

First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 07-0181.01 Richard Sweetman

**HOUSE BILL 07-1011**

---

**HOUSE SPONSORSHIP**

**Gardner C.,**

**SENATE SPONSORSHIP**

**Harvey, and Schultheis**

---

**House Committees**  
Judiciary

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING THE USE OF PHYSICAL FORCE AGAINST A PERSON WHO**  
102 **MAKES AN UNLAWFUL ENTRY INTO A PLACE OF BUSINESS.**

---

**Bill Summary**

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

Creates a presumption that an occupant who uses deadly physical force against an intruder has a reasonable fear of imminent death or serious bodily injury to himself or herself or another person. Sets forth conditions under which the presumption does not apply.

Adds vehicles and places of business to the locations in which the presumption applies.

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  
February 14, 2007

HOUSE  
Amended 2nd Reading  
February 12, 2007

---

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

2 **SECTION 1.** 18-1-704.5, Colorado Revised Statutes, is amended  
3 to read:

4 **18-1-704.5. Use of deadly physical force against an intruder.**

5 (1) The general assembly hereby recognizes that the citizens of Colorado  
6 have a right to expect absolute safety within their own ~~homes~~ DWELLINGS  
7 AND PLACES OF BUSINESS.

8 (2) Notwithstanding the provisions of section 18-1-704, any  
9 occupant of a dwelling OR PLACE OF BUSINESS, is justified in using any  
10 degree of physical force, including deadly physical force, against another  
11 person when that other person has made an unlawful entry into the  
12 dwelling OR PLACE OF BUSINESS, and when the occupant has a reasonable  
13 belief that such other person has committed a crime in the dwelling OR  
14 PLACE OF BUSINESS in addition to the uninvited entry, or is committing or  
15 intends to commit a crime against a person or property in addition to the  
16 uninvited entry, and when the occupant reasonably believes that such  
17 other person might use any physical force, no matter how slight, against  
18 any occupant.

19 (3) Any occupant of a dwelling OR PLACE OF BUSINESS using  
20 physical force, including deadly physical force, in accordance with the  
21 provisions of subsection (2) of this section shall be immune from  
22 criminal prosecution for the use of such force.

23 (4) Any occupant of a dwelling OR PLACE OF BUSINESS using  
24 physical force, including deadly physical force, in accordance with the  
25 provisions of subsection (2) of this section shall be immune from any  
26 civil liability for injuries or death resulting from the use of such force.

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