

# **CRIME CLASSIFICATION GUIDE**

## **A LISTING OF CRIMES AND TRAFFIC INFRACTIONS IN COLORADO**

**Report to the  
Colorado General Assembly**

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# INTRODUCTION

This guide is a compilation of crimes and traffic infractions in Colorado. For each offense, a brief description of the elements of the crime and the statutory citation is provided. The compilation of crimes is organized in two parts as follows:

- ***Crimes Listed by Level of Offense*** — this section contains separate lists of class 1 felonies, class 2 felonies, class 3 felonies, class 4 felonies, class 5 felonies, class 6 felonies, unclassified felonies, class 1 misdemeanors, class 2 misdemeanors, class 3 misdemeanors, unclassified misdemeanors, class 1 petty offenses, class 2 petty offenses, unclassified offenses, and class A and class B traffic infractions;
- ***Crimes Listed by Crime Type*** — this section lists felonies and misdemeanors by crime type; i.e., the different felony and misdemeanor crime levels of a particular offense (for instance, sexual assault) are all listed together.

Please consult the table of contents beginning on page vii for a detailed listing of the crimes listed in each of the two sections.

The sentencing scheme for felonies, misdemeanors, petty offenses, and traffic infractions is listed at the beginning of each of those sections in the first part of this compilation. The crimes in the second part of the compilation are listed by C.R.S. title. The crimes in Title 18 are further divided into categories such as: Offenses Against Persons, Offenses Against Property, etc.

To help locate a particular classification of offense in the first part of the compilation, the bottom of each page is identified with an abbreviation of the classification. For example, 1F is used for Class 1 Felonies, 1M for Class 1 Misdemeanors, and TI for Traffic Infractions.

This guide is updated annually. Any comments or suggestions for improvement or correction are appreciated and will be given consideration for the next publication. The list of offenses is current through the 2004 regular legislative session.

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**CRIMES LISTED**  
**BY**  
**LEVEL OF OFFENSE**



# FELONIES

# FELONIES

This section contains a current listing of felony offenses. Felony offenses are categorized as follows: class 1, class 2, class 3, class 4, class 5, class 6, and unclassified felonies. The penalty for the commission of a certain felony offense depends on its classification. The penalty scheme for felonies is indicated in Table 1 below.

**Table 1:  
Sentencing Scheme for Felonies Committed on or After July 1, 1993**

Class of Crime	Minimum Sentence	Maximum Sentence	Mandatory Parole
<b>Class 1</b>	Life Imprisonment	Death	—
<b>Class 2</b>	8 years \$5,000 fine	24 years \$1,000,000	5 years
<b>Class 3 (extraordinary risk of harm*)</b>	4 years \$3,000 fine	16 years \$750,000	5 years
<b>Class 3</b>	4 years \$3,000 fine	12 years \$750,000	5 years
<b>Class 4 (extraordinary risk of harm*)</b>	2 years \$2,000 fine	8 years \$500,000	3 years
<b>Class 4</b>	2 years \$2,000 fine	6 years \$500,000	3 years
<b>Class 5 (extraordinary risk of harm*)</b>	1 year \$1,000 fine	4 years \$100,000	2 years
<b>Class 5</b>	1 year \$1,000 fine	3 years \$100,000	2 years
<b>Class 6 (extraordinary risk of harm*)</b>	1 year \$1,000 fine	2 years \$100,000	1 year
<b>Class 6</b>	1 year \$1,000 fine	18 months \$100,000	1 year

\* Felony crimes that present an extraordinary risk of harm to society include the following: aggravated robbery; child abuse; unlawful distribution, manufacturing, dispensing, sale, or possession of a controlled substance; any §18-1.3-406 crime of violence; stalking; and the sale or distribution of materials to manufacture a controlled substance.

It is important to note that not all persons convicted of a felony offense receive a sentence to prison. Colorado law authorizes many alternatives to prison including deferred prosecution, deferred sentencing, probation, and community corrections.

The crimes in this listing are grouped according to the statutory title in which they appear. In addition, those crimes that appear in Title 18 are further designated by their article. For example, crimes in Article 3 of Title 18 are identified as “Offenses Against the Person.”

All listings are current through 2004 regular session laws.

## CLASS 1 FELONIES

### Elements of Offense

### C.R.S. Citation

#### Offenses Against Persons

1. ***Murder in the first degree.*** A person commits the class 1 felony of murder in the first degree if:
  - a) After deliberation and with the intent to cause the death of another person, he or she causes the death of that person or of another person; or
  - b) Acting either alone or with one or more persons, he or she commits or attempts to commit arson, robbery, burglary, kidnapping, sexual assault in the first or second degree as prohibited by section 18-3-402 or 18-3-403, or a class 3 felony for sexual assault on a child as provided in section 18-3-405 (2), or the crime of escape as provided in section 18-8-208, and, in the course of or in furtherance of the crime that he or she is committing or attempting to commit, or of immediate flight therefrom, the death of a person, other than one of the participants, is caused by anyone; or
  - c) By perjury or subornation of perjury he or she procures the conviction and execution of any innocent person; or
  - d) Under circumstances evidencing an attitude of universal malice manifesting extreme indifference to the value of human life generally, he or she knowingly engages in conduct which creates a grave risk of death to another person or persons, and thereby causes the death of another; or
  - e) He or she commits unlawful distribution, dispensation, or sale of a controlled substance to a person under the age of eighteen years on school grounds as provided in section 18-18-407 (2), and the death of such person is caused by the use of such controlled substance; or
  - f) He or she knowingly causes the death of a child who has not yet attained twelve years of age, and was in a position of trust with respect to the victim.
2. ***First degree murder of a peace officer or fireman.*** A person who commits murder in the first degree, as defined in section 18-3-102, and the victim is a peace officer or fireman engaged in the performance of his or her duties, commits the felony crime of first degree murder of a peace officer or fireman.

**Elements of Offense**

**C.R.S. Citation**

**Offenses Against Persons**

3. ***First degree kidnapping.*** Any person who does any of the following acts with the intent thereby to force the victim or any other person to make any concession or give up anything of value in order to secure a release of a person under the offender's actual or apparent control commits first degree kidnapping: 18-3-301 (1)

a) Forcibly seizes and carries any person from one place to another; or (1) (a)

b) Entices or persuades any person to go from one place to another; or (1) (b)

c) Imprisons or forcibly secretes any person. (1) (c)

Whoever commits first degree kidnapping is guilty of a class 1 felony if the person kidnapped shall have suffered bodily injury; but no person convicted of first degree kidnapping shall suffer the death penalty if the person kidnapped was liberated alive prior to the conviction of the kidnapper. (2)

4. ***Assault during escape.*** Any person confined in any lawful place of confinement within the state who, while escaping or attempting to escape, commits an assault with intent to commit bodily injury upon another person with a deadly weapon, or by any means of force likely to produce serious bodily injury, commits a class 1 felony if the person has been convicted of a class 1 felony. 18-8-206 (1) (a)

**Offenses Involving Disloyalty**

5. ***Treason.*** A person commits the class 1 felony of treason if he or she levies war against the state of Colorado or adheres to its enemies, giving them aid and comfort. 18-11-101

## CLASS 2 FELONIES

### Elements of Offense

### C.R.S. Citation

#### Colorado Medical Treatment Decision Act

1. ***Falsifying or forging a declaration.*** Any person who falsifies or forges a declaration of another, and the terms of the declaration are carried out, resulting in the death of the purported declarant, commits a class 2 felony. 15-18-113 (3)

#### Inchoate Offenses

2. ***Criminal attempt.*** If a person intentionally engages in conduct which constitutes a substantial step toward the commission of a class 1 felony, that person commits a class 2 felony. 18-2-101 (4)
3. ***Criminal conspiracy.*** If a person agrees to commit a crime with one or more persons, that person commits criminal conspiracy. Conspiracy to commit a class 1 felony is a class 2 felony (The penalty provisions for criminal conspiracy are contained in section 18-2-206 (1)). 18-2-201
4. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a class 1 felony commits a class 2 felony. (The penalty provisions for criminal conspiracy are contained in section 18-2-206 (1)). 18-2-301 (5)

#### Offenses Against the Person

5. ***Murder in the second degree.*** A person commits the class 2 felony of murder in the second degree if he or she knowingly causes the death of a person. 18-3-103 (3)
6. ***First degree kidnapping.*** First degree kidnapping is a class 2 felony if the kidnapped person was liberated unharmed. 18-3-301 (3)
7. ***Second degree kidnapping.*** Second degree kidnapping is a class 2 felony if the person kidnapped is a victim of a sexual offense against a person or a robbery. 18-3-302 (3) (a)
8. ***Sexual assault.*** Sexual assault is a class 2 felony when: (a) more than one person aids the actor in the assault; or (b) the victim suffers serious bodily injury; or (c) the actor uses a deadly weapon, or uses an article fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents verbally that the actor is armed with a deadly weapon, and uses the deadly weapon, article, or representation to cause the victim to submit. 18-3-402 (5)

**Elements of Offense**

**C.R.S. Citation**

**Offenses Against Property**

9. ***First degree burglary of controlled substances.*** A person who engages in first degree burglary involving controlled substances within a pharmacy or other place that has lawful possession thereof commits a class 2 felony. 18-4-202 (3)
10. ***Aggravated robbery of controlled substances.*** It is a class 2 felony if robbery of controlled substances from the legal possessor involves the use of a deadly weapon in the robbery, placing the victim in fear of death or injury, or being aided and abetted by an armed confederate. 18-4-303 (2)

**Offenses Involving the Family Relations**

11. ***Criminal abortion.*** Abortion by any means other than justified medical termination or birth is criminal abortion when the woman dies because of the criminal abortion is a class 2 felony. 18-6-102 (2)
12. ***Pretended criminal abortion.*** Any person who intentionally pretends to end a real or apparent pregnancy other than by justified medical termination or birth commits a class 2 felony if the woman dies because of a pretended abortion. 18-6-103 (2)
13. ***Child abuse.*** If a person knowingly or recklessly commits child abuse and such abuse results in the death of a child, it is a class 2 felony. 18-6-401 (7) (a) (I)

**Wrongs to At-Risk Adults and At-Risk Juveniles**

14. ***Crimes against at-risk adults and at-risk juveniles.*** A person who commits a crime of assault in the first degree when the victim is an at-risk adult or at-risk juvenile commits a class 2 felony. 18-6.5-103 (3) (a)
15. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault or first degree sexual assault against an at-risk adult or an at-risk juvenile is a class 2 felony. 18-6.5-103 (7) (a)
16. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault on a child when the victim is an at-risk juvenile is a class 2 felony when the actor uses force, threat, threat of retaliation, or commits the abuse as part of a pattern. 18-6.5-103 (7) (d)
17. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault on a child by one in a position of trust when the victim is an at-risk juvenile is a class 2 felony when the victim is less than 15 years of age. 18-6.5-103 (7) (e)

**Elements of Offense**

**C.R.S. Citation**

**Offenses Relating to Morals**

18. *Pandering of a child.* Anyone who induces a child to commit prostitution by threatening or intimidating the child commits a class 2 felony. 18-7-403 (2)

**Offenses — Governmental Operations**

19. *Aiding an escape.* It is a class 2 felony to aid in the escape of a person who is in custody or confinement for conviction of a class 1 or class 2 felony. 18-8-201 (4)
20. *Assault during escape.* It is a class 2 felony to commit an assault with intent to injure while attempting to escape from confinement for conviction of a felony other than a class 1 felony. 18-8-206 (1) (b)
21. *Holding hostages.* If, while escaping from lawful custody or confinement, a person holds another hostage by force or threat, that person commits a class 2 felony. 18-8-207
22. *Escape.* It is a class 2 felony to knowingly escape confinement following conviction of a class 1 or 2 felony. 18-8-208 (1)

**Offenses Relating to Firearms and Weapons**

23. *Explosives or incendiary devices - chemical, biological, or radiological weapons.* Any person who knowingly uses, gives, mails, or sends such devices in the commission of or attempt to commit a felony commits a class 2 felony. 18-12-109 (4)

**Miscellaneous Offenses**

24. *Unlawful use of gamma hydroxybutyrate (GHB).* The knowingly unlawful manufacture, distribution, dispensing, sale, or possession with intent to manufacture, distribute, dispense, or sell GHB or their immediate chemical precursors or analogs or to knowingly cause or attempt to cause any other person to unknowingly consume or receive the direct administration of GHB or ketamine or the immediate precursors or chemical analogs for such substances is a class 2 felony if the violation is subsequent to a prior conviction for such a violation. 18-13-123 (5)

**Elements of Offense**

**C.R.S. Citation**

**Colorado Organized Crime Control Act**

25. ***Racketeering activities.*** It is a class 2 felony to knowingly invest proceeds from a pattern of racketeering activity or collection of an unlawful debt in real property or any enterprise, to participate in racketeering activities, or to conspire to participate in racketeering activities. (The penalty provisions for racketeering activities are contained in section 18-17-105 (1)). 18-17-104

**Uniform Controlled Substances Act of 1992**

26. ***Unlawful distribution, manufacturing, dispensing, sale, or possession.*** It is a class 2 felony to dispense, sell, or distribute a schedule I or II controlled substance, or to conspire with or induce another to undertake such activity when the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory. 18-18-405 (2) (a) (I) (B), (2.1) (a) (I) (B)
27. ***Unlawful distribution, manufacturing, dispensing, sale, or possession.*** The knowing unlawful manufacture, dispensing, sale, distribution, possession, or possession with intent to manufacture, dispense, sell, or distribute flunitrazepam or to induce, attempt to induce or conspire with one or more other persons to manufacture, dispense, sell, distribute, possess or possess with intent to manufacture, dispense, sell, or distribute flunitrazepam is a class 2 felony if the violation is committed subsequent to a prior conviction for a violation involving flunitrazepam in any U.S. state or U.S. territory. 18-18-405 (2.5) (a), (2.6) (a)



## CLASS 3 FELONIES

<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
<b>Securities</b>	
1. <i>Fraudulent practices.</i> Any person who willfully violates the provisions of section 11-51-501 regarding the fraudulent offer, sale, or purchase of any security, directly or indirectly, commits a class 3 felony.	11-51-603 (1)
<b>Colorado Commodity Code</b>	
2. <i>Unlawful activities - commodity sales.</i> Any violation of any provision of Article 53 of Title 11 or violation of section 11-53-108 when the person makes a statement which is false or misleading is a class 3 felony.	11-53-204 (1)
<b>Colorado Municipal Bond Supervision Act</b>	
3. <i>Misleading filing.</i> Any person who willfully makes a false or misleading statement in any document filed with the securities commissioner commits a class 3 felony.	11-59-115 (1)
<b>Medical Practice</b>	
4. <i>Unprofessional conduct.</i> Dispensing or injecting an anabolic steroid for a second or subsequent violation unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 3 felony.	12-36-129 (2.5)
<b>Colorado Limited Gaming Act</b>	
5. <i>Personal pecuniary gain or conflict of interest.</i> Any person who issues, suspends, revokes, or renews any license pursuant to the Colorado Limited Gaming Act for any personal pecuniary gain or any thing of value commits a class 3 felony.	12-47.1-838 (2)
<b>Inchoate Offenses</b>	
6. <i>Criminal attempt.</i> If a person intentionally engages in conduct which constitutes a substantial step toward the commission of a class 2 felony, that person commits a class 3 felony.	18-2-101 (4)
7. <i>Conspiracy.</i> Conspiracy to commit a class 2 felony is a class 3 felony.	18-2-206 (1)

**Elements of Offense**

**C.R.S. Citation**

8. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a class 2 felony, commits a class 3 felony. (Penalty provisions for criminal solicitation are the same as those for criminal attempt contained in section 18-2-101 (4).) 18-2-301 (5)

**Offenses Against the Person**

9. ***Second degree murder.*** It is a class 3 felony when a person knowingly causes the death of another where the act causing the death was performed upon a sudden heat of passion caused by a serious and highly provoking act of the victim, affecting the person causing the death sufficiently to excite an irresistible passion in a reasonable person. 18-3-103 (3) (b)
10. ***Vehicular homicide.*** It is a class 3 felony when a person who is under the influence of alcohol or drugs or both recklessly operates or drives a motor vehicle, and this conduct is the proximate cause of the death of another person. 18-3-106 (1) (c)
11. ***Assault in the first degree.*** If any person intentionally causes serious injury to another person through the use of a deadly weapon or conduct which creates a grave risk of death, or in the commission of a crime or flight therefrom the person causes serious injury to another, or, if a person threatens a peace officer or fireman or person employed by a detention facility with a deadly weapon with intent to cause harm, that person commits a class 3 felony. 18-3-202 (2) (b)
12. ***Assault in the second degree.*** It is considered a class 3 felony if the person who is assaulted, other than a participant in the crime, suffers serious bodily injury during the commission or attempted commission of or flight from the commission or attempted commission of murder, robbery, arson, burglary, escape, first degree kidnaping, sexual assault, first or second degree sexual assault as such offenses existed prior to July 1, 2000, or class 3 felony sexual assault on a child. 18-3-203 (2) (b.5)
13. ***Aggravated criminal extortion.*** A person who threatens another person by means of chemical or biological agents, weapons, poison, or radioactive agents to induce the person to do an act against his or her will or refrain from doing a lawful act commits a class 3 felony. 18-3-207 (4)

**Elements of Offense**

**C.R.S. Citation**

14. ***Second degree kidnapping.*** Second degree kidnapping is a class 3 felony if the kidnaping is accomplished with intent to sell, trade, or barter the victim for consideration or does not include sexual assault or robbery but is accomplished by the use of a deadly weapon or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon or if the kidnaping is accomplished by the perpetrator representing that he or she is armed with a deadly weapon. 18-3-302 (4)
15. ***Enticement of a child.*** Enticement of a child is a class 3 felony if the defendant has a previous conviction for enticement of a child or sexual assault on a child. A person commits enticement of a child if, with the intent to commit sexual assault or unlawful sexual contact, the person invites or persuades, or attempts to invite or persuade, a child under the age of fifteen years to enter any vehicle, building, room, or secluded place. 18-3-305 (2)
16. ***Sexual assault.*** Sexual assault is a class 3 felony when the victim is physically helpless and the actor knows the victim is physically helpless and has not consented. 18-3-402 (3.5)
17. ***Sexual assault.*** Sexual assault is a class 3 felony when the actor: (a) causes submission of the victim through physical force or violence; or (b) the actor causes submission of the victim by threat of death, serious bodily injury, extreme pain or kidnapping and the victim believes the actor can execute the threats; or (c) the actor causes the victim to submit by threatening future retaliation; or (d) the actor has substantially impaired the victim's power to appraise or control the victim's conduct by use of any drug, intoxicant, or other means. 18-3-402 (4)
18. ***Sexual assault on a child.*** A person commits a class 3 felony if he or she subjects a victim who is less than fifteen years of age to any sexual contact, the actor is at least four years older than the victim, and the actor applies force, or threatens death, injury, kidnaping, or future retaliation, or the actor commits the offense as part of a pattern of sexual abuse. 18-3-405 (2)
19. ***Sexual assault on a child by one in a position of trust.*** Sexual assault on a child by one in a position of trust is a class 3 felony if the victim is less than fifteen years of age or the actor commits the offense as part of a pattern or sexual abuse. 18-3-405.3 (2)

**Offenses Against Property**

20. ***First degree arson.*** A person who by means of fire or explosives knowingly damages or destroys any building or occupied structure that is the property of another commits a class 3 felony. 18-4-102 (2)

**Elements of Offense**

**C.R.S. Citation**

21. ***First degree burglary.*** A person who unlawfully enters a building with intent to commit a crime and assaults or menaces any person or is armed with explosives or a deadly weapon commits first degree burglary, which is a class 3 felony. 18-4-202 (2)
22. ***Second degree burglary.*** A person who knowingly and unlawfully enters a place with intent to commit a crime against a person or property commits a class 3 felony if it is a burglary of a dwelling or the objective of the burglary is theft of controlled substances. 18-4-203 (2)
23. ***Aggravated robbery.*** If possession or use of a deadly weapon is involved in a robbery by the actor or an accomplice, aggravated robbery is a class 3 felony. 18-4-302 (3)
24. ***Theft.*** Theft is a class 3 felony if the value of the thing involved is \$15,000 or more. 18-4-401 (2) (d)
25. ***Theft.*** Theft is a class 3 felony if a person has committed theft more than once within a six-month period without being charged for the earlier offense and the aggregate value of the things involved is \$15,000 or more. 18-4-401 (4)
26. ***Theft of rental property.*** Theft of rental property is a class 3 felony where the value of the property involved is \$15,000 or more. 18-4-402 (5)
27. ***Theft of rental property.*** Theft of rental property twice or more within a period of six months without having been placed in jeopardy for prior offenses and when the aggregate value of the property is \$15,000 or more is a class 3 felony. 18-4-402 (6)
28. ***Aggravated motor vehicle theft.*** A person who takes any motor vehicle from another without authorization and who either retains control for over twenty-four hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 3 felony if the value of the motor vehicle or vehicles involved is more than \$15,000 or if the defendant has twice previously been convicted of charges separately brought and tried. 18-4-409 (3) (b)
29. ***Theft by receiving.*** When a person receives, retains, loans money by pawn or pledge on, or disposes of another's property, knowing that said property has been stolen, and the person intends to deprive the owner permanently of the property, and the value of the property is \$15,000 or more, said person commits a class 3 felony. 18-4-410 (5)
30. ***Theft by receiving.*** When the value of the property involved is \$500 or more and the person is engaged in the business of buying and selling of stolen goods for profit, theft by receiving is a class 3 felony. 18-4-410 (6)

**Elements of Offense**

**C.R.S. Citation**

- 31. ***Theft by receiving.*** When a person commits theft by receiving twice or more within a period of six months without being placed in jeopardy for the prior offenses and the aggregate value of the things involved is \$15,000 or more, he or she commits a class 3 felony. 18-4-410 (7)
- 32. ***Criminal mischief.*** A person who knowingly damages real or personal property of another, including property owned by the person jointly with another person or property owned by the person in which another person has an interest, valued \$15,000 or more in the aggregate commits a class 3 felony. 18-4-501 (1)

**Offenses Involving Fraud**

- 33. ***Defrauding a secured creditor or debtor.*** A person who, with intent to defraud a creditor, impairs, renders worthless or unenforceable any security interest, or who sells, assigns, transfers, conveys, pledges, encumbers, conceals, destroys, or disposes of any collateral subject to a security interest, and the value of the collateral is \$15,000 or more, commits a class 3 felony. 18-5-206 (1) (d)
- 34. ***Defrauding a secured creditor or debtor.*** If a creditor, with intent to defraud a debtor, sells, assigns, transfers, conveys, pledges, buys, or encumbers a promissory note or contract signed by the debtor, and the amount owed on such note or contract is \$15,000 or more, the creditor commits a class 3 felony. 18-5-206 (2) (d)
- 35. ***Unauthorized use of a financial device.*** Any person who uses a financial transaction device for the purpose of obtaining cash, credit, property, or services or for making financial payment, with intent to defraud, commits unauthorized use of a financial device. If such cash, credit, property, or service obtained or financial payment made exceeds \$15,000, it is a class 3 felony. 18-5-702 (3) (d)
- 36. ***Sale of a financial transaction device.*** Any person who, with intent to defraud, sells or possesses to sell, two or more financial transaction devices which he or she knows to be lost, stolen, forged, altered, counterfeited, or delivered under a mistake commits a class 3 felony. 18-5-704 (2)
- 37. ***Sale of a blank financial transaction device.*** Any person who delivers, circulates, or sells two or more blank financial transaction devices which have not been embossed or magnetically encoded with the name of the account holder, personal identification code, expiration date, or other proprietary institutional information, commits a class 3 felony. 18-5-705 (5)

**Elements of Offense**

**C.R.S. Citation**

**Computer Crime**

38. ***Computer crime.*** Any person who commits computer crime, and the loss, damage, value of services, thing of value taken, or cost of restoration or repair caused is \$15,000 or more, it is a class 3 felony. 18-5.5-102 (3) (a)

**Offenses Involving the Family Relations**

39. ***Aggravated incest.*** A person commits aggravated incest who knowingly marries a natural child, inflicts sexual penetration or intrusion on, or subjects to sexual contact a natural child, stepchild, adopted child, and certain other whole or half blood relatives. The provision does not apply to a legal marriage to a stepchild or adopted child. Aggravated incest is a class 3 felony. 18-6-302 (2)
40. ***Child abuse.*** When a person acts with criminal negligence and the child abuse results in the death of the child, it is a class 3 felony. 18-6-401 (7) (a) (II)
41. ***Child abuse.*** When a person acts knowingly or recklessly and the child abuse results in serious bodily injury to the child, it is a class 3 felony. 18-6-401 (7) (a) (III)
42. ***Child abuse.*** When, in the presence of a child, on the premises where a child is found, or where a child resides, a person engages in the manufacture or attempted manufacture of a controlled substance or possesses ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, with the intent to use the product as an immediate precursor in the manufacture of a controlled substance, it is a class 3 felony. 18-6-401 (7) (d)
43. ***Trafficking in children.*** Selling, exchanging, bartering, or leasing a child and receiving money or other consideration or thing of value for the child as a result of such transaction is a class 3 felony. 18-6-402 (3)
44. ***Sexual exploitation of children.*** A person who, for any commercial purpose, knowingly causes a child to engage in or be used for explicit sexual conduct or traffics in sexually exploitative material, commits sexual exploitation of a child which is a class 3 felony. 18-6-403 (5)
45. ***Procurement of a child for sexual exploitation.*** Any person who intentionally gives, transports, provides, or makes available, or offers to do the same for the purpose of sexually exploiting a child, commits a class 3 felony. 18-6-404

**Elements of Offense**

**C.R.S. Citation**

**Wrongs to At-risk Adults and At-Risk Juveniles**

- 46. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits the crime of assault in the second degree when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony. 18-6.5-103 (3) (b)
- 47. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits robbery when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony. 18-6.5-103 (4)
- 48. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits theft in the presence of the victim when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony when the value of the item involved is \$500 or more. 18-6.5-103 (5)
- 49. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits a crime of sexual assault in the second degree and the victim is an at-risk adult or an at-risk juvenile commits a class 3 felony. 18-6.5-103 (7) (b)
- 50. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits third degree sexual assault and the victim is an at-risk adult or an at-risk juvenile commits a class 3 felony if the person compels the victim to submit by use of force, intimidation, or threat or if the actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner inconsistent with reasonable medical practices or if the actor, with or without sexual contact, induces or coerces a child to expose intimate parts or to engage in sexual contact for the purpose of the actor's own sexual gratification. 18-6.5-103 (7) (c)
- 51. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault on a child when the victim is an at-risk juvenile is a class 3 felony. 18-6.5-103 (7) (d)
- 52. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault on a child by one in a position of trust when the victim is an at-risk juvenile is a class 3 felony when the victim is 15 years of age or older but less than 18 years of age. 18-6.5-103 (7) (e)
- 53. ***Crimes against at-risk adults and at-risk juveniles.*** Sexual assault on a client by a psychotherapist when the victim is an at-risk adult or an at-risk juvenile is a class 3 felony when the actor knowingly inflicts sexual penetration or sexual intrusion on the victim and the actor is a psychotherapist and the victim is a client or the actor is a psychotherapist and the victim is a client and the sexual penetration or intrusion occurred by means of therapeutic deception. 18-6.5-103 (7) (f)

**Elements of Offense**

**C.R.S. Citation**

**Offenses Relating to Morals**

- 54. ***Pimping.*** Any person who knowingly lives on or is supported or maintained by any money earned by another person through prostitution commits pimping, which is a class 3 felony. 18-7-206
- 55. ***Soliciting for child prostitution.*** A person who solicits another, arranges a meeting, or directs another to a place for the purpose of child prostitution commits a class 3 felony. 18-7-402 (2)
- 56. ***Pandering of a child.*** Anyone who arranges or offers to arrange a situation in which a child may practice prostitution commits a class 3 felony. 18-7-403 (2)
- 57. ***Procurement of a child.*** Any person who intentionally gives, transports, provides, or makes available or offers to do the same for the purpose of child prostitution commits a class 3 felony. 18-7-403.5
- 58. ***Keeping a place of child prostitution.*** Any person who exercises control over a place which offers seclusion or shelter for the purpose of prostitution of or by a child commits a class 3 felony. 18-7-404 (2)
- 59. ***Pimping of a child.*** Any person who lives on or is supported by money or other thing of value procured by a child through prostitution commits a class 3 felony. 18-7-405
- 60. ***Inducement of child prostitution.*** Any person who by word or action (other than menacing or criminal intimidation) induces a child to engage in prostitution commits a class 3 felony. 18-7-405.5 (2)
- 61. ***Patronizing a prostituted child.*** A class 3 felony is committed by anyone who engages in an act which involves child prostitution, or by anyone who enters a place of prostitution with the intention of engaging in child prostitution. 18-7-406 (2)

**Offenses — Governmental Operations**

- 62. ***Aiding escape.*** It is a class 3 felony to aid the escape of a person who has been convicted of a felony other than a class 1 or class 2 felony. 18-8-201 (5)
- 63. ***Assault during escape.*** It is a class 3 felony if a person who is being held or charged with but not convicted of a felony attempts to escape and assaults another intentionally with a deadly weapon or another means of force likely to produce injury. 18-8-206 (1) (c)
- 64. ***Assault during escape.*** It is a class 3 felony if a person in custody who is charged with, held for, or convicted of a misdemeanor or petty offense attempts to escape and assaults another intentionally with a deadly weapon or another means of force likely to produce injury. 18-8-206 (1) (d)



**Elements of Offense**

**C.R.S. Citation**

65. ***Escapes.*** It is a class 3 felony if a person who has been convicted of a felony other than a class 1 or class 2 felony escapes from custody or confinement. 18-8-208 (2)
66. ***Riots in detention facilities.*** A person who engages with two or more other persons in violent conduct, using a deadly weapon, or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents that he or she is armed with a deadly weapon which creates grave danger and obstructs performance of institutional functions, commits a class 3 felony. 18-8-211 (2) (a)
67. ***Bribery.*** It is a class 3 felony if a person offers a pecuniary benefit to a public official with the intent to influence some action, or if a person who is a public official accepts a bribe. 18-8-302 (3)
68. ***Aggravated intimidation of a witness or victim.*** If, in an attempt to influence a witness or victim, a person either: a) is armed with a deadly weapon and intends, if resisted, to kill, maim, or wound any person; or b) knowingly wounds any person or puts any person in a reasonable fear of death or bodily injury, said person commits a class 3 felony. 18-8-705 (3)
69. ***Retaliation against a witness or victim.*** A person who intentionally inflicts harm or injury upon any person or property as retaliation for testimony given in any official proceeding commits a class 3 felony. 18-8-706 (2)
70. ***Retaliation against a juror.*** If an individual uses a threat, act of harassment, or act of harm or injury upon any person or property, which action is directed to or committed upon a juror who has served for a criminal or civil trial involving the individual or a person or persons on whose behalf the individual is acting, or upon a member of the juror's family, an individual in close relationship to the juror, or an individual residing in the same household with the juror, as retaliation or retribution against the juror, he or she commits a class 3 felony. 18-8-706.5 (2)

**Offenses Against Public Peace, Order, and Decency**

71. ***Endangering public transportation.*** If a person tampers with a facility of public transportation intentionally to cause damage which would result in possible bodily harm or death, or intends to commit a crime on the public conveyance or threatens anyone with a deadly weapon on a public conveyance, he or she commits a class 3 felony. 18-9-115 (5)
72. ***Vehicular eluding.*** Vehicular eluding which results in death to another person is a class 3 felony. 18-9-116.5

**Elements of Offense**

**C.R.S. Citation**

**Offenses Relating to Firearms and Weapons**

73. *Possession, use, or removal of chemical, biological, or radiological weapons or parts.* A person who knowingly possesses, controls, manufactures, gives, mails, or sends such weapons commits a class 3 felony. 18-12-109 (2.5)
74. *Possession, use, or removal of chemical, biological, or radiological weapons or parts.* A person who removes any chemical, biological or radiological weapon from the place where it is lawfully kept without the consent of the lawful possessor commits a class 3 felony. 18-12-109 (5.5)
75. *Possession, use, or removal of chemical, biological, or radiological weapons or parts.* A person who possesses parts of such weapons commits a class 3 felony. 18-12-109 (6.5)

**Miscellaneous Offenses**

76. *Intentionally setting wildfire.* It is a class 3 felony to intentionally set a wildfire. 18-13-109.5 (2)
77. *Unlawful use of gamma hydroxybutyrate (GHB).* It is a class 3 felony to knowingly manufacture, distribute, dispense, sell, or possess with intent to manufacture, distribute, dispense, or sell GHB or to knowingly cause or attempt to cause any other person to unknowingly consume or receive the direct administration of GHB or ketamine or the immediate precursors or chemical analogs for either substance. 18-13-123 (5)

**Uniform Controlled Substances Act of 1992**

78. *Controlled substances.* It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 3 felony:
- if a person is convicted on a first offense for such activity in the case of schedule I or II controlled substances; or (2) (a) (I) (A), (2.1) (a) (I) (A)
  - if the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory for such activity in the case of schedule III controlled substances. (2) (a) (II) (B), (2.1) (a) (II) (B)
79. *Unlawful distribution, manufacturing, dispensing, sale, or possession.* Any person who knowingly manufactures, dispenses, sells, distributes, possesses, or possesses with intent to manufacture, dispense, sell, or distribute flunitrazepam or to induce, attempt to induce, or conspire with one or more other persons to manufacture, dispense, sell, distribute, possess, or possesses with intent to manufacture, dispense, sell or distribute flunitrazepam commits a class 3 felony when convicted of a first violation. 18-18-405 (2.5) (a), (2.6) (a)

Elements of Offense

C.R.S. Citation

80. ***Offenses relating to marijuana.*** The following offenses involving marijuana or marijuana concentrate are class 3 felonies:
- a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, of dispensing (with consideration) over one ounce of marijuana by a person age 18 or over to a person age 15 to 17, or any amount of marijuana concentrate (with or without consideration) to a person under age 18, or dispensing any amount of marijuana (with or without consideration) by a person age 18 or over to a person under age 15; (7) (c)
  - a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for cultivating, growing, producing, processing, or manufacturing marijuana or its concentrate on land owned or controlled by the person, or allowing these activities on his or her land; and (8) (a) (II) (B)
  - a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for manufacturing, dispensing, selling, possessing, or distributing marijuana or its concentrate. (8) (b) (III) (B)
81. ***Money laundering - illegal investments.*** A person commits a class 3 felony by knowingly or intentionally violating any of the provisions of paragraphs (a) through (d) of section 18-18-408 regarding money laundering or illegal investments pursuant to the Uniform Controlled Substances Act of 1992. 18-18-408
82. ***Unlawful possession of materials to make methamphetamine and amphetamine.*** Any person who possesses ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers with the intent to use such product to make any controlled substance commits a class 3 felony. 18-18-412.5 (3)
83. ***Unlawful sale or distribution of materials to manufacture controlled substances.*** A person who sells or distributes chemicals, supplies, or equipment, and who knows or reasonably should know or believes that a person intends to use the chemicals, supplies, or equipment to illegally manufacture a controlled substance commits a class 3 felony. 18-18-412.7 (2)
84. ***Imitation controlled substances.*** Any person aged 18 or over who distributes an imitation controlled substance to a person under 18 after a previous conviction of the same charge commits a class 3 felony. 18-18-422 (2) (b) (II)

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Limited Gaming**

85. *Personal pecuniary gain or conflict of interest.* Any person who issues, suspends, revokes, or renews any license pursuant to the Colorado Limited Gaming Act for any personal pecuniary gain or any thing of value commits a class 3 felony. 18-20-113 (2)

**Government — State Department of Personnel**

86. *State agency contracts - criminal liability.* Any person, other than a bona fide employee working solely for a person providing professional services, who offers, agrees, or contracts to solicit or secure for any other person state agency contracts for professional services and who, in so doing, receives any type of consideration contingent upon or resulting from the making of the contract commits a class 3 felony. 24-30-1406 (1)

**Government — State Department of Revenue**

87. *State lottery - criminal penalties.* Any person who, for personal pecuniary gain, issues, suspends, revokes, or renews a contract for gaming materials, or who violates the provisions concerning conflicts of interest in the operation of the state lottery commits a class 3 felony. 24-35-215 (3)

**Government — State Department of Public Health and Environment**

88. *Department of Health - penalties.* Tampering with a public water system or with drinking water after its withdrawal for or treatment by a public water system is a class 3 felony. 25-1-114 (5) (b) (I)

**Human Services Code — Department of Human Services**

89. *Fraudulent acts.* Obtaining public assistance or vendor payments to which one is not entitled, or public assistance or vendor payments greater than those to which one is entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device is a class 3 felony when the value of the assistance or payment is \$15,000 or greater (see 18-4-401 (2) (d)). 26-1-127 (1)

**Colorado Public Assistance Act**

90. *Fraudulent acts.* Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 3 felony when the value of the food stamps is \$15,000 or more (see 18-4-401 (2) (d)). 26-2-305 (1)

**Elements of Offense**

**C.R.S. Citation**

91. ***Trafficking in food stamps.*** Trafficking in food stamps is a class 3 felony if the value of the food stamps is \$15,000 or more. 26-2-306 (2) (d)
92. ***Trafficking in food stamps.*** Trafficking in food stamps twice or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 3 felony when the aggregate value of the food stamps involved is \$15,000 or more. 26-2-306 (3)

**Colorado Medical Assistance Act**

93. ***Personal needs trust fund.*** Unlawful use of a patient personal needs trust fund is a class 3 felony if the amount involved is \$15,000 or more. 26-4-504 (8) (d) (IV)

**Automobile Theft Law**

94. ***Tampering with a motor vehicle.*** Tampering with a motor vehicle is a class 3 felony if the damage is \$15,000 or more or causes bodily injury to any person. 42-5-103 (2) (c)
95. ***Theft of motor vehicle parts.*** Theft of motor vehicle parts is a class 3 felony if the value of the thing involved is \$15,000 or more. 42-5-104 (2) (c)

## CLASS 4 FELONIES

### Elements of Offense

### C.R.S. Citation

#### **Safety — Industrial and Commercial Explosives**

1. ***Death by negligence.*** Any person who knowingly and unlawfully places or allows explosives to be placed on a vehicle which results in the death of another commits a class 4 felony. 9-6-104

#### **Professions and Occupations — Acupuncturists**

2. ***Acupuncturists - grounds for disciplinary action.*** Sexual contact, intrusion, or penetration with a patient during the course of patient care by an acupuncturist is a class 4 felony. 12-29.5-108 (3)

#### **Inchoate Offenses**

3. ***Criminal attempt.*** If a person intentionally engages in conduct which constitutes a substantial step toward the commission of a class 3 felony, that person commits a class 4 felony. 18-2-101 (4)
4. ***Criminal conspiracy.*** Conspiracy to commit a class 3 felony is a class 4 felony. 18-2-206 (1)
5. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a class 3 felony commits a class 4 felony. (Penalty provisions for criminal solicitation are the same as those for criminal attempt contained in section 18-2-101.) 18-2-301 (5)

#### **Offenses Against the Person**

6. ***Manslaughter.*** A person commits manslaughter, a class 4 felony, if: (a) such person recklessly causes the death of another person; or (b) such person intentionally causes or aids another person to commit suicide. 18-3-104 (2)
7. ***Vehicular homicide.*** It is a class 4 felony when a person recklessly operates or drives a motor vehicle, and this conduct is the proximate cause of the death of another person. 18-3-106 (1) (c)

Elements of Offense

C.R.S. Citation

8. ***Assault in the second degree.*** It is a class 4 felony to: (a) intentionally cause serious bodily injury to another; or (b) attempt to cause serious bodily injury with a deadly weapon; or (c) cause bodily injury with intent to prevent a peace officer or firefighter from doing his duty; or (d) recklessly cause serious injury by means of a deadly weapon; or (e) harm someone by means of administering a drug or other substance; or (f) when lawfully confined, use physical force against a peace officer or firefighter in the performance of his duties. 18-3-203 (2) (b)
9. ***Vehicular assault.*** When a person operates a motor vehicle while under the influence of alcohol or drugs and causes serious bodily injury to another, it is a class 4 felony. 18-3-205 (1) (c)
10. ***Criminal extortion.*** A person who threatens a person, his property, or his reputation to induce that person to act against his will to do an act or refrain from doing a lawful act commits a class 4 felony. 18-3-207 (4)
11. ***Second degree kidnaping.*** A person who kidnaps a child not his own and under the age of eighteen years of age commits a class 4 felony, if the person kidnaped is not a victim of sexual assault or robbery, and the use of a deadly weapon is not employed. 18-3-302 (5)
12. ***Violation of custody.*** Any person who, in the course of taking or enticing any child under the age of 18 from the custody of his or her parents, guardian, or other lawful custodian or who violates an order of any district or juvenile court granting the custody of a child under 18 years of age to any person, agency, or institution with the intent to deprive the lawful custodian of the custody of a child under the age of 18 and who, in the course of doing so, removes a child under the age of 18 from the country commits a class 4 felony. 18-3-304 (2.5)
13. ***Enticement of a child.*** A person who, with the intent to commit sexual assault or unlawful sexual contact, invites or persuades or attempts to invite or persuade a child under the age of 15 to enter a vehicle, building, room, or secluded place commits a class 4 felony. 18-3-305 (2)

