

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

INTRODUCED

LLS NO. 01-0941.01 Michael Dohr

HOUSE BILL 01-1384

HOUSE SPONSORSHIP

Mitchell

SENATE SPONSORSHIP

(None)

House Committees

Criminal Justice
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING POSSESSION OF PERSONAL IDENTIFICATION INFORMATION**
102 **IN RELATION TO THE CRIME OF POSSESSION OF A FORGERY**
103 **DEVICE, AND MAKING AN APPROPRIATION IN CONNECTION**
104 **THEREWITH.**

Bill Summary

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

Adds to the crime of possession of a forgery device possession of personal identification information for the purposes of forgery. Makes this act effective July 1, 2002.

Makes an 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.

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

2 **SECTION 1.** 18-5-109 (1), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **18-5-109. Criminal possession of forgery devices.** (1) A person
5 commits criminal possession of forgery devices when:

6 (e) THE PERSON KNOWINGLY OBTAINS OR EXERCISES CONTROL
7 OVER PERSONAL IDENTIFICATION INFORMATION OF ANOTHER PERSON
8 WITHOUT THE CONSENT OF THE OTHER PERSON AND FOR THE PURPOSES OF
9 COMMITTING FORGERY.

10 **SECTION 2.** 18-5-109, Colorado Revised Statutes, is amended
11 BY THE ADDITION OF A NEW SUBSECTION to read:

12 **18-5-109. Criminal possession of forgery devices.** (3) FOR THE
13 PURPOSES OF PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION,
14 "PERSONAL IDENTIFICATION INFORMATION" INCLUDES, BUT IS NOT LIMITED
15 TO, A PERSON'S DRIVERS LICENSE NUMBER, SOCIAL SECURITY NUMBER,
16 CREDIT CARD NUMBER, SAVINGS ACCOUNT NUMBER, FINANCIAL ACCOUNT
17 NUMBER, DEMAND DEPOSIT NUMBER, PLACE OF EMPLOYMENT, OR
18 EMPLOYMENT IDENTIFICATION NUMBER.

19 **SECTION 3.** Part 1 of article 1 of title 17, Colorado Revised
20 Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

21 **17-1-133. Appropriation to comply with section 2-2-703 -**
22 **H.B. 01-____.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
23 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
24 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT H.B. 01-____, ENACTED
25 AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY:

26 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, IN ADDITION TO

1 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED FROM THE
2 CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S., TO
3 THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION
4 17-1-116, THE SUM OF _____ DOLLARS (\$).

5 (b) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION
6 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
7 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S.,
8 TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION
9 17-1-116, THE SUM OF _____ DOLLARS (\$).

10 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, IN ADDITION TO
11 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
12 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
13 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF _____ DOLLARS (\$).

14 (c) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, IN ADDITION
15 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
16 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S.,
17 TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION
18 17-1-116, THE SUM OF _____ DOLLARS (\$).

19 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, IN ADDITION TO
20 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
21 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
22 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF _____ DOLLARS (\$).

23 (d) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, IN ADDITION
24 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
25 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S.,
26 TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION
27 17-1-116, THE SUM OF _____ DOLLARS (\$).

1 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, IN ADDITION TO
2 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 _____ DOLLARS (\$).

5 (e) (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION
6 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED, FROM
7 THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302, C.R.S.,
8 TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION
9 17-1-116, THE SUM OF _____ DOLLARS (\$).

10 (II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, IN ADDITION TO
11 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
12 DEPARTMENT OF CORRECTIONS, OUT OF ANY MONEYS IN THE GENERAL
13 FUND NOT OTHERWISE APPROPRIATED, THE SUM OF _____ DOLLARS (\$).

14 **SECTION 4.** The introductory portion to 24-75-302 (2),
15 24-75-302 (2) (o), (2) (p), (2) (q), and (2) (r), Colorado Revised Statutes,
16 are amended, and the said 24-75-302 is furthered amended BY THE
17 ADDITION OF A NEW PARAGRAPH, to read:

18 **24-75-302. Capital construction fund - capital assessment fees**
19 **- calculation.** (2) As of July 1, 1988, and July 1 of each year thereafter
20 through July 1, ~~2005~~ 2006, a sum as specified in this subsection (2) shall
21 accrue to the capital construction fund. The state treasurer and the
22 controller shall transfer such sum out of the general fund and into the
23 capital construction fund as moneys become available in the general fund
24 during the fiscal year beginning on said July 1. Transfers between funds
25 pursuant to this subsection (2) shall not be deemed to be appropriations
26 subject to the limitations of section 24-75-201.1. The amount which shall
27 accrue pursuant to this subsection (2) shall be as follows:

1 (o) On July 1, 2002, one hundred million dollars plus thirteen
2 thousand nine hundred sixty-two dollars pursuant to S.B. 98-021, enacted
3 at the second regular session of the sixty-first general assembly; plus eight
4 million three hundred seven thousand five hundred nine dollars pursuant
5 to H.B. 98-1156, enacted at the second regular session of the sixty-first
6 general assembly; plus three hundred ninety-seven thousand nine hundred
7 twenty-three dollars pursuant to H.B. 98-1160, enacted at the second
8 regular session of the sixty-first general assembly; plus fifty thousand
9 three hundred sixty-four dollars pursuant to H.B. 00-1107, enacted at the
10 second regular session of the sixty-second general assembly; plus one
11 hundred twenty-one thousand five hundred sixty-seven dollars pursuant
12 to H.B. 00-1201, enacted at the second regular session of the sixty-second
13 general assembly; plus two hundred fifty thousand eighty-one dollars
14 pursuant to H.B. 00-1214, enacted at the second regular session of the
15 sixty-second general assembly; plus forty thousand five hundred
16 twenty-two dollars pursuant to H.B. 00-1247, enacted at the second
17 regular session of the sixty-second general assembly; PLUS _____
18 DOLLARS PURSUANT TO H.B. 01-_____, ENACTED AT THE FIRST REGULAR
19 SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

20 (p) On July 1, 2003, one hundred million dollars; PLUS _____
21 DOLLARS PURSUANT TO H.B. 01-_____, ENACTED AT THE FIRST REGULAR
22 SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

23 (q) On July 1, 2004, one hundred million dollars plus two hundred
24 thirty-three thousand eight hundred seventy-two dollars pursuant to H.B.
25 00-1201, enacted at the second regular session of the sixty-second general
26 assembly; PLUS _____ DOLLARS PURSUANT TO H.B. 01-_____, ENACTED AT
27 THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

1 (r) On July 1, 2005, one hundred million dollars; PLUS _____
2 DOLLARS PURSUANT TO H.B. 01-_____, ENACTED AT THE FIRST REGULAR
3 SESSION OF THE SIXTY-THIRD GENERAL ASSEMBLY;

4 (s) ON JULY 1, 2006, _____ DOLLARS PURSUANT TO H.B. 01-_____,
5 ENACTED AT THE FIRST REGULAR SESSION OF THE SIXTY-THIRD GENERAL
6 ASSEMBLY.

7 **SECTION 5. Effective date - applicability.** This act shall take
8 effect July 1, 2002, and shall apply to offenses committed on or after said
9 date.

10 **SECTION 6. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.