. Applicability.** This act shall apply to offenses
10 committed on or after the effective date of this act.

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