Elements of Offense

C.R.S. Citation

14. ***Sexual assault.*** An actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits a class 4 felony if: (a) the actor causes the submission of a victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or (b) the actor knows the victim is unable to appraise the nature of the victim's conduct; or (c) the actor knows that the victim submits believing the actor to be the victim's spouse; or (d) the victim is less than fifteen years of age and the actor is four years older than and is not the spouse of the victim; or (e) the victim is at least fifteen years old but less than seventeen years old and the actor is at least ten years older than the victim and is not the victim's spouse; or (f) the victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses the position of authority to coerce the victim to submit unless the act is a lawful search; or (g) the actor, while purporting to offer a medical service, engages in treatment or examination of the victim for other than bona fide medical purposes. 18-3-402 (2)
15. ***Unlawful sexual contact.*** Unlawful sexual contact is a class 4 felony when an actor compels a victim to submit by the use of force, intimidation, or threat or if the actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner inconsistent with reasonable medical practices or if the adult actor knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual activity with another person for the actor's own sexual gratification. 18-3-404 (2)
16. ***Sexual assault on a child.*** Any actor who subjects to sexual contact a child that is less than fifteen years of age while that actor is at least four years older than the victim commits a class 4 felony. 18-3-405 (2)
17. ***Sexual assault on a child by one in a position of trust.*** Sexual assault on a child by one in a position of trust is a class 4 felony if the victim is fifteen years of age or older but less than eighteen years of age and the offense is not committed as part of a pattern of sexual abuse. 18-3-405.3 (3)
18. ***Sexual assault on a client by a psychotherapist.*** Sexual penetration or sexual intrusion on a victim by an actor when the actor is a psychotherapist and the victim is a patient is a class 4 felony. 18-3-405.5 (1) (b)
19. ***Unlawful termination of pregnancy.*** A person who, with intent to unlawfully terminate the pregnancy of another, terminates the other's pregnancy commits a class 4 felony. 18-3.5-101



Elements of Offense

C.R.S. Citation

**Offenses Against Property**

- 20. **Second degree arson.** A person who by means of fire or explosives knowingly damages or destroys the property of another, other than a building or occupied structure, commits a class 4 felony if the damage caused is valued at \$100 or more. 18-4-103 (2)
- 21. **Third degree arson.** A person who by means of fire or explosives intentionally damages any property with intent to defraud commits a class 4 felony. 18-4-104 (2)
- 22. **Fourth degree arson.** A person who knowingly or recklessly starts or maintains a fire or causes an explosion on his or her or another's property, and thereby places another in danger of bodily injury or death or places any building or occupied structure of another in danger of damage, commits a class 4 felony. 18-4-105 (2)
- 23. **Second degree burglary.** A person who knowingly and unlawfully enters a place with intent to commit a crime against a person or property commits a class 4 felony. 18-4-203 (2)
- 24. **Third degree burglary.** It is a class 4 felony if the object of the burglary is the theft of a controlled substance, lawfully kept in or upon the property burglarized. 18-4-204 (2)
- 25. **Robbery.** A person who takes anything of value from a person by the use of force, threats, or intimidation commits a class 4 felony. 18-4-301 (2)
- 26. **Theft.** Theft is a class 4 felony if a person knowingly exercises control over anything which is valued at \$500 or more, but less than \$15,000, without authorization or by threat or deception. 18-4-401 (2) (c)
- 27. **Theft.** Theft is a class 4 felony if it is committed on two or more occasions within six months, the person is not placed in jeopardy for the prior offense, and the aggregate value of the things involved is between \$500 and \$15,000. 18-4-401 (4)
- 28. **Aggravated motor vehicle theft.** A person who takes any motor vehicle from another without authorization and who either retains control for over twenty-four hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 4 felony if the motor vehicle or vehicles involved is valued at \$15,000 or less. 18-4-409 (3) (a)
- 29. **Theft by receiving.** If a person receives a thing of value which is valued at \$500 or more but less than \$15,000 which he or she believes or knows to be stolen, and the person intends to deprive the lawful owner permanently of the use or benefit of the thing of value, said person commits a class 4 felony. 18-4-410 (4)

## Elements of Offense

## C.R.S. Citation

30. ***Theft by receiving.*** When a person commits theft by receiving twice or more within a period of six months without having been placed in jeopardy for the prior offenses and the aggregate value of the things involved is \$500 or more but less than \$15,000, it is a class 4 felony. 18-4-410 (7)
31. ***Criminal mischief.*** A person who, in a single criminal episode, knowingly damages real or personal property, including property owned by the person jointly with another person or property owned by the person in which another person has an interest, and the aggregate damage is more than \$500 but less than \$15,000, commits a class 4 felony. 18-4-501 (1)
32. ***Second degree criminal trespass.*** It is a class 4 felony if a person unlawfully enters or remains on fenced or enclosed premises classified as agricultural land, with the intent to commit a felony. 18-4-503 (2) (b)

## **Offenses Involving Fraud**

33. ***Controlled substances - consumption by fraudulent means.*** Any person who fraudulently causes another person to unknowingly consume or receive the direct administration of any controlled substance commits a class 4 felony. 18-5-116 (2)

## **Computer Crime**

34. ***Computer crime.*** If the loss, damage, value of service, or thing of value taken or cost of restoration or repair caused by computer crime is \$500 or more but less than \$15,000, computer crime is a class 4 felony. 18-5.5-102 (3) (a)

## **Offenses Involving the Family Relations**

35. ***Criminal abortion.*** Any person who intentionally ends the pregnancy of a woman by any means other than justified medical termination or birth commits the class 4 felony of criminal abortion. 18-6-102 (2)
36. ***Incest.*** Any person who knowingly marries, inflicts sexual penetration or sexual intrusion, or subjects to sexual contact, an ancestor or descendant, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood commits incest which is a class 4 felony. 18-6-301 (1)
37. ***Child abuse.*** A person who causes serious bodily injury to a child while acting with criminal negligence commits a class 4 felony. 18-6-401 (7) (a) (IV)
38. ***Sexual exploitation of children.*** The second or subsequent offense of sexual exploitation of a child by possession of sexually exploitative material is a class 4 felony. 18-6-403 (5)

**Elements of Offense**

**C.R.S. Citation**

39. ***Contributing to delinquency.*** Inducing, aiding, or encouraging a child to violate any state or federal law, municipal or county ordinance, or court order is a class 4 felony. 18-6-701 (2)

**Wrongs to At-risk Adults and At-risk Juveniles**

40. ***Crimes against at-risk adults and at-risk juveniles.*** Any person whose conduct amounts to criminal negligence and such negligence results in the death of an at-risk adult or at-risk juvenile commits a class 4 felony. 18-6.5-103 (2) (a)
41. ***First degree assault against at-risk adults or at-risk juveniles.*** Any person who commits a crime of assault in the first degree and the victim is an at-risk adult or an at-risk juvenile commits a class 4 felony if the act causing the injury is performed, not after deliberation, upon a sudden heat of passion, caused by a serious and highly provoking act of the intended victim, affecting the person causing the injury sufficiently to excite an irresistible passion in a reasonable person. 18-6.5-103 (3) (a)
42. ***Theft from at-risk adults and at-risk juveniles.*** Any person who commits theft from an at-risk adult or at-risk juvenile by means other than the use of force, threat, or intimidation commits a class 4 felony without regard to the value of the thing taken. 18-6.5-103 (5)

**Offenses — Governmental Operations**

43. ***Accessory to crime.*** A person who renders assistance to another who has committed a crime in order to prevent the person's apprehension and punishment commits a class 4 felony if the person who renders assistance knows that the person being assisted has committed a class 1 or class 2 felony. 18-8-105 (3)
44. ***Introducing contraband in the first degree.*** It is a class 4 felony for any person to attempt to introduce a dangerous instrument, alcoholic beverage, controlled substance, or marijuana into a detention facility, or for any person who is confined in a detention facility to make any of these items. 18-8-203 (2)
45. ***Possession of contraband.*** Possession of contraband which involves a dangerous instrument is a class 4 felony. 18-8-204.1 (3)
46. ***Escapes.*** It is a class 4 felony for a person who has been charged but not convicted of a felony to escape. 18-8-208 (3)
47. ***Attempt to escape.*** It is a class 4 felony for a person who is in custody or confinement following the conviction of a felony to attempt to escape. 18-8-208.1 (1)

**Elements of Offense**

**C.R.S. Citation**

48. ***Attempt to influence a public servant.*** Any person who attempts to influence any public servant by means of deceit, threat of violence, or economic reprisal commits a class 4 felony. 18-8-306
49. ***Perjury in the first degree.*** A person who makes a materially false statement under oath in any official proceeding commits a class 4 felony. 18-8-502 (3)
50. ***Bribe-receiving by a witness.*** A witness accepting any benefit for the purpose of influencing his or her presence or testimony at an official proceeding commits a class 4 felony. 18-8-603 (1)
51. ***Bribing a juror.*** A person who attempts to influence a juror's decision by offering or conferring any benefit upon the juror commits a class 4 felony. 18-8-606 (2)
52. ***Bribe-receiving by a juror.*** Any juror who accepts any benefit for the purpose of influencing his or her vote commits a class 4 felony. 18-8-607 (2)
53. ***Intimidating a juror.*** A person who attempts to influence a juror's vote by use of threat of harm or injury to any person or property commits a class 4 felony. 18-8-608 (2)
54. ***Jury tampering.*** Jury tampering in any class 1 felony trial is a class 4 felony. 18-8-609 (2)
55. ***Bribing a witness or victim.*** A person who offers or confers any benefit upon a witness or victim, in any official proceeding, members of the witness or victim's family, or persons in close relationship to or residing in the same household with a witness or victim in an attempt to influence that witness or victim commits a class 4 felony. 18-8-703 (2)
56. ***Intimidating a witness or victim.*** If, in an attempt to influence a witness or victim, a person threatens harm or injury to any person or property, he or she commits a class 4 felony. 18-8-704 (2)
57. ***Tampering with a witness or victim.*** A person who attempts to influence a victim or witness without bribery or threats commits a class 4 felony. 18-8-707 (2)
58. ***Arming rioters.*** If a person supplies a deadly weapon or destructive device for use in a riot, or teaches another to use such weapon or device in a riot, he or she commits a class 4 felony. 18-9-103 (2)
59. ***Engaging in a riot.*** If, in the course of rioting, a person employs a deadly weapon or destructive device or any article used or fashioned in a manner to cause a person to believe that the article is a deadly weapon, or if in the course of rioting, the actor represents verbally or otherwise that he or she is armed with a deadly weapon, that person commits a class 4 felony. 18-9-104 (1)
60. ***Harassment - stalking.*** Stalking is a class 4 felony for a second or subsequent offense if such offense occurs within seven years of the date of a prior conviction for stalking. 18-9-111 (5) (a.5)

**Elements of Offense**

**C.R.S. Citation**

61. ***Harassment - stalking.*** Stalking is a class 4 felony when, at the time of the offense, there was a temporary or permanent protection order, injunction, or condition of bond, probation, or parole or any other court order in effect against such person prohibiting the stalking behavior. 18-9-111 (5) (b)
62. ***Vehicular eluding.*** Any person who attempts to elude a peace officer while operating a motor vehicle, and which results in bodily injury to another person, commits a class 4 felony. 18-9-116.5
63. ***Failure to leave premises upon request of a peace officer.*** Any person who barricades or refuses police entry to any premises through use or threat of force, fails to leave upon request by a peace officer outside the structure, and holds another person hostage with use of a deadly weapon commits a class 4 felony. 18-9-119 (5)
64. ***Ethnic intimidation.*** Ethnic intimidation is a class 4 felony if the offender is physically aided or abetted by one or more other persons during the commission of the offense. 18-9-121 (3)

**Offenses Against Public Peace, Order, and Decency**

65. ***Animal - fighting - penalty.*** Any person committing a second or subsequent violation of causing, sponsoring, arranging, or encouraging a fight between animals for monetary gain or entertainment commits a class 4 felony. 18-9-204 (2)
66. ***Telecommunications crime.*** A person who knowingly uses cloning equipment to create a cloned cellular phone commits a class 4 felony. 18-9-309 (2) (b)
67. ***Telecommunications crime.*** A second or subsequent violation of knowingly cloning equipment to create a cloned cellular phone is a class 4 felony. 18-9-309 (2.5)
68. ***Telecommunications crime.*** A person commits a class 4 felony if he or she knowingly uses cloning equipment to: intercept signals, including signals transmitted to or from a cellular phone, between a telecommunications provider and persons using telecommunications services, or between persons using telecommunications services; or create a cellular phone. 18-9-309 (4) (a)
69. ***Telecommunications crime.*** A person commits a class 4 felony if he or she aids, abets, advises, or encourages one or more persons who engage in the activities described in section 18-9-309 (4) (a). 18-9-309 (4) (b)

Elements of Offense

C.R.S. Citation

**Offenses Relating to Firearms and Weapons**

70. ***Possessing a dangerous or illegal weapon.*** A person who knowingly possesses a dangerous weapon commits a class 4 felony for a second violation and for each subsequent violation. 18-12-102 (3)
71. ***Possession of weapons by previous offenders.*** A second or subsequent offense of possession of a weapon by a person who has previously been convicted of or adjudicated for a felony and when the weapon is a dangerous weapon or when the conviction was for or the adjudication was based on an offense involving burglary, arson, or any felony involving the use of force or the use of a deadly weapon is a class 4 felony. 18-12-108 (5)
72. ***Unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun.*** Any person who intentionally, knowingly, or recklessly provides a handgun to any person under the age of 18, or any person who knows of such juvenile's possession of a handgun and fails to make reasonable efforts to prevent such possession, commits unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun, a class 4 felony. 18-12-108.7 (1) (b)
73. ***Unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun.*** Any person who intentionally, knowingly, or recklessly provides a handgun to a juvenile or who permits a juvenile to possess a handgun, even though the person is aware of a substantial risk that such juvenile will use a handgun to commit a felony offense, or who fails to make reasonable efforts to prevent the commission of the offense, commits the crime of unlawfully providing or permitting a juvenile to possess a handgun, a class 4 felony. 18-12-108.7 (2) (b)
74. ***Possession, use, or removal of explosives or incendiary devices.*** Any person who knowingly possesses or controls an explosive or incendiary device commits a class 4 felony. 18-12-109 (2)
75. ***Possession, use, or removal of explosives or incendiary devices.*** Any person who removes any explosive or incendiary device from the premises of a lawful possessor without his or her consent, commits a class 4 felony. 18-12-109 (5)
76. ***Possession, use, or removal of explosives or incendiary devices.*** Any person who possesses any explosive or incendiary parts commits a class 4 felony. 18-12-109 (6)

**Elements of Offense**

**C.R.S. Citation**

77. *Possession, use, or removal of explosives or incendiary devices.* Any person who possesses a valid permit issued under the provisions of Article 7 of Title 9, or an employee of a permittee acting within the scope of his or her employment, who knowingly dispenses, distributes, or sells explosive or incendiary devices to a person not authorized to possess or control such devices, commits a class 4 felony. 18-12-109 (8)
78. *Unlawful purchase of firearms.* Any person who knowingly purchases or otherwise obtains a firearm on behalf of or for transfer to a person who the transferor knows or reasonably should know to be ineligible to possess a firearm commits a class 4 felony. 18-12-111 (1)

**Miscellaneous Offenses**

79. *Dueling.* Persons who by agreement engage in a fight with deadly weapons commit dueling, which is a class 4 felony. 18-13-104 (2)
80. *Hazardous wastes violations.* Any person who abandons a vehicle containing hazardous wastes or intentionally spills such wastes on a street, highway, or public or private property without consent, commits a class 4 felony. 18-13-112 (3)

**Offenses — Making, Financing, or Collection of Loans**

81. *Extortionate extension of credit.* Any agreement between a creditor and a debtor to the effect that delay or failure in making repayment for extension of credit will result in the use of extortionate means of collection results in extortionate extension of credit, which is a class 4 felony. 18-15-102
82. *Collection of extensions of credit by extortionate means.* Any person who uses extortionate means to collect any extension of credit commits a class 4 felony. 18-15-107 (2)

**Uniform Controlled Substances Act of 1992**

83. *Controlled substances.* It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 4 felony: 18-18-405
- if the violation is based on the possession of a controlled substance listed in schedule II; or (2) (a) (I) (A), (2.1) (a) (I) (A)
  - if a person is convicted of a first offense for such activity in the case of schedule III controlled substances; or (2) (a) (II) (A), (2.1) (a) (II) (A)

**Elements of Offense**

**C.R.S. Citation**

- when the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory for such activity in the case of schedule IV controlled substances. (2) (a) (III) (B), (2.1) (a) (III) (B)
- 84. ***Unlawful activity relating to controlled substances.*** Any person who possesses one gram or less of any material, compound, mixture, or preparation containing any quantity of a schedule I through schedule IV controlled substance commits a class 4 felony if it is the person's second or subsequent conviction of such offense. 18-18-405 (2.3) (a) (II)
- 85. ***Offenses relating to marijuana.*** The following offenses involving marijuana or marijuana concentrate are class 4 felonies: 18-18-406
  - a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for possession of eight or more ounces of marijuana or any amount of marijuana concentrate; (4) (b) (II)
  - an initial conviction of dispensing (with consideration) over one ounce of marijuana by a person aged 18 or over to a person aged 15 to 17 or any amount of marijuana concentrate (with or without consideration) to a person under age 18; (7) (a)
  - an initial conviction of dispensing any amount of marijuana (with or without consideration) by a person aged 18 or over to a person under age 15; (7) (b)
  - an initial conviction of cultivating, growing, producing, processing, or manufacturing marijuana or its concentrate on land owned or controlled by the person or allowing such activities on his or her land; (8) (a) (II) (A)
  - an initial conviction of manufacturing, dispensing, selling, possessing, or distributing marijuana or its concentrate. (8) (b) (III) (A)
- 86. ***Unlawful acts.*** Violation of any of the unlawful acts listed in paragraphs (o) through (t) of section 18-18-414 (1) pursuant to the Uniform Controlled Substances Act. 18-18-414 (5)
- 87. ***Fraud and deceit.*** Violation of the provisions of section 18-18-415 regarding obtaining controlled substances by fraud or deceit is a class 4 felony if the violation is committed subsequent to a prior conviction for the same offense. 18-18-415 (2) (b)
- 88. ***Controlled substances—inducing consumption by fraudulent means.*** It is a class 4 felony when a person by means of fraud or misrepresentation, causes another to unknowingly consume any controlled substance. 18-18-416 (2)



**Elements of Offense**

**C.R.S. Citation**

89. *Imitation controlled substances.* The manufacture, distribution, or possession with intent to distribute an imitation controlled substance is a class 4 felony when the violation is committed subsequent to a prior conviction for the same offense. 18-18-422 (1) (b) (II)
90. *Imitation controlled substances.* Distribution of an imitation controlled substance by a person 18 or older to a person 18 or younger is a class 4 felony. 18-18-422 (2) (b) (I)

**Government — State Department of Human Services**

91. *Fraudulent acts.* Obtaining public assistance or vendor payments when not entitled, or public assistance or vendor payments greater than those to which one is justly entitled, by means of a willfully false statement or representation or by impersonation or by any other fraudulent device is a class 4 felony when the value of the assistance or payments is \$500 or more but less than \$15,000 (see 18-4-401 (2) (c)). 26-1-127 (1)

**Colorado Public Assistance Act**

92. *Fraudulent acts.* Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 4 felony when the value of the stamps is \$500 or more but less than \$15,000 (see 18-4-401 (2) (c)). 26-2-305 (1)
93. *Trafficking in food stamps.* Trafficking in food stamps is a class 4 felony if the value of the food stamps is \$500 or more but less than \$15,000. 26-2-306 (2) (c)
94. *Trafficking in food stamps.* Trafficking in food stamps twice or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 4 felony when the aggregate value of the food stamps is \$500 or more but less than \$15,000. 26-2-306 (3)

**Colorado Medical Assistance Act**

95. *Personal needs trust fund.* Unlawful use of a patient personal needs trust fund is a class 4 felony if the amount involved is \$500 or more but less than \$15,000. 26-4-504 (8) (d) (III)

**Government — Local Hazardous Substance Incidents**

96. *Hazardous substance incidents.* Any person who intentionally causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 4 felony. 29-22-108 (1)

**Elements of Offense**

**C.R.S. Citation**

**Agriculture — Branding and Herding**

97. *Theft of certain animals.* Any person who commits theft of, or knowingly kills, sells, drives, leads, transports, rides away, purchases, or in any manner deprives the owner of the immediate possession of any cattle, horses, mules, sheep, goats, swine, or asses, either live or slaughtered, commits a class 4 felony. 35-43-128

**Regulation of Vehicles and Traffic**

98. *Accidents involving death or personal injuries.* Drivers involved in accidents resulting in death or personal injuries shall immediately stop and remain at the scene, and shall fulfill the requirements concerning giving of certain information and the rendering of aid. A person who violates any provision of this section commits a class 4 felony if the accident resulted in the death of any person. 42-4-1601 (2) (c)

**Automobile Theft Law**

99. *Theft of motor vehicle parts.* Theft of motor vehicle parts two times or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 4 felony when the aggregate value of the things involved is \$15,000 or more. 42-5-104 (3)

## CLASS 5 FELONIES

### Elements of Offense

### C.R.S. Citation

#### **Election Offenses**

1. *Penalties for election offenses - forgery.* Anyone who forges, makes, or alters any ballot, petition, nomination paper, or letter of acceptance, declination, or withdrawal, commits forgery in the second degree, which is a class 5 felony. 1-13-106

#### **Colorado Antitrust Act of 1992**

2. *Violations.* Violation of any of the provisions of sections 6-4-104, 6-4-105, or 6-4-106 of the Colorado Antitrust Act of 1992 regarding illegal restraint or trade or commerce, monopolization, and bid-rigging is a class 5 felony. 6-4-117 (2)

#### **Colorado Charitable Solicitations Act**

3. *Charitable fraud.* The commission of charitable fraud according to section 6-16-111 (1) (b), (c), (d), (f), or (g) is a class 5 felony. 6-16-111 (2)
4. *Charitable fraud.* Charitable fraud pursuant to section 6-16-111 (1) (a) or (e) involving three separate contributors in any one solicitation campaign is a class 5 felony. 6-16-111 (3)

#### **Division of Labor — Industrial Claim Appeals Office**

5. *Penalty for false statements - Industrial Commission - Division of Labor.* Anyone who willfully makes a false statement or misrepresentation for the purposes of obtaining a benefit under Article 1 of Title 8 regarding the Division of Labor's Industrial Claim Appeals Office commits a class 5 felony. 8-1-144

#### **Labor and Industry — Enforcement and Penalties**

6. *Penalty for false statements/Workers' Compensation Act of Colorado.* Anyone who willfully makes a false statement or misrepresentation material to the claim in order to obtain labor benefits under Articles 40 to 47 of Title 8 commits a class 5 felony. 8-43-402

**Elements of Offense**

**C.R.S. Citation**

**Financial Institutions — Organization and Powers**

7. *Defrauding savings and loan associations.* Any employee of any savings and loan association who attempts to steal or defraud the association of any of its funds, securities, or properties, commits a class 5 felony. 11-41-127 (1)

**Financial Institutions — State Banking Commissioner**

8. *Penalty for violation or non-performance of duties concerning the State Banking Commission.* Any person who willfully fails to perform any act required, or commits any act in violation of his or her duties concerning bank examinations and liquidations, commits a class 5 felony. 11-107-109

**Professions and Occupations — Acupuncturists**

9. *Acupuncturists - grounds for disciplinary action.* A subsequent violation within three years of the date of conviction of any of the provisions of section 12-29.5-106 (1) (a) through (i) regarding grounds for disciplinary action for acupuncturists is a class 5 felony. 12-29.5-108 (1)

**Medical Practice**

10. *Unprofessional conduct.* Dispensing or injecting an anabolic steroid unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 5 felony. 12-36-129 (2.5)

**Colorado Parental Notification Act**

11. *False information - notification concerning abortion.* It is a class 5 felony to counsel, encourage, or conspire to persuade a pregnant minor to provide false information to a physician about the minor's age, marital status, or other facts or circumstances in order to induce or attempt to induce such physician to perform an abortion without providing written notice required by Article 37.5 of Title 12. 12-37.5-106 (3)

**Professions and Occupations — Mental Health**

12. *Mental health occupations.* A subsequent violation within three years of a previous conviction of any of the provisions regarding mandatory disclosure of information to clients; title use restrictions; performing outside of the area of training, experience or competence; using any designation implying licensure when such license has been revoked; and selling or fraudulently obtaining or furnishing a license to practice is a class 5 felony. 12-43-226 (2)

**Elements of Offense**

**C.R.S. Citation**

**Professions and Occupations — Alcoholic Beverages**

13. ***Gambling activity - premises licensed to sell alcohol.*** It is a class 5 felony, in the case of an establishment licensed to sell alcoholic beverages, to permit or authorize gambling activity, except that which is conducted by an authorized nonprofit organization. 12-47-901 (5) (n) (II)

**Colorado Limited Gaming Act**

14. ***Violation of taxation provisions - gaming.*** Any person who makes any false or fraudulent return in an attempt to defeat or evade taxes imposed pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 12-47.1-603 (1) (a)
15. ***Violation of taxation provisions - gaming.*** Any person who, twice within a year, fails to pay taxes due or file a return pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 12-47.1-603 (1) (d)
16. ***Violation of taxation provisions - gaming.*** Any person who willfully aids, assists, procures, counsels, or advises, in any matter before the Colorado Limited Gaming Control Commission, a return, affidavit, claim, or other document which is fraudulent or contains false information, commits a class 5 felony. 12-47.1-603 (1) (e)
17. ***False statement on application.*** Any person who knowingly makes a false statement in any application for a license, or who fails to keep books and records to substantiate receipts or expenses, or who falsifies any books or records relating to any transaction connected with any limited gaming, or who knowingly violates any of the provisions of the provisions of the Colorado Limited Gaming Act or any rule or regulation promulgated by the Colorado Limited Gaming Control Commission commits a class 5 felony. 12-47.1-802
18. ***Slot machines - shipping notices.*** Violation of any of the provisions regarding the shipping or importing of a slot machine into the State of Colorado is a class 5 felony. 12-47.1-803 (1) (b)
19. ***Cheating.*** Cheating at any limited gaming activity by an owner, employee of, or player at a limited gaming establishment is a class 5 felony if the person is a repeat gambling offender. 12-47.1-822 (3)
20. ***Fraudulent acts - gaming.*** Violation of any of the provisions of section 12-47.1-823 regarding fraudulent gaming acts is a class 5 felony if the person is a repeat gambling offender. 12-47.1-823 (2)

**Elements of Offense**

**C.R.S. Citation**

21. ***Use of a device for calculating probabilities.*** Use or possession of any device used to assist in projecting the outcome of a game, keep track of cards played, or analyze the probability of an event occurring or the strategy for playing or betting is a class 5 felony when the person is a repeat gambling offender. 12-47.1-824 (2)
22. ***Counterfeit or unapproved chips or tokens - unlawful devices, equipment, products, or materials.*** Violation of any of the provisions of section 12-47.1-825 regarding the use of counterfeit or unapproved chips or tokens, unlawful coins or devices, and the possession of certain unlawful devices, equipment, products, or materials commits a class 5 felony when the person is a repeat gambling offender. 12-47.1-825 (8)
23. ***Cheating game and devices.*** Knowingly conducting, operating, or allowing any cheating or thieving game or device, or knowingly dealing, conducting, or operating any game with cards or devices which have been marked or tampered with is a class 5 felony when the offender is a repeat gambling offender. 12-47.1-826 (2)
24. ***Unlawful manufacture, sale, distribution of equipment and devices associated with limited gaming.*** Violation of any of the provisions of section 12-47.1-827 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming is a class 5 felony when the offender is a repeat gambling offender. 12-47.1-827 (4)
25. ***Unlawful entry.*** Unlawful entry into the premises of a licensed gaming establishment by a person whose name is on the list of persons who are to be excluded and ejected from gaming establishments is a class 5 felony. 12-47.1-828 (3)
26. ***False or misleading information.*** Providing any false or misleading information pursuant to the Colorado Limited Gaming Act is a class 5 felony. 12-47.1-839 (2)

**Professions and Occupations — Outfitters and Guides**

27. ***Issuance of certificate of registration.*** A second or subsequent conviction of any of the provisions regarding the requirements for issuance of a certificate of registration for outfitters is a class 5 felony. 12-55.5-107.5 (1)

**Domestic Matters — Parent and Child**

28. ***Nonsupport of spouse and children.*** Any person who willfully neglects, fails, or refuses to provide reasonable support and maintenance for his or her spouse or children commits a class 5 felony. 14-6-101 (1)

**Elements of Offense**

**C.R.S. Citation**

**Colorado Medical Treatment Decision Act**

29. *Colorado Medical Treatment Decision Act.* Any person who falsifies or forges a declaration of another commits a class 5 felony. 15-18-113 (2)

**Inchoate Offenses**

30. *Criminal attempt.* Criminal attempt to commit a class 4 felony is a class 5 felony. 18-2-101 (4)
31. *Criminal conspiracy.* Conspiracy to commit a class 4 felony is a class 5 felony. 18-2-206 (1)
32. *Criminal solicitation.* Any person who attempts to persuade another person to commit a class 4 felony commits a class 5 felony. (See 18-2-101 (4)). 18-2-301 (5)

**Offenses Against the Person**

33. *Criminally negligent homicide.* Any person who causes the death of another person by conduct amounting to criminal negligence commits criminally negligent homicide, a class 5 felony. 18-3-105
34. *Assault in the first degree.* If assault in the first degree is committed but in the heat of passion caused by a highly provoking act of the victim, affecting the person causing the injury sufficiently to excite an irresistible passion in a reasonable person, and without an interval between the provocation and the injury sufficient for the voice of reason and humanity to be heard, it is a class 5 felony. 18-3-202 (2) (a)
35. *Vehicular assault.* Any person who drives a motor vehicle in a reckless manner, and this conduct is the proximate cause of the serious bodily injury to another, commits a class 5 felony. 18-3-205 (1) (c)
36. *Menacing.* A person who menaces another by use of a deadly weapon or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or who represents verbally or otherwise that he or she is armed with a deadly weapon, commits a class 5 felony. 18-3-206 (1)
37. *False imprisonment.* Any person other than a peace officer acting within the scope of his or her duties who uses or threatens force to confine or detain another, and who confines or detains the person for 12 hours or longer commits a class 5 felony. 18-3-303 (2)
38. *Violation of custody.* Any person who takes or entices any child under the age of 18 from the custody of his or her parents, guardian, legal custodian, or person with parental responsibilities with respect to the child commits a class 5 felony. 18-3-304 (1)

**Elements of Offense**

**C.R.S. Citation**

39. ***Violation of custody.*** Any parent who violates an order of court granting custody of a child or parental responsibilities with respect to a child under 18 to any person, agency, or institution, with the intent to deprive the lawful custodian or person with parental responsibilities of the custody or care of the child, commits a class 5 felony. 18-3-304 (2)
40. ***Failure to register as a sex offender.*** Failure to register as a convicted sex offender or submitting false information on a registration form is a class 5 felony for a second or subsequent offense. 18-3-412.5 (2) (a) and (c)

**Offenses Against Property**

41. ***Third degree burglary.*** A person who enters or breaks into any vault, safe, cash register, coin vending machine, product dispenser, money depository, safety deposit box, coin telephone, coin box, etc., commits a class 5 felony. 18-4-204 (2)
42. ***Possession of burglary tools.*** Possession of any explosive, tool, instrument, or other article adapted, designed, or commonly used for committing or facilitating burglary is a class 5 felony. 18-4-205 (2)
43. ***Theft.*** Theft is a class 5 felony, without regard to the value of the thing taken, if the thing involved was taken from another person by means other than the use of force, threat, or intimidation. 18-4-401 (5)
44. ***Theft of rental property.*** If a person engages in the theft of rental property when the value is \$500 or more, but less than \$15,000, it is a class 5 felony. 18-4-402 (4)
45. ***Theft of rental property.*** Theft of rental property twice or more within a period of six months without having been placed in jeopardy for prior offenses and the aggregate value of the property is \$500 or more but less than \$15,000 is a class 5 felony. 18-4-402 (6)
46. ***Theft of trade secrets.*** Any person who steals or discloses to an unauthorized person a trade secret or makes or causes to be made a copy of an article representing a trade secret commits theft of a trade secret. If a second or subsequent offense is committed within five years of a prior conviction, it is a class 5 felony. 18-4-408 (3)
47. ***Aggravated motor vehicle theft.*** Aggravated motor vehicle theft in the second degree is a class 5 felony if the value of the motor vehicle or motor vehicles involved is \$15,000 or more. 18-4-409 (4)
48. ***First degree criminal trespass.*** A person who knowingly and unlawfully enters a building or enters a car with intent to steal commit a crime therein commits a class 5 felony. 18-4-502



**Elements of Offense**

**C.R.S. Citation**

49. ***Third degree criminal trespass.*** It is a class 5 felony if a person unlawfully enters or remains on premises classified as agricultural land, with the intent to commit a felony. 18-4-504 (2) (b)

**Offenses Involving Fraud**

50. ***Forgery.*** A person commits forgery, a class 5 felony if, with intent to defraud, such person falsely makes, completes, or alters a written instrument listed in paragraphs (a) through (g) of section 18-5-102 (1). 18-5-102 (2)
51. ***Offering a false instrument for recording.*** Any person who offers a false instrument for recording with intent to defraud commits a class 5 felony. 18-5-114 (2)
52. ***Defrauding a secured creditor or debtor.*** A person who intends to defraud a creditor by rendering any security interest worthless or enforceable by disposing of any collateral subject to a security interest commits a class 5 felony if the value of the collateral is \$500 or more but less than \$15,000. 18-5-206 (1) (c)
53. ***Defrauding a secured creditor or debtor.*** A creditor who intends to defraud a debtor by encumbering a promissory note or contract signed by the debtor commits a class 5 felony if the amount owing on such note or contract is \$500 or more but less than \$15,000. 18-5-206 (2) (c)
54. ***Unlawful activity concerning the selling of land.*** A person who sells the same land twice with intent to defraud commits a class 5 felony. 18-5-302 (1)
55. ***Failure to pay over assigned accounts.*** A class 5 felony is committed when an assignor for the collection of a debt account fails to pay the assignee any money collected from the debtor, where the sum of money involved is \$500 or more. 18-5-502
56. ***Concealment or removal of secured property.*** If a person has given security interest in personal property and conceals or removes the encumbered property from Colorado without written consent, he or she commits a class 5 felony where the amount of the proceeds withheld is \$500 or more. 18-5-504
57. ***Failure to pay over proceeds.*** Any person giving security interest and retaining possession of the encumbered property and having liberty of sale or other disposition, and who wrongfully fails to pay to the secured creditor the amounts due on account thereof, commits a class 5 felony where the amount of the proceeds withheld is \$500 or more. 18-5-505
58. ***Unauthorized use of a financial device.*** Unauthorized use of a financial device if the value of cash, credit, property, or services obtained or financial payments made exceeds \$500 but is less than \$15,000 is a class 5 felony. 18-5-702 (3) (c)

**Elements of Offense**

**C.R.S. Citation**

59. ***Criminal possession of a financial transaction device.*** Any person who possesses four or more financial transaction devices issued to different account holders with the intent to defraud or which he or she knows to be lost, stolen, or delivered under a mistake commits a class 5 felony. 18-5-703 (4)
60. ***Sale of a financial transaction device.*** Any person who, with intent to defraud, sells or possesses to sell, any financial transaction device which he or she knows to be lost, stolen, forged, altered, counterfeited, or delivered under a mistake, commits a class 5 felony. 18-5-704 (1)
61. ***Criminal possession of a blank financial transaction device.*** Any person who possesses two or more blank financial transaction devices and who intends to use, deliver, circulate, or sell them without the authorization of the issuer or manufacturer commits a class 5 felony. 18-5-705 (3)
62. ***Sale of a blank financial transaction device.*** Any person who delivers, circulates, or sells one blank financial transaction device which has not been embossed or magnetically encoded with the name of the account holder, personal identification code, expiration date, or other proprietary institutional information commits a class 5 felony. 18-5-705 (4)
63. ***Unlawful manufacture of a financial transaction device.*** A person commits a class 5 felony if he or she commits unlawful manufacture of a financial transaction device, with intent to defraud, by: a) falsely making or manufacturing such a device; b) falsely altering or adding codes or information to such a device; or c) falsely completing such a device. 18-5-707 (3)
64. ***Equity skimming.*** Equity skimming of real property is a class 5 felony. 18-5-802 (3)

**Offenses Involving the Family Relations**

65. ***Pretended criminal abortion.*** Any person who intentionally pretends to end the real or apparent pregnancy of a woman by means other than justified medical termination or birth commits a class 5 felony. 18-6-103 (2)

**Domestic Violence**

66. ***Domestic violence - sentencing.*** Any person convicted of any offense which would otherwise be a misdemeanor, the underlying factual basis of which includes an act of domestic violence and such person has been three times previously convicted of a felony or misdemeanor or municipal ordinance violation, the underlying factual basis of which included an act of domestic violence, shall be convicted of a class 5 felony. 18-6-801 (7)

**Elements of Offense**

**C.R.S. Citation**

**Wrongs Against At-risk Adults and At-risk Juveniles**

67. *Crimes against at-risk adults and at-risk juveniles.* Any person whose conduct amounts to criminal negligence when the negligence results in serious bodily injury to an at-risk adult or at-risk juvenile commits a class 5 felony. 18-6.5-103 (2) (b)
68. *Crimes against at-risk adults and at-risk juveniles.* Any person who commits a crime of assault in the second degree when the victim is an at-risk adult or at-risk juvenile and the act was committed upon a sudden heat of passion, caused by a serious and highly provoking act of the victim, causing an irresistible passion in a reasonable person, commits a class 5 felony. 18-6.5-103 (3) (b)
69. *Crimes against at-risk adults and at-risk juveniles.* Any person who commits theft, and commits any element of the offense in the presence of the victim when the victim is an at-risk adult or at-risk juvenile commits a class 5 felony when the value of the thing involved is less than \$500. 18-6.5-103 (5)

**Offenses Relating to Morals**

70. *Prostitution with knowledge of being infected with AIDS.* Prostitution with knowledge of being infected with AIDS is a class 5 felony. 18-7-201.7 (2)
71. *Pandering.* Any person who induces another person by menacing or criminal intimidation to commit prostitution or by arranging for another to practice prostitution commits a class 5 felony. 18-7-203 (2)

**Offenses — Governmental Operations**

72. *Sexual conduct in penal institutions.* An employee or contract employee of a criminal justice facility who engages in sexual conduct with an inmate commits a class 5 felony if the sexual conduct includes sexual intrusion or sexual penetration. 18-7-701 (3)
73. *Accessory to crime.* Being an accessory to crime is a class 5 felony if the offender knows that the person being assisted is suspected of or wanted for a class 1 or class 2 felony. 18-8-105 (4)
74. *Accessory to crime.* Being an accessory to crime is a class 5 felony if the offender knows that the person being assisted has committed, or has been convicted of, or is charged with, or is suspected of or wanted for a felony other than a class 1 or class 2 felony. 18-8-105 (5)
75. *Disarming a peace officer.* It is a class 5 felony to knowingly, without justification and without consent, removes the firearm of a peace officer who is acting under color of official authority. 18-8-116 (2)

**Elements of Offense**

**C.R.S. Citation**

76. ***Aiding escape from mental hospital.*** Any person who aids the escape of an inmate in a mental hospital knowing the person was committed pursuant to the criminal insanity statute commits a class 5 felony. 18-8-201.1
77. ***Escape.*** A person who has been confined pursuant to the criminal insanity law and who escapes confinement and travels outside of the state of Colorado commits a class 5 felony. 18-8-208 (6) (c)
78. ***Escape.*** A person commits a class 5 felony if he or she escapes while in custody or confinement pursuant to the "Uniform Extradition Act." 18-8-208 (8)
79. ***Attempt to escape.*** A person who, while in custody or confinement and held for or charged with but not convicted of a felony, attempts to escape commits a class 5 felony. 18-8-208.1 (2)
80. ***Escape.*** A person who is in custody or confinement for a felony offense which is unclassified and escapes commits a class 5 felony. 18-8-210
81. ***Riots in correctional institutions.*** A person confined in any correctional institution commits a class 5 felony if, during a riot, he or she intentionally disobeys an order to move, disperse, or refrain from specified activities. 18-8-211 (3)
82. ***Unauthorized residency by parolee or probationer from another state.*** A probationer or parolee from another state who, in order to stay in the state, is required to have permission of the administrator of the Interstate Compact for Parolee Supervision, and does not receive such approval, commits a class 5 felony. 18-8-213 (2)
83. ***Embezzlement of public property.*** A class 5 felony is committed when a public servant converts public moneys or properties to his or her own use or to any use other than the public use as authorized by law. 18-8-407 (2)
84. ***Jury tampering.*** Knowing participation in the fraudulent processing or selection of jurors or prospective jurors or attempting to communicate with or influence jurors other than as a part of the official trial proceedings is a class 5 felony. 18-8-609 (2)

**Offenses Against Public Peace, Order, and Decency**

85. ***Inciting riot.*** Any person who incites, urges, instructs, or signals a group of five or more persons to engage in a riot and injury to a person or damage to property results therefrom commits a class 5 felony. 18-9-102 (3)
86. ***Harassment - stalking.*** Stalking is a class 5 felony for a first offense. 18-9-111 (5) (a)

