

Second Regular Session
Sixty-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 02-0721.01 Michael Dohr

SENATE BILL 02-116

SENATE SPONSORSHIP

Hillman

HOUSE SPONSORSHIP

Hefley

Senate Committees

House Committees

Judiciary

A BILL FOR AN ACT

101 CONCERNING THE DEFINITION OF "DEADLY WEAPON".

Bill Summary

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

Clarifies a "bee-bee" gun or pellet gun is not a deadly weapon unless used to cause death or bodily injury.

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

2 **SECTION 1.** 18-1-901 (3) (e), Colorado Revised Statutes, is

3 amended to read:

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 **18-1-901. Definitions.** (3) (e) (I) "Deadly weapon" means any
2 of the following which in the manner it is used or intended to be used is
3 capable of producing death or serious bodily injury:

4 ~~(I)~~ (A) A firearm, whether loaded or unloaded;

5 ~~(II)~~ (B) A knife;

6 ~~(III)~~ (C) A bludgeon; or

7 ~~(IV)~~ (D) Any other weapon, device, instrument, material, or
8 substance, whether animate or inanimate.

9 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
10 THIS PARAGRAPH (e), A "BEE-BEE" GUN OR PELLET GUN IS NOT A DEADLY
11 WEAPON UNLESS USED TO CAUSE DEATH OR BODILY INJURY.

12 **SECTION 2. Effective date - applicability.** (1) This act shall
13 take effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly that is
15 allowed for submitting a referendum petition pursuant to article V,
16 section 1 (3) of the state constitution; except that, if a referendum petition
17 is filed against this act or an item, section, or part of this act within such
18 period, then the act, item, section, or part, if approved by the people, shall
19 take effect on the date of the official declaration of the vote thereon by
20 proclamation of the governor.

21 (2) The provisions of this act shall apply to offenses committed
22 on or after the applicable effective date of this act.