

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

PREAMENDED

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

LLS NO. 13-0520.01 Richard Sweetman x4333

HOUSE BILL 13-1043

HOUSE SPONSORSHIP

Foote,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE STATUTORY DEFINITION OF A DEADLY WEAPON.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Under current law, for the purposes of criminal law, a deadly weapon is defined as a firearm, whether loaded or unloaded; a knife; a bludgeon; or any other weapon, device, instrument, material, or substance, whether animate or inanimate, that in the manner it is used or intended to be used is capable of producing death or serious bodily injury.

The bill modifies this definition so that a firearm, whether loaded or unloaded, qualifies as a deadly weapon regardless of the manner in

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.*

which it is used or intended to be used.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-1-901, **amend** (3)
3 (e) as follows:

4 **18-1-901. Definitions.** (3) (e) "Deadly weapon" means: ~~any of~~
5 ~~the following which in the manner it is used or intended to be used is~~
6 ~~capable of producing death or serious bodily injury:~~

7 (I) A firearm, whether loaded or unloaded; OR

8 (II) A knife, BLUDGEON, OR ANY OTHER WEAPON, DEVICE,
9 INSTRUMENT, MATERIAL, OR SUBSTANCE, WHETHER ANIMATE OR
10 INANIMATE, THAT, IN THE MANNER IT IS USED OR INTENDED TO BE USED,
11 IS CAPABLE OF PRODUCING DEATH OR SERIOUS BODILY INJURY.

12 (III) ~~A bludgeon; or~~

13 (IV) ~~Any other weapon, device, instrument, material, or~~
14 ~~substance, whether animate or inanimate.~~

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