**Elements of Offense**

**C.R.S. Citation**

87. ***Vehicular eluding.*** Any person who, while operating a motor vehicle, knowingly eludes or attempts to elude a peace officer also operating a motor vehicle, and who operates the vehicle in a reckless manner, commits a class 5 felony when no bodily injury or death occurs. 18-9-116.5
88. ***Failure to leave premises on request of peace officer.*** Any person who barricades or refuses police entry to any premises through use or threat of force and fails to leave upon request by a peace officer outside the structure, and holds a hostage by feigning possession of a deadly weapon commits a class 5 felony. 18-9-119 (7)
89. ***Terrorist training activities.*** Any person who teaches, demonstrates, practices with, or is instructed in the use, application, or making of firearms, explosive or incendiary devices, or techniques capable of causing injury or death and who knows that the same will be used in the furtherance of a civil disorder commits a class 5 felony. 18-9-120 (2)
90. ***Ethnic intimidation.*** Knowingly causing bodily injury to another person because of that person's actual or perceived race, color, religion, ancestry, or national origin constitutes a class 5 felony. 18-9-121 (3)
91. ***Cruelty to animals.*** A second or subsequent conviction of aggravated cruelty to animals (knowing torture, torment, or killing) is a class 5 felony. 18-9-202 (2)(c)
92. ***Killing animals in contest.*** Any person who causes, sponsors, arranges, or encourages a fight between animals for monetary gain or entertainment commits a class 5 felony. 18-9-204 (2)
93. ***Unlawful ownership of dangerous dog.*** Any person who owns a dangerous dog when the dog causes the death of a person commits a class 5 felony. 18-9-204.5 (3) (d)
94. ***Wiretapping and eavesdropping devices prohibited.*** Any person who possesses instruments or devices for wiretapping or eavesdropping with intent to unlawfully use or employ such devices commits a class 5 felony upon a second or subsequent offense. 18-9-302

**Gambling**

95. ***Professional gambling.*** A person who engages in professional gambling and is a repeated gambling offender commits a class 5 felony. 18-10-103 (2)

**Offenses Involving Disloyalty**

96. ***Insurrection.*** Any person who intentionally, by force, resists the execution of state law or engages or participates with any armed force to invade the state, commits the class 5 felony of insurrection. 18-11-102 (2)

**Elements of Offense**

**C.R.S. Citation**

- 97. ***Advocating overthrow of government.*** Anyone who advocates the destruction or overthrow of the government of the United State or of Colorado by violent force or action commits sedition, which is a class 5 felony. 18-11-201 (2)
- 98. ***Membership in anarchistic and seditious associations.*** Any person who is a member of an unlawful organization which advocates violent and forceful change in the state of Colorado or in the United States commits a class 5 felony. 18-11-203 (2)

**Offenses Relating to Firearms and Weapons**

- 99. ***Possessing a dangerous or illegal weapon.*** A person who knowingly possesses a dangerous weapon commits a class 5 felony. 18-12-102 (3)
- 100. ***Use of stun guns.*** The use of a stun gun in the commission of a criminal offense is a class 5 felony. 18-12-106.5
- 101. ***Offenses relating to firearms.*** Any person who has within five years previously been convicted of possessing an illegal weapon, possessing a defaced firearm, unlawfully carrying a concealed weapon, or using a weapon in a prohibited manner, shall upon conviction for a second or subsequent offense be guilty of a class 5 felony. 18-12-107
- 102. ***Illegal discharge of a firearm.*** Illegal discharge of a firearm is a class 5 felony. 18-12-107.5 (3)
- 103. ***Possession of weapons by previous offenders.*** Possession of a weapon by a previous offender subsequent to the offender's conviction for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the weapon is a dangerous weapon. 18-12-108 (2) (b)
- 104. ***Possession of weapons by previous offenders.*** Possession of a weapon by a previous offender subsequent to the offender's conviction for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the previous conviction was for burglary, arson, or any felony involving the use of force or a deadly weapon. 18-12-108 (2) (c)
- 105. ***Possession of weapons by previous offenders.*** Possession of a weapon by a previous offender subsequent to the person's adjudication as a juvenile for an act that would have constituted a felony if committed by an adult, or for attempt or conspiracy to commit a felony, is a class 5 felony when the weapon is a dangerous weapon. 18-12-108 (4) (b)

**Elements of Offense**

**C.R.S. Citation**

106. *Possession of weapons by previous offenders.* Possession of a weapon by a previous offender subsequent to the offender's adjudication for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the previous adjudication was for burglary, arson, or any felony involving the use of force or a deadly weapon. 18-12-108 (4) (c)
107. *Possession of handguns by juveniles.* Possession of any handgun by a person who has not attained the age of 18 years is a class 5 felony for a second or subsequent offense. 18-12-108.5 (1) (c) (II)
108. *Possession, use, or removal of explosives or incendiary devices.* Any person who manufactures or possesses or who gives, mails, sends, or causes to be sent any false, facsimile, or hoax explosive or incendiary device or chemical, biological, or radiological weapon to another person or places any such purported explosive or incendiary device or chemical, biological, or radiological weapon in or upon any real or personal property commits a class 5 felony. 18-12-109 (7)

**Miscellaneous Offenses**

109. *Violation concerning sale of secondhand property.* Upon a second or subsequent conviction within a three-year period, any dealer in secondhand property who fails to make record of a sale exceeding \$30, to deliver such record to local law enforcement agencies, or to retain such record for a one-year period commits a class 5 felony. 18-13-114 (6) (a)

**Offenses — Making, Financing, or Collection of Loans**

110. *Financing extortionate extensions of credit.* Any person advancing money or property to another whom he or she reasonably suspects will use such money or property for the purpose of making an extortionate extension of credit commits a class 5 felony. 18-15-105

**Uniform Controlled Substances Act of 1992**

111. *Unlawful use of a controlled substance.* Any person who uses any controlled substance, except its lawful administration for bona fide medical needs, commits a class 5 felony in the case of a schedule I or II controlled substance. *This new offense only takes effect if current law (the class 6 felony in 18-18-404 (1) (a) (I)) is repealed. Current law is repealed if, during any fiscal year after July 1, 2007, \$2.2 million have not been appropriated to the Drug Offender Treatment Fund.* 18-18-404 (1.1) (a) (I)

**Elements of Offense**

**C.R.S. Citation**

112. ***Unlawful activity relating to controlled substances.*** It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 5 felony:
- if a person is convicted of a first offense for such activity in the case of schedule IV controlled substances; or (2) (a) (III) (A), (2.1) (a) (III) (A)
  - if the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory for such activity in the case of schedule V controlled substances. (2) (a) (IV) (B), (2.1) (a) (IV) (B)
113. ***Offenses relating to marijuana.*** The following offenses relating to marijuana or marijuana concentrate are class 5 felonies:
- a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for possession of more than one ounce but less than eight ounces of marijuana; (4) (a) (II)
  - an initial conviction for possession of eight ounces or more of marijuana or any amount of marijuana concentrate. (4) (b) (I)
114. ***Unlawful use of marijuana in a detention facility.*** Any person confined in any detention facility in this state commits a class 5 felony for a second or subsequent violation where both the initial and subsequent violations involved possessing more than one ounce of marijuana. 18-18-406.5 (1)
115. ***Fraud and deceit.*** Violation of any of the provisions of section 18-18-415 regarding obtaining a controlled substance by fraud, deceit, misrepresentation, or subterfuge is a class 5 felony. 18-18-415 (2) (a)
116. ***Imitation controlled substances.*** The manufacture, distribution, or possession with intent to distribute an imitation controlled substance is a class 5 felony. 18-18-422 (1) (b) (I)
117. ***Counterfeit substances.*** The knowing intent to manufacture, deliver, or possess or to intentionally make, distribute, or possess any equipment designed to reproduce a counterfeit controlled substance is a class 5 felony. 18-18-423 (3)

**Offenses Related to Limited Gaming**

118. ***Violation of taxation provisions.*** Any person who makes any false or fraudulent return in attempting to defeat or evade taxes imposed by the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (a)
119. ***Violation of taxation provisions - gaming.*** Any person who, twice or more within one year, fails to pay tax due within 30 days after the date due, or fails to file a return within 30 days after the date the return is due, pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (d)



**Elements of Offense**

**C.R.S. Citation**

120. ***Violation of taxation provisions - gaming.*** Any person who wilfully aids or assists in, or procures, counsels, or advises the preparation or presentation of a return, affidavit, claim, or other document which is fraudulent or false pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (e)
121. ***False statement on application.*** Any person who knowingly makes a false statement in any application for a license or who provides false or misleading information or who fails to keep books and records to substantiate receipts or expenses or who falsifies any books or records related to any transaction connected with limited card games or slot machines or who knowingly violates any of the provisions of or rules and regulations promulgated pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-104
122. ***Slot machines.*** Any violation of the provisions of section 18-20-105 (1) regarding the requirements for shipping notices of slot machines commits a class 5 felony. 18-20-105 (1)
123. ***Cheating.*** Cheating at any limited gaming activity is a class 5 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-106 (3)
124. ***Fraudulent acts - gaming.*** Violation of any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-107 (2)
125. ***Use of device for calculating probabilities.*** Any person who uses or possesses a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-108 (2)
126. ***Counterfeit or unapproved chips or tokens - unlawful coins or devices.*** Violation of any of the provisions of section 18-20-109 regarding the use of counterfeit or unapproved chips or tokens or unlawful coins or devices or the possession or unlawful devices, equipment, products or materials pursuant to the Colorado Limited Gaming Act is a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-109 (8)
127. ***Cheating game and devices.*** Any person who knowingly conducts or allows any cheating or thieving game or conducts any game played with cards or a mechanical device which has been marked commits a class 5 felony when the person has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-110 (2)

**Elements of Offense**

**C.R.S. Citation**

128. *Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming.* Any person who violates any of the provisions of section 18-20-111 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment or devices related to limited gaming commits a class 5 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-111 (4)
129. *Unlawful entry by excluded and ejected persons.* Any person who enters the licensed premises of a limited gaming licensee or who has any personal pecuniary interest in any limited gaming licensee or establishment when that person's name is on the list of persons who are to be excluded and ejected from such premises commits a class 5 felony. 18-20-112 (3)
130. *False or misleading information.* Any person who provides any false or misleading information pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-114 (2)

**State History, Archives and Emblems**

131. *Punishment for illegal use of state emblems and symbols.* Illegal use of the seal of the state of Colorado is a class 5 felony. 24-80-902

**Government — State Department of Public Health and Environment**

132. *Department of Public Health - penalties.* An attempt or threat to tamper with a public water system or with drinking water after its withdrawal for or treatment by a public water system is a class 5 felony. 25-1-114 (5) (b) (II)

**Government — Local Hazardous Substance Incidents**

133. *Hazardous substance incidents.* Any person who willfully, recklessly, or with criminal negligence causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 5 felony. 29-22-108 (2)

**Wildlife — Law Enforcement and Penalties**

134. *Illegal sale of wildlife.* It is unlawful for any person to sell or purchase or offer for sale or purchase any wildlife or to solicit another person in the illegal taking of any wildlife for the purpose of monetary or commercial gain or profit. Violation with respect to big game, endangered species, or eagles, constitutes a class 5 felony. 33-6-113 (2) (a)

**Elements of Offense**

**C.R.S. Citation**

135. *Willful destruction of wildlife.* It is unlawful for a person to take or to solicit another person to take wildlife and detach or remove, with the intent to abandon the carcass or body, only the head, hide, claws, teeth, antlers, horns, internal organs, or feathers or any or all of such parts; to abandon the carcass or body of such wildlife; or to take and abandon wildlife. Violation, with respect to big game, eagles and endangered species, is a class 5 felony. 33-6-117 (1) (a)

**Agriculture — Slaughter, Processing, and Sale of Meat Animals**

136. *Sale of diseased meat.* The unlawful sale of diseased meat for slaughter or human consumption is a class 5 felony. 35-33-204 (2)

**Agriculture — Sale of Stock**

137. *Selling livestock without bill of sale - theft.* Any person who sells livestock which does not carry the seller's brand, or for which he or she has no bill of sale or power of attorney, is guilty of a class 5 felony (see section 18-4-401 (5)). 35-54-105 (1)

**Property — Real and Personal — Lien on Wells and Equipment**

138. *Penalty for removing property covered by a lien on a well or equipment.* Any person who removed property covered by a lien on a well or equipment when the lien has been filed is guilty of a class 5 felony (see section 18-4-401(5)). 38-24-108

**Taxation — Procedure and Administration**

139. *Tax amnesty program.* The following violations involving the tax amnesty program are class 5 felonies: 39-21-118

- willfully attempting to evade or defeat any tax administered; 39-21-118 (1)
- failing to collect or account for or pay such tax; 39-21-118 (2)
- willfully making or subscribing a return, statement, or document that is not true or not correct as to every material matter; and 39-21-118 (4)
- willfully aiding or assisting in the fraudulent or false giving of information. 39-21-118 (5)

**Elements of Offense**

**C.R.S. Citation**

**Automobile Theft Law**

140. ***Accidents involving death or personal injury.*** The driver of any vehicle who fails to stop at an accident resulting in serious bodily injury to another in which he or she was directly involved commits a class 5 felony. 42-4-1601 (2) (b)
141. ***Stolen motor vehicle parts.*** Any person who buys, sells, exchanges, or alters the appearance of a motor vehicle or motor vehicle part which is the property of another, or any person who aids in the commission of any such act and who knows or should know that such motor vehicle or motor vehicle part is stolen property, commits a class 5 felony. 42-5-102 (1)
142. ***Stolen motor vehicle parts.*** Any person who, except as needed for legitimate repairs, intentionally removes, alters, or obliterates a motor vehicle identification number, manufacturer's number, or engine number or who knowingly possesses a motor vehicle or motor vehicle part containing a removed, altered, or obliterated vehicle identification number, manufacturer's number, or engine number commits a class 5 felony. 42-5-102 (2)
143. ***Tampering with a motor vehicle.*** Tampering with a motor vehicle is a class 5 felony if the damage is \$500 or more but less than \$15,000. 42-5-103 (2) (b)
144. ***Theft of motor vehicle parts.*** Theft of motor vehicle parts is a class 5 felony if the value of the thing involved is \$500 or more but less than \$15,000. 42-5-104 (2) (b)
145. ***Theft of motor vehicle parts.*** Theft of motor vehicle parts two or more times within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 5 felony if the aggregate value of the things involved is \$500 or more but less than \$15,000. 42-5-104 (3)

## CLASS 6 FELONIES

### Elements of Offense

### C.R.S. Citation

#### Offenses Related to the Election Code

1. *False information regarding residence.* Any person who votes by giving a false place of residence commits a class 6 felony. 1-2-228, 1-9-304.5, and 1-13-709.5

#### Offenses Related to Consumer and Commercial Affairs

2. *Promoting pyramid promotional scheme.* Anyone who is convicted of a second or subsequent offense of promoting a pyramid promotional scheme commits a class 6 felony. 6-1-114

#### Offenses Related to Labor and Industry

3. *Armed guards.* Anyone who brings workmen into this state to guard other persons or property with arms, or removes them from one place to another without a permit from the governor, commits a class 6 felony. 8-2-106

#### Offenses Related to Industrial and Commercial Safety

4. *Willful negligence to observe construction requirement.* If any lives are lost by reason of the willful negligence and failure to observe the construction and fire regulations for buildings to be used for public assemblages, the person through whose default such loss of life was occasioned commits a class 6 felony. 9-1-106
5. *Unlawfully transporting explosives.* Any person who unlawfully transports explosives in violation of Article 6 of Title 9 commits a class 6 felony. 9-6-103

#### Offenses Related to Insurance

6. *Violation of insurance laws.* Any insurer who wilfully violates the provisions of Article 8 of Title 10 (Regulation of Insurance Holding Companies), commits a class 6 felony. 10-3-810

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Financial Institutions**

7. ***Civil liability for wrongful disclosure of financial record.*** A director, executive officer, controlling person, or employee of a foreign capital depository or an officer, employee, or agent of a state or local agency who knowingly discloses a financial record in violation of any of the privacy protection provisions of the Colorado Foreign Capital Depository Act commits a class 6 felony. 11-37.5-215 (2)
8. ***Violation of securities act.*** Any person who wilfully violates the provisions of the "Securities Act" (Article 51 of Title 11) commits a class 6 felony. 11-51-603 (2)
9. ***Violation of "Uniform Facsimile Signature of Public Officials Act".*** Any person who violates the provisions of Article 55 of Title 11 commits a class 6 felony. 11-55-105
10. ***Violation of banking laws.*** Any person responsible for any act or omission expressly declared to be criminal by the banking code, if the act or omission was intended to defraud, commits a class 6 felony. 11-107-108 (1) (b)
11. ***Violation of industrial banking laws.*** Any person associated with an industrial bank who embezzles or misapplies funds of an industrial bank in an amount exceeding \$5,000 commits a class 6 felony. 11-108-801 (3)

**Offenses Related to Professions and Occupations**

12. ***Selling motor vehicles without a valid dealer's license.*** A person who sells motor vehicles after his or her motor vehicle dealer's license has been denied, suspended, or revoked commits a class 6 felony for a second and subsequent offense. 12-6-119.5 (1)(b)
13. ***Violation of automobile dealer "Antimonopoly Financing Law".*** Any person who violates the provisions of Part 2 of Article 6 of Title 12 commits a class 6 felony. 12-6-210
14. ***Farm products.*** A person commits a class 6 felony if that person:
- makes fraudulent charges or returns for the handling, sale, or storage or for any service in connection with the handling, sale, or storage of farm products; 12-16-115 (1) (a)
  - willfully fails or refuses to render a true account of sales or storage or to make a settlement thereon to pay for farm products received within the time and in the manner required by Part 1 of Article 16 of Title 12; 12-16-115 (1) (b)

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- intentionally makes false or misleading statements as to market conditions for farm products or false or misleading statements as to the condition, quality, or quantity of farm products received, handled, sold, or stored; 12-16-115 (1) (c)
- engages in fictitious sales, in collusion, or in unfair practices to defraud the owners; or 12-16-115 (1) (d)
- acts as a dealer, small volume dealer, agent, or transporter without having obtained a license or acts as a dealer or agent without having executed and delivered a surety bond as provided in Part 1 of Article 16 of Title 12. 12-16-115 (1) (e)

15. ***Farm commodity warehousing.*** A person commits a class 6 felony if that person:

- makes fraudulent charges or returns for the handling, sale, or storage or for the rendering of any service in connection with the handling, sale, or storage of any commodities; 12-16-221 (1) (a)
- willfully fails or refuses to render a true account of sales or storage or to make a settlement thereon or to pay for commodities received within the time and in the manner required by Part 2 of Article 16 of Title 12; 12-16-221 (1) (b)
- intentionally makes false or misleading statements as to the market conditions for commodities or false or misleading statements as to the condition, quality, or quantity of commodities received, handled, sold, or stored; 12-16-221 (1) (c)
- engages in fictitious sales, in collusion, or in unfair practices to defraud the owners; 12-16-221 (1) (d)
- acts as a commodity handler without a license or filing a surety bond or letter of credit; or 12-16-221 (1) (e)
- willfully alters or destroys any negotiable warehouse receipt or the record of such receipt or issuing a receipt without preserving a record thereof; or issues a receipt when the commodity described is not available; or issues, with intent of defraud, a second receipt for a commodity for which a valid negotiable warehouse receipt is already outstanding and in force; or while any valid receipt is outstanding and in force, sells, pledges, mortgages, encumbers, or transfers a commodity in violation of the provisions of Part 2 of Article 16 of Title 12 without the written consent of the holder of the receipt. 12-16-221 (1) (j)

16. ***Drugs and druggists.*** Violating any of the provisions of Part 1 of Article 22 of Title 12, for a second or subsequent time, constitutes a class 6 felony. 12-22-127

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17. ***False advertising of cancer cure.*** Any person who is convicted of a third or subsequent offense of willfully and falsely representing a device, substance, or treatment as being of value in the treatment, alleviation, or cure of cancer, commits a class 6 felony. 12-30-107 (2)
18. ***Podiatrists.*** Any person who presents as his own the diploma, license, certificate, or credentials of another, or who gives false or forged evidence to the Colorado Podiatry Board in connection with the application for license to practice podiatry, or who practices podiatry under an assumed name or who falsely impersonates a licensee commits a class 6 felony. 12-32-109 (1.5)
19. ***Medical practice.*** A second or subsequent offense of any person, association or corporation practicing medicine without complying with the provisions of Article 36 of Title 12 is a class 6 felony. 12-36-129 (1)
20. ***Medical practice.*** A person who practices medicine under a false or assumed name or who uses false or forged evidence to obtain a license commits a class 6 felony. 12-36-129 (2)
21. ***Midwifery - unlawful practices.*** Any person who practices direct-entry midwifery without first complying with the registration requirements and the disclosure requirements for a second or subsequent offense commits a class 6 felony. 12-37-108
22. ***Practicing nursing without a license.*** A professional or practical nurse who practices without a license or during suspension of a license, or who fraudulently obtains a license commits a class 6 felony if convicted of a second or subsequent violation with three years of the first violation. 12-38-123 (2)
23. ***Nurse aide - unlawful acts.*** A subsequent violation of any of the provisions of section 12-38.1-118 (1) regarding the practice and certification of nurse aides is a class 6 felony. 12-38.1-118 (2)
24. ***Nursing home administrator - unlawful acts.*** A subsequent violation within 3 years of the date of a first conviction of any of the provisions of section 12-39-116 regarding the practice and licensure of nursing home administrators is a class 6 felony. 12-39-116 (2)
25. ***Practice of optometry.*** Violation of any of the provisions of Article 40 of Title 12 regarding the practice of optometry for a third or subsequent offense is a class 6 felony. 12-40-124
26. ***Procuring food or accommodations with intent to defraud.*** Any person who procures food or accommodations with intent to defraud and without making payment, and the amount due under the agreement with the public establishment is more than \$500, commits a class 6 felony. 12-44-102



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- 27. ***Cheating.*** Cheating at any limited gaming activity is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-822 (3)
- 28. ***Fraudulent acts - gaming.*** Violation of any of the provisions of section 12-47.1-823 regarding fraudulent gaming acts is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-823 (2)
- 29. ***Use of a device for calculating probabilities.*** Use or possession of any device used to assist in projecting the outcome of a game, keep track of cards played, or analyze the probability of an event occurring or the strategy for playing or betting is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-824 (2)
- 30. ***Counterfeit or unapproved chips or tokens - unlawful devices, equipment, products, or materials.*** Violation of any of the provisions of section 12-47.1-825 regarding the use of counterfeit or unapproved chips or tokens, unlawful coins or devices, and the possession of certain unlawful devices, equipment, products, or materials is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-825 (8)
- 31. ***Cheating game and devices.*** Knowingly conducting, operating, or allowing any cheating or thieving game or device, or knowingly dealing, conducting, or operating any game with cards or devices which have been marked or tampered with is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-826 (2)
- 32. ***Manufacture, sale, distribution of equipment and devices associated with limited gaming.*** Violation of any of the provisions of section 12-47.1-827 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-827 (4)
- 33. ***Pawnbrokers.*** A second or subsequent conviction for a violation of Article 56 of Title 12 within three years after the date of a prior conviction constitutes a class 6 felony. 12-56-104 (4)
- 34. ***Pawnbrokers.*** Any customer who knowingly gives false information with respect to the information a pawnbroker is required to obtain and keep, commits a class 6 felony. 12-56-104 (5)
- 35. ***Acting as subdivision developer without registering.*** Any person who acts as a subdivision developer without having been properly and legally registered commits a class 6 felony. 12-61-407

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**Offenses Related to Courts and Court Procedure**

36. ***Confidentiality - courts.*** Releasing information regarding a decision of a court of record before such decision is publicly announced by the court is a class 6 felony. 13-1-128 (4)
37. ***Avoiding writ.*** Any person who attempts to avoid a writ of habeas corpus commits a class 6 felony. 13-45-114

**Inchoate Offenses**

38. ***Criminal attempt.*** Criminal attempt to commit a class 5 or class 6 felony is a class 6 felony. 18-2-101 (4)
39. ***Criminal attempt.*** Criminal attempt to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony. 18-2-101 (5)
40. ***Conspiracy.*** Conspiracy to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony. 18-2-201 (5)
41. ***Conspiracy.*** Conspiracy to commit a class 5 or class 6 felony is a class 6 felony. 18-2-206 (1)

**Offenses Against the Person**

42. ***Assault in the second degree.*** When assault in the second degree is committed upon a sudden heat of passion, caused by a highly provoking act of the victim, affecting the person causing the assault sufficiently to excite an irresistible passion in a reasonable person, and without an interval between the provocation and the injury sufficient for the voice of reason and humanity to be heard, it is a class 6 felony. 18-3-203 (2) (a)
43. ***Failure to register as a sex offender.*** Failure to register as a convicted sex offender or submitting false information on a registration form is a class 6 felony. 18-3-412.5 (2) (a) and (c)

**Offenses Against Property**

44. ***Aggravated motor vehicle theft.*** Second degree aggravated motor vehicle theft is a class 6 felony when the value of the motor vehicle or vehicles involved is \$500 or more but less than \$15,000. 18-4-409 (4) (b)
45. ***Theft of medical records or medical information.*** Any person who obtains medical records or medical information without authorization and who uses the records or information for his own use or the use of another commits theft of medical records or medical information, which is a class 6 felony. 18-4-412 (3)

**Elements of Offense**

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46. ***Unlawful transfer for sale of sound recordings.*** Any person who, without the consent of the owner, transfers any copyrighted sound recordings with the intent to sell such article on which such sounds are recorded or to cause the same to be sold for profit or used for promotion, commits a class 6 felony. 18-4-602 (2)

**Offenses Involving Fraud**

47. ***Criminal possession of first degree forged instrument.*** Any person who possesses a forged instrument and intends to use the instrument to defraud, commits a class 6 felony. 18-5-105
48. ***Criminal possession of forgery devices.*** Any person who possesses forgery devices with the intent to fraudulently use them commits a class 6 felony. 18-5-109 (2)
49. ***Criminal impersonation.*** Any person who assumes a false or fictitious identity or capacity and in such identity or capacity does an act with intent to unlawfully gain a benefit for himself or herself or another or to injure or defraud another commits a class 6 felony. 18-5-113 (2)
50. ***Fraud by check.*** Fraud by check is a class 6 felony if the fraudulent check was for the sum of \$500 or more, or if the offender is convicted of fraud by check involving the issuance of two or more checks within any 60 day period totaling \$500 or more, or if the offender has been twice previously convicted under this section. 18-5-205 (3) (c)
51. ***Fraud by check.*** Fraud by check is a class 6 felony if the fraudulent check was drawn on an account which did not exist or which had been closed for a period of 30 days or more prior to issuance of the check. 18-5-205 (3) (d)
52. ***Issuing a false financial statement.*** A person who issues two or more false financial statements for the purpose of obtaining two or more financial transaction devices in order to obtain property, services, or money commits a class 6 felony. 18-5-209 (5)
53. ***Receiving deposits in a failing financial institution.*** Any officer, manager, or other person directing a financial institution, who receives deposits or investments, knowing that the institution is insolvent, commits a class 6 felony. 18-5-210
54. ***Unlawful activity concerning the selling of land.*** Any person who knowingly makes a false representation as to the existence of an ownership interest in land which he or she has as a seller or which his or her principal has, and which is relied upon, commits a class 6 felony. 18-5-302 (2)

**Elements of Offense**

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55. ***Commercial bribery and breach of duty to act disinterestedly.*** A person who solicits, accepts, or agrees to accept any benefit as consideration for knowingly violating or agreeing to violate a duty of fidelity to which he or she is subject commits a class 6 felony. 18-5-401 (1)
56. ***Commercial bribery and breach of duty to act disinterestedly.*** A person who holds himself or herself out to the public as being engaged in the business of making disinterested selection, appraisal, or criticism of commodities, property, or services commits a class 6 felony if that person knowingly solicits, accepts, or agrees to accept any benefit to alter, modify, or change his or her selection, appraisal, or criticism. 18-5-401 (2)
57. ***Commercial bribery and breach of duty to act disinterestedly.*** A person who confers or offers or agrees to confer any benefit the acceptance of which would be a felony under subsections 18-5-401(1) and 18-5-401(2) commits a class 6 felony. 18-5-401 (3)
58. ***Bribery in sports.*** Any person involved in bribery in sports contests or of sports participants commits a class 6 felony. 18-5-403 (3)
59. ***Fraudulent receipt.*** A warehouseman who fraudulently issues a receipt for goods knowing that the goods have not been actually received by the warehouseman, or are not under his or her actual control at the time of issuing the receipt, commits a class 6 felony. 18-5-506
60. ***Duplicate receipt not marked.*** A warehouseman who issues a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods is outstanding and uncanceled, without placing upon the face thereof the word "duplicate", commits a class 6 felony. 18-5-508
61. ***Criminal possession of a financial transaction device.*** Any person who possesses two or more financial transaction devices, with the intent to defraud or which he or she knows to be lost, stolen, or delivered under a mistake commits a class 6 felony. 18-5-703 (3)
62. ***Criminal possession of a blank financial transaction device.*** Any person who possesses a blank financial transaction device and who intends to use, deliver, circulate, or sell it without the authorization of the issuer or manufacturer commits a class 6 felony. 18-5-705 (2)
63. ***Criminal possession of forgery devices.*** A person who possesses any tools, photographic equipment, printing equipment, or other device used in the unauthorized manufacture, printing, embossing, magnetic encoding, or altering of a financial transaction device commits a class 6 felony. 18-5-706 (2)
64. ***Equity skimming.*** Equity skimming of a vehicle is a class 6 felony. 18-5-803 (2)

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**Computer Crime**

65. **Computer crime.** A person commits a class 6 felony if he or she accesses a computer, computer network, or computer system without authorization, exceeds authorized access to, or uses a computer, computer network, or computer system without authorization or in excess of authorized access after having been previously convicted of such offense. 18-5.5-102 (3) (b)

**Offenses Involving the Family Relations**

66. **Bigamy.** Any married person who, while still married, marries or cohabits with another commits bigamy which is a class 6 felony. 18-6-201 (2)
67. **Crimes against at-risk adults and at-risk juveniles.** A crime against an at-risk adult or at-risk juvenile is a class 6 felony when the crime amounts to criminal negligence resulting in bodily injury. 18-6.5-103 (2) (c)
68. **Crimes against at-risk adults and at-risk juveniles.** A person who commits unlawful sexual contact or third degree sexual assault against a victim who is an at-risk adult or an at-risk juvenile commits a class 6 felony. 18-6.5-103 (7) (c)
69. **Crimes against at-risk adults and at-risk juveniles.** A psychotherapist who commits sexual assault against a client who is an at-risk adult or an at-risk juvenile commits a class 6 felony. 18-6.5-103 (7) (f)

**Offenses Relating to Morals**

70. **Obscenity.** Wholesale promotion of obscenity to a minor is a class 6 felony. 18-7-102 (1.5) (b)
71. **Obscenity.** Promotion of obscenity to a minor is a class 6 felony. 18-7-102 (2.5) (b)
72. **Patronizing a prostitute with knowledge of being infected with AIDS.** Patronizing a prostitute with knowledge of being infected with AIDS is a class 6 felony. 18-7-205.7 (2)
73. **Indecent exposure.** A third or subsequent offense of indecent exposure to a child is a class 6 felony. 18-7-302 (4)
74. **Sexual conduct in penal institutions.** An employee or contract employee of a criminal justice facility who engages in sexual conduct with an inmate commits a class 6 felony if the conduct consists solely of sexual contact. 18-7-701 (4) (a)
75. **Sexual conduct in penal institutions.** A volunteer at a criminal justice facility who engages in sexual conduct including sexual intrusion or sexual penetration commits a class 6 felony. 18-7-701 (4) (b)

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**Offenses Related to Governmental Operations**

76. ***Accessory to crime.*** Being an accessory to a crime is a class 6 felony when the crime is a class 6 felony. 18-8-105 (5)
77. ***False report of explosives.*** Any person who reports that a bomb or other explosive, chemical or biological agent, poison or weapon, or harmful radioactive substance has been placed in any public or private place or vehicle, knowing that the report is false, commits a class 6 felony. 18-8-110
78. ***Impersonating a peace officer.*** Any person who falsely pretends to be a peace officer and performs an act in that pretended capacity commits a class 6 felony. 18-8-112 (2)
79. ***Introducing contraband in the second degree.*** Any person who introduces contraband, as defined in section 18-8-204, into a detention facility commits a class 6 felony. 18-8-204 (3)
80. ***Possession of contraband in the first degree.*** Any person confined in a detention facility who possesses contraband (other than a dangerous instrument) commits a class 6 felony. 18-8-204.1 (2)
81. ***Violation of bail bond conditions.*** A person who has been accused of a felony and is released on bail bond commits a class 6 felony if he or she knowingly fails to appear for trial or if he or she knowingly violates the condition of the bail bond. 18-8-212 (1)
82. ***Compensation for official behavior.*** A person who accepts compensation for having, as a public servant, given a decision, opinion, recommendation, or vote favorable to another or for having otherwise exercised a discretion in another person's favor, or a person who offers compensation for such a favor commits a class 6 felony. 18-8-303 (1)
83. ***Designation of supplier prohibited.*** Any public servant who requires or directs a bidder or contractor to deal with a particular person in procuring goods or services required in submitting a bid to or fulfilling a contract with any government commits a class 6 felony. 18-8-307 (4)
84. ***Misuse of official information.*** Any public servant who, in contemplation of official action or in reliance on information to which he or she has access in an official capacity and which has not been made public, commits a class 6 felony if he or she: (1) acquires a pecuniary interest in any property, transaction, or enterprise which may be affected by such information or official action; or (2) speculates or wagers on the basis of such information or official action; or (3) aids, advises, or encourages another to do any of the foregoing with intent to confer on any person a special pecuniary benefit. 18-8-402 (2)

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- 85. ***Issuing a false certificate.*** A public servant who is authorized to make and issue official certificates or other official written instruments commits a class 6 felony if he or she makes and issues such an instrument containing a statement which he or she knows is false. 18-8-406
- 86. ***Tampering with physical evidence.*** Tampering with physical evidence is a class 6 felony. 18-8-610 (3)

**Offenses Against Public Peace, Order and Decency**

- 87. ***Firearms, explosives, or incendiary devices in facilities of public transportation.*** Any person who, without legal authority, possesses any loaded firearm or explosive or incendiary device, or carries or brings any of such items into any facility of public transportation, commits a class 6 felony. 18-9-118
- 88. ***Cruelty to animals.*** A second or subsequent conviction of cruelty to animals is a class 6 felony. 18-9-202 (2)(b) (I)
- 89. ***Cruelty to animals.*** Aggravated cruelty to animals (knowing torture, torment, or killing) is a class 6 felony. 18-9-202 (2)(c)
- 90. ***Unlawful ownership of dangerous dog.*** Unlawful ownership of a dangerous dog when the dog inflicts bodily injury upon a person is a class 6 felony for a second or subsequent violation. 18-9-204.5 (3) (c)
- 91. ***Wiretapping prohibited.*** Wiretapping that does not involved a cordless phone is a class 6 felony. 18-9-303 (2)
- 92. ***Eavesdropping prohibited.*** Eavesdropping is a class 6 felony. 18-9-304 (2)
- 93. ***Illegal telecommunications equipment.*** Any person who makes, possesses, or uses illegal telecommunications equipment, commits a class 6 felony for a second or subsequent violation within five years of a previous violation. 18-9-309 (2.5)
- 94. ***Unlawful use of information.*** Any person who, having obtained information pursuant to a court order for wiretapping or eavesdropping, knowingly uses, publishes, or divulges the information to any person or in any manner not authorized by law commits a class 6 felony. 18-9-310

**Offenses Involving Gambling**

- 95. ***Possession of gambling devices.*** Possession of gambling devices by a repeating gambling offender is a class 6 felony. 18-10-105 (2)
- 96. ***Gambling information.*** Any person who is a repeating gambling offender and knowingly transmits or receives gambling information commits a class 6 felony. 18-10-106 (1)

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97. ***Gambling premises.*** A repeating gambling offender who maintains gambling premises commits a class 6 felony. 18-10-107 (3)

**Offenses Involving Disloyalty**

98. ***Inciting destruction of life or property.*** Any person who advocates the unlawful destruction of private or public property by the use of physical force, or the unlawful injury of any person, or the unlawful taking of human life, as a policy or course of conduct, under circumstances constituting a clear and present danger that violent action will result therefrom, commits a class 6 felony. 18-11-202

**Offenses Related to Firearms and Weapons**

99. ***Possession of weapons on school, college, or university grounds.*** A person who knowingly and unlawfully carries, brings, or possesses a weapon on the property of any school, college, or university commits a class 6 felony. 18-12-105.5 (1)
100. ***Possession of weapons by previous offender.*** A person who knowingly possesses, uses, or carries a firearm or any other weapon subsequent to the person's conviction for attempt or conspiracy to commit a felony commits a class 6 felony. 18-12-108 (2) (a)
101. ***Possession of weapons by previous offender.*** A person who knowingly possesses, uses, or carries a firearm or any other weapon subsequent to the person's adjudication for an act which, if committed by an adult, would constitute a felony, commits a class 6 felony. 18-12-108 (4) (a)

**Miscellaneous Offenses**

102. ***Criminal libel.*** It is a class 6 felony to publish or disseminate any statement or object tending to blacken the memory of one who is dead, or to impeach the reputation or expose the natural defects of one who is alive, exposing the person to public hatred, contempt, or ridicule. 18-13-105 (3)



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103. ***Firing woods or prairie.*** Any person who, without lawful authority and knowingly, recklessly, and with criminal negligence sets on fire, or causes to be set on fire, any woods, prairie, or grounds of any description, other than his or her own, or who, knowingly, recklessly, or with criminal negligence permits a fire, set or caused to be set by such person, to pass from his or her grounds to the injury of any other person commits a class 6 felony when he or she knows or reasonably should know that he or she violates any applicable order, rule, or regulation lawfully issued by a governmental authority that prohibits, bans, restricts, or otherwise regulates fires during periods of extreme fire hazard and that is designed to promote the safety of persons and property. 18-13-109 (2) (a)

**Offenses — Making, Financing, or Collection of Loans**

104. ***Criminal usury.*** Any person who knowingly charges, takes, or receives any money or other property as a loan finance charge where the charge exceeds an annual percentage rate of forty-five percent or the equivalent for a longer or shorter period commits a class 6 felony. 18-15-104 (1)
105. ***Financing criminal usury.*** Any person who finances criminal usury commits a class 6 felony. 18-15-106
106. ***Records of criminal usury.*** Any person who possesses or conceals records of criminally serious transactions with intent to aid, assist, or facilitate criminal usury commits a class 6 felony. 18-15-108 (1)

**Offenses Related to Purchases of Valuable Articles**

107. ***Violation of "Purchase of Valuable Articles" statute.*** Any person who violates the provisions of Article 16 of Title 18, concerning the purchase and sale of valuable articles, or who knowingly gives false information regarding the seller of a valuable article commits a class 6 felony. 18-16-108

**Uniform Controlled Substances Act of 1992**

108. ***Unlawful use of a controlled substance.*** Any person who uses any controlled substance, except its lawful administration for bona fide medical needs, commits a class 6 felony in the case of a schedule I or II controlled substance. 18-18-404 (1) (a) (I)

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109. ***Unlawful activity relating to controlled substances.*** Any person who possesses one gram or less of any material, compound, mixture, or preparation containing any quantity of a schedule I through schedule IV controlled substance commits a class 6 felony if it is the person's first conviction of such offense. 18-18-405 (2.3) (a) (I)
110. ***Unlawful use of marihuana in a detention facility.*** Any person confined in any detention facility in this state who possesses or uses up to eight ounces of marihuana commits a class 6 felony. 18-18-406.5 (1)

**Offenses Related to Limited Gaming**

111. ***Cheating.*** Cheating at any limited gaming activity is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-106 (3)
112. ***Fraudulent acts.*** Violation of any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-107 (2)
113. ***Use of device for calculating probabilities.*** Any person who uses or possesses a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 6 felony when the offender has been issued a license pursuant to the Act. 18-20-108 (2)
114. ***Counterfeit or unapproved chips or tokens - unlawful coins or devices.*** Violation of any of the provisions of section 18-20-109 regarding the use of counterfeit or unapproved chips or tokens or unlawful coins or devices or the possession of unlawful devices, equipment, products or materials pursuant to the Colorado Limited Gaming Act is a class 6 felony when the offender has been issued a license pursuant to the Act. 18-20-109 (8)
115. ***Cheating game and devices.*** Any person who knowingly conducts or allows any cheating or thieving game or conducts any game played with cards or a mechanical device which has been marked commits a class 6 felony when the person has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-110 (2)

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116. ***Manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming.*** Any person who violates any of the provisions of section 18-20-111 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment or devices related to limited gaming commits a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-111 (4)

**Offenses Related to Education**

117. ***Interest in contracts - penalty.*** It is a class 6 felony for the Board of Trustees or any treasurer, superintendent, or other officer or agent of the school to be directly or indirectly interested in any contract or other agreement for building, repairing, furnishing, or supplying the school, or to be given or receive drawbacks or secret discounts on account of any articles or materials furnished to or labor done for the school. 22-80-108

**Offenses Related to State Government**

118. ***Personal profit on state moneys unlawful.*** It is a class 6 felony for the State Treasurer or any employee in the Department of the Treasury to accept any fee in consideration of the deposit of state moneys with any person or in consideration of any agreement or arrangement touching upon the use of state moneys. 24-22-110
119. ***Unlawful acts - State Treasurer.*** Any person who pays to the State Treasurer or an employee of that office any fee in consideration of the deposit or investment of state moneys with any person commits a class 6 felony. 24-22-111
120. ***Procedures - vouchers and warrants.*** Any person (State Treasurer or Controller or any other state officer or employee) who receives any profit in consideration of the loan or deposit of state moneys for any purpose not authorized by law commits a class 6 felony. 24-30-202 (15)
121. ***Procedures - vouchers and warrants.*** Any person who offers compensation to the State Treasurer or Controller or to any other state officer or employee in consideration of the loan or deposit with such person of state moneys commits a class 6 felony. 24-30-202 (16)
122. ***False claims for disaster relief.*** Any person who fraudulently makes a misstatement of fact in connection with an application for financial assistance for disaster relief and who thereby receives assistance to which he or she is not entitled commits a class 6 felony. 24-32-2503

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123. ***State lottery.*** Any person violating any disclosure provision required under the state lottery statute by providing any false or misleading information commits a class 6 felony. 24-35-215 (4)
124. ***Public printing contracts - penalty for bribe.*** Any person who either offers to pay another not to bid for a public printing contract or any person who accepts payment for not bidding for a public printing contract commits a class 6 felony. 24-70-220

**Offenses Related to the Military and Veterans**

125. ***Misuse of property and funds by military.*** Any officer or enlisted person who misuses military property or funds commits a class 6 felony. 28-3-701

**Offenses Related to Wildlife, Parks, and Outdoor Recreation**

126. ***License agents - reports - board of claims.*** Any license agent who fails to account for licenses or who fails to pay over to the division its authorized representative moneys received from the sales of licenses and all donations received, when the amount in question is \$200 or more, commits a class 6 felony. 33-4-101 (11) (b)
127. ***Pass and registration agents - reports - board of claims.*** Any pass or registration agent who fails to account for passes and registrations or who fails to pay over to the division or its authorized representative moneys received from the sale of passes and registrations when the amount in question is \$200 or more, commits a class 6 felony. 33-12-104 (11) (b)
128. ***Fires.*** Any person who starts, builds, tends, or maintains a fire in violation of the provisions of any applicable order lawfully issued by a governmental authority that prohibits, bans, or regulates fires during periods of extreme fire hazard and that is designed to promote the safety of persons and property when such person knows or reasonably should know that he or she violates any such order commits a class 6 felony. 33-15-106 (2) (c)

**Offenses Related to Mineral Resources**

129. ***Mining equipment - violation.*** Any person who violates the provisions of Article 46 of Title 34 concerning mining equipment and the transportation thereof commits a class 6 felony. 34-46-105
130. ***Failure to account for mine proceeds.*** Any owner, manager, or agent employed in extracting gold who neglects to account for, or pay over and deliver, all the proceeds thereof to which the owner is entitled commits a class 6 felony. 34-53-104

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Agriculture**

131. ***Chemigation - penalties.*** Utilization of chemigation without a permit is a class 6 felony. 35-11-115 (1)
132. ***Wrongful branding - penalty.*** Any person who brands an animal which is the property of another or obliterates an existing brand is guilty of a class 6 felony (Theft by means other than the use of force, intimidation, or threat is a class 6 felony without regard to the value of the thing taken; see section 18-4-401(5).) 35-43-116
133. ***Who may take up estrays.*** Any person who takes into custody and retains possession of any stray without notifying the State Board of Stock Inspection Commissioners within the time provided by statute is guilty of a class 6 felony. 35-44-108
134. ***Concealing stray.*** Any person who conceals any stray found or taken into his or her custody, or changes any mark or brand thereon, or carries the same beyond the county limits, or knowingly allows the same to be done, or neglects to notify or give information of estrays to the State Board of Stock Inspection Commissioners is guilty of a class 6 felony. 35-44-111
135. ***Shipping prior to inspection.*** Any person who violates the provisions of the law concerning the transportation of livestock prior to inspection commits a class 6 felony, if it is for a third or subsequent violation. 35-53-112 (1)
136. ***Wrongful use of inedible meat.*** Any person who adds to, mixes with, or substitutes an inedible meat for food intended to be used for human consumption commits a class 6 felony. 35-59-113

**Offenses Related to Natural Resources**

137. ***Weather modification.*** Any person who fails to obey an order issued by the director of the Department of Natural Resources to cease conducting weather modification because of the lack of a permit or a license commits a class 6 felony. 36-20-123 (2) (b)
138. ***Weather modification.*** Any person responsible for conducting a weather modification operation without first having procured a license and permit or any person who contracts with another person known to be unlicensed and without a permit to conduct a weather modification operation commits a class 6 felony. 36-20-126 (1) (a)

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Water and Irrigation**

- 139. *Penalty for fraud by officer of water and irrigation district.* Any officer of a water or irrigation district who misuses district money commits a class 6 felony. 37-7-104
- 140. *Officer interested in contracts.* Any drainage district officer who is interested in any contract awarded by the board or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-24-107
- 141. *Officer interested in contracts.* Any director or officer of the Grand Junction Drainage District who is interested in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-31-123
- 142. *Officer interested in contracts.* Any director or officer of an irrigation district who is interested in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-41-108
- 143. *Officer interested in contracts.* Same offense as above as applied to Irrigation District Law of 1921 is a class 6 felony. 37-42-110 (6)
- 144. *Officer interested in contracts.* Same offense as described above and as applied to officers or directors of an internal improvement district is a class 6 felony. 37-44-142

**Offenses Related to Real and Personal Property**

- 145. *Altering or using altered certificate.* Any person who alters or forges or causes to be altered or forged any certificate issued pursuant to the provisions of Article 29 of Title 38, or any written transfer thereof, or any other notation placed thereon by the director or under his or her authority respecting the mortgaging of the manufactured home therein described or who uses or attempts to use any such certificate for the transfer thereof, knowing the same to have been forged or altered, commits a class 6 felony. 38-29-121
- 146. *Theft of certificate.* Theft of a certificate of title to real estate is a class 6 felony. 38-36-192
- 147. *Fraudulently procuring certificate of title to land.* Whoever fraudulently procures any certificate of title to land commits a class 6 felony. 38-36-194
- 148. *Forging seal or signature.* Any person who forges the seal of the registrar of titles commits a class 6 felony. 38-36-195

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Taxation**

149. *Department of Revenue employees.* Any officer or employee of the Department of Revenue who: (1) extorts or willfully oppresses any person through use of his or her authority; (2) knowingly demands greater sums than are authorized by law or receives any fee, compensation, or reward for the performance of his or her job; (3) makes opportunity for any person to defraud the state by intentionally failing to perform his or her duty; (4) conspires or colludes with any other person to defraud the state; (5) knowingly makes opportunity for any person to defraud the state; (6) commits or omits to do any act with the intent to enable any other person to defraud the state; or (7) makes or signs any fraudulent entry in any book or makes or signs any fraudulent certificate, return, or statement; or (8) fails to report to the executive director in writing any information concerning a violation of any revenue law; or (9) demands directly or indirectly, any sum of money for the settlement of any charge or complaint commits a class 6 felony. 39-21-112 (7) (b)
150. *Officers or employees taking fees or rewards.* Any executive director or any inheritance or gift tax analyst or other employee of the Department of Revenue who takes or demands for his or her own use any fees or rewards from any person commits a class 6 felony. 39-23-150
151. *Motor fuel and special fuel tax - no distributor license.* It is unlawful for any person to act as a motor fuel distributor, supplier, importer, exporter, carrier, or blender in this state without having a license therefor. A person who engages in such a business without a license commits a class 6 felony. 39-27-104 (3)

**Offenses Related to Utilities**

152. *Owner driving stock on track.* It is a class 6 felony for an owner of stock to drive any stock on the line of the track of any railway company with intent to injure the company. 40-27-101

**Offenses Related to Vehicles and Traffic**

153. *Driving after revocation prohibited.* Aggravated driving with a revoked license is a class 6 felony. 42-2-206 (1) (b) (II)
154. *Altering or using altered certificate.* Any person who alters or forges or causes to be altered or forged any certificate of title to any automobile commits a class 6 felony. 42-6-143

## UNCLASSIFIED FELONIES

### Elements of Offense

### C.R.S. Citation

1. ***Making profit on public money.*** The making of profit, directly or indirectly, out of state, county, city, town or school district money, or using the same for any purpose not authorized by law, by any public officer, is a felony. Colorado Constitution, Article X, Section 13
2. ***Colorado Antitrust Act of 1992.*** Violation of the provision of sections 6-4-104, 6-4-105, or 6-4-106 of the Colorado Antitrust Act of 1992 is a felony. 6-4-117 (2) Punishment is by a fine of not more than \$1,000,000.
3. ***Riots in detention facilities.*** It is a felony if a person engages in a riot in a detention facility, but does not employ a deadly weapon or destructive device. 18-8-211 (2) (b) The punishment is imprisonment in a correctional facility for not less than two years nor more than ten years.
4. ***Knowing endangerment.*** Any person who knowingly releases into the air any hazardous air pollutant and who knows at the time that such action places another person in imminent danger or death or serious bodily injury is guilty of a felony. 25-7-122.1 (3) (a) Punishment is a maximum fine of \$50,000 per each day of violation or up to four years imprisonment or both.
5. ***Hazardous waste.*** Transporting hazardous waste to a facility having no permit; making any false statement or representation in any document filed or used for purposes of compliance with the law; and destroying, altering, or concealing any record required to be maintained pursuant to the statutes regarding storage, treatment, transportation, disposal, or handling of hazardous waste is a felony. 25-15-310 (3) The punishment is a fine of up to \$50,000 per day of violation or up to four years imprisonment or both.
6. ***Officers not to reveal information.*** Revealing information which is stamped confidential pertaining to mine and metallurgical processes, ore bodies or deposits, or to the location, course, or character of underground workings is a felony. 34-21-106 (2) The punishment is a fine of \$1,000 to \$5,000 and removal from position.
7. ***False or fraudulent return, statement - penalty.*** Any person or corporation who willfully violates any of the provisions of section 39-26-120 regarding false or fraudulent sales tax returns commits a felony. 39-26-120 (2) The punishment is a fine of \$100,000 to \$500,000.



# MISDEMEANORS

# MISDEMEANORS

This section contains a current listing of misdemeanor offenses. Misdemeanor offenses are categorized as follows: class 1, class 2, class 3, class 1 misdemeanor traffic offenses, class 2 misdemeanor traffic offenses, and unclassified misdemeanors. The penalty for the commission of a misdemeanor offense depends on its classification. The penalty scheme for misdemeanors is indicated in Table 2 below.

**Table 2:  
Sentencing Scheme for Misdemeanors**

Class of Misdemeanor	Minimum Sentence	Maximum Sentence
<b>Class (extraordinary risk of harm*)</b>	6 months jail or \$500 fine or both	24 months jail or \$5,000 fine or both
<b>Class 1</b>	6 months jail or \$500 fine or both	18 months jail or \$5,000 fine or both
<b>Class 2</b>	3 months jail or \$250 fine or both	12 months jail or \$1,000 fine or both
<b>Class 3</b>	\$50 fine	6 months jail or \$750 fine or both
<b>Class 1 Traffic Offense</b>	10 days jail or \$100 fine or both**	12 months jail or \$1,000 fine or both
<b>Class 2 Traffic Offense</b>	10 days jail or \$10 fine or both **	90 days jail or \$300 fine or both
<b>Unclassified</b>	Specified in statute	Specified in statute

\* Misdemeanor offenses which present an extraordinary risk of harm to society include the following: third degree assault; sexual assault; second degree sexual assault as it existed prior to July 1, 2000; unlawful sexual contact; third degree sexual assault as it existed prior to July 1, 2000; child abuse; second and all subsequent violations of a protection order; and misdemeanor failure to register as a sex offender.

\*\* Certain traffic offenses may carry a points assessment against the offender's driver's license pursuant to Section 42-2-127, C.R.S.

It is important to note that not all persons convicted of a misdemeanor offense receive a sentence to the county jail. Many offenders receive a sentence to probation.

The crimes in this listing are grouped according to the statutory title in which they appear. In addition, those crimes that appear in Title 18 are further designated by their article. For example, crimes in Article 3 of Title 18 are identified as "Offenses Against the Person."

All listings are current through 2004 regular session laws.

## CLASS 1 MISDEMEANORS

### Elements of Offense

### C.R.S. Citation

#### **Election Code Offenses**

1. Making a false certificate in connection with an election 1-13-105

#### **Uniform Commercial Code**

2. Knowing falsification of a reposessor bond application or misrepresentation of information contained in the application 4-9-629 (e)

#### **Consumer and Commercial Affairs Offenses**

3. Promoting a pyramid promotional scheme or commission of any deceptive trade practice by a hearing aid dealer 6-1-114
4. Conducting business as a commercial telephone seller without having registered with the attorney general and after receiving notice of noncompliance from the attorney general or district attorney 6-1-305 (1) (a)
5. Knowingly engaging in any unlawful telemarketing practice as defined in section 6-1-304 (1) (b) to (1) (h) 6-1-305 (1) (b)

#### **Insurance Related Offenses**

6. Procuring, receiving, or forwarding applications for insurance in, or to issue or to deliver policies for, any insurance company not legally authorized to do business in this state 10-3-104

#### **Offenses Related to Financial Institutions**

7. Performing any duty or exercising any power of a credit union after suspension or removal order 11-30-106 (8) (b) (IV)
8. Disclosing the identity of a customer under investigation or audit of a foreign capital depository to another person not associated with the investigation or audit 11-37.5-213 (2)
9. Disclosing financial records that violate the privacy protection provisions of foreign capital depositories 11-37.5-215 (2)
10. Performing any duty or exercising any power of a domestic savings and loan association after suspension or removal order 11-44-106.5 (2) (c)
11. Violation of statute governing industrial banks 11-108-801 (2)

**Elements of Offense****C.R.S. Citation**

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|--|----------------|
| 12. Embezzlement of funds from industrial bank of less than \$5,000                        | 11-108-801 (3) |
| 13. Violation of statute governing industrial banks for which no other penalty is provided | 11-108-802     |

**Offenses Related to Professions and Occupations**

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|---|-------------------|
| 14. Any violation of Part 1 of Article 6 of Title 12 regarding the licensure of motor vehicle dealers   | 12-6-121          |
| 15. Violation of any of the provisions regarding the prohibition against toughperson fighting in Colorado   | 12-10-107.5       |
| 16. Violation of any of the provisions regarding slaughterers by any person, company, or corporation within three years of a previous violation   | 12-11-109 (2)     |
| 17. Unlawful butchering of another's animals  | 12-11-110 (3)     |
| 18. Violation of the provisions of section 12-14-128 (1) through (4) of the Colorado Fair Debt Collection Practices Act   | 12-14-129         |
| 19. Violation of any of the provisions of Article 14.5 of Title 12, the Colorado Credit Services Organization Act   | 12-14.5-110 (1)   |
| 20. Committing fraud or deception in the procurement of a farm products license   | 12-16-115 (1) (g) |
| 21. Failure to comply with any lawful order of the Commissioner of Agriculture concerning administration of the Farm Products Act   | 12-16-115 (1) (h) |
| 22. Interfering or hindering an authorized representative of the Commissioner of Agriculture pursuant to the Farm Products Act  | 12-16-115 (1) (i) |
| 23. Failure of a licensed cash buyer to pay in cash or farm products for any transaction without first complying with the bonding requirements of section 12-16-106   | 12-16-115 (1) (l) |
| 24. Purchasing \$20,000 or more worth of farm products in one year for processing or resale, or purchasing \$2,500 or more worth of farm products in any single transaction by one who is licensed as a small-volume dealer | 12-16-115 (1) (m) |
| 25. Violation of any unspecified provision of the Farm Products Act   | 12-16-116 (2)     |
| 26. Committing fraud or deception in the procurement of a farm commodity warehouse license  | 12-16-221 (1) (g) |
| 27. Failure to comply with any lawful order of the Commissioner of Agriculture pursuant to the Commodity Warehouse Act  | 12-16-221 (1) (h) |

**Elements of Offense**

**C.R.S. Citation**

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| 28. | Interfering or hindering an authorized representative of the Commissioner of Agriculture pursuant to the Commodity Warehouse Act  | 12-16-221 (1) (i)   |
| 29. | Violation of any unspecified provision of the Commodity Warehouse Act   | 12-16-222 (2)       |
| 30. | Failure to comply with a citation, a stipulated settlement agreement, or an order issued pursuant to an administrative hearing after exhausting other remedies available pursuant to sections 12-23-118 or 12-23-120 regarding electricians | 12-23-118 (5) (c)   |
| 31. | Violation of any of the provisions of section 12-23-119 regarding unlawful acts by electricians   | 12-23-119 (2)       |
| 32. | Violation of any of the provision of section 12-26.1-101 regarding background checks at gun shows   | 12-26.1-101 (1)     |
| 33. | Providing false information to a gun dealer for a background check at a gun show  | 12-26.1-102 (2)     |
| 34. | Failure of a gun show promoter to post notice setting forth the requirement for background checks   | 12-26.1-104 (2)     |
| 35. | Sexual contact by an acupuncturist with a patient during the course of patient care   | 12-29.5-108 (2)     |
| 36. | A second violation of any of the provisions regarding the practice of optometry   | 12-40-124           |
| 37. | Violation of provisions of the Respiratory Therapy Practice Act   | 12-41.5-112 (2)     |
| 38. | Violation of Indian Arts and Crafts Sales statute   | 12-44.5-107         |
| 39. | Disclosure of confidential records or information of the Colorado Limited Gaming Control Commission in violation of the provisions of section 12-47.1-527   | 12-47.1-527 (4) (a) |
| 40. | Failure to pay tax due pursuant to the Colorado Limited Gaming Act within 30 days after the due date  | 12-47.1-603 (1) (b) |
| 41. | Failure to file a return pursuant to the Colorado Limited Gaming Act within 30 days after the due date  | 12-47.1-603 (1) (c) |
| 42. | Willful refusal to pay a winner of any limited gaming game  | 12-47.1-817 (2)     |
| 43. | Cheating at any limited gaming activity by a person other than a licensee   | 12-47.1-822 (3)     |
| 44. | Violation of any of the provisions prohibiting fraudulent acts pursuant to the Colorado Limited Gaming Act by a person other than a licensee  | 12-47.1-823 (2)     |

**Elements of Offense**

**C.R.S. Citation**

- 45. Use of any device for calculating probabilities pursuant to the Colorado Limited Gaming Act by a person other than a licensee 12-47.1-824 (2)
- 46. Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices pursuant to the Colorado Limited Gaming Act by a person other than a licensee 12-47.1-827 (4)
- 47. Violation of any of the provisions of the Colorado Limited Gaming Act, except as otherwise specified 12-47.1-832
- 48. Violation of any provision of Article 56 of Title 12 by a pawnbroker 12-56-104 (4)
- 49. Subsequent act of acting as a real estate appraiser without first having obtained a license or certificate within three years after the date of a conviction for the same violation 12-61-712 (2)

**Offenses Related to Courts and Court Procedure**

- 50. Intentionally releasing an identifiable specimen of another for any purpose other than that relevant to a proceeding to determine parentage without a court order or the written permission of the individual who furnished the specimen 13-25-126 (1) (e)
- 51. Divulging or disseminating any information contained in an environmental audit report by a public entity, employee, or official. In addition, the entity, employee, or official may be found in contempt of court and assessed a penalty of up to \$10,000 13-25-126.5 (5) (b) (II)

**Offenses Related to Probate, Trusts, and Fiduciaries**

- 52. Willfully concealing, defacing, damaging or destroying a declaration as to medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act 15-18-113 (1)
- 53. Willfully withholding information concerning the revocation of the declaration as to medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act 15-18-113 (4)

**Offenses Related to Criminal Proceedings**

- 54. Knowing or intentional disclosure of confidential records or information in violation of the provisions regarding a Crime Stopper Organization 16-15.7-104 (2) (b)

**Offenses Against the Person**

- 55. Assault in the third degree 18-3-204

**Elements of Offense**

**C.R.S. Citation**

- 56. Sexual assault of a victim who is at least fifteen years of age but less than seventeen years by an actor who is at least ten years older than the victim and not the victim's spouse 18-3-402 (3)
- 57. Unlawful sexual contact 18-3-404 (2)
- 58. Sexual contact by an actor with a client when the actor is a psychotherapist and the client is the patient 18-3-405.5 (2) (b)
- 59. Failure to register as a sex offender when convicted of misdemeanor unlawful sexual behavior or of another offense, the underlying factual basis of which involved misdemeanor unlawful sexual behavior, if adjudicated for an offense that would constitute misdemeanor unlawful sexual behavior if committed by an adult; or if convicted of a misdemeanor sex offense in another state or jurisdiction 18-3-412.5 (3)

**Offenses Against Property**

- 60. Theft of trade secret 18-4-408 (3)
- 61. Manufacture, use, possession, or deactivation of a theft detection shielding device 18-4-417 (3)
- 62. First degree criminal tampering 18-4-505
- 63. Defacing or destruction of written instruments evidencing a property right with intent to defraud 18-4-507
- 64. A second or subsequent conviction for defacing property 18-4-509 (2) (a)
- 65. Operating an audiovisual recording device in a motion picture theater for the purpose of recording a motion picture and without the consent of the motion picture's owner or lessor 18-4-516 (1) and (2)

**Offenses Involving Fraud**

- 66. Second degree forgery 18-5-104 (2)
- 67. Use of forged academic record 18-5-104.5
- 68. Criminal simulation 18-5-110 (2)
- 69. Trademark counterfeiting 18-5-110.5
- 70. Offering a false instrument for recording in the second degree 18-5-114 (4)

**Elements of Offense****C.R.S. Citation**

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|---|--------------|
| 71. Possession of personal identifying information with the intent to use the information, to aid or permit another to use the information, to unlawfully gain a benefit for a person, or to injure or defraud another person | 18-5-117 (5) |
| 72. Issuing a false financial statement for purposes of obtaining a financial transaction device in order to obtain property, services, or money  | 18-5-209 (4) |
| 73. Criminal possession of one financial transaction device   | 18-5-703 (2) |

**Offenses Involving the Family Relations**

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|---|----------------------|
| 74. Distributing abortifacient  | 18-6-105 (2)         |
| 75. Child abuse when a person acts knowingly and recklessly, and the child abuse results in any injury other than serious bodily injury   | 18-6-401 (7) (a) (V) |
| 76. Sexual exploitation of a child by possession of sexually exploitative material  | 18-6-403 (5)         |
| 77. Violation of a protection order when the restrained person has previously been convicted of violation of a protection order or an analogous municipal ordinance, or when the protection order is issued pursuant to section 18-1-1001 | 18-6-803.5 (2) (a)   |
| 78. Knowing neglect of an at-risk adult or at-risk juvenile or knowingly acting in a manner likely to be injurious to the physical or mental welfare of an at-risk adult or at-risk juvenile  | 18-6.5-103 (6)       |

**Offenses Relating to Morals**

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|--------------------------------------|------------------|
| 79. Wholesale promotion of obscenity | 18-7-102 (1) (b) |
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**Offenses — Governmental Operations**

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|--|------------------|
| 80. Indecent exposure  | 18-7-302 (2) (b) |
| 81. Sexual conduct in a penal institution if the sexual conduct consists solely of sexual contact and is committed by a volunteer.               | 18-7-701 (5)     |
| 82. Concealing death thereby preventing a determination of the cause of death  | 18-8-109         |
| 83. Abuse of public records  | 18-8-114 (1)     |
| 84. Aiding escape if the person aided was in custody or confinement and charged with, held for, or convicted of a misdemeanor or a petty offense | 18-8-201 (6)     |



**Elements of Offense****C.R.S. Citation**

85.	Possession of contraband in the second degree	18-8-204.2 (2)
86.	Escape while confined pursuant to insanity statute (Article 8 of Title 16) if charged with a misdemeanor at the proceeding in which person was committed	18-8-208 (6) (a)
87.	Escape while confined pursuant to insanity statute (Article 8 of Title 16) if charged with a felony at the proceeding in which person was committed	18-8-208 (6) (b)
88.	Trading in public office	18-8-305 (3)
89.	Perjury in the second degree (making a materially false statement, which one does not believe to be true, under oath with the intent to mislead a public servant in the performance of his or her duty)	18-8-503 (2)
90.	Failure of a peace officer to report use of force by another peace officer	18-8-802 (1) (c)
91.	Inciting riot, if no injury to person or property	18-9-102 (3)
92.	Harassment with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin	18-9-111 (2)
93.	Desecration of place of worship or burial of human remains	18-9-113 (1) (b)
94.	Failure or refusal to leave premises or property through use of or threatened use of force after being requested to do so by a peace officer or holding another person hostage during the same episode; recklessly or knowingly causing a peace officer to believe that the person possesses a deadly weapon	18-9-119 (4)
95.	Placing another person in fear of imminent lawless action directed at that person or that person's property while knowing that such words or conduct will likely produce bodily injury to that person or that person's property; or knowingly causing damage to or destruction to another person's property because of that person's actual or perceived race, color, religion, ancestry, or national origin	18-9-121 (3)
96.	Cruelty to animals	18-9-202 (2) (a)
97.	Ownership of a dangerous dog when the dog inflicts serious bodily injury to another person	18-9-204.5 (3) (c)
98.	Tampering or drugging of livestock	18-9-207
99.	Wiretapping of a cordless phone	18-9-303 (2)
100.	Obstruction of telephone or telegraph service	18-9-306.5 (2)

**Elements of Offense**

**C.R.S. Citation**

101. Knowingly making available on the internet personal information about a peace officer if the dissemination of the information poses an imminent and serious threat to the peace officer's safety or the safety of the officer's immediate family

18-9-313 (3)

**Gambling**

102. Engaging in professional gambling - first offense

18-10-103 (2)

**Offenses Relating to Firearms and Weapons**

103. Possession of an illegal weapon

18-12-102 (4)

104. Possession of a defaced firearm

18-12-103

105. Defacing a firearm

18-12-104

106. Providing a firearm other than a handgun to a juvenile without the consent of the juvenile's parent or guardian

18-12-108.7 (3)

**Miscellaneous Offenses**

107. Violation of the provisions of, or providing false information pursuant to section 18-13-111 regarding purchases of copper or copper alloy, aluminum, or magnesium

18-13-111 (3)

108. Failure of secondhand dealer to keep records of each sale or trade of secondhand property or failure to maintain required information pursuant to such sale

18-13-114 (6) (a)

109. Trading with a secondhand dealer, or any secondhand dealer who knowingly gives false information pursuant to information required by section 18-13-114 (2)

18-13-114 (6) (b)

110. Knowingly providing false identifying information for the purpose of either obtaining admittance to, or health services from, a hospital, or evading an obligation to a hospital for services provided

18-13-124 (2)

**Offenses — Making, Financing, or Collection of Loans**

111. Violation of the provisions of section 18-15-109 regarding loan finders

18-15-109 (4)

**Elements of Offense**

**C.R.S. Citation**

**Uniform Controlled Substances Act of 1992**

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|---|--|
| 112. Unlawful use of a controlled substance listed in schedule III, IV, or V of Part 3 of Article 22 of Title 12  | 18-18-404 (1) (a) (II),<br>18-18-404 (1.1) (a)<br>(II)         |
| 113. Unlawful distribution of controlled substances listed in schedule V of Part 2 of Article 18 of Title 18  | 18-18-405 (2) (a) (IV)<br>(A), 18-18-405 (2.1)<br>(a) (IV) (A) |
| 114. Possession of more than one ounce of marihuana but less than eight ounces  | 18-18-406 (4) (a) (I)  |
| 115. Violating provisions relating to the registry of patients authorized to engage in the medical use of marijuana   | 18-18-406.3 (2) (a)  |
| 116. Violation of any of the provisions of section 18-18-411 regarding keeping, maintaining, controlling, renting, or making available property for unlawful distribution or manufacture of controlled substances | 18-18-411 (4)  |
| 117. Publication of any advertisement or solicitation in order to promote the distribution of imitation controlled substances   | 18-18-422 (3) (b)  |

**Offenses Related to Limited Gaming**

- |   |                   |
|---|-------------------|
| 118. Failure to pay tax due under the Colorado Limited Gaming Act within 30 days after the return is due  | 18-20-103 (1) (b) |
| 119. Failure to file a return required by the Colorado Limited Gaming Act within 30 days after the return is due  | 18-20-103 (1) (c) |
| 120. Cheating pursuant to the Colorado Limited Gaming Act, by a person other than a licensee  | 18-20-106 (3)     |
| 121. Committing any fraudulent act pursuant to the Colorado Limited Gaming Act, by a person other than a licensee   | 18-20-107 (2)     |
| 122. Using a device for calculating probabilities pursuant to the Colorado Limited Gaming Act by a person other than a licensee   | 18-20-108 (2)     |
| 123. Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming pursuant to the Colorado Limited Gaming Act by a person other than a licensee | 18-20-111 (4)     |
| 124. Recruitment of a juvenile for a criminal street gang   | 18-23-102 (2)     |

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to the Children's Code**

- 125. Request of information by an operator of a facility or agency licensed to provide child care, from records or reports of child abuse or neglect, concerning a person who is neither an employee or applicant for employment 19-1-307 (2) (k)
- 126. Improperly releasing or willfully permitting or encouraging the release of information contained in records or reports of child abuse or neglect to persons not permitted access to such information 19-1-307 (4)
- 127. Permitting or willfully encouraging the release of data or information contained in the central registry of child protection to persons not permitted access to such information 19-3-313 (10)

**Offenses Related to Higher Education and Vocational Training**

- 128. Divulging data on students or personnel of any state-supported institution by the director of the Colorado Commission on Higher Education or by any commission employee except as provided by law 23-1-108 (9)

**Offenses Related to State Government**

- 129. Offering to pay fee contingent upon making a contract for professional services with a state agency 24-30-1406 (2)
- 130. Soliciting or securing a contract for professional services with a state agency and receiving a fee contingent upon the making of a contract 24-30-1406 (3)
- 131. Divulging information disclosed in any restricted or protected document, program, or dataset located at the General Government Computer Center 24-30-1604 (2) (b)
- 132. Wearing or duplicating the badge or uniform of the Colorado State Patrol with the intent of representing oneself as a member of the Colorado State Patrol 24-33.5-219 (2)
- 133. Conducting an athletic or special event on a state highway when a permit for said event has not been issued or violation of the terms of a permit which has been issued for an athletic or special event 24-33.5-226 (2.5) (b)
- 134. Knowingly misrepresenting identification regarding criminal history of the transferee or lawfulness of the gun purchase which deceives a transferor of a firearm 24-33.5-424 (10) (b)
- 135. Any false statement regarding the installation, alteration, or repair of any fire suppression system 24-33.5-1206.5 (2)

**Elements of Offense**

**C.R.S. Citation**

136. Knowingly disturbing an unmarked human burial 24-80-1305 (1)

**Health — Related Offenses**

137. Violation, by any officer of employee or agent of the state or local department of health, of the provisions of section 25-1-122 (4) and (5) regarding confidential public health reports or records 25-1-122 (6)

138. Violation of the Infant Immunization Act by releasing or making public confidential immunization records or epidemiological information 25-4-1705 (5) (e) (III) (A)

139. Violation of the Infant Immunization Act by releasing or making public confidential immunization records or epidemiological information in exchange for money or any other thing of value 25-4-1705 (5) (e) (III) (B)

**Human Services Code Offenses**

140. Unlawful retention of patient personal needs fund twice or more within a 6 month period without having been placed in jeopardy for the prior offenses 26-4-504 (8) (c)

**Offenses Related to Wildlife, Parks, and Outdoor Recreation**

141. Violation of any of the provisions of section 33-4-101.3 regarding the taking of black bears 33-4-101.3 (6)

142. Violation of sections 33-6-114.5 (2), (3) or (4) regarding the possession, transportation, importation, exportation, and release of native and nonnative fish 33-6-114.5 (7) (a)

143. Operation of a vessel by a river outfitter or guide while under the influence of alcohol or any controlled substance 33-32-107 (4) (b)

**Agriculture — Related Offenses**

144. Removal or disposal of detained or embargoed pesticide or device by sale or otherwise, without prior permission, or removal or alteration of the tag or marking 35-9-123 (3)

145. Violation of any of the provisions of sections 35-9-120 (1) (a), (b), (c), (e), (f), (h), (j), (k), (2) (a), (b), (c), or (g) pursuant to the Pesticide Act 35-9-125 (2)

146. Violation of any of the provisions of sections 35-10-117 (1) (a), (b), (c), (e), (g), (2) (a), (b), (c), (d), (3) (a), or (4) (a) of the Pesticide Applicators' Act 35-10-123 (2)

**Elements of Offense****C.R.S. Citation**

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|--|-----------------|
| 147. Violation of the provisions of section 35-27-113 (6) regarding the sale, barter, or distribution of seed and seed beans   | 35-27-113 (6)   |
| 148. Violation of any of the provisions of section 25-41.5-109 pursuant to the Alternative Livestock Act   | 35-41.5-115     |
| 149. Violation of the provisions of section 35-42.5-101 regarding duties and restrictions relating to animal shelters and pounds   | 35-42.5-101 (3) |
| 150. A second or subsequent violation of any provision or requirement of Article 55 of Title 35 regarding public livestock markets or of any rule or regulation adopted by the state board of stock inspection commissioners | 35-55-117       |

**Taxation Offenses**

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|--|-----------------|
| 151. County officials acquiring land by tax sale   | 39-11-151 (3)   |
| 152. Violation of any of the provisions regarding the placement of labels, stamps, or other federal requirements related to cigarettes       | 39-28-104.5 (5) |
| 153. Violation of any of the provisions regarding the placement of labels, stamps, or other federal requirements related to tobacco products | 39-28.5-111 (5) |

**Offenses Related to Vehicles and Traffic**

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|---|----------------------|
| 154. Tampering with an ignition interlock device  | 42-2-126.3           |
| 155. Operating a motor vehicle while individual's license is revoked  | 42-2-206 (1) (a) (I) |
| 156. Violation of any of the provisions regarding the illegal possession or use of red or blue lights while in control of a vehicle   | 42-4-238             |
| 157. Driving any motor vehicle, bicycle, or motorized bicycle in a careless and imprudent manner when the careless actions are the proximate cause of bodily injury or death to another (class 1 misdemeanor traffic offense) | 42-4-1402 (2)        |
| 158. Owning or driving a motor vehicle without an insurance policy in effect, failure to present evidence of insurance when asked to do so by a peace officer (class 1 misdemeanor traffic offense)                           | 42-4-1409 (4) (a)    |
| 159. Failing to stop at accident resulting in injury to another person (class 1 misdemeanor traffic offense)  | 42-4-1601 (2) (a)    |

**Elements of Offense**

**C.R.S. Citation**

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|--|----------------------|
| 160. A second conviction within five years of failure to stop a vehicle when meeting or overtaking from either direction a school bus which has stopped with visual signal lights in operation (class 1 misdemeanor traffic offense) | 42-4-1903 (6) (b)    |
| 161. Intentionally removing, altering, or failing to add a salvage brand stamp on a vehicle that was rebuilt from salvage  | 42-6-136 (3) (c) (I) |
| 162. Violation of any provision of section 42-6-202 regarding used motor vehicle sales   | 42-6-203             |
| 163. Knowingly disclosing information from the Uninsured Motorist Identification Database to an unauthorized individual  | 42-7-606 (2)         |
| 164. Violation of any provision of Parts 1, 2, or 3 of Article 20 of Title 42 regarding the transport by vehicle of hazardous materials  | 42-20-111            |
| 165. Intentionally transporting hazardous materials without a permit in violation of section 42-20-201   | 42-20-204 (1)        |
| 166. Knowingly violating any of the terms and conditions of an annual or single trip hazardous materials transportation permit   | 42-20-204 (3)        |
| 167. Intentionally blocking obstructing, or closing a public highway that extends to public land without good cause  | 43-2-201.1 (1)       |

## CLASS 2 MISDEMEANORS

### Elements of Offense

### C.R.S. Citation

#### **Election Code Offenses**

1. False statements relating to candidates or questions submitted to electors 1-13-109 (2)
2. Willfully and intentionally violating provisions of the Fair Campaign Practices Act or failing to disclose campaign contributions or expenditures 1-45-113 (1)

#### **Consumer and Commercial Affairs Offenses**

3. Violation of the provisions of section 6-16-111 (1) (a) or (e) of the Colorado Charitable Solicitations Act 6-16-111 (3)

#### **Offenses Related to Labor and Industry**

4. Disclosing who signed a petition or how a person voted in a labor election or refusing to call an election 8-3-108 (1) (c) (V)
5. Release of confidential data obtained pursuant to the collection of data and statistics regarding the workers' compensation system of Colorado 8-44-113 (1) (a)

#### **Offenses Related to Industrial and Commercial Safety**

6. Willfully or maliciously removing markings used to mark the location of underground facilities 9-1.5-103 (4) (b.5)

#### **Insurance — Related Offenses**

7. Violation of Fraudulent Claims and Arson Information Reporting Act 10-4-1007
8. Knowingly or willfully making any materially false certificate, entry, or memo on any of the books or papers of any captive insurance company or on any statement filed or to be filed in the Division of Insurance 10-6-128.5 (4)

#### **Offenses Related to Financial Institutions**

9. Second violation of provisions relating to the "Colorado Foreign Depository Act" 11-37.5-503 (2)
10. Operation by a foreign savings and loan association of an office in this state in order to sell its shares or accounts or make new loans in this state 11-43-101



**Elements of Offense****C.R.S. Citation**

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|-----|--|-----------------|
| 11. | Making a false derogatory statement regarding the financial condition of a state bank        | 11-102-508      |
| 12. | Making a false derogatory statement regarding the financial condition of any industrial bank | 11-108-401 (16) |

**Offenses Related to Professions and Occupations**

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|-----|--|-----------------------|
| 13. | Practicing barbering or cosmetology without a license or knowingly employing a barber or cosmetologist without a license   | 12-8-127 (1)          |
| 14. | Willful violation, procurement, aiding, or abetting in violation of the Bingo and Raffles Law  | 12-9-114              |
| 15. | Willful violation of the "Colorado Professional Boxing Safety Act"   | 12-10-110 (2)         |
| 16. | Violation of any provision of Part 1 of Article 22 of Title 12 regarding drugs and druggists   | 12-22-127             |
| 17. | The practice of medicine without complying with the provisions of, or violation of any provision of the Colorado Medical Practice Act  | 12-36-129 (1)         |
| 18. | Practicing or offering or attempting to practice direct-entry midwifery without first complying with registration and disclosure requirements  | 12-37-108 (1)         |
| 19. | Violation of any of the provisions of section 12-38.1-118 (1) regarding practice as a nurse aide   | 12-38.1-118 (2)       |
| 20. | Violation of any provision of sections 12-47-901 (1)(a), (1)(b), (1)(c), (1)(f), (1)(g), (1)(i), (1)(k), (1)(l), (5)(a)(I), or (5)(b) regarding alcoholic beverages                              | 12-47-903 (2) and (3) |
| 21. | Violation of any of the provisions of section 12-47.1-809 regarding a person under 21 years who is allowed to participate, play, or collect winnings pursuant to the Colorado Limited Gaming Act | 12-47.1-809 (4)       |
| 22. | Failure to display operator and premises license pursuant to the Colorado Limited Gaming Act   | 12-47.1-830 (2)       |
| 23. | Knowing and willful violation of the duties of a notary public   | 12-55-116 (1)         |
| 24. | Impersonating a notary public  | 12-55-117             |
| 25. | Violation of the terms of a contract, by a pawnbroker, for purchase involving a fixed price  | 12-56-104 (3) (b)     |
| 26. | Unlicensed wagering or betting on the results of a pari-mutuel horse or greyhound race   | 12-60-703.5           |

<b><u>Elements of Offense</u></b>	<b><u>C.R.S. Citation</u></b>
27. Violation of any of the provisions of section 12-60-507 (1) regarding investigation, denial, suspension, and revocation actions against racing licensees	12-60-801 (1)
28. Violation of Preowned Housing Home Warranty Service Contract statute	12-61-612
<b>Offenses Related to Courts and Court Procedure</b>	
29. Willful harassment of a juror by an employer	13-71-134 (2)
<b>Inchoate Offenses</b>	
30. Criminal attempt to commit a class 1 misdemeanor	18-2-101 (6)
31. Conspiracy to commit a class 1 misdemeanor	18-2-206 (4)
<b>Offenses Against the Person</b>	
32. False imprisonment (knowingly confining or detaining another without the other's consent and without proper legal authority)	18-3-303 (2)
<b>Offenses Against Property</b>	
33. Second degree arson (knowingly damaging or destroying the property of another by means of fire or explosives, other than a building or occupied structure, if the damage is less than \$100)	18-4-103 (3)
34. Fourth degree arson (knowingly or recklessly starting or maintaining a fire or causing an explosion on his or her or another's property, and thereby placing another in danger of bodily injury or death or placing any building or occupied structure of another in danger of damage, if only property is thus endangered and the value of the property is \$100 or more)	18-4-105 (3)
35. Theft (if the value of the thing involved is \$100 or more but less than \$500)	18-4-401 (2) (b)
36. Theft of rental property (if the value of the thing involved is \$100 or more but less than \$500)	18-4-402 (3)
37. Aggravated motor vehicle theft in the second degree if the value of the vehicle is less than \$500	18-4-409 (4)
38. Theft by receiving where value of thing involved is \$100 or more but less than \$500	18-4-410 (3)

**Elements of Offense****C.R.S. Citation**

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|-----|---|------------------------|
| 39. | Fuel piracy when the value of the fuel is \$100 or more but less than \$500   | 18-4-418 (2) (b)       |
| 40. | Criminal mischief where the aggregate damage to the real or personal property, including property owned by the person jointly with another person or property in which another has a possessory or proprietary interest, is \$100 or more but less than \$500 | 18-4-501 (1)           |
| 41. | Second degree criminal trespass if the premises have been classified as agricultural land pursuant to section 39-1-103 (1.6)  | 18-4-503 (2) (a)       |
| 42. | Second degree criminal tampering  | 18-4-506               |
| 43. | Tampering with equipment associated with oil or gas and (2) gathering operations  | 18-4-506.3 (1) and (2) |
| 44. | Tampering with utility meter  | 18-4-506.5 (1) and (2) |
| 45. | Defacing or destroying landmarks or monuments   | 18-4-508 (1) and (2)   |
| 46. | Destroying, defacing, removing, or damaging any historical monument   | 18-4-509 (2) (a)       |
| 47. | Any violation of section 18-4-701 regarding theft of cable television service   | 18-4-701 (4)           |

**Offenses Involving Fraud**

- |     |  |                              |
|-----|--|------------------------------|
| 48. | Criminal possession of third degree forged instrument  | 18-5-107                     |
| 49. | Trademark counterfeiting for a first offense involving fewer than 100 items with a value of less than \$1,000  | 18-5-110.5 (2) (a) (I)       |
| 50. | Obtaining signature by deception   | 18-5-112 (3)                 |
| 51. | Fraud by check if the fraudulent check was for the sum of \$100 or more and less than \$500 or if it involves the issuance of two or more checks within any 60-day period totaling \$100 or more and less than \$500 | 18-5-205 (3) (b)             |
| 52. | Opening a checking account using false identification or an assumed name for the purpose of issuing fraudulent checks  | 18-5-205 (5)                 |
| 53. | Defrauding a secured creditor or debtor if the value of the collateral or amount owed is \$100 or more but less than \$500   | 18-5-206 (1) (b) and (2) (b) |
| 54. | Purchase on credit to defraud  | 18-5-207                     |
| 55. | Issuing a false financial statement  | 18-5-209 (2)                 |
| 56. | Fraud in effecting sales   | 18-5-301 (1)                 |

**Elements of Offense****C.R.S. Citation**

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|-----|---|------------------|
| 57. | Bait advertising  | 18-5-303 (3)     |
| 58. | Failure to pay over assigned accounts where the amount of such proceeds withheld is less than \$500   | 18-5-502         |
| 59. | Concealment or removal of secured property where the value of the property concealed or removed is less than \$500  | 18-5-504         |
| 60. | Failure to pay over proceeds of security interest in personal property where the amount of the proceeds withheld is less than \$500   | 18-5-505         |
| 61. | Fraudulently issuing a false statement of the receipt for goods   | 18-5-507         |
| 62. | Issuing a negotiable receipt for goods without stating fully the ownership of such goods  | 18-5-509         |
| 63. | Delivery of goods knowing that a negotiable receipt of those goods is outstanding and uncanceled, without obtaining the possession of that receipt before the time of delivery  | 18-5-510         |
| 64. | Depositing goods to which the person does not have title or upon which there is a security interest and taking a negotiable receipt for such goods with the intention of negotiating for value without disclosing the want of title or the existence of the security interest | 18-5-511         |
| 65. | Unauthorized use of a financial transaction device if the value of the cash, credit, property, or services obtained or of the financial payment made is \$100 or more but is less than \$500  | 18-5-702 (3) (b) |

**Computer Crime**

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|-----|---|----------------|
| 66. | Computer crime if the loss, damage, cost of repair, or thing taken is valued at \$100 or more but less than \$500 | 18-5.5-102 (3) |
|-----|---|----------------|

**Offenses Involving the Family Relations**

- |     |   |                                       |
|-----|---|---------------------------------------|
| 67. | Knowingly marrying a bigamist   | 18-6-202                              |
| 68. | Knowing or reckless child abuse committed with criminal negligence not resulting in serious bodily injury | 18-6-401 (7) (a) (VI) and (7) (b) (I) |
| 69. | Harboring a minor   | 18-6-601 (2)                          |
| 70. | Violation of a protection order   | 18-6-803.5 (2) (a)                    |

**Offenses Relating to Morals**

- |     |                        |                  |
|-----|------------------------|------------------|
| 71. | Promotion of obscenity | 18-7-102 (2) (b) |
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**Elements of Offense**

**C.R.S. Citation**

- 72. Keeping a place of prostitution 18-7-204 (2)
- 73. Promoting sexual immorality 18-7-208 (3)
- 74. Violation of any of the provisions of Part 5 of Article 7 of Title 18 regarding sexually explicit materials and children 18-7-502 (6)
- 75. Criminal invasion of privacy (taking a photograph of another person's intimate parts without that person's consent in a place where the person photographed has a reasonable expectation of privacy) 18-7-801 (3)

**Offenses — Governmental Operations**

- 76. Resisting arrest 18-8-103 (4)
- 77. Obstructing a peace officer or fireman 18-8-104 (4)
- 78. Soliciting unlawful compensation 18-8-304
- 79. Failure to disclose conflict of interest by a public servant 18-8-308 (3)
- 80. Official oppression 18-8-403 (2)
- 81. First degree official misconduct 18-8-404 (2)
- 82. Willful harassment of a juror 18-8-614 (2)

**Offenses Against Public Peace, Order, and Decency**

- 83. Engaging in a riot without a deadly weapon 18-9-104 (1)
- 84. Disorderly conduct - discharging a firearm in a public place or displaying deadly weapon in manner calculated to alarm 18-9-106 (3)
- 85. Violation of the provisions of section 18-9-110 regarding trespass or interference in public buildings 18-9-110 (8)
- 86. Hindering transportation 18-9-114
- 87. Violation of any order, rule, or regulation issued by any officer or agency having the power of control, management, or supervision of a public building or public property that is reasonably necessary for the administration, protection, and maintenance of such public building and property. 18-9-117 (3) (b)
- 88. Barricading or refusing police entry to any premises or property or failing to leave any premises or property when requested to do so by a peace officer and, in the same criminal episode, knowingly holding another person hostage or confining or detaining such person without his or her consent 18-9-119 (3)

**Elements of Offense**

**C.R.S. Citation**

- 89. A second or subsequent violation of ownership of a dangerous dog when the dog inflicts bodily injury upon another person 18-9-204.5 (3) (b)
- 90. A second or subsequent violation of ownership of a dangerous dog when the dog injures or destroys any domestic animal 18-9-204.5 (3) (e) (II)
- 91. Unauthorized release of an animal 18-9-206 (2)
- 92. Possessing devices used for wiretapping or eavesdropping 18-9-302

**Gambling**

- 93. Possession of gambling device or record 18-10-105 (2)

**Offenses Relating to Firearms and Weapons**

- 94. Unlawfully carrying a concealed weapon 18-12-105 (1)
- 95. Prohibited use of weapons 18-12-106 (1)
- 96. Illegal possession of a handgun by a juvenile 18-12-108.5 (1) (c) (I)

**Miscellaneous Offenses**

- 97. Abuse of corpse 18-13-101 (2)
- 98. Firing of woods or prairie 18-13-109
- 99. Abuse of property insurance 18-13-119.5 (5)
- 100. Transport, storage, or usage of drip gasoline by unauthorized agents 18-13-120 (4)

**Uniform Controlled Substances Act**

- 101. Manufacture, sale, or delivery of drug paraphernalia 18-18-429
- 102. Advertisement of drug paraphernalia 18-18-430

**Offenses Related to State Government**

- 103. Subsequent failure to register as a fire suppression contractor after previous convictions of acting or advertising as a fire suppression contractor when not registered as such 24-33.5-1206.5 (1)
- 104. Violation of lottery ticket statutes 24-35-215 (1)
- 105. Failure to notify local law enforcement with knowledge that an unmarked human burial is unlawfully disturbed 24-80-1305 (2)

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Health**

106. Violation of the provisions of the Pet Animal and Psittacine Bird Dealerships statute 25-4-713 (1)

**Human Services Code Offenses**

107. Any person who obtains public assistance or vendor payments to which he or she is not entitled, or public assistance or vendor payments greater than those to which he or she is justly entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device, if the amount of overpayment to which the recipient or vendor is not entitled is \$100 or more but less than \$500 26-1-127 (1)
108. Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation when the value of the stamps is \$100 or more but less than \$500 26-2-305 (1)
109. Trafficking in food stamps when the value of the food stamps is \$100 or more but less than \$500 26-2-306 (2) (b)
110. Unlawful use of a patient personal needs trust fund when the amount involved is \$100 or more but less than \$500 26-4-504 (8) (d) (II)
111. Violation of any of the provisions of section 26-8.3-105 regarding blind-made products 26-8.3-105 (3)
112. Representing any medical service as reimbursable or subject to payment under the Reform Act for the Provision of Health Care for the Medically Indigent when it is not reimbursable or subject to payment 26-15-112

**Offenses Related to County Governments**

113. Conflict of interest of county coroners 30-10-619 (4)
114. Violation of county dog licensing and control statute which results in bodily injury 30-15-102 (2)

**Offenses Related to Municipal Governments**

115. Violation of any of the provisions of 31-2-225 regarding formation and reorganization of municipal governments 31-2-225 (2)
116. Tampering with initiative or referendum petition 31-11-115

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Special Districts**

- 117. Interference with the examination, by the state auditor, of the books, records, reports, or vouchers of the Denver Metro Major League Baseball Stadium District 32-14-109 (2) (b)
- 118. Interference by a director, employee, or agent of the metropolitan football stadium district of a state auditor's examination 32-15-109 (2) (b)

**Offenses Related to Wildlife, Parks, and Outdoor Recreation**

- 119. Leaving a fire unattended on lands under the control of the Division of Wildlife 33-15-106 (2) (b) (fine is mandatory)
- 120. Throwing, dropping, or otherwise expelling a lit cigarette, cigar, match or other burning material from a motor vehicle upon land under the control of the division of wildlife 33-15-108 (2)
- 121. Damage to state property under the control of the division of wildlife 33-15-109
- 122. Operation of a river outfitting business by a river outfitter without a valid outfitters license 33-32-107 (1)
- 123. Operation of a river vessel with wanton or willful disregard for the safety of persons or property 33-32-107 (2) (c)

**Offenses Related to Mineral Resources**

- 124. Divulging confidential information in an application for a reclamation permit from the Mined Land Reclamation Board 34-32-112 (9)
- 125. Knowingly or wilfully disclosing the confidential information in a reclamation permit or notice of intent to conduct exploration 34-32.5-112 (8)

**Agriculture — Related Offenses**

- 126. Violation of the provisions of section 35-9-120 (1) (g), (2) (d), or (2) (f) of the Pesticide Act 35-9-125 (3)
- 127. Violation of the provisions of section 35-10-117 (1) (f), (2) (f), (2) (g), (4) (b), or (5) of the Pesticide Applicators Act 35-10-123 (3)
- 128. To make, install, sell or offer to sell, use or allow use of weights or measure, any counterfeit seal, or seal of the Commissioner of Agriculture without proper authority 35-14-132 (1)
- 129. Any subsequent violation of any provision of the Colorado Bee and Bee Products Act 35-25-111



<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
130. Sale of adulterated or diseased meat	35-33-204
131. Violation of the provisions regarding the advertisement and sale of meat animals	35-33-302 (12)
132. Operating a food plant, locker plant, or meat processing facility without a valid license	35-33-401 (3)
133. Violation of any of the provisions of the Slaughter, Processing, and Sale of Meat Animals Act	35-33-406
134. Violation of any of the provisions of section 35-80-108 (1) (a), (1) (b), (1) (c), (1) (f), or (1) (m) of the Pet Animal Care and Facilities Act	35-80-114

### **Offenses Related to Real and Personal Property**

135. Removal of any improvements from encumbered property without first obtaining the written consent of the lien holder	38-39-105 (2)
136. To sell, distribute, acquire, hold, own, possess, transport, import, or cause to be imported cigarettes that a person knows or should know are intended for unlawful distribution or sale in Colorado.	39-28-306 (4)

### **Offenses Related to Utilities**

137. Failure of an agent of a public utility to comply with an order or requirement of the Public Utilities Commission	40-7-106
138. Failure of an agent of a corporation other than a public utility to comply with an order or requirement of the Public Utilities Commission	40-7-108
139. Failure of a motor vehicle carrier to comply, or helping another in noncompliance with any order, decision, rule, or regulation of the Public Utilities Commission	40-10-113
140. Failure of a contract motor vehicle carrier to comply, or helping another in noncompliance with any order, decision, rule, or regulation of the Public Utilities Commission	40-11-111
141. Violation of, or failure to comply with, or helping another in noncompliance with any provision regarding moving companies, or failure to comply, or helping another in noncompliance with an order, decision, or rule of the Public Utilities Commission regarding moving companies	40-14-112 (1)

**Elements of Offense**

**C.R.S. Citation**

142. Operation of a motor vehicle, by a motor vehicle carrier exempt from regulation as a public utility, for its business 40-16-107 (1)

**Offenses Related to Vehicles and Traffic**

143. Driving without a valid driver's license or driving a vehicle without the correct class of license (class 2 misdemeanor traffic offense) 42-2-101 (10)

144. Refusal to hand driver's license to peace officer upon demand (class 2 misdemeanor traffic offense) 42-2-115 (2)

145. Failure to immediately surrender license for an offense which makes revocation or suspension mandatory (class 2 misdemeanor traffic offense) 42-2-124 (1) (a)

146. Failure to immediately surrender license upon conviction of driving under the influence or excessive alcohol content 42-2-129

147. Failure to immediately surrender license after having pled guilty or nolo contendere for a drug-related offense for which suspension of a license is mandatory; failure to surrender license within five days of having sworn to not being in immediate possession of the license (class 2 misdemeanor traffic offense) 42-2-130

148. Making false application for a new license before the expiration of the period of suspension or revocation (class 2 misdemeanor traffic offense) 42-2-132 (3)

149. Unlawful possession or use of license (class 2 misdemeanor traffic offense) 42-2-136 (6)

150. Making false affidavit or knowingly swearing or affirming falsely to any matter pursuant to Part 1 of Article 2 or Title 42 regarding drivers licenses (class 2 misdemeanor traffic offense) 42-2-137

151. Failing to surrender an individual's license or permit to the court after being convicted of driving while under restraint 42-2-138 (1) (f)

152. Fraudulently applying for the prorated specific ownership tax for special mobile machinery (class 2 misdemeanor traffic offense) 42-3-107 (16.5) (e)

153. Display or possess fictitious, cancelled, revoked, suspended or altered vehicle registration; failure to surrender such vehicle registration upon demand; use of false information in any application for vehicle registration (class 2 misdemeanor traffic offense) 42-3-133 (2) (b)

154. Failure or refusal to comply with any lawful order or direction of a police officer (class 2 misdemeanor traffic offense) 42-4-107

<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
155. The sale of tires not in compliance with set standards (class 2 misdemeanor traffic offense)	42-4-228 (8) (b)
156. Alteration of a vehicle's suspension system (class 2 misdemeanor traffic offense)	42-4-233 (3)
157. Violation of any rule or regulation pursuant to section 42-4-235 regarding minimum standards for commercial vehicles (class 2 misdemeanor traffic offense)	42-4-235 (5)
158. Violation of the provisions regarding wheel and axle loads (class 2 misdemeanor traffic offense)	42-4-507 (6)
159. Violation of the provisions regarding the gross weight of vehicles and loads (class 2 misdemeanor traffic offense)	42-4-508 (4)
160. Refusal or failure to stop and submit vehicle and load to a weighing (class 2 misdemeanor traffic offense)	42-4-509 (3)
161. Violation of the provisions regarding permits for excess size and weight and for mobile homes (class 2 misdemeanor traffic offense)	42-4-510 (12) (a)
162. Driving 25 m.p.h. or more in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of 75 m.p.h. (class 2 misdemeanor traffic offense)	42-4-1101 (12)
163. Violation of any of the provisions regarding speed contests (class 2 misdemeanor traffic offense)	42-4-1105 (3)
164. A second or subsequent violation of the prohibition against a person under 21 years of age driving a vehicle when the person's blood alcohol content is at least 0.02 but not more than 0.05 at the time of driving or within two hours after driving (class 2 misdemeanor traffic offense)	42-4-1301 (2) (a.5)
165. Violation of any of the provisions regarding reckless driving (class 2 misdemeanor traffic offense)	42-4-1401 (2)
166. Violation of any of the provisions regarding careless driving when such action does not result in bodily injury or death to another (class 2 misdemeanor traffic offense)	42-4-1402 (2)
167. Throwing, dropping, or otherwise expelling a lit cigarette, cigar, match or other burning material from a motor vehicle upon any highway	42-4-1406 (5) (b)
168. Violation of any provision that prohibits spilling loads on highways if the violation occurred while a person was driving or moving a motor vehicle and proximately caused bodily injury to another person (class 2 misdemeanor traffic offense)	42-4-1407 (3) (c)

**Elements of Offense****C.R.S. Citation**

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| 169. | Violation of any of the provisions regarding the operation of bicycles and other human-powered vehicles pursuant to section 42-4-106.5 (class 2 misdemeanor traffic offense)                    | 42-4-1412 (12) (a) |
| 170. | Eluding or attempting to elude a police officer when operating a motor vehicle (class 2 misdemeanor traffic offense)  | 42-4-1413          |
| 171. | Failure to stop, when involved, at the scene of an accident resulting only in damage to a vehicle (class 2 misdemeanor traffic offense)   | 42-4-1602 (1)      |
| 172. | Failure to notify the operator of an unattended vehicle of damage caused to such vehicle when causing such damage (class 2 misdemeanor traffic offense)   | 42-4-1604          |
| 173. | Failure to notify the road authority of an accident resulting only in damage to fixtures or traffic control devices on or adjacent to a highway (class 2 misdemeanor traffic offense)           | 42-4-1605          |
| 174. | Violation of any of the provisions of section 42-4-1606 regarding duty to report accidents (class 2 misdemeanor traffic offense)  | 42-4-1606 (6)      |
| 175. | Failure by a capable occupant of a vehicle involved in an accident to report the accident when the driver is physically incapable of performing this duty (class 2 misdemeanor traffic offense) | 42-4-1607 (3)      |
| 176. | Violation of the provisions regarding offenses by persons controlling vehicles (class 2 misdemeanor traffic offense)  | 42-4-1704          |
| 177. | Violation of the provisions regarding notice to appear or pay fine and failure to appear to pay fine (class 2 misdemeanor traffic offense)  | 42-4-1716 (2)      |
| 178. | Violation of the provisions not otherwise specified in Part 18 of Article 4 of Title 42 regarding towing and storage of vehicles  | 42-4-1811          |
| 179. | Violation of any of the provisions regarding stops, signs, and the passing of school buses (class 2 misdemeanor traffic offense)  | 42-4-1903 (6) (a)  |
| 180. | Violation of any of the provisions regarding vehicles abandoned on private property   | 42-4-2110          |
| 181. | Tampering with a motor vehicle when the damage is less than \$500   | 42-5-103 (2) (a)   |
| 182. | Theft of motor vehicle parts when the value of the things involved is less than \$500   | 42-5-104 (2) (a)   |
| 183. | Repossession of a motor vehicle without notification of the appropriate law enforcement agency  | 42-6-146 (2)       |

**Elements of Offense**

**C.R.S. Citation**

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| 184. Driving or owning a vehicle in violation of the provisions of section 42-8-105(1) to (5) (clearance of motor vehicles at port of entry weigh stations) or 42-8-106 (issuance of clearance certificates, class 2 misdemeanor traffic offense) | 42-8-109 (1)  |
| 185. Violation of any of the provisions of or any rule or regulation promulgated pursuant to Parts 4 or 5 of Article 20 of Title 42 regarding permits for and the transport of nuclear materials  | 42-20-405 (1) |

## CLASS 3 MISDEMEANORS

<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
<b>Offenses Related to Labor and Industry</b>	
1. Release of confidential records regarding petroleum storage tanks	8-20.5-105 (2)
<b>Offenses Related to Insurance</b>	
2. Violation of any of the provisions regarding preneed funeral contracts or violation of a cease and desist order issued regarding preneed funeral contracts	10-15-118 (1)
<b>Offenses Related to Financial Institutions</b>	
3. Operating a foreign capital depository in violation to the "Colorado Foreign Capital Depository Act"	11-37.5-503 (1)
4. Violation of any of the provisions or any rule or order of the Colorado Municipal Bond Supervision Act	11-59-115 (2)
<b>Offenses Related to Professions and Occupations</b>	
5. Violation of any provision of the statute regulating accountants or a cease and desist order issued pursuant to section 12-2-126	12-2-129
6. Violation of the provisions regarding the practice of architecture	12-4-113 (1)
7. Acting as a motor vehicle dealer, manufacturer, distributor, wholesaler, branch, representative, agent, or salesperson unless duly licensed	12-6-121
8. Violation of any of the provisions regarding slaughterers	12-11-109 (1)
9. The practice of professional engineering in violation of the provisions of Part 1 of Article 25 of Title 12 relating to engineers and surveyors	12-25-105 (6)
10. Violation of the provisions of Part 1 of Article 25 of Title 12 relating to engineers and surveyors by a person, partnership, professional association, joint stock company, or corporation	12-25-105 (7)
11. The practice of professional land surveying in violation of any of the provisions of Part 2 of Article 25 of Title 12	12-25-205 (3.5)
12. Violation of the provisions of Part 2 of Article 25 of Title 12 relating to engineers and surveyors	12-25-205 (4)

**Elements of Offense****C.R.S. Citation**

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| 13. | Violation of any of the provisions of Article 28 of Title 12 regarding fireworks   | 12-28-110         |
| 14. | Violation of any of the provisions of section 12-29.5-106 (1)(a) to (1)(i) regarding grounds for taking disciplinary action against acupuncturists                                     | 12-29.5-108 (1)   |
| 15. | The practice of podiatry by any person, association, or corporation, without complying with the provisions of Article 32 of Title 12 or the violation of any provision of said article | 12-32-109 (1)     |
| 16. | Violation of the provisions of section 12-32-117 regarding the division of podiatrists' fees   | 12-32-117 (1)     |
| 17. | Violation of the provisions of Article 33 of Title 12 regarding chiropractors  | 12-33-120         |
| 18. | Violation of the provisions of Article 35 of Title 12 pursuant to the Dental Practice Law of Colorado  | 12-35-135 (1)     |
| 19. | Violation of the provisions of section 12-36-125 regarding the division of medical fees related to an independent advertising or marketing agent                                       | 12-36-125 (1) (a) |
| 20. | Receiving pay or compensation in violation of section 12-36-125 regarding the practice of medicine, by any person, firm, association or corporation                                    | 12-36-127         |
| 21. | Violation of the provisions of section 12-38-123 (1) regarding the licensing of medical nurses   | 12-38-123 (2)     |
| 22. | Violation of the provisions of section 12-39-116 (1) regarding the practice and licensure as a nursing home administrator  | 12-39-116 (2)     |
| 23. | Violation of the provisions of Article 40 of Title 12 regarding the practice of optometry  | 12-40-124         |
| 24. | Violation of the provisions of section 12-41-121 (1) regarding the licensing and practice of physical therapy  | 12-41-121 (2)     |
| 25. | Violation of the provisions of section 12-42-119 (1) regarding the licensing of or practicing as a psychiatric technician  | 12-42-119 (1)     |
| 26. | Violation of the provisions of subsection (1) of section 12-43-226 regarding mental health occupations and licensure   | 12-43-226 (2)     |
| 27. | Practice of psychotherapy by an unlicensed psychotherapist if not included in the data base of unlicensed psychotherapists   | 12-43-702.5       |
| 28. | Unlawfully possessing a notary's journal or seal, electronic signature, or electronic records relating to notarial acts  | 12-55-118         |
| 29. | Violation of Plumbers statute  | 12-58-116 (2)     |

**Elements of Offense****C.R.S. Citation**

30. Acting as a real estate appraiser without a license or certificate 12-61-712 (2)
31. The practice of veterinary medicine without a license 12-64-114 (2)

**Courts and Court Procedure**

32. Failure to obey a juror summons without justifiable excuse 13-71-111
33. Willful misrepresentation of a material fact on a juror questionnaire 13-71-115 (1)

**Offenses Against the Person**

34. Criminal attempt to commit a misdemeanor other than a class 1 misdemeanor 18-2-101 (7)
35. Conspiring to commit a misdemeanor defined outside of Title 18 for which no penalty is specifically provided 18-2-201 (5)
36. Conspiracy to commit a misdemeanor other than a class 1 misdemeanor 18-2-206 (5)
37. Menacing (knowingly placing or attempting to place another in fear of imminent serious bodily injury by any threat or physical action) 18-3-206 (1)
38. Reckless endangerment (recklessly engaging in conduct which creates a substantial risk of serious bodily injury to another person) 18-3-208

**Offenses Against Property**

39. Fourth degree arson (knowingly or recklessly starting or maintaining a fire or causing an explosion on his or her or another's property, and thereby placing another in danger of bodily injury or death or placing any building or occupied structure of another in danger of damage, if only property is endangered and the value of the property is less than \$100) 18-4-105 (4)
40. Theft (if the value of the thing involved is less than \$100) 18-4-401 (2) (a)
41. Theft of rental property (if the value of the property involved is less than \$100) 18-4-402 (2)
42. Theft by receiving where the value of the thing involved is less than \$100 18-4-410 (2)
43. Fuel piracy when the value of the fuel is less than \$100 18-4-418 (2) (a)



**Elements of Offense****C.R.S. Citation**

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| 44. | Criminal mischief where the aggregate damage to property, including property owned jointly with another person or property owned by the person in which another has a possessory or proprietary interest, is less than \$100   | 18-4-501 (1)     |
| 45. | Second degree criminal trespass (unlawfully entering or remaining in or upon premises which are enclosed in a manner designed to exclude intruders or which are fenced; knowingly and unlawfully entering or remaining in or upon the common areas of a hotel, motel, condominium, or apartment building; or knowingly and unlawfully entering or remaining in a motor vehicle of another) | 18-4-503 (2)     |
| 46. | Third degree criminal trespass if the premises have been classified by the county assessor as agricultural land  | 18-4-504 (2) (a) |
| 47. | Abandonment of a motor vehicle   | 18-4-512 (4)     |
| 48. | Criminal use of noxious substance  | 18-4-513 (1)     |
| 49. | Unlawful trafficking in unlawfully transferred articles (sound recordings)   | 18-4-603 (2)     |
| 50. | Dealing in unlawfully packaged recorded articles (sound recordings)  | 18-4-604 (2)     |

**Offenses Involving Fraud**

- |     |   |                              |
|-----|---|------------------------------|
| 51. | Unlawfully using slugs  | 18-5-111(4)                  |
| 52. | Fraud by check where the amount is less than \$100  | 18-5-205 (3) (a)             |
| 53. | Defrauding a secured creditor or debtor, if the value of the collateral or the amount owed is less than \$100 | 18-5-206 (1) (a) and (2) (a) |
| 54. | Dual contracts to induce loans  | 18-5-208                     |
| 55. | Altering an identification number   | 18-5-305 (5)                 |
| 56. | Rigging publicly exhibited contests   | 18-5-402 (1) and (2)         |
| 57. | Issuance of a bad check   | 18-5-512 (3)                 |

**Computer Crime**

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|-----|-----------------------------------|----------------|
| 58. | Computer crime if less than \$100 | 18-5.5-102 (3) |
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**Offenses Involving the Family Relations**

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|-----|--|-----------------------|
| 59. | Child abuse when a person acts with criminal negligence but where no death or injury results | 18-6-401 (7) (b) (II) |
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**Elements of Offense**

**C.R.S. Citation**

**Offenses Relating to Morals**

- 60. Prostitution 18-7-201 (3)
- 61. Soliciting for prostitution 18-7-202 (2)
- 62. Pandering by arranging or offering to arrange a situation in which a person may practice prostitution 18-7-203 (2)

**Offenses — Governmental Operations**

- 63. Obstructing government operations 18-8-102 (3)
- 64. Compounding (accepting or agreeing to accept money for refraining from seeking prosecution for an offense or refraining from reporting a crime to law enforcement authorities) 18-8-108 (3)
- 65. False reporting to authorities 18-8-111 (2)
- 66. Impersonating a peace officer 18-8-113 (3)
- 67. Escape while in custody or confinement following conviction of a misdemeanor or petty offense or violation of municipal ordinance 18-8-208 (4)
- 68. Violation of bail bond conditions 18-8-212 (2)
- 69. Simulating the legal process 18-8-611 (2)
- 70. Failure to obey a juror summons 18-8-612 (2)
- 71. Willful misrepresentation of material fact on a juror questionnaire 18-8-613 (2)

**Offenses Against Public Peace, Order and Decency**

- 72. Disobedience of public safety orders under riot conditions 18-9-105
- 73. Disorderly conduct (fighting with another in a public place) 18-9-106 (3)
- 74. Obstructing highway or other passageway 18-9-107 (3)
- 75. Disrupting lawful assembly 18-9-108 (2)
- 76. Interference with staff, faculty, or students of educational institutions 18-9-109 (5)
- 77. Harassment 18-9-111 (2)
- 78. Desecration of venerated objects 18-9-113 (1) (a)
- 79. Violation of a restraining order related to public conveyances 18-9-115.5
- 80. Unlawful conduct on public property 18-9-117 (3)

**Elements of Offense****C.R.S. Citation**

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|-----|---|------------------------|
| 81. | Barricading or refusing police entry to any premises or property through use of or threatened use of force, or, knowingly refusing or failing to leave any premises or property upon the request of a peace officer   | 18-9-119 (2)           |
| 82. | Knowingly obstructing, detaining, hindering, impeding, or blocking another person's entry to or exit from a health care facility  | 18-9-122 (2)           |
| 83. | Knowingly approaching another person within 8 feet of that person, without consent, for the purpose of passing information to, displaying a sign to, or engaging in oral protest, education, or counseling with that person within a radius of 100 feet from any entrance to a health care facility | 18-9-122 (3)           |
| 84. | Hazing  | 18-9-124               |
| 85. | Unlawful ownership of a dangerous dog when the dog inflicts bodily injury upon any other person   | 18-9-204.5 (3) (b)     |
| 86. | Unlawful ownership of a dangerous dog when the dog injures or destroys any domestic animal  | 18-9-204.5 (3) (e) (I) |
| 87. | Abuse of telephone and telegraph service  | 18-9-306 (1)           |
| 88. | Make, possess, or use illegal telecommunications equipment  | 18-9-309 (2)           |

**Gambling**

- |     |  |               |
|-----|--|---------------|
| 89. | Transmitting or receiving gambling information | 18-10-106 (1) |
| 90. | Maintaining gambling premises                  | 18-10-107 (3) |

**Offenses Involving Disloyalty**

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|-----|---|---------------|
| 91. | Mutilating, burning, or defacing the flag of the United States or the state of Colorado with the intent to demonstrate contempt of such flags or cause a breach of the public peace | 18-11-204 (3) |
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**Miscellaneous Offenses**

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|-----|--|---------------|
| 92. | Interference with persons with disabilities  | 18-13-107 (4) |
| 93. | Removal of timber from state lands without lawful authority  | 18-13-108     |
| 94. | Violation of the provisions of subsection (8) of section 18-13-114 regarding the sale or trade of secondhand merchandise | 18-13-114 (8) |
| 95. | Violation of the provisions of subsection (1) of section 18-13-115 by a secondhand dealer or operator of a flea market   | 18-13-115 (3) |

<b><u>Elements of Offense</u></b>	<b><u>C.R.S. Citation</u></b>
96. Violation of any of the provisions of subsection (1) of section 18-13-116 regarding sales tax licenses required of secondhand dealers	18-13-116 (2)
97. Violation of any of the provisions of subsection (1) of section 18-13-117 regarding the requirement of secondhand dealers to keep records of sales	18-13-117 (2)
<b>Uniform Controlled Substances Act</b>	
98. Failing to honor written promise to appear for possessing one ounce or less of marihuana	18-18-406 (2)
<b>Children's Code Offenses</b>	
99. Violation of the provisions of subsections (1) or (3.5) of section 19-3-304 regarding the reporting of child abuse or neglect	19-3-304 (4) (a)
100. Failing to provide notice to the court by a child placement agency of any suspension, revocation, or other disciplinary action taken by the state against the agency	19-5-207 (9)
<b>Offenses Related to Higher Education</b>	
101. Violation of the provisions of section 23-2-103 regarding the conferring of an honorary or academic degree	23-2-105
<b>Offenses Related to State Government</b>	
102. Using a state-installed postage meter for private purposes	24-30-1111 (2)
103. Violation of any of the provisions of section 24-33.5-1206.1 regarding registration of a fire suppression contractor	24-33.5-1206.5 (1)
104. Violation of rights of persons with assistance dogs	24-34-804 (2)
105. Charging a fee for information developed by the Small Business Assistance Center and not disclosing that the information is available at no cost from the center	24-48.5-102 (4)
106. Theft or mutilation of library property	24-90-117
<b>Health — Related Offenses</b>	
107. Violation of transportation subsystem requirements of the Colorado Emergency Medical Services Act	25-3.5-306

**Elements of Offense**

**C.R.S. Citation**

- 108. Violating provisions of section 25-4-1808 relating to the sale of shellfish and shellfish dealer certification 25-4-1813
- 109. Operation, by an area operator, of a passenger tramway which has not been licensed or when the license has been suspended or who fails to comply with an order 25-5-707 (4)
- 110. Violation of any provision of the State Hazardous Waste Siting Act 25-15-211
- 111. Violation of any of the provisions of the State Hazardous Waste Incinerator Siting Act 25-15-513

**Human Services Code Offenses**

- 112. Obtaining public assistance or vendor payments to which one is not entitled or which are greater than those to which one is entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device, when the value of the assistance or payment is less than \$100 (see section 18-4-401 (2)) 26-1-127 (1)
- 113. Any recipient of public assistance who fails to notify the department of the receipt of property or income in excess of that declared at the time of determination of eligibility or of any other change in circumstances affecting the recipient's eligibility 26-1-127 (2) (a)
- 114. A recipient or vendor of public assistance who falsifies any required report 26-1-127 (3)
- 115. Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 3 misdemeanor when the value of the stamps is less than \$100 (see 18-4-401 (2)) 26-2-305 (1)
- 116. Any recipient of food stamps who fails to notify the department of any change in circumstances affecting the recipient's eligibility or the amount of food stamp coupons or authorization to purchase cards and who by such failure receives benefits in excess of those to which the recipient was in fact entitled 26-2-305 (2)
- 117. Trafficking in food stamps when the value is less than \$100 26-2-306 (2) (a)
- 118. Willfully and knowingly making a false report of mistreatment or self-neglect regarding an at-risk adult to a county department or law enforcement agency 26-3.1-102 (4)
- 119. Unlawful retention of patient personal needs funds 26-4-504 (8) (c)

**Elements of Offense**

**C.R.S. Citation**

120. Unlawful retention of patient personal needs funds when the amount involved is less than \$100 26-4-504 (8) (d) (I)

**Offenses Related to Military and Veterans**

121. Interference with a member of the National Guard while on duty 28-3-507

122. Refusal to appear, testify, or produce evidence pursuant to trial procedures under the Colorado Code of Military Justice 28-3.1-312 (1)

**Offenses Related to Local Governments**

123. The release of information without express written consent, required to be provided by section 29-22-107 (2) regarding the listing of hazardous substances 29-22-107 (2) (c) (III)

**Wildlife, Parks, Outdoor Recreation**

124. Failure, by a river outfitter, to have one personal flotation device for each person on board 33-32-107 (2) (a)

125. Operation, by a river outfitter, of a vessel in a careless or imprudent manner without due regard for conditions, or, in such a manner as to endanger any person, property, or wildlife 33-32-107 (2) (b)

**Offenses Related to Agriculture**

126. Violation of section 35-9-120 (2) (e) of the Pesticide Act 35-9-125 (4)

127. Intentional violation of any of the provisions of or of rules and regulations promulgated pursuant to the Colorado Nursery Act 35-26-109 (1)

128. Violation of any provision of, or rules and regulations promulgated pursuant to, the Weed Free Forage Crop Certification Act 35-27.5-107

129. Violation of any of the provisions regarding inspection of cattle entering a custom feedlot 35-43-130 (2)

130. Fraudulent use of a permanent hauling transportation permit for rodeo and other horses 35-53-129 (1)

131. Fraudulent use of an annual transportation permit for cattle or alternative livestock 35-53-130 (1)

132. Violation of any provision or requirement of or rule or regulation promulgated pursuant to the Public Livestock Markets statute 35-55-117

**Elements of Offense****C.R.S. Citation****Taxation Offenses**

133. A second or subsequent conviction for failure to provide an itemized list of household furnishings by a mobile home dealer 39-5-203 (3) (b)
134. Engaging in the business of selling at retail in this state without securing a license 39-26-103 (4)

**Offenses Related to Utilities**

135. Operating a towing vehicle on a public way without holding a valid permit 40-13-110 (2)

**Offenses Related to Vehicles and Traffic**

136. Copying, duplicating, or reproducing a driver's license for the purpose of resale, manipulation, or reuse of the license 42-2-136 (6) (b)
137. Violating provisions of law regarding identification cards issued by Department of Revenue 42-2-310
138. Providing for the movement of a manufactured home, by an owner of a manufactured home, without being the holder of a paid ad valorem tax certificate and a transportable manufactured home permit 42-4-510 (12) (b)
139. Violation of any of the provisions of Part 1 of Article 5 of Title 42 regarding motor vehicle theft not otherwise specified 42-5-108
140. Releasing an impounded vehicle from a garage or service station without an official release or court order when such vehicle has been ordered held by an officer of the Colorado State Patrol 42-13-105
141. Violation of a rule or regulation promulgated pursuant to section 42-20-105 regarding the transport of hazardous materials by motor vehicle 42-20-109 (1)
142. Violation of a rule or regulation promulgated pursuant to section 42-20-108 regarding the transport of hazardous materials by motor vehicle both in interstate and intrastate transportation 42-20-109 (2)
143. Failure to give immediate notice to law enforcement of a hazardous materials spill when transporting hazardous materials as cargo 42-20-113 (4)

## UNCLASSIFIED MISDEMEANORS

### Elements of Offense

### C.R.S. Citation

#### **Election Code Offenses**

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|---|---|
| 1. Handling of a voting machine or electronic voting equipment or device by an elected official   | 1-5-607, 1-13-708.5 (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 2. Willful destruction, defacing, mutilation, or suppression of a petition; willful neglect in filing or delaying delivery of a petition; concealing or removing a petition from the possession of the person authorized to have custody of it; aiding, counseling, procuring, or assisting any person in doing any of the above acts | 1-12-108 (10) (\$1,000 maximum fine, or up to 1 year jail, or both)       |
| 3. Violation of duty imposed by election code   | 1-13-107 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 4. Wagers with electors   | 1-13-110 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 5. Interference with distribution of election material  | 1-13-113 (\$750 maximum fine, and replacement costs)                      |
| 6. Failure to comply with requirements of secretary of state  | 1-13-114 (\$500 maximum fine, or up to 30 days jail)                      |
| 7. Interfering with or impeding registration  | 1-13-201 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 8. Unlawful qualification as taxpaying elector  | 1-13-202 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 9. Procuring false registration   | 1-13-203 (\$5,000 maximum fine, or up to 18 months jail, or both)         |
| 10. Adding names after registration closed  | 1-13-204 (\$200 to \$500 fine)  |
| 11. County clerk signing wrongful registration  | 1-13-205 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 12. Influencing, by a deputy county clerk and recorder, a person to affiliate with a political party  | 1-13-208 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 13. Influencing, by a high school registrar, a person to affiliate with a political party   | 1-13-209 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 14. Fraud at precinct caucus, assembly, or convention   | 1-13-301 (\$1,000 maximum fine, or up to 1 year jail, or both)            |



**Elements of Offense**

**C.R.S. Citation**

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| 15. Fraudulent voting in precinct caucus, assembly, or convention  | 1-13-302 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 16. Voting more than once, procuring another to vote fraudulently, impersonating any elector, procuring another to impersonate any elector, influencing any voter by bribery or duress, or receiving money for casting of vote at precinct caucus, assembly, or convention | 1-13-303 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 17. Bribery of petition signers  | 1-13-401 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 18. Tampering with nomination papers   | 1-13-402 (1) and (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 19. Defacing of petitions other than nominating petitions  | 1-13-403 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 20. Tampering with election notices or supplies  | 1-13-601 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 21. Interference with election official  | 1-13-701 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 22. Interference with election watcher   | 1-13-702 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 23. Tampering with registration book, registration list, or pollbook   | 1-13-703 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 24. Unlawfully refusing ballot or permitting unlawful vote   | 1-13-704 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 25. Unlawfully delivering and receiving ballots at polls   | 1-13-706 (4) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 26. Inducing defective ballot  | 1-13-707 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 27. Tampering with voting equipment  | 1-13-708 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 28. Interference with voter while voting   | 1-13-711 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 29. Disclosing or identifying vote   | 1-13-712 (4) (\$1,000 maximum fine, or up to 1 year jail, or both)         |

**Elements of Offense**

**C.R.S. Citation**

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|---|--|
| 30. Intimidation  | 1-13-713 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 31. Electioneering (removal of ballots before closing of polls)                           | 1-13-714 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 32. Liquor in or near polls   | 1-13-715 (3) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 33. Destroying, removing, or delaying delivery of election records                        | 1-13-716 (3) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 34. Destruction of election supplies  | 1-13-717 (\$5 to \$100 fine, or up to 3 months jail, or both)              |
| 35. Unlawful release of information concerning ballot count                               | 1-13-718 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 36. Employer's unlawful acts regarding campaigns, elections, and voting                   | 1-13-719 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 37. Unlawfully giving or promising money or employment in return for a vote or non-vote   | 1-13-720 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 38. Unlawful receipt of money or jobs in return for a vote or non-vote                    | 1-13-721 (1) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 39. Defacing or removing abstract of votes cast   | 1-13-722 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 40. Neglect of duty and destruction of seal on ballots or ballot boxes                    | 1-13-723 (1) and (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 41. Mailing other material with absentee voter's ballot                                   | 1-13-801 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 42. Absentee voter applications and deliveries outside county clerk and recorder's office | 1-13-802 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 43. Tampering with initiative or referendum petition                                      | 1-40-131 (\$1,000 maximum fine, or up to 1 year jail, or both)             |

**Offenses Related to the Legislature**

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| 44. Failing or refusing to obey any summons issued by the General Assembly | 2-2-314 (\$500 maximum fine, or up to 1 year jail, or both)      |
| 45. Willfully violating the rules and regulations of the General Assembly  | 2-2-404 (7) (\$100 maximum fine, or up to 30 days jail, or both) |

**Elements of Offense**

**C.R.S. Citation**

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|---|---|
| 46. Willfully disclosing the contents of any report prepared by the state auditor prior to approval | 2-3-103.7 (1) (\$500 maximum fine)                                      |
| 47. Interfering with legislative audit  | 2-3-107 (2) (\$100 to \$1,000 fine, or 1 month to 1 year jail, or both) |

**Uniform Consumer Credit Code Offenses**

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|---|---|
| 48. A supervised lender who willfully makes charges in excess of those permitted by Uniform Consumer Credit Code          | 5-5-301 (1) (\$5,000 maximum fine, or up to 1 year jail, or both) |
| 49. One other than a supervised lender who willfully engages in the business of making supervised loans without a license | 5-5-301 (2) (\$5,000 maximum fine, or up to 1 year jail, or both) |
| 50. Failing to comply with Uniform Consumer Credit Code concerning notification or payment of fees                        | 5-5-301 (3) (\$1,000 maximum fine)                                |
| 51. Failure to comply with Uniform Consumer Credit Code concerning disclosure and advertising                             | 5-5-302 (\$5,000 maximum fine, or up to 1 year jail, or both)     |
| 52. Violation of the provisions of Article 10 of Title 5 regarding the Colorado Rental Purchase Agreement Act             | 5-10-901 (1) (\$500 maximum fine)                                 |

**Consumer and Commercial Affair Offenses**

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| 53. Installing or reinstalling, as part of a vehicle inflatable restraint system, any object in lieu of an air bag that was designed in accordance with federal safety regulations for the make, model, and year of the vehicle | 6-1-710 (2) (\$2,500 to \$5,000 fine, or up to one year jail, or both)   |
| 54. Selling any article or product below cost for the purpose of injuring competitors and destroying competition  | 6-2-105 (1) (a) (\$100 to \$1,000 fine, or up to 6 months jail, or both) |
| 55. Selling or advertising motor fuel for less than the cost to a vendor for the purpose of injuring or destroying competition  | 6-2-105 (1) (b) (\$100 to \$1,000 fine, or up to 6 months jail, or both) |
| 56. Secret rebates or refunds not extended to all purchasers  | 6-2-108 (\$100 to \$1,000 fine, or up to 6 months jail, or both)         |
| 57. Violation of any of the provisions of sections 6-2-103 to 6-3-108 or 6-2-110 of the Unfair Practices Act  | 6-2-116 (\$100 to \$1,000 fine, or up to 6 months jail, or both)         |

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Corporations and Associations**

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|---|--|
| 58. Damaging property of a ditch and reservoir company  | 7-42-109 (\$500 maximum fine, or up to 1 year jail, or both) |
| 59. Misuse of or trafficking in articles or supplies upon which a name, mark, or device has been filed with the Secretary of State  | 7-73-109 (\$10 to \$50 fine)                                 |
| 60. Failure or refusal of a domestic or foreign corporation to answer, truthfully and fully, interrogatories propounded by the Secretary of State   | 7-116-109 (3) (\$500 maximum fine)                           |
| 61. Failure or refusal of an officer or director of a domestic or foreign corporation to answer, truthfully and fully, interrogatories propounded by the Secretary of State, or delivering or causing a document to be delivered to the Secretary of State which is known to be false in any material respect             | 7-116-109 (4) (\$1,000 maximum fine)                         |
| 62. Failure or refusal by a nonprofit corporation to respond to interrogatories from the Secretary of State regarding whether the nonprofit corporation has complied with applicable statutes   | 7-136-109 (3) (\$500 maximum fine)                           |
| 63. Failure or refusal by a nonprofit corporation or its officers or directors to respond to interrogatories from the Secretary of State regarding whether the nonprofit corporation has complied with applicable statutes or delivering or causing to be delivered to the Secretary of State documents known to be false | 7-136-109 (4) (\$1,000 maximum fine)                         |

**Offenses Related to Labor and Industry**

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| 64. Failure of employee or employer to furnish information to the Division of Labor as required                   | 8-1-114 (2) (\$200 fine if an employer and \$25 fine if an employee) |
| 65. Obstructing the performance of duties of the Industrial Claims Appeals Office                                 | 8-1-116 (2) (\$1,000 maximum fine, or up to 6 months jail, or both)  |
| 66. Using statutory provisions for the purpose of unjustly maintaining a given condition of affairs through delay | 8-1-125 (3) (\$100 maximum fine)                                     |
| 67. Declaring or causing a lockout contrary to law  | 8-1-129 (1) (\$1,000 maximum fine, or up to 6 months jail, or both)  |
| 68. An employee going on strike contrary to law   | 8-1-129 (2) (\$50 maximum fine, or up to 6 months jail, or both)     |

**Elements of Offense**

**C.R.S. Citation**

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| 69. Inciting, encouraging, or aiding a lockout or strike contrary to law   | 8-1-129 (3) (\$1,000 maximum fine, or up to 6 months jail, or both)                                  |
| 70. Failure of witness to appear and testify in response to a subpoena authorized by the director of the Division of Labor   | 8-1-139 (1) (\$100 maximum fine, or 30 days for each day in default)                                 |
| 71. Violation of any of the statutory provisions governing the Industrial Claim Appeals Office in the Division of Labor  | 8-1-140 (1) (\$100 minimum fine, or 60 days jail, or both)   |
| 72. Failure, refusal, or neglecting to perform any duty or to obey any lawful order or court degree as provided in the statutory provisions governing the Industrial Claim Appeals Office in the Division of Labor | 8-1-140 (2) (\$100 minimum fine for each day such violation, failure, neglect, or refusal continues) |
| 73. Coercing employees because of labor organization connection  | 8-2-103 (\$100 to \$500 fine, or 6 months to 1 year jail, or both)                                   |
| 74. Obtaining workmen by misrepresentation, false advertising, or false pretenses  | 8-2-105 (\$2,000 maximum fine, or up to 1 year jail, or both)  |
| 75. Unlawfully preventing employees from participating in politics   | 8-2-108 (1) (\$2,000 maximum fine, or up to 1 year jail, or both)                                    |
| 76. Unlawfully blacklisting or publishing a blacklist  | 8-2-111 (\$50 to \$250 fine, or 30 to 90 days jail, or both)   |
| 77. Unlawfully publishing notice of boycott, unlawfully intimidating workmen, or unlawfully maintaining a blacklist  | 8-2-115 (\$10 to \$250 fine, or up to 60 days jail, or both)   |
| 78. Forbidding or preventing an employee or other entity under one's control to testify before a committee of the General Assembly or a court of law   | 8-2.5-101 (1) (a) (\$1,000 maximum fine)   |
| 79. Intimidating a legislative witness   | 8-2.5-101 (1.5) (c) (\$1,000 maximum fine)   |
| 80. Interference with official in performance of duties under the Labor Peace Act  | 8-3-116 (\$500 maximum fine, or up to 1 year jail, or both)  |
| 81. Violation of the provisions of the Labor Peace Act   | 8-3-122 (\$50 to \$500 fine)   |
| 82. Unlawfully claiming tips or gratuities unless a notice is posted   | 8-4-114 (1) (\$300 maximum fine, or up to 30 days jail, or both)                                     |
| 83. Falsely denying amount or validity of wage claim   | 8-4-114 (2) (\$300 maximum fine, or up to 30 days jail, or both)                                     |

**Elements of Offense**

**C.R.S. Citation**

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|---|--|
| 84. Discriminating against migratory laborer who has filed any complaint or instituted proceedings  | 8-4-120 (\$500 maximum fine, or up to 60 days jail, or both)         |
| 85. Discriminating against employee who serves on a wage board  | 8-6-115 (\$200 to \$1,000 fine)                                      |
| 86. Payment of less than the minimum wage   | 8-6-116 (\$100 to \$500 fine, 30 days to 1 year jail, or both)       |
| 87. Permitting a minor to be employed in violation of the Youth Employment Opportunity Act  | 8-12-116 (1) (\$20 to \$100 fine)                                    |
| 88. Violation of provisions regarding Youth Employment Opportunity Act  | 8-12-116 (2) (\$20 to \$100 fine)                                    |
| 89. Violation of eight-hour day statute   | 8-13-103 (\$250 to \$500 fine, or 90 days to 6 months jail, or both) |
| 90. Violation of hours of duty for firemen  | 8-13-108 (\$100 to \$500 fine, or up to 100 days jail, or both)      |
| 91. Violation of statutes on Protection of Building Employees   | 8-14-105 (\$50 to \$500 fine)  |
| 92. Violation of statute giving preference of Colorado labor on public works  | 8-17-103 (\$500 maximum fine, or up to 1 year jail, or both)         |
| 93. Violation of Colorado Antifreeze Law  | 8-20-812 (\$50 to \$300 fine)  |
| 94. Violation of brake fluid product standards statute  | 8-20-904 (\$50 to \$300 fine)  |
| 95. Failure of a company or corporation who contracts with a landowner or lessee of a farm or ranch to provide insurance coverage or compensation for injury or death | 8-41-401 (4) (b) (\$500 maximum fine or up to 60 days jail or both)  |
| 96. Cutting of rates, rebating, or other method, whereby any employer is given the benefit of or obtains a rate lower than that approved by Commissioner of Insurance | 8-44-104 (\$100 maximum fine)  |
| 97. Violating provision concerning confidential records in Employment and Training Division   | 8-72-107 (1) (\$20 to \$200, or up to 90 days jail, or both)         |
| 98. Failure to attend and testify or produce documents before Employment and Training Division  | 8-72-108 (2) (\$200 maximum fine, or up to 60 days jail, or both)    |
| 99. Making, requiring, or accepting any deduction from wages to finance employer's taxes  | 8-80-101 (\$100 to \$1,000 fine, or up to 6 months jail, or both)    |

**Elements of Offense****C.R.S. Citation**

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|---|--|
| 100. Charging fee to individual claiming benefits under Employment Security law   | 8-80-102, 8-81-101(3) (\$20 to \$200 fine, or up to 60 days jail, or both) |
| 101. Making a false statement of material fact with intent to defraud under Employment Security law   | 8-81-101 (1) (a) (\$25 to \$1,000 fine, or up to 6 months jail, or both)   |
| 102. Making a false statement of material fact with intent to defraud, or failing or refusing to pay required taxes, or to furnish reports as required, or to refuse the inspection of records, under the Employment Security law | 8-81-101 (2) (\$25 to \$1,000 fine, or up to 6 months jail, or both)       |
| 103. Violation of Employment Security law for which a penalty is not provided   | 8-81-101 (3) (\$20 to \$200 fine, or up to 60 days jail, or both)          |

**Offenses Related to Industrial and Commercial Safety**

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|--|--|
| 104. Violation of public assemblage building construction requirements                 | 9-1-102 (\$500 maximum fine)   |
| 105. Failing to have doors open outward in buildings for public assemblage             | 9-1-104 (\$200 maximum fine)   |
| 106. Violation of statutes regarding the sale and use of fire extinguishers            | 9-3-104 (\$100 maximum fine, or up to 30 days jail, or both)         |
| 107. Violation of statute concerning boiler location                                   | 9-4-108 (1)(4) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 108. Failure of boiler inspectors to perform duty                                      | 9-4-111 (\$100 to \$1,000 fine, or 2 months to 1 year jail, or both) |
| 109. Violation of statute regarding the marking and packaging of explosives            | 9-6-107 (\$5,000 maximum fine, or up to 1 year jail, or both)        |
| 110. Manufacture, sell, store, transport, or use explosives without obtaining a permit | 9-7-111 (\$25 to \$500 fine, or up to 1 year jail, or both)          |

**Insurance Related Offenses**

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| 111. Defamation of another insurance company   | 10-1-116 (\$500 maximum fine, or up to 1 year jail, or both)         |
| 112. False testimony in reference to any matter material to an investigation by the insurance commissioner | 10-1-204 (4) (\$5,000 maximum fine, or up to 3 months jail, or both) |

**Elements of Offense**

**C.R.S. Citation**

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| 113. False certification of any books or papers filed with the Division of Insurance in the course of an investigation  | 10-1-204 (5) (up to \$5,000 fine, or 2 to 12 months jail, or both)   |
| 114. Violation of insurance laws  | 10-3-111 (\$1,000 maximum fine and up to 1 year jail)  |
| 115. Violation of restrictions on increase of capital of insurance companies  | 10-3-114 (\$500 maximum fine, or up to 6 months jail, or both)   |
| 116. Failing to comply with orders of Insurance Commissioner when company is under conservatorship  | 10-3-411 (\$5,000 maximum fine, or up to 2 years jail, or both)  |
| 117. Filing application for receivership of a domestic insurance company without approval of the application by the Insurance Commissioner  | 10-3-504.5 (\$1,000 maximum fine, or 1 month to 1 year jail, or both)  |
| 118. Violation of the provisions regarding the regulation of insurance activities related to disclosure of HIV test results   | 10-3-1104.5 (6) (\$500 to \$5,000 fine, or 6 months to 2 years jail, or both)  |
| 119. Noncompliance with statutes governing mutual insurance companies and mutual protective associations  | 10-12-103 (1) (\$500 to \$1,500 fine)  |
| 120. Paying dividend or refund in violation of statute  | 10-12-216 (2) (1 week to 1 year jail)  |
| 121. Noncompliance with statutes governing interinsurance contracts   | 10-13-110 (\$100 to \$1,000 fine)  |
| 122. Willfully making false or fraudulent representation in or with reference to any application for membership in fraternal benefit society or for the purpose of obtaining money from any society | 10-14-704 (1) (\$500 to \$2,500 fine, or 30 days to 1 year jail, or both), (3) (\$100 to \$500 fine), and (4) (up to \$2,000 fine) |

**Offenses Related to Financial Institutions**

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|---|---|
| 123. Violation of the provisions of the Public Deposit Protection Act by an official bank custodian | 11-10.5-111 (4) (b) (\$200 to \$500 mandatory fine)   |
| 124. Violation of the provisions of the Public Deposit Protection Act by an officer, or manager     | 11-10.5-111 (4) (c) (\$200 to \$2,000 mandatory fine) |



## Elements of Offense

## C.R.S. Citation

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|--|---|
| 125. Unauthorized conduct of banking business  | 11-11-108 (1) (a) (\$1,000 maximum fine, or up to 1 year jail, or both)   |
| • Receipt of deposits while insolvent  |   |
| • Unlawful service as officer or director  |   |
| • Unlawful gratuity, compensation, or transactions   |   |
| • Unlawful concealment of transactions   |   |
| • Unlawful payment of penalties and judgment against others  |   |
| • Embezzlement or misapplication of funds  |   |
| 126. Carrying on a trust company business without a license  | 11-23-119 (\$1,000 maximum fine, or up to 1 year jail, or both)           |
| 127. Unlawful use of the words "credit union"  | 11-30-105 (\$500 maximum fine, or up to 60 days jail, or both)            |
| 128. Defamation of another savings and loan association  | 11-40-107 (\$300 to \$1,000 fine, or 3 months to 1 year jail, or both)    |
| 129. Circulating false information concerning savings and loan association   | 11-40-108 (\$300 maximum fine, or 6 months to 1 year jail, or both)       |
| 130. Violation of provisions governing officers and directors of savings and loan associations   | 11-41-127 (2) (\$500 maximum fine, or up to 90 days jail, or both)        |
| 131. Violation, by a member of the Financial Services Board, of the oath to keep secret all information acquired by them in the discharge of their duties    | 11-44-101.6 (8) (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 132. Testifying falsely in reference to any matter being investigated by Commissioner of Insurance   | 11-44-109 (5) (\$500 maximum fine, or up to 3 months jail, or both)       |
| 133. Willfully making a false certificate, entry, or memorandum upon the books of a savings and loan association filed with the Division of Savings and Loan | 11-44-109 (6) (\$1,000 maximum fine, or 2 months to 1 year jail, or both) |
| 134. Noncompliance with orders of Division of Savings and Loan   | 11-44-114 (\$300 maximum fine, or up to 90 days jail, or both)            |
| 135. Failure of government official to deposit public moneys only in eligible savings and loan associations  | 11-47-118 (2) (\$200 to \$500 mandatory fine)                             |

## **Offenses Related to Professions and Occupations**

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|---|---|
| 136. Failure, by a motor vehicle dealer, wholesaler, or used motor vehicle dealer which issues a draft or check, to honor such draft or check causing loss to a third party | 12-6-121.6 (2) (mandatory \$2,500 fine) |
|---|---|

**Elements of Offense****C.R.S. Citation**

137. Violation of Sunday Closing law	12-6-303 (\$75 to \$1,000 fine, or up to 6 months jail, or both)
138. Violation of Bail Bondsmen statute	12-7-109 (2) and (3) (\$1,000 maximum fine, or up to 1 year jail, or both, not precluding any other penalty prescribed by law)
139. Violation of Cemeteries statute	12-12-115 (3) (\$1,000 maximum fine, or up to 1 year jail, or both)
140. Violation of Life Care Institutions statute	12-13-112 (\$10,000 maximum fine, or up to 6 months jail, or both)
141. Violation of Commercial Driving Schools statute	12-15-120 (\$500 maximum fine, or up to 30 days jail, or both)
142. Violation of Dance Halls statute	12-18-104 (\$25 to \$300 fine, or 10 to 30 days jail, or both)
143. Violation of Escort Services statute	12-25.5-113 (1) (\$5,000 maximum fine, or up to 1 year jail, or both)
144. Violation of Firearm Dealers statute	12-26-103 (\$25 to \$100 fine, or up to 1 year jail, or both)
145. Violation of Cancer Cure Control statute	12-30-106 (2) and 12-30-107 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)
146. The diagnosis, treatment, or prescription for the treatment of cancer by anyone other than a licensed physician, licensed osteopath, or licensed dentist	12-30-107 (1) (\$1,000 maximum fine, or up to 1 year jail, or both)
147. Willfully and falsely representing a device, substance, or treatment as being of value in the treatment, alleviation, or cure of cancer	12-30-107 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)
148. Procuring food or accommodations with intent to defraud, if under \$50	12-44-102 (\$500 maximum fine, or up to 90 days jail, or both)
149. Violation of Massage Parlor Code statute	12-48.5-111 (1) (\$5,000 maximum fine, or up to 1 year jail, or both)
150. Violation of Mercantile License statute	12-51-106 (\$300 maximum fine, or up to 6 months jail, or both)
151. Violation of Money Orders statute	12-52-115 (\$10,000 maximum fine)

**Elements of Offense**

**C.R.S. Citation**

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|---|---|
| 152. Violation of Mortuaries statute  | 12-54-107 (\$5,000 maximum fine, or up to 2 years jail, or both)              |
| 153. Refusal to permit the inspection of applicable documents, records, or other items required to be maintained by outfitters and guides, when requested to do so by peace officer   | 12-55.5-107 (3) (\$100 fine)  |
| 154. Engaging in activities as an outfitter or representing oneself as an outfitter without first obtaining a certificate of registration; acting as an outfitter if such registration has been suspended or revoked or has expired | 12-55.5-107.5 (1) (\$1,000 to \$5,000 fine, or up to one year jail, or both)  |
| 155. Working as an outfitter guide when not 18 years of age or without possession of a valid instructor's card in first aid or standard first aid or evidence of equivalent training  | 12-55.5-103.5 (1) (\$100 fine)  |
| 156. Violation of Private Occupational School statute   | 12-59-122 (\$1,000 maximum fine, or up to 6 months jail, or both)             |
| 157. Violation of Real Estate statute   | 12-61-119 (\$500 maximum fine, or up to 6 months jail, or both)               |
| 158. Willfully failing to appear and respond to subpoena in investigation by Real Estate Commission   | 12-61-121 (\$25 fine, or up to 30 days jail, or both for each day of offense) |

**Offenses Related to Courts and Court Procedure**

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|--|---|
| 159. Violation of provisions regarding the abolition of common law civil actions for breach of promise to marry, alienation of affections, criminal conversation and seduction | 13-20-208 (\$1,000 maximum fine, or up to 90 days jail, or both)    |
| 160. Failure of judge to bind any witness or prisoner by recognizance  | 13-45-106 (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |

**Offenses Related to Domestic Matters**

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|---|-------------------------------|
| 161. Knowingly violating provisions of the Uniform Marriage Act | 14-2-113 (\$500 maximum fine) |
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**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Criminal Proceedings**

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|--|---|
| 162. Violating any of the provisions of section 16-3-107.5 relating to the transportation of prisoners | 16-3-107.5 (8) (\$5,000 maximum fine)                             |
| 163. Noncompliance with provisions regarding extradition of fugitives                                  | 16-19-112 (\$1,000 maximum fine, or up to 6 months jail, or both) |

**Offenses Against Property**

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|---|--|
| 164. Violation of any of the provisions regarding newspaper theft | 18-4-419 (\$1,000 maximum fine if the number of newspapers involved was under 100 or was not determined; \$2,500 maximum fine if the number of newspapers involved was 101 to 500; or \$5,000 maximum fine if the number of newspapers involved was more than 500) |
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**Offenses Involving Fraud**

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|---|--|
| 165. Violation, by an employment agency, of the provisions of section 18-5-307 regarding fees paid to private employment agencies | 18-5-307 (6) (\$1,000 maximum fine, or up to 1 year jail, or both) |
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**Offenses Relating to Morals**

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|---|--|
| 166. Dispensing violent films to minors | 18-7-601 (3) (\$1,000 fine first offense, \$5,000 fine second and subsequent offenses) |
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**Offenses Related to Governmental Operations**

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|---|---|
| 167. Attempt to escape while in custody or confinement following conviction of a misdemeanor or petty offense | 18-8-208.1 (3) (2 to 4 months jail to run consecutively with other sentences) |
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**Uniform Controlled Substances Act of 1992**

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| 168. Violation of paragraphs (e) through (n) of subsection 1 or of subsection 2 of section 18-18-414 (Uniform Controlled Substances Act of 1992) | 18-18-414 (4) (up to \$500 fine, or up to 1 year jail, or both) |
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**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to the Children's Code**

169. Charging money for consent to adoption 19-5-213 (2) (\$100 to \$500 fine, or 90 days jail, or both)

**Education Related Offenses**

170. Refusing to take oath when required by school census enumerator 22-1-113 (\$1 to \$10 fine)
171. Falsely accusing an employee of an educational entity of criminal activity 22-12-105 (up to \$2,000 fine)
172. School district officer or employee who refuses to perform duty required by law when directed to perform such duty 22-32-123 (\$100 maximum fine, or up to 90 days jail, or both)
173. Discrimination in teacher employment 22-61-101 (2) (\$50 maximum fine, or up to 90 days jail, or both)
174. Allowing a teacher to instruct without taking oath or affirmation 22-61-105 (\$100 maximum fine, or up to 6 months jail, or both)

**Offenses Related to Higher Education**

175. Violation of any of the provisions of the Forest Products statute 23-30-404 (1) (Fine of twice the retail value of the forest products involved)

**Offenses Related to State Government**

176. Violation of Public Official Disclosure law 24-6-202 (7) (\$1,000 to \$5,000 fine)
177. Wilfully filing a false or incomplete report or wilfully failing to provide the statement of value pursuant to the Public Official Disclosure Law 24-6-203 (7) (\$50 to \$1,000 fine)
178. Violation of provisions regulating lobbyists 24-6-309 (1) (\$5,000 maximum fine, or up to 1 year jail, or both)
179. Failure of any officer to deliver any money to his or her sureties or acts in performance of official duties after failing to give a new bond 24-13-114 (\$500 to \$5,000 fine)
180. Neglect of duty by State Treasurer 24-22-108 (\$100 to \$1,000 fine and removal from office at court's discretion)
181. Refusal of State Treasurer to pay warrant 24-22-109 (1 year maximum jail)

**Elements of Offense**

**C.R.S. Citation**

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| 182. Drawing or issuing any warrant upon the State Treasurer not authorized by law  | 24-30-202 (14) (Four-fold the amount of such warrant, or up to 1 year jail, or both) |
| 183. Willfully neglecting or refusing to perform duties prescribed by fiscal rules promulgated by the controller  | 24-30-202 (17) (\$100 to \$1,000 fine)   |
| 184. Divulging information, by the Department of Administration, in a confidential document   | 24-30-1105 (2) (b) (\$500 to \$5,000 fine, or 6 months to 2 years jail, or both)     |
| 185. Violation of statute regarding manufacture of equipment for camper trailers and camper coaches   | 24-32-909 (\$50 to \$100 fine)   |
| 186. Discrimination in places of public accommodation   | 24-34-602 (\$10 to \$300 fine, or up to 1 year jail, or both)                        |
| 187. Publication of discriminatory matter   | 24-34-705 (\$100 to \$500 fine, or 30 days to 90 days jail, or both)                 |
| 188. Denying or interfering with the rights to or enjoyment of public facilities by the blind and other handicapped persons                               | 24-34-802 (\$100 maximum fine, or up to 60 days jail, or both)                       |
| 189. Contracts for public printing with prohibited persons  | 24-70-217 (\$1,000 maximum fine)   |
| 190. Violation of statute regarding requirements for public printing contracts  | 24-70-228 (\$1,000 maximum fine)   |
| 191. Failure to furnish abstracts or copies pursuant to the Public Records statute  | 24-72-110 (2) (\$100 to \$1,000 fine)  |
| 192. Violation of Public Open Records law   | 24-72-206 (\$100 maximum fine, or up to 90 days jail, or both)                       |
| 193. Violation of Criminal Justice Records law  | 24-72-309 (\$100 maximum fine, or up to 90 days jail, or both)                       |
| 194. Divulging information regarding a recommendation of the Commission on Judicial Discipline before such recommendation is filed with the Supreme Court | 24-72-402 (Up to a \$500 fine)   |
| 195. Appropriating, excavating, injuring, or destroying any historical, prehistorical, or archaeological resource on public land without a permit         | 24-80-409 (1) (\$500 maximum fine, or up to 30 days jail, or both)                   |
| 196. Destroying, defacing, removing or injuring monuments or marks erected to mark the Santa Fe Trail   | 24-80-801 (\$100 fine, or 30 to 90 days jail, or both)                               |

**Elements of Offense****C.R.S. Citation**

197. Violating the limitation on picking the state flower	24-80-908 (\$5 to \$50 fine)
198. Destroying, damaging, defacing, or taking anything from a designated ghost town	24-80-1202 (\$2,000 maximum fine, or up to 6 months jail, or both)
<b>Health Related Offenses</b>	
199. Violation of Health laws	25-1-114 (4) (\$1,000 maximum fine, or up to 1 year jail, or both)
200. Violation of Public Health laws	25-1-514 (4) (\$1,000 maximum fine, or up to 1 year jail, or both)
201. Unlawful disposition of dead animals	25-1-612 (\$5 to \$50 fine)
202. Selling or permitting to run at large a diseased domestic animal	25-1-663 (\$5 to \$100 fine, or 10 to 90 days jail, or both)
203. Importing a diseased domestic animal	25-1-664 (\$100 to \$5000 fine, or up to 1 year jail, or both)
204. Violation of Regional Health Department statute	25-1-716 (4) (\$1,000 maximum fine, or up to 1 year jail, or both)
205. Making a false statement on any vital statistics record	25-2-118 (1) (\$1,000 maximum fine, or up to 1 year jail, or both)
206. Violation of the provisions of the Vital Statistics Act	25-2-118 (2) (Up to \$100 fine, or up to 30 days jail, or both)
207. Operating hospital without license	25-3-105 (\$50 to \$500 fine)
208. Unlawfully maintaining or allowing to exist a nuisance or unsanitary conditions	25-4-106 (\$200 maximum fine)
209. Violation of Disease Control statute	25-4-111 (\$200 maximum fine)
210. Violation of Prenatal Examination statute	25-4-204 (\$300 maximum fine)
211. Violation of Blindness in Newly Born statute	25-4-305 (\$10 to \$50 fine, or up to 50 days jail)
212. Violation of Venereal Disease statute	25-4-407 (\$300 maximum fine, or up to 90 days jail, or both)
213. Violation of Tuberculosis statute	25-4-509 (1) (\$1,000 maximum fine, or up to 1 year jail, or both, plus order of isolation, quarantine, or treatment)
214. Failure to make required reports pursuant to the Tuberculosis statute	25-4-509 (2) (\$100 maximum fine)

**Elements of Offense**

**C.R.S. Citation**

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| 215. Violation of Rabies Control statute  | 25-4-614 (\$100 maximum fine, or up to 30 days jail)   |
| 216. Violation, by a retail food store owner, of any of the provisions of the Retail Food Store Sanitation Act  | 25-4-1312 (Up to \$500 fine, or up to 90 days jail, or both)   |
| 217. Releasing or making public confidential information from a medical record regarding the results of a test for the HIV virus  | 25-4-1409 (2) (\$500 to \$5,000 fine, or 6 months to 2 years jail, or both)  |
| 218. Violation of Enrichment of Flour and Bread statute   | 25-5-206 (\$100 maximum fine, or up to 30 days jail)   |
| 219. Violation of the provisions of section 25-5-403 (1) of the Colorado Pure Food and Drug Law   | 25-5-405 (1) (\$1000 maximum fine, or up to 6 months jail, or both)  |
| 220. Sale, furnishing, or giving to any person under 18 years of age, any confectionery which contains alcohol in excess of one-half of one percent by volume                                     | 25-5-405 (4) (Up to \$750 fine)  |
| 221. Misbranding of imported meat   | 25-5-411 (1) (n) (\$100 to \$1,000 fine, or 30 to 90 days jail, or both)   |
| 222. Violation of section 25-5-504 of the Hazardous Substances statute  | 25-5-504 (1) (\$500 maximum fine, or up to 90 days jail, or both) (\$3,000 maximum fine, or up to 1 year jail, or both if with intent to defraud or mislead, or for second or subsequent offenses) |
| 223. Refusal to allow inspections provided for in the Dairy Products statutes or obstructing the proper officers from performing duties provided for in such statutes                             | 25-5.5-114 (Up to \$100 fine, or up to 30 days jail)   |
| 224. Violation of the provisions not otherwise prescribed in part 1 of the Dairy Products statute   | 25-5.5-116 (\$10 to \$200 fine, and up to 60 days jail)  |
| 225. Violation of any of the provisions regarding imitation dairy products  | 25-5.5-209 (Up to \$1000 fine, or up to 90 days jail, or both)   |
| 226. Violation of the provisions of the Colorado Frozen Desserts Act  | 25-5.5-312 (Up to \$1,000 fine, or up to 90 days jail, or both)  |
| 227. Knowing violation of any requirement or prohibition of an emission control regulation listed in section 25-7-122.1 (1) (b) pursuant to the Colorado Air Pollution Prevention and Control Act | 25-7-122.1 (1) (b) (up to \$25,000 fine per day of violation)  |



**Elements of Offense**

**C.R.S. Citation**

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| 228. Knowing violation of any requirement, prohibition, or order regarding an operating permit for emission of pollutants or failure to pay the permit fee   | 25-7-122.1 (1) (c) (up to \$25,000 fine per day of violation; penalty doubled for a second conviction within two years of first conviction) |
| 229. Making any false statement, omission, alteration, representation, or certification in any document required pursuant to the Colorado Air Pollution Prevention and Control Act   | 25-7-122.1 (2) (up to \$12,500 fine per violation)  |
| 230. Negligent violation of any requirement or prohibition of an emission control regulation pursuant to the Prevention of Significant Deterioration Program under the Colorado Air Pollution Prevention and Control Act                         | 25-7-122.1 (3) (d) (up to \$12,500 fine per day of violation)   |
| 231. Failure to notify of discharge of oil in waters of the state  | 25-8-601 (2) (\$10,000 maximum fine, or up to 1 year jail, or both)   |
| 232. Falsifying documents related to or tampering with water quality monitoring device   | 25-8-610 (1) (\$10,000 maximum fine, or up to 6 months jail, or both)   |
| 233. False representation as a certified water treatment plant operator pursuant to the Water and Wastewater Treatment Plant Operators statute   | 25-9-110 (1) (\$3,000 maximum fine)   |
| 234. Violation of sections 25-11-107 (1), (2), and (2.5) of the Radiation Control statute  | 25-11-107 (3) (\$100 to \$500 fine, or 30 to 90 days jail, or both)   |
| 235. Selling motor vehicle in violation of noise restriction statute   | 25-12-106 (3) (\$50 to \$300 fine)  |
| 236. Violation of Recreation Land Preservation statute   | 25-13-114 (\$500 maximum fine)  |
| 237. Transporting any hazardous waste to a facility without a permit, or treating, storing, or disposing such waste without a permit; false representation in any application or record required by the State Hazardous Waste Management Program | 25-15-310 (2) (\$25,000 maximum fine per day of violation)  |
| 238. Storage of hazardous waste, by a hazardous waste generator, exceeding the 90-day storage period or any extension thereof  | 25-15-310 (4) (b) (\$25,000 maximum fine per day of violation)  |
| 239. Falsifying identification or misrepresenting medical condition on identification device   | 25-20-107 (\$300 maximum fine, or up to 90 days jail, or both)  |

**Elements of Offense**

**C.R.S. Citation**

240. Conducting or maintaining a personal care boarding home without having obtained a license from the Department of Health 25-27-103 (1) (a) (\$50 to \$500 fine)

**Human Services Code Offenses**

241. Divulging confidential information of the Department of Social Services 26-1-114 (5) (\$500 maximum fine, or up to 3 months jail, or both)

242. Violation of Child Care Centers statute 26-6-112 (\$300 to \$500 fine)

**Offenses Related to Institutions**

243. Incurring or contracting any indebtedness, by any officer of any state institution, for, on behalf of, or in the name of such institution or in the name of the state in excess of the sum appropriated by the General Assembly for the use and support of such institution for the fiscal year 27-2-106 (\$300 maximum fine)

**Offenses Related to Military and Veterans**

244. Discrimination against officers or enlisted persons of the military in employment 28-3-506 (2) (\$5,000 maximum fine)

245. Violation of any of the provisions of Part 6 of Article 3 of Title 28 regarding members of the National Guard and public and private employees 28-3-611 (\$500 maximum fine)

246. Destroying, damaging, selling, or illegally disposing of military property 28-3-702 (\$500 maximum fine or up to 6 months jail)

**Offenses Related to Local Governments**

247. Divulging sales tax information by employee of municipality or county 29-2-106 (4) (c) (II) (\$1,000 maximum fine and removal from office)

248. Impersonating a peace officer 29-5-102 (\$500 maximum fine, or up to 1 year jail, or both)

**Offenses Related to County Governments**

249. Sheriff who charges excessively for service of process or who refuses to serve process; charging for constructive mileage 30-1-107 (\$5 to \$50 fine)

**Elements of Offense**

**C.R.S. Citation**

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| 250. Public officer neglecting or refusing to perform official act   | 30-1-110 (\$10 to \$200 fine)  |
| 251. Refusing to pay over to County Treasurer or State Treasurer the fees of his or her office   | 30-1-117 (\$1,000 maximum fine, or up to 1 year jail, or both)                         |
| 252. Acting as County Commissioner after failing to give bond or after judgment of removal from office has been entered  | 30-10-315 (\$500 to \$5,000 fine, or 30 days to 6 months jail)                         |
| 253. Failure of County Treasurer to perform duties   | 30-10-726 (\$50 to \$500 fine, removal from office at the court's discretion)          |
| 254. Defacing or destroying notice to leave attended and to extinguish camp fire   | 30-15-202 (\$100 maximum fine, or up to 3 months jail, or both)                        |
| 255. Discharging firearms in designated areas where it is unlawful   | 30-15-303 (\$100 maximum fine)   |
| 256. Violation of Solid Waste Disposal Site statute  | 30-20-114 (\$2,000 maximum fine, or up to 30 days jail or both)                        |
| 257. Failure of County Commissioner to publish financial statement of county   | 30-25-111 (3) (\$100 maximum fine)   |
| 258. Violation of Limitation on Levy statute   | 30-25-206 (\$1,000 maximum fine, removal from office)                                  |
| 259. Transferring title to or selling subdivided land before final plat has been approved  | 30-28-110 (4) (a) (\$500 to \$1,000 fine)  |
| 260. Erecting, constructing, altering, or using any building or structure in violation of county zoning regulation or unlawfully using a building or land in violation of county zoning regulation | 30-28-124 (1) (a) and (1) (b) (I) (\$100 maximum fine, or up to 10 days jail, or both) |
| 261. Constructing or altering a building in violation of any provision of the area building code   | 30-28-209 (1) (a) (\$100 maximum fine, or up to 10 days jail, or both)                 |
| 262. Using a building or structure in violation of any provision of the area building code   | 30-28-209 (1) (b) (\$100 maximum fine, or up to 10 days jail, or both)                 |

**Offenses Related to Municipal Governments**

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| 263. Mayor or member of the governing body of any city or town who receives illegal compensation | 31-4-407 (\$25 to \$100 fine) |
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**Elements of Offense**

**C.R.S. Citation**

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| 264. Willful destruction, defacement, mutilation, or suppression of a recall petition or willful neglect in filing or delays in delivering a recall petition for a municipal official or any other tampering with such petition               | 31-4-503 (5) (Up to \$1,000 fine, or up to one year jail, or both)           |
| 265. Penalty for Municipal Election Offenses not otherwise specified  | 31-10-1504 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 266. Wrongfully or willfully destroying, defacing, mutilating, suppressing, neglecting or failing to cause nomination papers to be filed by the proper time   | 31-10-1508 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 267. Offering or knowingly permitting anyone to offer a bribe or promise of gain to an elector in exchange for signing any nomination or election paper, or accepting such bribe or promise of gain   | 31-10-1509 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 268. Destroying, concealing, or suppressing official ballots, tally sheets, registration book or lists, or pollbook by an election official, or failure to deliver such to the clerk within the prescribed time                               | 31-10-1511 (1) and (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 269. Willfully destroying or defacing any ballot or tally sheet, or willfully delaying the delivery of such, or concealing or removing such from the polling place  | 31-10-1512 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 270. Willfully and maliciously, on the part of an election judge, refusing or neglecting to receive the ballot of any registered elector or knowingly and willfully permitting any person to vote who is not entitled to vote at any election | 31-10-1513 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 271. Revealing how a disabled voter voted after assisting such disabled person in voting  | 31-10-1514 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 272. Violating, neglecting, or omitting to perform, on the part of a municipal official or election official, imposed election duty or administering a false oath   | 31-10-1515 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 273. Violation of the offenses listed as unlawful receipt of money under the Municipal Election Code  | 31-10-1516 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 274. Showing a ballot which has been prepared for voting in such a way as to reveal its contents or marking a ballot by means of which it can be identified   | 31-10-1517 (\$1,000 maximum fine, or up to 1 year jail, or both)             |

**Elements of Offense**

**C.R.S. Citation**

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| 275. Violation of any of the offenses listed under "Delivering and receiving ballots at polls" in the Municipal Election Code   | 31-10-1518 (4) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 276. Electioneering on election day within any polling place or in any public street or room or in any public manner within 100 feet of any building in which a polling place is located  | 31-10-1521 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 277. Violation of the offenses listed under "Employer's unlawful acts" in the Municipal Election Code   | 31-10-1522 (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 278. Making use of, directly or indirectly, any force, violence, restraint, abduction, duress, or forcible or fraudulent device or contrivance, or to inflict or threaten to inflict, or to impede, prevent, or otherwise interfere a qualified elector, or to refrain from giving an elector his or her vote | 31-10-1523 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 279. Violation of any of the provisions of the offenses listed under "Unlawfully giving or promising money" in the Municipal Election Code  | 31-10-1524 (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 280. Attempting to influence or deter a voter or fraudulently changing or altering a ballot   | 31-10-1525 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 281. Interfering with a voter when inside the immediate voting area or when marking a ballot or operating a voting machine  | 31-10-1526 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 282. Introducing liquor into polls while any election is in process   | 31-10-1527 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 283. Causing a ballot to misstate the wishes of the voter or causing other deceit with intent to induce a defective ballot to be cast   | 31-10-1528 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 284. Altering in any way an abstract of voters posted outside a polling place   | 31-10-1530 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 285. Making any bet or wager with a qualified elector upon any event arising out of an election   | 31-10-1531 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 286. Tampering with any notice of election or with any supplies or conveniences furnished to enable a voter to prepare his or her ballot  | 31-10-1532 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 287. Tampering with registration book, registration list, or pollbook   | 31-10-1533 (\$1,000 maximum fine, or up to 1 year jail, or both)     |

## Elements of Offense

## C.R.S. Citation

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| 288. Tampering with a voting machine with intent to change the tabulation of votes  | 31-10-1534 (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 289. Interfering with an election official or inducing an election official to violate his or her duties  | 31-10-1535 (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 290. Taking or placing title to property in the name of another, or paying the taxes, or taking or issuing a tax receipt in the name of another for the purpose of attempting to qualify as a qualified taxpaying elector | 31-10-1536 (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 291. Failing to keep registry of warrants or certificates of indebtedness   | 31-20-407 (\$100 to \$500 fine)                                  |
| 292. Making or causing to be made a connection of sewers serving property in any unincorporated territory with a sewerage system of any city without a permit from said city  | 31-35-712 (\$10 to \$50 fine, or 20 to 90 days jail, or both)    |

### **Offenses Related to Special Districts**

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| 293. Maintaining a fire hazard within any fire protection district premises  | 32-1-1002 (3) (d) (\$50 to \$250 fine for each day of violation)       |
| 294. Making a false alarm or cutting a fire alarm telegraph  | 32-1-1002 (4) (b) (\$300 maximum fine, or up to 90 days jail, or both) |
| 295. Damaging or destroying works of water and sanitation districts  | 32-4-545 (1) (\$300 maximum fine, or up to 90 days jail, or both)      |
| 296. Wrongfully damaging, injuring, or destroying property, or impairing the usefulness of any facility, structure, improvement, equipment or other property of the Regional Transportation District, or interference with any officer, agent, or employee of the district in the discharge of his or her duties | 32-9-160 (1) (\$300 maximum fine, or up to 90 days jail, or both)      |
| 297. Same as above, provision applied to an Urban Drainage and Flood Control District  | 32-11-815 (\$300 maximum fine, or up to 90 days jail, or both)         |

### **Offenses Related to Wildlife, Parks, and Outdoor Recreation**

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| 298. Failure to account for licenses or failure to pay over to the Division of Wildlife moneys received from the sales of licenses and donations when the amount in question is less than \$200 | 33-4-101 (11) (a) (\$100 to \$1,000 fine, or up to 1 year jail, or both) |
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**Elements of Offense**

**C.R.S. Citation**

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| 299. Violation of any of the provisions of Articles 1 to 6 of Title 33 pursuant to the Division of Wildlife and Parks and Outdoor Recreation  | 33-6-104 (1) (\$50 fine and 5 license suspension points)  |
| 300. Purchasing, applying for, or exercising the benefits conferred by a license when such license has been suspended   | 33-6-106 (6) (\$500 fine and a 2-year extension of the original suspension; if under a lifetime suspension when the violation occurred, \$1,000 to 10,000 fine and up to 90 days jail, or both)   |
| 301. Procuring or using more than one license of a certain type in a calendar year  | 33-6-107 (1) (a) (\$50 fine and 10 license suspension points; \$200 fine and 15 license suspension points for big game license)   |
| 302. Making a false statement or providing false information in connection with applying for or purchasing a license, or accepting false information in connection with issuing a license | 33-6-107 (2) (a) (For each non-big game license, a fine that is twice the cost of the most expensive license for that species and 10 license suspension points; for each big game license, a fine that is twice the cost of the most expensive license for that species and 15 license suspension points) |
| 303. Taking wildlife without a proper and valid license   | 33-6-107 (3) (For each non-big game license, a fine that is twice the cost of the most expensive license for that species and 10 license suspension points; for each big game license, a fine that is twice the cost of the most expensive license for that species and 15 license suspension points)     |
| 304. Hunting wildlife with a youth license when under 16 years of age unless personally accompanied by a person 18 years of age or older who holds a valid hunter education certificate   | 33-6-107 (3.5) (\$50 fine and 5 license suspension points)  |
| 305. Taking big game, if under 12 years of age, or if between 12 and 16 years of age, not being accompanied by a person over 18 years of age  | 33-6-107 (4) (\$50 fine and 10 license suspension points)   |
| 306. Possessing wildlife without a license at the site where the wildlife is kept   | 33-6-107 (5) (\$50 fine and 10 license suspension points)   |
| 307. Fishing, if over 16 years of age, without a valid fishing license; If under 16 years of age, possessing more than the full bag or possession limit set by the commission             | 33-6-107 (6) (\$50 fine and 10 license suspension points)   |

**Elements of Offense**

**C.R.S. Citation**

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| 308. The alternation, transfer, sale, loan, assignment, or use of a lawfully acquired license to another person   | 33-6-107 (7) (\$200 fine and 15 license suspension points)   |
| 309. The purchase of any hunting or trapping license without a hunter education certificate by any person born on or after January 1, 1949  | 33-6-107 (8) (\$50 fine and 10 license suspension points)  |
| 310. Violation of the provisions of section 33-6-109 regarding illegal possession of wildlife   | 33-6-109 (3) and (4) (\$250 to \$1,000 fine and 5 to 10 license suspension points per incident)  |
| 311. Refusal to allow inspection of license and wildlife, a check of license and wildlife when requested to do so at a check station; failure to tag wildlife, eluding an officer | 33-6-111 (1), (2), (3), and (4) (\$50 to \$1,000 fine and 5 to 10 license suspension points)   |
| 312. Failure to retain evidence of wildlife sex and species   | 33-6-112 (\$100 fine, and 10 license suspension points for big game; \$50 fine and 5 license suspension points for all other wildlife)   |
| 313. Illegal sale of wildlife other than big game   | 33-6-113 (2) (b) (\$100 to \$1,000 fine, or up to 1 year jail, or both, and 20 license suspension points)  |
| 314. Providing goods or services for compensation on property owned or managed by the Division of Wildlife, unless permitted by Wildlife Commission Rules                         | 33-6-113.5 (2) (\$100 to \$1,000 fine, or up to 1 year jail, or both, and 20 license suspension points)  |
| 315. Violation of section 33-6-114 regarding the transportation, importation, exportation, and release of wildlife  | 33-6-114 (4) (\$50 fine and 5 license suspension points per incident involving native wildlife; \$250 to \$1,000 fine and 5 license suspension points per incident involving nonnative or exotic wildlife) |
| 316. Stealing wildlife not lawfully acquired or possessed   | 33-6-115 (1) (\$100 to \$500 fine and 20 license suspension points)  |
| 317. Tampering with a legally set trapping device   | 33-6-115 (2) (\$200 fine and 10 license suspension points)   |
| 318. Intentional interference with lawful activities of hunting, trapping, and fishing  | 33-6-115.5 (3) (\$500 to \$1,000 fine and 20 license suspension points)  |
| 319. Violation of section 33-6-116 regarding "Hunting, trapping, or fishing on private property-posting public lands"   | 33-6-116 (3) (\$100 fine and 20 license suspension points)   |



**Elements of Offense**

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|---|---|
| 320. Willful destruction of wildlife other than big game, eagles, and endangered species  | 33-6-117 (1) (b) (\$100 to \$1,000 fine, or up to 1 year jail, or both and 20 license suspension points)  |
| 321. Advertising, conducting, or offering to conduct a contest to kill big game animals   | 33-6-118 (\$500 fine and 20 license suspension points)  |
| 322. Failure to make a reasonable attempt to locate game wildlife suspected of injury to take into possession                     | 33-6-119 (1) (a) (\$100 fine and 15 license suspension points for big game; when small game, \$50 fine and 15 license suspension points)  |
| 323. Failure to reasonably attempt to dress or care for and provide for human consumption the edible portion of any game wildlife | 33-6-119 (2) (If big game, \$300 fine and 15 license suspension points; \$100 fine and 10 license points for other game)  |
| 324. Using wildlife as bait   | 33-6-119 (3) (\$100 fine and 10 license suspension points)  |
| 325. Fishing, trapping, hunting, or taking wildlife out of season or in a closed area   | 33-6-120 (For each non-big game license, a fine that is twice the cost of the most expensive license for that species and 10 license suspension points; for each big game license, a fine that is twice the cost of the most expensive license for that species and 15 license suspension points) |
| 326. Violation of the provisions of section 33-6-121 requiring hunters to wear daylight fluorescent orange garments               | 33-6-121 (2) (\$50 fine and 5 license suspension points)  |
| 327. Hunting in a careless manner   | 33-6-122 (\$100 to \$1,000 fine, or up to 1 year jail, or both, and 20 license suspension points)   |
| 328. Hunting under the influence of alcohol or any controlled substance   | 33-6-123 (\$100 to \$1,000 fine, or up to 1 year jail, or both, and 20 license suspension points)   |
| 329. Hunting, taking, or harassing wildlife from or with a motor vehicle  | 33-6-124 (1) (a) (\$200 fine and 10 license suspension points)  |
| 330. Discharging a firearm or releasing an arrow from a motor vehicle with the intent to take wildlife                            | 33-6-124 (1) (b) (\$200 fine and 10 license suspension points)  |

## Elements of Offense

331. Using an aircraft to spot or locate wildlife and communicating its location to a person on the ground as an aid to hunting or pursuing wildlife; pursuing, hunting, or taking of game by the airborne person or a person on the ground receiving such communication on the same day or the day following such flight
332. Use of electronic devices by two or more people on the ground, in a motor vehicle, or in a boat to communicate information to further a violation of the provisions of Articles 1 through 6 of Title 33 regarding wildlife
333. Possession of a loaded firearm in a motor vehicle
334. Shooting from a public road
335. Hunting with artificial light
336. Using night vision equipment, light-gathering optics, or thermal imaging devices to aid in hunting or taking wildlife outside of legal hunting hours established by the Wildlife Commission
337. Willfully damaging or destructing dens or nests or harassing wildlife
338. Knowingly or negligently allowing or directing a dog to harass wildlife
339. Damaging property or habitat under the Division of Wildlife's control
340. Using any Division of Wildlife property in violation of any commission rule or regulation
341. Using toxicants, poisons, drugs, dynamite, explosives, or any stupefying substances for the purpose of taking or harassing any wildlife

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- 33-6-124 (2) (\$2,000 fine and 15 license suspension points)
- 33-6-124 (3) (\$200 fine and 15 license suspension points)
- 33-6-125 (\$50 fine and 15 license suspension points)
- 33-6-126 (\$50 fine and 5 license suspension points)
- 33-6-127 (1) (b) (\$200 fine and 20 license suspension points)
- 33-6-127 (2) (b) (\$2,000 fine and 20 license suspension points)
- 33-6-128 (1) (\$100 fine and 10 license suspension points)
- 33-6-128 (2) (\$200 fine)
- 33-6-129 (1) (\$100 to \$1,000 fine, or up to 1 year jail, or both, and reimbursement for damages upon order of court)
- 33-6-129 (2) (\$50 fine)
- 33-6-130 (1) (\$200 fine and 20 license suspension points)

**Elements of Offense**

**C.R.S. Citation**

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| 342. Placing food or edible waste in the open with the intent of luring a bear  | 33-6-131 (1) and (3) (First-time violators are given a warning. Second and subsequent violations are misdemeanors. Up to \$100 fine for the first misdemeanor offense, up to \$500 fine for the second misdemeanor offense, and up to \$1,000 fine for the third and subsequent misdemeanor offenses.) |
| 343. Failure to account for passes and registrations or failure to pay over moneys received from the sale of passes and registrations to the Division of Parks and Outdoor Recreation | 33-12-104 (11) (a) (\$200 to \$1,000 fine, or up to 1 year jail, or both)  |
| 344. Operation of a vessel in a wanton manner or with willful disregard for the safety of persons or property   | 33-13-108 (3) (\$200 to \$1,000 fine, or up to 1 year jail, or both)   |
| 345. Operation of a vessel while under the influence of alcohol or drugs  | 33-13-108 (4) (\$200 or \$1,000 fine, or up to 1 year jail, or both)   |
| 346. Operating a sailboat or motorboat while under the influence of alcohol or a controlled substance   | 33-13-108.1 (12) (a) (\$200 to \$1,000 fine or 5 days (mandatory) to 1 year jail or both and up to 96 mandatory hours public service)  |
| 347. Knowing authorization of the operation of a motorboat or sailboat by another who is under the influence of alcohol or a controlled substance                                     | 33-13-108.1 (13) (b) (\$200 to \$1,000 fine or up to 1 year jail or both)  |
| 348. Operation of a motorboat or sailboat when a court-ordered suspension is in effect  | 33-13-108.2(1) (Mandatory 3 to 180 day jail and \$300 to \$1,000 fine for first offense; Mandatory 90 day to 1 year jail and \$500 to \$3,000 fine for 2nd offense)  |
| 349. Operation of or riding water skis, aquaplanes, surfboards, inner tubes, and similar devices while under the influence of alcohol or a controlled substance                       | 33-13-110 (3) (b) (\$200 to \$1,000 fine, or up to 1 year jail, or both)   |
| 350. Operation of a snowmobile without regard for the safety of persons or property, or, operation of a snowmobile while under the influence of alcohol or a controlled substance     | 33-14-116 (6) (\$200 to \$1,000 fine, or up to 1 year jail, or both)   |
| 351. Eluding or attempting to elude a Division of Parks and Recreation officer  | 33-15-105 (\$300 fine)   |

**Elements of Offense**

**C.R.S. Citation**

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| 352. Starting, building, tending, or maintaining a fire in a careless or reckless manner that indicates either a lack of due regard for the fire hazard present or a wanton and willful disregard for the safety of persons | 33-15-106 (3) (\$1,000 fine)                                     |
| 353. Operating or soliciting commercial business on any property owned or managed by the Division of Wildlife without the written permission of the division  | 33-15-114 (\$100 to \$1,000 fine, or up to 1 year jail, or both) |
| 354. River outfitter violation of safety equipment provision of 33-13-106   | 33-32-107(2)(a) (\$100 fine)                                     |

**Offenses Related to Mineral Resources**

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| 355. Failure to securely cover or fence an abandoned mine or removing such cover or fence without permission                     | 34-24-110 (1) (Up to \$300 fine)                                    |
| 356. Trespassing into any mine   | 34-24-110 (3) (\$50 to \$500 fine, or up to ten days jail, or both) |
| 357. Removing or destroying any covering or fencing placed around or over any abandoned or inactive mine                         | 34-24-111 (\$50 to \$300 fine, or up to six months jail, or both)   |
| 358. Entering any active or inactive mine unless accompanied by, or with prior written permission from, the operator of the mine | 34-24-112 (3) (\$50 to \$500 fine, or up to ten days jail, or both) |
| 359. Unlawful financial interest in mining operation   | 34-33-122 (9) (\$2,500 maximum fine, or up to 1 year jail, or both) |
| 360. Keeping and using false or fraudulent scales or weights for weighing ore  | 34-53-102 (\$100 to \$1,000 fine, or up to 1 year jail, or both)    |
| 361. Altering or changing true value of ore  | 34-53-103 (\$100 to \$1,000 fine, or up to 1 year jail, or both)    |
| 362. Violation of provisions regarding memoranda of ore sales  | 34-54-106 (\$50 to \$500 fine, or 6 months jail, or both)           |
| 363. Making a false entry or statement in regards to reports required by the Oil and Gas Conservation Act                        | 34-60-121 (2) (\$5,000 maximum fine, or 6 months jail, or both)     |
| 364. Violation of statute regulating oil wells and boreholes   | 34-61-108 (\$500 maximum fine, or up to 6 months jail, or both)     |

**Elements of Offense**

**C.R.S. Citation**

**Agriculture — Related Offenses**

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| 365. Failing or refusing to give information to Commissioner of Agriculture as required by the agricultural statistics statute                           | 35-2-104 (\$10 to \$500 fine)  |
| 366. Failure to give information to county assessor as required by the agricultural statistics statute   | 35-2-105 (\$25 to \$200 fine plus costs of prosecution)                                |
| 367. Disclosure of confidential reports made to the Commissioner of Agriculture pursuant to the Agricultural Statistics statute                          | 35-2-106 (\$500 maximum fine plus costs of prosecution, or up to 1 year jail, or both) |
| 368. Violation of statute regulating processing of eggs  | 35-21-107 (1) (\$500 maximum fine)   |
| 369. Malfeasance of fruit and vegetable inspector  | 35-23-110 (\$500 maximum fine, or up to 3 months jail, or both)                        |
| 370. Violation of statute or interference with the duties of the Commissioner of Agriculture pursuant to the inspection of agricultural products statute | 35-23-116 (\$500 maximum fine, or 3 months jail, or both)                              |
| 371. Violation of Controlled Atmosphere Storage of Apples Act  | 35-23.5-107 (2) (\$500 maximum fine)   |
| 372. Violation of the Colorado Bee Act   | 35-25-111 (maximum \$100 fine)   |
| 373. Violation of Agriculture Marketing Act of 1939  | 35-28-116 (2) (\$50 to \$500 fine, or 10 days to 6 months jail, or both)               |
| 374. Violation of Colorado Seal of Quality statute   | 35-29-109 (\$500 maximum fine, or up to 3 months jail, or both)                        |
| 375. Violation of destruction of food products statute   | 35-31-104 (\$100 to \$1,000 fine, or 30 days to 1 year jail, or both)                  |
| 376. Offering, for purpose of obtaining bounty, the scalp of any coyote or wolf that was killed outside of the state                                     | 35-40-111 (\$10 to \$50 fine)  |
| 377. Brand or cause to be branded any livestock with a brand which has not been recorded with the state  | 35-43-105 (3) (\$50 to \$500, or 30 days to 1 year jail, or both)                      |
| 378. Branding of maverick without authorization  | 35-43-118 (2) (3 months to 1 year jail)  |
| 379. Willful injury of a person by driving stock on another's land   | 35-43-120 (2) (\$25 to \$100 fine)   |
| 380. Failing to comply with requirements to brand calves   | 35-43-129 (4) (\$100 to \$500 fine and up to 90 days jail)                             |

**Elements of Offense**

**C.R.S. Citation**

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| 381. Herding or grazing of stock on public domain range not entitled to be herded or grazed thereon   | 35-45-104 (\$1,000 maximum fine, or up to 6 months jail, or both)         |
| 382. Permitting livestock to graze or run at large in any municipality or public highway if it is separated from the land of such owner by a fence                                      | 35-46-105 (2) (\$10 to \$200 fine)  |
| 383. Taking livestock into custody without compliance with the law  | 35-46-109 (\$10 to \$500 fine, or up to 60 days jail, or both)            |
| 384. Allowing horses or mules to run at large   | 35-47-103 (\$25 to \$500 fine)  |
| 385. Allowing an inferior bull or inferior ram to run at large  | 35-48-103 (3) (\$100 maximum fine)  |
| 386. Shipping or driving livestock into state without an official health certificate  | 35-50-103 (\$100 to \$1,000 fine, or up to 6 months jail, or both)        |
| 387. Transporting or driving sheep from authorized inspection district, without giving due notice to an authorized inspector  | 35-50-106 (\$300 maximum fine, or up to 3 months jail, or both)           |
| 388. Moving livestock from a quarantined area in violation of a quarantine order  | 35-50-110 (2) (\$500 to \$2,000 fine, or 90 days to 1 year jail, or both) |
| 389. Refusing to permit inspection of animals reacting to tuberculin test, or refusing to clean buildings and premises of disease-propagating substances and to disinfect such premises | 35-50-130 (\$100 to \$500, or up to 90 days jail, or both)                |
| 390. Violation of statutes concerning the control and eradication of brucellosis  | 35-50-145 (\$500 to \$2,000, or up to 90 days jail, or both)              |
| 391. Unlawful manufacture or sale of animal biological products   | 35-51-102 (\$100 to \$500 fine, or 30 days to 1 year jail, or both)       |
| 392. Violation of any of the provisions of Article 52 of Title 35 regarding hogs  | 35-52-111 (\$500 maximum fine)  |
| 393. Making a false certificate by a brand inspector pursuant to transportation of livestock statute  | 35-53-103 (\$1,000 maximum fine, or up to 1 year jail, or both)           |
| 394. Shipping animals other than those described in inspection certificate or substituting others therefor  | 35-53-106 (\$1,000 maximum fine, or up to 1 year jail, or both)           |
| 395. Violating or disregarding any of the provisions of a proclamation by the Governor prohibiting the importation of livestock into this state or a designated area                    | 35-53-111 (2) (\$300 to \$3,000 fine, or 30 days to 1 year jail, or both) |

**Elements of Offense**

**C.R.S. Citation**

- 396. Violation of any of the provisions of sections 35-53-101 to 35-53-112 regarding shipping animals prior to inspection 35-53-112 (1) (\$200 to \$1,000 fine, or up to 90 days to 1 year jail, or both)
- 397. Violation of statutes regarding inspection and transportation of carcasses 35-53-120 (\$300 maximum fine, or up to 60 days jail, or both)
- 398. Transporting animals without a permit from the owner of such animals, making a false or forged permit, or refusing to exhibit a permit 35-53-124 (\$300 maximum fine, or up to 3 months jail, or both)
- 399. Failing to have cattle inspected on arrival at market before they are taken to the scales for weighing 35-53-126 (\$100 to \$500 fine)
- 400. Failure to give or receive a bill of sale for livestock sold 35-54-102 (\$25 to \$500 fine, or 30 days to 6 months jail, or both)
- 401. Operation of a public livestock market without a license 35-55-102 (6) (\$25 to \$100 fine)
- 402. Violation of Inedible Meat Rendering and Processing Act of 1967 35-59-112 (\$200 maximum fine, or up to 90 days jail, or both)
- 403. Violation of any of the provisions of the Colorado Commercial Feed Law 35-60-112 (1) (\$100 to \$250 fine)
- 404. Using information which is entitled to protection as trade secrets for personal advantage 35-60-112 (6) (\$100 minimum fine, or up to 30 days jail, or both)
- 405. Destroying property of fair exhibitor, visitor, or lessee; wrongfully gaining admission to fairgrounds 35-65-110 (\$5 to \$25 fine, or up to 30 days jail)

**Offenses Related to Natural Resources**

- 406. Trespassing, committing depredations, or negligently starting fires, or cutting or removing timber from a state forest without authority 36-7-201 (7) (\$300 maximum fine, or up to 3 months jail, or both)
- 407. Making a false statement in application for weather modification permit, failing to file reports as required, or violating any provision of the Weather Modification Act of 1972 36-20-126 (2) (\$5,000 maximum fine, or up to 6 months jail, or both)

**Offenses Related to Water and Irrigation**

- 408. Construction of works in a manner harmful to conservancy district 37-3-106 (2) (\$1,000 maximum fine)

**Elements of Offense**

**C.R.S. Citation**

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| 409. Preventing the board of directors of any conservancy district, or their agents, from entering upon lands within the district in order to make surveys and examinations | 37-3-113 (\$50 maximum fine)   |
| 410. Destruction or removal of bench marks, witness marks, stakes, or other reference marks, placed by the surveyors or engineers of a conservancy district                 | 37-7-102 (\$100 maximum fine)  |
| 411. Willful damage to conservancy district works   | 37-7-103 (1) (\$500 maximum fine and costs)                            |
| 412. Refusal to regulate flow of water into canal as required by State Engineer   | 37-80-117 (\$100 maximum fine)   |
| 413. False report of water gauge heights  | 37-80-118 (\$500 maximum fine)   |
| 414. Interference with, injuring, or destroying water recording instrument  | 37-80-119 (\$500 maximum fine)   |
| 415. Diverting water into ditch, canal, flume, or reservoir contrary to order of State Engineer   | 37-84-112 (2) (\$500 maximum fine)                                     |
| 416. Willfully neglecting or refusing to deliver water, or preventing or interfering with the proper delivery of water to persons having a right thereto                    | 37-84-121 (\$10 to \$100 fine, or up to 1 month jail, or both)         |
| 417. Division engineer's willful neglect in prompt measurement of water necessary for land irrigation   | 37-84-122 (\$10 to \$100 fine, or up to 1 month jail, or both)         |
| 418. Collecting excessive fees or a bonus for delivery of water   | 37-85-109 (\$100 to \$5,000 fine, 3 months to 1 year jail, or both)    |
| 419. Refusal to deliver water which can be lawfully delivered   | 37-85-110 (\$100 to \$5,000 fine, or 3 months to 1 year jail, or both) |
| 420. Interfering with or damaging any state reservoir   | 37-88-107 (\$1,000 maximum fine, or up to 1 year jail, or both)        |
| 421. Cutting or breaking gate, bank, or side of any ditch, canal, flume, or reservoir with intent to injure or to steal the water   | 37-89-101 (\$5 to \$300 fine, or up to 90 days jail)                   |
| 422. Interfering with adjusted headgate   | 37-89-103 (1) (\$300 maximum fine, or up to 60 days jail, or both)     |
| 423. Violation of water well construction and pump installation statute   | 37-91-111 (2) (\$500 maximum fine, or up to 90 days jail, or both)     |



**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Real and Personal Property**

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| 424. Violation of the provisions of subsection (1) of section 38-29-112 regarding the transfer of certificate of title to a manufactured home  | 38-29-112 (2) (\$250 to \$1,000 fine, or 10 days to 6 months jail, or both) |
| 425. Procuring, if a resident of this state, a certificate of title to a manufactured home in any county of the state other than the county in which the home is to be used as a residence | 38-29-120 (\$50 to \$100 fine, or 10 days to 6 months jail, or both)        |
| 426. Violation of the provision of subsection (1) of section 38-29-141 regarding the sale or transfer of a title to a manufactured home  | 38-29-141 (2) (\$100 to \$500 fine, or 10 days to 6 months jail, or both)   |
| 427. Violation of the provisions of section 38-29-142 regarding notification of the repossession of a manufactured home  | 38-29-142 (2) (\$50 to \$100 fine)  |
| 428. Failure to file notice of a change of location with the county assessor and treasurer pursuant to the Titles to Manufactured Homes Act  | 38-29-143 (2) (\$100 to \$1,000 fine)                                       |
| 429. Violation of sections 38-33-106 or 38-33-107 of the Condominium Ownership Act   | 38-33-108 (\$500 maximum fine)  |
| 430. Knowing violation of the provisions of Article 51 of Title 38 regarding minimum standards for land surveys and plats  | 38-51-110 (2) (\$150 to \$1,500 fine)                                       |
| 431. Willful and knowing violation of Article 53 of Title 38 regarding perpetuation of land survey monuments   | 38-53-110 (2) (\$150 to \$1,500 fine)                                       |

**Taxation Offenses**

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| 432. Divulging confidential information from tax records   | 39-1-116 (\$100 to \$500 fine, or up to 3 months jail, or both)          |
| 433. Recording of document without collecting documentary fee  | 39-13-105 (\$50 fine)  |
| 434. Failure or refusal to pay documentary fee when such payment is required; willfully and knowingly creating a consideration greater or less than the actual consideration in connection with the granting or conveying of title to real property by any instrument to which the documentary fee applies | 39-13-106 (2) (\$50 to \$500 fine, or 10 days to 3 months jail, or both) |

**Elements of Offense**

**C.R.S. Citation**

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| 435. Officer or employee of the Department of Revenue divulging information obtained in an investigation; any officer or employee of the Department of Revenue engaging in the business of tax accounting in an effort to defeat or cancel any tax assessed by the state | 39-21-113 (6) (\$1,000 maximum fine, removal from office if an officer or employee of the state) |
| 436. Failure to file a tax return and pay taxes  | 39-21-118 (3) (\$50,000 fine, or up to 1 year jail, or both plus costs of prosecution)           |
| 437. Willfully failing to pay gift tax, make a return, or supply information required by law   | 39-25-113 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)                              |
| 438. Failing to collect or pay sales tax as required   | 39-26-102 (22) (penalty is pursuant to article 26)   |
| 439. Advertising that tax will be assumed or absorbed  | 39-26-108 (\$1,000 maximum fine, 1 year jail, or both)   |
| 440. Retaining excess sales tax  | 39-26-112 (\$1,000 maximum fine, 1 year jail, or both)   |
| 441. Making false statement in connection with application for refund of taxes   | 39-26-703 (2) (d) (\$500 maximum fine, or up to 90 days jail, or both)                           |
| 442. Making a false statement on an invoice or application for gasoline or special fuel permit or an application for a refund of taxes, or using the gasoline or special fuel other than as stated in the permit   | 39-27-103 (3) (c) (\$1,000 maximum fine, or up to 1 year jail, or both)                          |
| 443. Acting as distributor of special fuel without a license   | 39-27-104 (1) (a) (\$75 fine)  |
| 444. Importing into this state special fuel without first obtaining a single trip permit   | 39-27-105 (5) (d) (\$75 fine)  |

**Offenses Related to Utilities**

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| 445. Violation of statutes governing common carriers                                      | 40-9-104 (\$100 to \$1,000 fine)                                  |
| 446. Violation of statutes governing motor vehicle carriers                               | 40-10-108 (\$1,000 maximum fine, or up to 6 months jail, or both) |
| 447. Violation of statutes governing contract motor carriers                              | 40-11-107 (\$1,000 maximum fine, or up to 6 months jail, or both) |
| 448. Concealing the evidence of the killing or wounding of any animal by a railroad train | 40-27-113 (\$200 maximum fine, or up to 30 days jail, or both)    |

**Elements of Offense**

**C.R.S. Citation**

**Offenses Related to Aircraft and Airports**

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| 449. Violation of Aeronautics Act of 1937   | 41-1-108 (\$500 maximum fine, or up to 6 months jail, or both)                             |
| 450. Operation of an aircraft while under the influence of alcohol or one or more drugs or a combination of alcohol and drugs | 41-2-102 (1) (a) (\$300 to \$1,000 fine, or five mandatory days to one year jail, or both) |
| 451. Operation of an aircraft by any person who is an habitual user of any controlled substance                               | 41-2-102 (1) (b) (\$300 to \$1,000 fine, or five mandatory days to one year jail, or both) |
| 452. Operation of an aircraft with excessive alcohol content  | 41-2-102 (2) (a) (\$300 to \$1,000 fine, or five mandatory days to one year jail, or both) |

**Offenses Related to Vehicles and Traffic**

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| 453. Use of equipment and supplies furnished for the discharge of duties pursuant to the Uniform Motor Vehicle Law for private or pleasure purposes  | 42-1-207 (\$300 maximum fine, or up to 6 months jail, or both)  |
| 454. Driving a motor vehicle when license is under restraint for an offense other than an alcohol-related offense  | 42-2-138 (1) (a) (\$50 to \$500 fine at the court's discretion and 5 mandatory days to 6 months jail)       |
| 455. Driving when license is under restraint for an alcohol-related offense  | 42-2-138 (1) (d) (I) (\$500 to \$1,000 fine at the court's discretion and 30 mandatory days to 1 year jail) |
| 456. Driving a commercial vehicle while not yet 21 years of age or while in possession of more than one valid driver's license   | 42-2-404 (3) (\$25 to \$1,000 fine, or up to 1 year jail, or both)  |
| 457. Performing commercial driver's license tests or acting as a commercial driver's license testing unit or tester when not duly licensed pursuant to the Commercial Driver's License Act | 42-2-408 (2) (\$25 to \$1,000 fine, or up to 1 year jail, or both)  |
| 458. Failure to register vehicle in Colorado within thirty days of becoming a resident of Colorado   | 42-3-103 (4) (a) (\$500 fine)   |
| 459. Knowingly providing fraudulent information or documents to obtain registration of a motor vehicle   | 42-3-105 (1) (c) (II) (\$500 fine and a \$500 civil fine)   |

**Elements of Offense**

**C.R.S. Citation**

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| 460. Knowingly providing fraudulent information or documents to obtain renewal of registration for a motor vehicle | 42-3-112 (3) (b) (II) (\$500 fine and a \$500 civil fine)   |
| 461. Operating an unsafe vehicle   | 42-4-203 (4) (a) (I) (\$100 fine; \$5 fine if repairs made or vehicle is disposed of)   |
| 462. Operating an unsafe vehicle when a non-owner of the vehicle   | 42-4-203 (4) (b) (I) (\$100 fine; \$5 fine if repairs made or vehicle is disposed of)   |
| 463. Violation of any of the provisions governing motor vehicles and obstructed windows - prohibited materials     | 42-4-227 (3) (b) (\$500 to \$5,000 fine)  |
| 464. Possession of a counterfeit emissions sticker, or issuance of a counterfeit emissions sticker                 | 42-4-313 (1) (c) and (2) (b) (\$25 to \$1,000 fine, or up to 90 days jail, or both)   |
| 465. Violation of the provisions of section 42-4-313 regarding emissions stickers                                  | 42-4-313 (3) (c) (\$15 fine)  |
| 466. Violation of any of the provisions of section 42-4-313 by a nonowner driver                                   | 42-4-313 (3) (d) (\$15 fine)  |
| 467. Violation of any of the provisions regarding visible emissions from diesel-powered motor vehicles             | 42-4-413 (2) (c) (I) and (2) (d) (I) (\$100 fine)   |
| 468. Display of a disability distress flag by any person who is not a paraplegic or a person with a disability     | 42-4-611 (\$100 to \$300 fine, 10-90 days jail or both)   |
| 469. Fraudulently using or transferring a parking placard issued to a person with a disability                     | 42-4-1208 (11) (\$500 fine and a \$500 civil fine)  |
| 470. Driving under the influence of alcohol or drugs   | 42-4-1301 (1) (a) (\$300 to \$1,000 fine and 5 mandatory days to 1 year jail plus 48 mandatory to 96 hours of public service) |
| 471. Driving while ability impaired by alcohol or drugs  | 42-4-1301 (1) (b) (\$100 to \$500 fine and 2 mandatory days to 180 days jail plus 24 mandatory to 48 hours of public service) |
| 472. Driving a vehicle when an habitual user of a controlled substance   | 42-4-1301 (1) (c) (\$300 to \$1,000 fine and 5 mandatory days to 1 year jail plus 48 mandatory to 96 hours of public service) |

**Elements of Offense**

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| 473. Driving a vehicle when the person's blood alcohol content is 0.08 or more at the time of the alleged offense or within 2 hours after driving  | 42-4-1301 (2) (a) (\$300 to \$1,000 fine and 5 mandatory days to 1 year jail plus 48 mandatory to 96 hours of public service) |
| 474. Violation of regulations pertaining to school bus operators   | 42-4-1904 (3) (\$5 to \$100 fine, or up to 1 year jail, or both)  |
| 475. Failure to keep daily dealer records  | 42-5-105 (4) (\$500 maximum fine)   |
| 476. Failure to transfer certificate of title  | 42-6-110 (2) (\$15 to \$500 fine, or 10 days to 60 months jail, or both)  |
| 477. Registering a motor vehicle owned by a person who is a resident of the state at any address other than the address which the vehicle is principally operated or where the owner resides | 42-6-139 (3) and (4) (\$500 fine and a \$500 civil fine)  |
| 478. Sell, transfer, or dispose of a motor vehicle without complying with the requirements of Part 1 of Article 6 of Title 42  | 42-6-142 (2) (\$100 to \$500 fine, or 10 days to 6 months jail, or both)  |
| 479. Failure to comply with the provisions of section 42-6-210 regarding disclosure requirements upon transfer of ownership of a salvage vehicle   | 42-6-206 (4) (\$1,500 maximum fine for a first offense, \$5,000 fine for each subsequent offense)                             |
| 480. Driving while under suspension or revocation  | 42-7-422 (\$50 to \$500 fine and 5 days to 6 months jail)   |
| 481. Forging evidence of ability to respond in damages or submitting false statement evidencing automobile liability policy  | 42-7-505 (\$100 to \$1,000 fine, or up to 90 days jail, or both)  |
| 482. Failure to surrender license when required  | 42-7-506 (1) (\$100 to \$1,000 fine, or up to 90 days jail, or both)  |
| 483. Violation of Motor Vehicle Financial Responsibility Act   | 42-7-507 (\$100 to \$1,000 fine, or up to 90 days jail, or both)  |
| 484. Failure to have insurance or bond for a motor vehicle when required   | 42-7-510 (3) (\$100 to \$1,000 fine, or up to 90 days jail, or both)  |
| 485. Failure by motor vehicle repair facility or employee to provide a written or oral estimate or invoice   | 42-9-112 (1) (\$500 to \$2,000 fine per violation)  |
| 486. Violation of any of the prohibited acts regarding repair of a motor vehicle by a repair facility or employee of such facility   | 42-9-112 (2) (\$500 to \$1,000 fine per violation)  |

**Elements of Offense**

**C.R.S. Citation**

- |  |   |
|--|---|
| 487. Violation of any of the prohibited acts in the Motor Vehicle Repair Act other than those in sections 42-9-112 (1), (2), and (4)   | 42-9-112 (2.5) (\$500 per violation)  |
| 488. Installing or reinstalling, as part of a vehicle inflatable restraint system, any object in lieu of an air bag that was designed in accordance with federal safety regulations for the make, model, and year of the vehicle | 42-9-112 (4) (\$2,500 to \$5,000 fine, or one year jail, or both)                             |
| 489. Transportation of hazardous materials without a permit in violation of any of the provisions of 42-20-201   | 42-20-204 (\$250 fine)  |
| 490. Transportation of hazardous materials by motor vehicle in a manner inconsistent with the authorized route   | 42-20-305 (2) (\$250 fine for 1st offense; \$250 to \$500 fine for 2nd offense within 1 year) |

**Offenses Related to Highways and Roads**

- |  |   |
|--|---|
| 491. Violation of Outdoor Advertising Act  | 43-1-417 (2) (\$100 to \$1,000 fine)                          |
| 492. Violation of junkyard statute   | 43-1-508 (\$25 to \$100 fine)                                 |
| 493. Collecting toll upon a road when a judgment has been entered against the owners or operators of said road | 43-3-318 (\$100 maximum fine, or up to 90 days jail, or both) |
| 494. Allowing stolen vehicle to be stored  | 43-5-205 (\$100 maximum fine)                                 |
| 495. Obstructing highway   | 43-5-301 (\$10 to \$300 fine)                                 |
| 496. Overflowing highway   | 43-5-303 (\$10 to \$300 fine)                                 |

# PETTY OFFENSES

## PETTY OFFENSES

This section contains a current listing of petty offenses. Petty offenses have two categories: class 1 and class 2. There are two unclassified petty offenses listed at the end of the class 1 and class 2 petty offenses. The penalty for the commission of a petty offense depends on its classification. A *class 1 petty offense* carries no minimum possible penalty, but a maximum possible penalty of 6 months in jail and/or a \$500 fine. The penalty for a *class 2 petty offense* is a fine specified in the section defining the offense. The penalty for the unclassified petty offenses is listed with the offense. Only in very limited circumstances does a class 2 petty offense carry possible jail time.

It is important to note that not all persons convicted of a class 1 petty offense that carries potential jail time actually receive a sentence to a county jail. Many receive a sentence to probation. Offenders convicted of a class 1 petty offense are entitled to apply for probation whereas those convicted of a class 2 petty offense are not.

The crimes in this listing are grouped according to the statutory title in which they appear. Crimes that appear in Title 18 are further designated by their article. For example, crimes in Article 4 of Title 18 are identified as "Offenses Against Property."

All listings are current through 2004 regular session laws.



## CLASS 1 PETTY OFFENSES

<u>Offense</u>	<u>C.R.S. Citation</u>
<b>Offenses Against Property</b>	
1. Third degree criminal trespass	18-4-504 (2)
2. Defacing posted property	18-4-510
<b>Offenses Involving Fraud</b>	
3. False statements as to circulation	18-5-304
4. Unauthorized use of a financial transaction device when the value is less than \$100	18-5-702 (3) (a)
<b>Offenses Relating to Morals</b>	
5. Patronizing a prostitute	18-7-205 (2)
6. Prostitute making a display	18-7-207
7. Pubic indecency	18-7-301 (2)
<b>Offenses — Governmental Operations</b>	
8. Accessory to a crime if the crime is designated as a misdemeanor	18-8-105 (6)
9. Refusal to permit inspections	18-8-106 (1)
10. Refusing to aid a peace officer	18-8-107
11. Inducing prisoners to absent themselves	18-8-202
12. Aiding escape from civil process	18-8-205
13. Escape from custody or confinement while being held for or charged with but not convicted of a misdemeanor, petty offense, or municipal ordinance	18-8-208 (5)
14. Second degree criminal misconduct	18-8-405 (2)
15. Designation of insurer by a public servant	18-8-408 (2)
16. False swearing	18-8-504 (2)

**Offense****C.R.S. Citation****Offenses Against Public Peace, Order and Decency**

- |  |              |
|--|--------------|
| 17. Disorderly conduct in violation of 18-9-106 (1) (a)- (c)   | 18-9-106 (3) |
| 18. Loitering  | 18-9-112 (2) |
| 19. Throwing missiles at vehicles  | 18-9-116     |
| 20. Bringing alcoholic beverages, bottles, or cans into the major league baseball stadium  | 18-9-123 (3) |
| 21. Refusal to yield party line  | 18-9-307 (2) |
| 22. Requesting the use of a party line on the pretext that an emergency exists, knowing that no emergency exists                           | 18-9-307 (3) |
| 23. Failure by a person, firm, or corporation providing telephone directories to provide notice of the party line requirements in 18-9-307 | 18-9-308     |
| 24. Automated dialing systems prohibited   | 18-9-311     |

**Gambling**

- |              |               |
|--------------|---------------|
| 25. Gambling | 18-10-103 (1) |
|--------------|---------------|

**Offenses Involving Disloyalty**

- |   |               |
|---|---------------|
| 26. Display of a flag on any state, county, municipal or other public building or adjacent grounds other than the flag of the United States of America or of the State of Colorado or any of its subdivisions, agencies or institutions | 18-11-205 (1) |
| 27. Display of a flag other than the flag of the United States of America or of the State of Colorado or any of its subdivisions, agencies or institutions in a place likely to cause a breach of the peace                             | 18-11-205 (2) |

**Miscellaneous Offenses**

- |   |                   |
|---|-------------------|
| 28. Failure to carry and produce a concealed carry permit and valid photo identification when requested to do so by a law enforcement officer | 18-12-204 (2) (a) |
| 29. Fighting by agreement— dueling  | 18-13-104 (1)     |
| 30. Unlawful to discard or abandon iceboxes or motor vehicles and similar items   | 18-13-106         |

**Offense**

**C.R.S. Citation**

31. Use of a cane or walking stick which is white or white tipped with red or metallic in color or a leash blaze orange in color on any accompanying dog in a public place by a person who is not wholly or partially blind, or wholly or partially deaf or both 18-13-107 (1)

32. Abuse of health insurance 18-13-119 (4)

**Hotel Facility Rates: Posting — Notice**

33. Violation by any owner, agent, lessee, or manager of any hotel facility of section 18-14-102 regarding the posting of accommodations and rates or section 18-14-103 regarding when advertising is prohibited 18-14-104

**Uniform Controlled Substances Act of 1992**

34. Abusing toxic vapors 18-18-412

35. Possession of prescribed controlled substances in a container other than that in which it was dispensed and unable to show legal ownership 18-18-413

**Offense Related to Health**

36. Violation of the Individual Sewage Disposal Systems Act 25-10-113 (1)

**Offense Related to Wildlife, Parks, and Outdoor Recreation**

37. Attempting to take wildlife using either a leghold trap, body-gripping design trap, or by poison or snare 33-6-203 (2)

**Offense Related to Agriculture**

38. Violation of cattle in feedlots 35-43-130 (2)

**Offense Related to Real and Personal Property**

39. Failure to surrender Colorado certificate of title by an owner of a manufactured home upon the destruction or dismantling of such home 38-29-118 (1)

**Offenses Related to Vehicles and Traffic**

40. Perjury on a motor vehicle registration application 42-3-140

**Offense**

**C.R.S. Citation**

- |     |  |                   |
|-----|--|-------------------|
| 41. | Failure to appear in court by a person who is the parent or legal guardian of a minor and who is required to appear in court with the minor                | 42-4-1716 (4) (b) |
| 42. | Violation of the duties of dealers regarding assembled motor vehicles  | 42-5-106          |
| 43. | Failure to surrender Colorado certificate of title by an owner of any motor vehicle upon the destruction, dismantling, or sale for salvage of such vehicle | 42-6-136 (1)      |

## CLASS 2 PETTY OFFENSES

### Offense

### C.R.S. Citation

#### **Consumer and Commercial Affairs Offenses**

1. Prohibited sending or collection on unsolicited goods 6-6-103 (3) (maximum \$250 fine)

#### **Offenses Related to Professions and Occupations**

2. Failure by a licensee to report to the police a wound inflicted by a firearm, knife or sharp instrument believed to have occurred during the course of a crime 12-36-135 (1) (maximum \$300 fine, 90 days jail or both)
3. Violation of any of the provisions of Article 46 of Title 12 regarding fermented malt beverages, Article 47 of Title 12 regarding alcoholic beverages, or Article 48 of Title 12 regarding special event liquor permits 12-47-903 (1) (maximum \$250 fine)
4. Underage wagering 12-60-601 (3) (maximum \$100 fine)
5. Violation of rules promulgated by the Colorado racing commission 12-60-801 (2) (maximum \$100 fine)

#### **Offenses Against Property**

6. Theft by resale of a lift ticket or coupon 18-4-416 (maximum \$300 fine)
7. Littering 18-4-511 (4) (mandatory \$20 - \$500 fine, 1st conviction, \$50-\$1,000 2nd conviction, \$100 - \$1,000 3rd conviction)
8. Riding or using public transportation services without paying a fare or having proof of prior fare payment 18-4-802 (\$100 maximum fine)

#### **Offenses Related to Firearms**

9. Failure by a licensed firearm dealer to post a sign in a visible area stating that it is illegal to purchase or transfer a firearm to an individual who is ineligible to have one 18-12-111 (2) (b) (\$250 fine)

#### **Miscellaneous Offenses**

10. Sell of a metal beverage container with a detachable opening device 18-13-113 (4) ( \$50 - \$100 fine)

**Offense**

**C.R.S. Citation**

- 11. Furnishing cigarettes or tobacco products to minors 18-13-121 (1) (\$200 fine)
- 12. Purchasing of cigarettes or tobacco products by a minor 18-13-121 (2) (a) (\$100 fine or community service to be credited to the repayment of the fine)

**Uniform Controlled Substances Act of 1992**

- 13. Possession of not more than one ounce of marihuana 18-18-406 (1) (maximum \$100 fine)
- 14. Open and public display, consumption, or use of not more than one ounce of marihuana 18-18-406 (3) (a) (I) (maximum \$100 fine/15 days jail)
- 15. Possession of drug paraphernalia 18-18-428 (2) (maximum \$100 fine)

**Children's Code Offenses**

- 16. Failure to maintain the confidentiality of child abuse reports 19-1-307 (1) (c) (maximum \$100 fine)
- 17. Failure by a confidential intermediary to keep information obtained during an investigation confidential; failure for a confidential intermediary to obtain consent from a sought-after biological relative and the person who initiated a search that the two want to communicate with one another 19-5-304 (6) (maximum \$500 fine)

**Offenses Related to State Government**

- 18. Violation of the privacy of user records by a publicly-supported library official, employee, or volunteer 24-90-119 (3) (maximum \$300 fine)

**Health — Related Offenses**

- 19. Unauthorized use of information in the voluntary adoption registry 25-2-113.5 (8) (maximum \$500 fine)
- 20. Failure of an attending physician, health care provider, laboratory or person providing laboratory tests to report to the department of public health on every individual known to have a diagnosis of AIDS, HIV-related illness, or HIV infection, including death from HIV infection. 25-4-1409 (1) (maximum \$300 fine)

**Offense**

**C.R.S. Citation**

**Human Services Code Offenses**

- |     |   |   |
|-----|---|---|
| 21. | Failure to keep confidential, the reports of mistreatment or self-neglect of an at-risk adult | 26-3.1-102 (7) (c) (maximum \$300 fine) |
| 22. | Disclosing reported information about the financial information of an at-risk adult           | 26-3.1-204 (7) (c) (maximum \$300 fine) |

**Offenses Related to Local Governments**

- |     |   |                                   |
|-----|---|-----------------------------------|
| 23. | Violation of any county rule/regulation regarding the use of public recreation lands and facilities | 29-7-101 (2) (maximum \$300 fine) |
|-----|---|-----------------------------------|

**Offenses Related to County Governments**

- |     |   |   |
|-----|---|---|
| 24. | Violation of a county resolution adopted pursuant to pet animal control and licensing not involving bodily injury | 30-15-102 (1) (maximum \$1,000 fine/90 days jail or both) |
| 25. | Leaving a campfire unattended   | 30-15-201 (1) (\$50 fine)                                 |
| 26. | Violation of a county ordinance adopted for control or licensing of those matters of purely local concern         | 30-15-402 (1) (maximum \$1000 fine for each violation)    |

**Offenses Related to Wildlife, Parks, and Outdoor Recreation**

- |     |   |  |
|-----|---|--|
| 27. | Using a leghold trap, instant kill body-gripping design trap, poison, or snare by a property owner or lessee but without complying with the notification requirements | 33-6-203 (3) (\$25 fine for first offense, \$50 for subsequent offenses) |
| 28. | Operation of a motorized vehicle on a signed and designated nonmotorized trail  | 33-11-112 (\$150 fine)   |
| 29. | Unauthorized transfer, sale, or assignment of a pass or registration issued under articles 10 to 15 of Parks and Outdoor Recreation                                   | 33-12-105 (1) (\$200 fine)   |
| 30. | Making a false statement, giving false information in connection with selling or purchasing a pass or registration or any alteration of same                          | 33-12-105 (2) (\$200 fine and voiding of pass or registration)           |
| 31. | Failure to obtain or make readily available to a parks and recreation or peace officer, a valid pass  | 33-12-105 (3) (\$25 fine)  |

**Offense****C.R.S. Citation**

- |   |                                 |
|---|---------------------------------|
| 32. Operation of a vessel on the waters of the state or possession of a vessel at a vessel staging area without a registration issued by the division of wildlife, or failure to produce registration upon demand of division of wildlife officer                               | 33-13-103 (4) (\$50 fine)       |
| 33. Failure to display a vessel number  | 33-13-104 (1) (\$25 fine)       |
| 34. Failure to have vessel registration on board and available for inspection   | 33-13-104 (2) (\$50 fine)       |
| 35. Operation of a vessel entering the water in which a child aboard who is under thirteen years of age and is not below deck or in an enclosed cabin fails to wear a personal flotation device approved by the United States Coast Guard and in serviceable condition          | 33-13-106 (4.5) (\$50 fine)     |
| 36. Failure to have required equipment on board a vessel operated on the water of the state   | 33-13-106 (5) (\$50 fine)       |
| 37. Failure of a vessel livery owner to keep, for thirty days following a the return of a vessel from a scheduled trip, records of the name and address of the person who hired the vessel, the vessel's identification number, and the vessel's scheduled departure and return | 33-13-107 (1) (\$100 fine)      |
| 38. Owner or operator of a vessel livery permitting a vessel to depart from his/her premises not being equipped or registered as required by Article 13 of Title 33   | 33-13-107 (2) (\$100 fine)      |
| 39. Violating the minimum age requirements of motor boat operators  | 33-13-107.1 (\$50 fine)         |
| 40. Operating a personal watercraft between one-half hour after sunset and one-half hour before sunrise   | 33-13-108 (1) (a.5) (\$50 fine) |
| 41. Operating or giving permission for operation of a vessel in violation of the prohibited vessel operations of section 33-13-108 (1) (a)  | 33-13-108 (1) (b) (\$25 fine)   |
| 42. Careless operation of a vessel  | 33-13-108 (2) (b) (\$50 fine)   |
| 43. Failure to give aid, or name and information to others when involved in a collision, accident, or other casualty of a vessel, or failure to report same, as provided in the rules and regulations of the Board of Parks and Outdoor Recreation                              | 33-13-109 (6) (\$75 fine)       |



**Offense****C.R.S. Citation**

- |   |                                |
|---|--------------------------------|
| 44. Operation or manipulation of a vessel, towrope, or other device in a careless or imprudent manner or in such a way as to cause persons using water skis, an aquaplane, surfboard, inner tube or other similar device to collide with another person or object | 33-13-110 (1) (c) (\$100 fine) |
| 45. Operation of water skis, an aquaplane, a surfboard, an inner tube, or any similar device without a personal flotation device  | 33-13-110 (2) (d) (\$50 fine)  |
| 46. Failure to obey an order regarding the closure of waters by the Board of Parks and Outdoor Recreation   | 33-13-111 (3) (\$100 fine)     |
| 47. Failure of a snowmobile dealer to require a purchaser of a snowmobile to complete a registration application and pay the registration fee   | 33-14-102 (2) (a) (\$100 fine) |
| 48. Operation of a snowmobile without a current registration  | 33-14-102 (9) (\$50 fine)      |
| 49. Failure to display an assigned registration number on a snowmobile  | 33-14-104 (8) (a) (\$25 fine)  |
| 50. Failure to carry and produce snowmobile registration for inspection by any peace officer, or information necessary for the identification of the snowmobile and its owner   | 33-14-104 (8) (b) (\$50 fine)  |
| 51. Violation of restrictions on minor operators of snowmobiles   | 33-14-109 (3) (\$50 fine)      |
| 52. Violation of snowmobile operation on right-of-way of streets, roads, or highways  | 33-14-111 (3) (\$50 fine)      |
| 53. Violation of statute regarding crossing roads, highways, and railroad tracks by snowmobile  | 33-14-112 (3) (\$50 fine)      |
| 54. Operation of a snowmobile on private property without prior permission from the owner, lessee, or agent   | 33-14-113 (\$100 fine)         |
| 55. Operation of a snowmobile on a public street or highway without proper equipment  | 33-14-114 (3) (\$50 fine)      |
| 56. Failure to report a snowmobile accident resulting in property damage of \$1,500 or more or injuries resulting in hospitalization or death to law enforcement  | 33-14-115 (4) (\$75 fine)      |
| 57. Operation of a snowmobile in a careless or imprudent manner   | 33-14-116 (5) (\$100 fine)     |

**Offense****C.R.S. Citation**

- |   |                                 |
|---|---------------------------------|
| 58. Owner of a snowmobile permitting it to be operated in violation of Article 14 of Title 33   | 33-14-116 (7) (\$50 fine)       |
| 59. Hunting wildlife from a snowmobile  | 33-14-117 (3) (a) (\$200 fine)  |
| 60. Operating or riding a snowmobile while in possession of a firearm or bow unless same is properly stored and secured   | 33-14-117 (3) (b) (\$50 fine)   |
| 61. Pursuing, driving, or otherwise intentionally disturbing or harassing any wildlife by use of a snowmobile unless protecting crops or other property   | 33-14-117 (3) (c) (\$200 fine)  |
| 62. Operation of an off-highway vehicle in violation of section 33-14.5-102 regarding off-highway vehicle registration, fees, applications, requirements, and exemptions                            | 33-14.5-102 (7) (\$50 fine)     |
| 63. Failure of an off-highway vehicle dealer to require a purchaser to complete a registration application and pay the registration fee before the off-highway vehicle leaves the dealer's premises | 33-14.5-102 (8) (\$100 fine)    |
| 64. Violating provisions relating to the licensing and registration of a non-resident owned or operated off-highway vehicle   | 33-14.5-102 (9) (f) (\$35 fine) |
| 65. Failure to display the number assigned to an off-highway vehicle or failure to show proof of registration to a peace officer upon demand  | 33-14.5-104 (7) (a) (\$25 fine) |
| 66. Failure to carry and produce registration for an off-highway vehicle upon the demand of any peace officer for inspection  | 33-14.5-104 (7) (b) (\$50 fine) |
| 67. Violation of off-highway vehicle operation on streets, roads, and highways  | 33-14.5-108 (2) (\$50 fine)     |
| 68. Operation of an off-highway vehicle without proper equipment  | 33-14.5-109 (2) (\$50 fine)     |
| 69. Failure to obtain and or display an off-highway use permit  | 33-14.5-112 (6) (\$50 fine)     |
| 70. Failure to notify, within 48 hours, law enforcement of an off-highway vehicle accident resulting in property damage of \$1,500 or more or injuries resulting in hospitalization or death        | 33-14.5-113 (4) (\$75 fine)     |

**Offense**

**C.R.S. Citation**

- 71. Refusal to allow an officer having authority to enforce the provisions of Articles 10 to 15 and 32 of Title 33, to make use of a motor vehicle or other means of transportation when the public health, safety, welfare, or necessity requires 33-15-101 (2) (\$50 fine)
- 72. Violation of the provisions of Articles 10 to 15 and 32 of Title 33 or any rule or regulation of the Board of Parks and Outdoor Recreation that does not have a specific penalty listed 33-15-102 (1) (\$50 fine)
- 73. Leaving a fire unattended or failing to thoroughly extinguish a fire before leaving it on any property under the control of the Division of Wildlife 33-15-106 (2) (\$50 fine)
- 74. Unlawful camping 33-15-107 (\$50 fine)
- 75. Littering upon any land or water under the control of the Division of Wildlife 33-15-108 (\$20 to \$500 fine)
- 76. Violation of statutes regarding the operation of vehicles and vessels on state property 33-15-110 (2) (\$50 fine)
- 77. Operation of a vehicle on property under the control of the Division of Wildlife in a careless or imprudent manner 33-15-112 (\$100 fine)
- 78. Skiing on a ski slope or trail posted as "Closed"; skiing while ability impaired or under the influence of alcohol or a controlled substance; skier leaving the vicinity of a collision with another skier or person in which injuries are involved, without giving name and current address to an employee of the ski area; or knowingly entering upon public or private lands adjoining a ski area when such land has been closed by its owner and so posted 33-44-109 (12) (maximum \$300 fine)

**Offense Related to Agriculture**

- 79. Violation of the pest control act, except for sections 35-4-107 and 35-4-110.5 35-4-114 (maximum \$500 fine)

**Offense**

**C.R.S. Citation**

**Offenses Related to Water and Irrigation**

80. Person or corporation preventing the board of directors of the Rio Grande Water Conservation District or its employees or agents, from having access land to make surveys and examinations 37-48-131 (maximum \$50 fine)

**Taxation Offenses**

81. Seller of a mobile home knowingly failing to provide an itemized list of household furnishings which are included in the selling price of the mobile home at the time of the sale 39-5-203 (3) (b) (\$200 fine)

**Offenses Related to Vehicles and Traffic**

82. Air pollution violations, motor vehicle 42-4-412 (1) (a) (\$25 fine)
83. Owner of a manufactured home moving the home without being the holder of a paid ad valorem tax certificate and a transportable manufactured home permit 42-4-510 (12) (b) (\$200 fine)
84. Parking an unauthorized motor vehicle on private property in any area designated and marked for authorized vehicles 42-4-1210 (3) (\$25 fine)

**Offenses Related to Highways and Roads**

85. Violation of auto and tourist camps, hotels and motels in section 43-5-201 et. seq. 43-5-207 (maximum \$100 fine)

## UNCLASSIFIED PETTY OFFENSES

### Offense

### C.R.S. Citation

#### **Offenses Related to Wildlife, Parks, and Outdoor Recreation**

1. Operating or using a canoe, kayak, sailboard, or nonmotorized raft which is not required to be registered without marking it with the owner's name and current address in a legible, clearly visible, and durable fashion 33-13-104 (\$15 fine)

#### **Products Control and Safety**

2. Failure of a body artist to perform a body art procedure upon a minor without express consent from the minor's parent or guardian 25-4-2103 (\$250 fine)

# UNCLASSIFIED OFFENSES

## UNCLASSIFIED OFFENSES

This section contains a current listing of offenses for which there is a penalty but no felony or misdemeanor classification. The penalty is contained within the statute describing the offense.

All listings are current through 2004 regular session laws.

## UNCLASSIFIED OFFENSES

<u>Offense</u>	<u>C.R.S. Citation</u>
<b>Election Code Offenses</b>	
1. Offenses related to mail ballots	1-13-112 (\$5,000 maximum fine, or up to 18 months jail, or both)
2. Personating an elector	1-13-705 (\$5,000 maximum fine, or up to 18 months jail, or both)
3. Knowingly voting in wrong precinct	1-13-709 (\$5,000 maximum fine, or up to 18 months jail, or both)
4. Voting twice	1-13-710 (\$5,000 maximum fine, or up to 18 months jail, or both)
5. Offenses relating to absentee voting	1-13-803 (\$5,000 maximum fine, or up to 18 months jail, or both)
<b>Offenses Related to Corporations and Associations</b>	
6. Conducting of business in Colorado by a foreign entity without record of foreign entity authority filed with the Colorado Secretary of State	7-90-802 (3) (civil penalty of up to \$5,000)
<b>Offenses Related to Labor and Industry</b>	
7. Violation by a field labor contractor of any provision in Article 4 of Title 8	8-4-119 (1) (civil penalty of up to \$250 for each violation)
<b>Offenses Related to Professions and Occupations</b>	
8. Knowing violation by an optometrist of reporting requirements regarding the outcomes of malpractice lawsuits	12-40-127 (civil penalty of up to \$2,500)
<b>Offenses Related to Insurance</b>	
9. Illegal payment of dividends	10-3-204 (2) (\$1,000 maximum fine)
<b>Miscellaneous Offenses</b>	
10. Violation of the provisions prohibiting computer dissemination of indecent material to a child	13-21-1002 (unspecified civil penalty)



**Offense**

**C.R.S. Citation**

- 11. Possession or consumption of ethyl alcohol by a minor 18-13-122 (\$100 maximum fine and up to 24 hours of community service)
- 12. Knowing violation of confidentiality requirements in delinquency and dependency and neglect cases 19-1-303 (4.7) (civil penalty of up to \$1,000)
- 13. Violation of the provisions regarding manufactured housing in Part.33 of Article 32 of Title 24, or rules promulgated pursuant to 24-32-3305 24-32-3308 (civil penalty of up to \$1,000)

**Health-Related Offenses**

- 14. Violation of Mattresses and Bedding statute 25-5-316 (civil penalty of up to \$1,000)

**Offenses Related to Municipal Governments**

- 15. Voting more than once or offering more than one ballot 31-10-1519 ((\$5,000 maximum fine, or up to 18 months jail, or both)
- 16. Fraudulently voting in any precinct not of residence 31-10-1520 (\$5,000 maximum fine, or up to 18 months jail, or both)
- 17. Falsely personating any registered elector 31-10-1529 (\$5,000 maximum fine, or up to 18 months jail, or both)
- 18. Knowingly violating the provisions of Article 10 of Title 31 relative to the casting of absent voters' ballots or aiding in connection with any fraudulent absentee ballot to be cast 31-10-1537 (\$5,000 maximum fine, or up to 18 months jail, or both)

**Offenses Related to Agriculture**

- 19. Violation of the provisions regarding the content of seed that is sold, bartered, or distributed in Colorado 35-27-113 (2) (b) (civil penalty of up to \$2,500 per violation)
- 20. Violation of the provisions in Article 33 of Title 35 regarding the slaughter, processing, and sale of meat animals 35-33-405 (1) (civil penalty of up to \$750 per day for each violation)

**Offenses Related to Utilities**

- 21. Violation of, or failure to comply with, or helping another in noncompliance with any provision regarding moving companies, or failure to comply, or helping another in noncompliance with an order, decision, or rule of the Public Utilities Commission regarding moving companies 40-14-112 (3) (civil penalties ranging from \$400 to \$11,000, depending on the offense)

**Offense**

**C.R.S. Citation**

**Offenses Related to Transportation**

- |   |   |
|---|---|
| 22. Violation of the provisions regarding registration of motor vehicles  | 42-6-139 (4) (civil penalty of \$500)               |
| 23. A first violation of presenting false insurance identification for the purpose of proving financial responsibility in an automobile accident            | 42-7-301.5 (2) (\$1,000 minimum fine)               |
| A second or subsequent violation of presenting false insurance identification for the purpose of proving financial responsibility in an automobile accident | 42-7-301.5 (2) (\$1,500 fine)                       |
| 24. Evading a toll established by an authority  | 43-4-506.5 (3) (a) (civil penalty of \$10 to \$100) |
| 25. Evading a toll established by an enterprise   | 43-4-811 (3) (a) (civil penalty of \$10 to \$100)   |

# **TRAFFIC INFRACTIONS**

## TRAFFIC INFRACTIONS

This section contains a current listing of traffic infractions. Traffic infractions have two categories: class A and class B. The penalty range for the commission of a class A or class B traffic infraction is a \$15 to \$100 fine. In addition, certain traffic infractions may carry the assessment of points against a driver's license pursuant to Section 42-2-127, C.R.S.

All listings are current through 2004 regular session laws.

## TRAFFIC INFRACTIONS

<u>Offense</u>	<u>C.R.S. Citation</u>
1. Driving a motor vehicle with an expired license, driving or operating a motor vehicle without a valid license in immediate possession	42-2-101 (10) (class B traffic infraction)
2. Violation of special restrictions on certain drivers	42-2-105 (3) (class A traffic infraction)
3. Violation of section 42-2-105.5 relating to restrictions placed on drivers under the age of seventeen	42-2-105.5 (class A traffic infraction)
4. Violation of provisions regarding instruction permits and temporary licenses	42-2-106 (3) (class A traffic infraction)
5. Violation of any of the provisions regarding restricted licenses	42-2-116 (6) (class A traffic infraction)
6. Failure to notify the Department of Revenue, within ten days, of a change in address or name by marriage after applying for or receiving a driver's license or motor registration number	42-2-119 (3) (class B traffic infraction)
7. Permitting an unauthorized minor to drive	42-2-139 (2) (class B traffic infraction)
8. Permitting an unauthorized person to drive	42-2-140 (2) (class B traffic infraction)
9. Violation of any provision of Part 1 of Article 2 of Title 42 for which no other penalty is specified	42-2-142 (class B traffic infraction)
10. Failure to register a motor vehicle, trailer, or semi-trailer within 45 days of purchase	42-3-103 (1) (class B traffic infraction)
11. Violation of the provisions regarding the placement of number plates to a motor vehicle other than a motorcycle	42-3-123 (3) (a) (class B traffic infraction)
12. Violation of the provisions regarding coverings that distort the readability of number plates	42-3-123 (3) (b) (class A traffic infraction)
13. Violation of the provisions regarding the expiration of temporary, new, and old license plates, and reflectorized plates	42-3-124 (1) (a) (class B traffic infraction)
14. Use of a temporary vehicle registration tag after the expiration of the period for which it was issued	42-3-124 (3) (a) (class B traffic infraction)
15. Operation of a vehicle which is not registered; lending registration card to another vehicle	42-3-133 (2) (a) (class B traffic infraction)

**Offense****C.R.S. Citation**

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| 16. Permit the use of any noncommercial or recreational vehicle, truck, or truck tractor registered as a collector's item to transport cargo or passengers for profit or hire in any business or commercial enterprise | 42-3-133 (2) (c) (class B traffic infraction) |
| 17. Violation of any provision of Article 3 of Title 42 for which no other penalty is provided in said article   | 42-3-142 (class B traffic infraction)         |
| 18. Violation of any of the provisions regarding who may restrict the right to use highways  | 42-4-106 (8) (class B traffic infraction)     |
| 19. Violation of any of the provisions regarding bicycles, motorized bicycles, animals, skis, skates, and toy vehicles on highways   | 42-4-109 (13) (class B traffic infraction)    |
| 20. Operating a neighborhood electric vehicle on a highway or limited access highway   | 49-4-109.5 (class B traffic infraction)       |
| 21. Violation of any of the provisions regarding obstruction of view or driving mechanism  | 42-4-201 (8) (class A traffic infraction)     |
| 22. Violation of any of the provisions regarding unsafe vehicles - identification plates   | 42-4-202 (5) (class A traffic infraction)     |
| 23. Violation of any of the provisions regarding lighted lamps required for a vehicle  | 42-4-204 (4) (class A traffic infraction)     |
| 24. Violation of any of the provisions regarding headlamps on vehicles   | 42-4-205 (4) (class B traffic infraction)     |
| 25. Violation of any of the provisions regarding tail lamps and reflectors on vehicles   | 42-4-206 (7) (class B traffic infraction)     |
| 26. Violation of any of the provisions regarding vehicle clearance and identification  | 42-4-207 (6) (class B traffic infraction)     |
| 27. Violation of any of the provisions regarding vehicle stop lamps and turn signals   | 42-4-208 (4) (class B traffic infraction)     |
| 28. Violation of the provision regarding vehicle lamp or flag on a projecting load   | 42-4-209 (class A traffic infraction)         |
| 29. Violation of any of the provisions regarding lamps on parked vehicles  | 42-4-210 (4) (class B traffic infraction)     |
| 30. Violation of any of the provisions regarding lamps on farm equipment and other vehicles and equipment  | 42-4-211 (8) (class B traffic infraction)     |

**Offense****C.R.S. Citation**

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| 31. Violation of any of the provisions regarding vehicle spot lamps and auxiliary lamps  | 42-4-212 (5) (class B traffic infraction)     |
| 32. Violation of any of the provisions regarding audible and visual signals on emergency vehicles  | 42-4-213 (6) (class A traffic infraction)     |
| 33. Violation of any of the provisions regarding visual signals on service vehicles  | 42-4-214 (6) (class B traffic infraction)     |
| 34. Violation of any of the provisions regarding signal lamps and devices - additional lighting equipment  | 42-4-215 (9) (class B traffic infraction)     |
| 35. Violation of any of the provisions regarding multiple-beam road lights   | 42-4-216 (3) (class B traffic infraction)     |
| 36. Violation of any of the provisions regarding use of multiple-beam lights   | 42-4-217 (2) (class A traffic infraction)     |
| 37. Violation of any of the provisions regarding single-beam road-lighting equipment   | 42-4-218 (2) (class B traffic infraction)     |
| 38. Violation of the provision regarding the number of lamps permitted on a motor vehicle  | 42-4-219 (class B traffic infraction)         |
| 39. Violation of any of the provisions regarding bicycles - motorized bicycles - motor-driven cycles - lighting equipment - department control - use and operation | 42-4-220 (14) (class B traffic infraction)    |
| 40. Violation of the provisions regarding bicycle equipment  | 42-4-221 (9) (class B traffic infraction)     |
| 41. Wrongful use of lights or signals by volunteer fire departments  | 42-4-222 (1) (class B traffic infraction)     |
| 42. Violation of any of the provisions regarding motor vehicle brake equipment   | 42-4-223 (3) (class A traffic infraction)     |
| 43. Violation of any of the provisions regarding horns or warning devices  | 42-4-224 (6) (class B traffic infraction)     |
| 44. Violation of any of the provisions regarding motor vehicle mufflers - prevention of noise  | 42-4-225 (3) (class B traffic infraction)     |
| 45. Violation of any of the provisions regarding exterior placement of mirrors on motor vehicles   | 42-4-226 (3) (class B traffic infraction)     |
| 46. Violation of provisions regarding tinted windows and windshield wipers   | 42-4-227 (3) (a) (class B traffic infraction) |

**Offense****C.R.S. Citation**

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| 47. Violation of any of the provisions of subsections 42-4-225 (1), (2), (3), (5), or (6) regarding restrictions on motor vehicle tire equipment | 42-4-228 (8) (a) (class A traffic infraction) |
| 48. Violation of any of the provisions regarding safety glazing material in motor vehicles   | 42-4-229 (5) (class B traffic infraction)     |
| 49. Violation of any of the provisions regarding who must carry motor vehicle emergency lighting equipment                                       | 42-4-230 (5) (class B traffic infraction)     |
| 50. Violation of the provision regarding motor vehicle parking lights  | 42-4-231 (class B traffic infraction)         |
| 51. Violation of any of the provisions regarding minimum safety standards for motorcycles and motor-driven cycles                                | 42-4-232 (4) (class A traffic infraction)     |
| 52. Violation of any of the provisions regarding slow-moving vehicles - display of emblem  | 42-4-234 (4) (class B traffic infraction)     |
| 53. Violation of any of the provisions regarding child restraint systems required for motor vehicles   | 42-4-236 (7) (class B traffic infraction)     |
| 54. Operation of a motor vehicle while not wearing a safety belt or while any passenger is not wearing a safety belt                             | 42-4-237 (4) (class B traffic infraction)     |
| 55. Violation of any of the provisions of section 42-4-314 regarding tampering with automobile air pollution control systems                     | 42-4-314 (3) (class A traffic infraction)     |
| 56. Violation of any of the provisions regarding the width of vehicles   | 42-4-502 (6) (class B traffic infraction)     |
| 57. Violation of the provisions regarding projecting loads on passenger vehicles   | 42-4-503 (class B traffic infraction)         |
| 58. Violation of any of the provisions regarding the height and length of vehicles   | 42-4-504 (7) (class B traffic infraction)     |
| 59. Violation of any of the provisions regarding longer vehicle combinations   | 42-4-505 (5) (class B traffic infraction)     |
| 60. Violation of any of the provisions regarding trailers and towed vehicles   | 42-4-506 (4) (class B traffic infraction)     |
| 61. Violation of any of the provisions regarding the liability for damage to highways  | 42-4-512 (3) (class A traffic infraction)     |



**Offense****C.R.S. Citation**

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| 62. Violation of any of the provisions regarding obedience to official traffic control devices                                       | 42-4-603 (5) (class A traffic infraction) |
| 63. Violation of any of the provisions regarding traffic control signal legends  | 42-4-604 (2) (class A traffic infraction) |
| 64. Violation of any of the provisions regarding flashing signals  | 42-4-605 (3) (class A traffic infraction) |
| 65. Violation of any of the provisions regarding the display of unauthorized signs or devices upon or in view of a public highway    | 42-4-606 (3) (class A traffic infraction) |
| 66. Interference, actual or remote, with any official traffic control device or any railroad sign or signal without lawful authority | 42-4-607 (class B traffic infraction)     |
| 67. Violation of any of the provisions regarding signals by hand or signal device  | 42-4-608 (3) (class A traffic infraction) |
| 68. Violation of any of the provisions regarding the method of giving hand and arm signals   | 42-4-609 (2) (class A traffic infraction) |
| 69. Violation of the provision regarding the displaying of any unauthorized insignia on a motor vehicle                              | 42-4-610 (class B traffic infraction)     |
| 70. Violation of any of the provisions regarding inoperative or malfunctioning traffic signals                                       | 42-4-612 (3) (class A traffic infraction) |
| 71. Failing to pay a required fee, toll, rate, or charge established by a rural transportation authority                             | 42-4-613 (class A traffic infraction)     |
| 72. Violation of any of the provisions regarding vehicles approaching or entering an intersection                                    | 42-4-701 (3) (class A traffic infraction) |
| 73. Violation of the provision regarding vehicles turning left   | 42-4-702 (class A traffic infraction)     |
| 74. Violation of any of the provisions regarding entering a highway through a stop or yield intersection                             | 42-4-703 (5) (class A traffic infraction) |
| 75. Violation of the provision regarding entering a roadway from any place other than another roadway                                | 42-4-704 (class A traffic infraction)     |
| 76. Failure to yield the right-of-way upon approach of an emergency vehicle  | 42-4-705 (class A traffic infraction)     |
| 77. Violation of any of the provisions regarding obedience to railroad signals   | 42-4-706 (3) (class A traffic infraction) |

**Offense****C.R.S. Citation**

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| 78. Failure to stop a railroad grade crossing  | 42-4-707 (6) (class A traffic infraction)                    |
| 79. Violation of any of the provisions regarding moving heavy equipment at railroad grade crossings                            | 42-4-708 (6) (class B traffic infraction)                    |
| 80. Violation of the provision regarding a required stop when traffic is obstructed  | 42-4-709 (class A traffic infraction)                        |
| 81. Violation of any of the provisions regarding emergence of a motor vehicle from or entering an alley, driveway, or building | 42-4-710 (4) (class A traffic infraction)                    |
| 82. Violation of the provisions regarding driving on mountain highways   | 42-4-711 (3) (class A traffic infraction)                    |
| 83. Violation of any of the provisions regarding driving in a highway work area  | 42-4-712 (3) (class A traffic infraction)                    |
| 84. Violation of any of the provisions regarding pedestrian obedience to traffic control devices and traffic regulations       | 42-4-801 (4) (class B traffic infraction)                    |
| 85. Violation of any of the provisions regarding pedestrians' right-of-way in crosswalks                                       | 42-4-802 (6) (class A traffic infraction)                    |
| 86. Violation of any of the provisions regarding pedestrian crossing at other than crosswalks                                  | 42-4-803 (5) (class B traffic infraction)                    |
| 87. Violation of any of the provisions regarding pedestrians upon highways   | 42-4-805 (9) (class B traffic infraction)                    |
| 88. Violation of the provision prohibiting driving through a safety zone   | 42-4-806 (class A traffic infraction)                        |
| 89. Violation of the provision requiring drivers to exercise due care  | 42-4-807 (class A traffic infraction)                        |
| 90. Failure of drivers and pedestrians to yield to handicapped person  | 42-4-808 (1) (\$15 to 100 fine) (class A traffic infraction) |
| 91. Violation of any of the provisions regarding required position and method of turning a motor vehicle                       | 42-4-901 (3) (class A traffic infraction)                    |
| 92. Violation of any of the provisions regarding limitations on turning a motor vehicle around                                 | 42-4-902 (4) (class A traffic infraction)                    |
| 93. Violation of any of the provisions regarding required signals for turning movements  | 42-4-903 (5) (class A traffic infraction)                    |

**Offense****C.R.S. Citation**

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| 94. Violation of any of the provisions making exceptions to the requirement that vehicles drive on the right side | 42-4-1001 (4) (class A traffic infraction)     |
| 95. Violation of the requirements for passing oncoming vehicles   | 42-4-1002 (class A traffic infraction)         |
| 96. Violation of the provisions regarding overtaking a vehicle on the left  | 42-4-1003 (2) (class A traffic infraction)     |
| 97. Violation of the provisions regarding overtaking a vehicle on the right                                       | 42-4-1004 (3) (class A traffic infraction)     |
| 98. Violation of the provisions limiting overtaking on the left   | 42-4-1005 (5) (class A traffic infraction)     |
| 99. Violation of any of the provisions regarding one-way roadways and rotary traffic islands                      | 42-4-1006 (4) (class A traffic infraction)     |
| 100. Violation of any of the provisions regarding driving on roadways laned for traffic                           | 42-4-1007 (2) (class A traffic infraction)     |
| 101. Following too closely in any motor vehicle   | 42-4-1008 (4) (class A traffic infraction)     |
| 102. Violation of the provisions prohibiting coasting upon a downgrade  | 42-4-1009 (3) (class A traffic infraction)     |
| 103. Violation of any of the provisions regarding driving on divided or controlled-access highways                | 42-4-1010 (4) (class A traffic infraction)     |
| 104. Violation of any of the provisions regarding the use of runaway vehicle ramps                                | 42-4-1011 (3) (class A traffic infraction)     |
| 105. Use of a high occupancy vehicle lane in violation of imposed restrictions                                    | 42-4-1012 (3) (a) (class A traffic infraction) |
| 106. Violation of any of the provisions regarding driving in the passing lane                                     | 42-4-1013 (37) (class A traffic infraction)    |
| 107. Violation of any of the provisions regarding driving in excess of the maximum posted speed limit             | 42-4-1101 (12) (class A traffic infraction)    |
| 108. Violation of any of the provisions regarding minimum speed regulations                                       | 42-4-1103 (5) (class A traffic infraction)     |
| 109. Violation of any of the provisions regarding speed limits on elevated structures                             | 42-4-1104 (4) (class A traffic infraction)     |
| 110. Violation of the provision regarding starting a parked vehicle   | 42-4-1201 (class A traffic infraction)         |

**Offense****C.R.S. Citation**

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| 111. Violation of the provisions regarding parking or abandonment of vehicles   | 42-4-1202 (2) (class B traffic infraction)       |
| 112. Violation of any of the provisions prohibiting stopping, standing, or parking in specified places  | 42-4-1204 (7) (class B traffic infraction)       |
| 113. Violation of any of the provisions regarding parking at a curb or the edge of a roadway  | 42-4-1205 (4) (class B traffic infraction)       |
| 114. Violation of the provision regarding an unattended motor vehicle   | 42-4-1206 (class B traffic infraction)           |
| 115. Violation of the provision regarding the opening and closing of vehicle doors  | 42-4-1207 (class B traffic infraction)           |
| 116. Exercising the parking privileges for the handicapped by one who is not a handicapped person   | 42-4-1208 (6) (class B traffic infraction)       |
| 117. Use of a disabled veteran special license plate or a license plate or placard issued to a handicapped by a person who is not a disabled veteran or handicapped   | 42-4-1208 (7) (class B traffic infraction)       |
| 118. Violation of any of the provisions regarding limitations on backing a vehicle  | 42-4-1211 (2) (class A traffic infraction)       |
| 119. A first violation of the prohibition against a person under 21 years of age driving a vehicle when the person's blood alcohol content is at least 0.02 but not more than 0.05 at the time of driving or within two hours after driving | 42-4-1301 (2) (a.5) (class A traffic infraction) |
| 120. Violation of the provision prohibiting the following of fire apparatus   | 42-4-1403 (class A traffic infraction)           |
| 121. Violation of the provision prohibiting a motor vehicle from crossing a fire hose   | 42-4-1404 (class B traffic infraction)           |
| 122. Occupying a trailer while it is being moved upon a public highway  | 42-4-1405 (class B traffic infraction)           |
| 123. Violation of any of the provisions prohibiting foreign matter on highways  | 42-4-1406 (5) (class B traffic infraction)       |
| 124. Violation of any of the provisions that prohibit spilling loads on highways  | 42-4-1407 (3) (a) (class B traffic infraction)   |
| 125. Spilling a load on a highway if the spill occurred while a person was driving or moving a vehicle  | 42-4-1407 (3) (b) (class A traffic infraction)   |

**Offense****C.R.S. Citation**

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|---|--|
| 126. Driving a motor vehicle that does not have splash guards on streets or highways  | 42-4-1407.5 (4) (class B traffic infraction)   |
| 127. Violation of any of the provisions regarding the operation of motor vehicles on property under the control of or owned by parks and recreation districts   | 42-4-1408 (3) (class B traffic infraction)     |
| 128. Violation of any of the provisions regarding the use of earphones while driving a motor vehicle  | 42-4-1411 (2) (class B traffic infraction)     |
| 129. Driving a motor vehicle upon a highway using dyed diesel fuel  | 42-4-1414 (2) (a) (class B traffic infraction) |
| 130. Violation of any of the provisions regarding riding on motorcycles   | 42-4-1502 (5) (class A traffic infraction)     |
| 131. Violation of any of the provisions regarding operating motorcycles on roadways laned for traffic   | 42-4-1503 (6) (class A traffic infraction)     |
| 132. Violation of the provision prohibiting a person riding upon a motorcycle from clinging to another vehicle  | 42-4-1504 (class A traffic infraction)         |
| 133. Failure to have a copy of an annual or single trip hazardous materials transportation permit in the cab of the vehicle transporting hazardous materials after obtaining such permit, unless the permit can be electronically verified at the time of contact by the peace officer. | 42-20-204 (2) (class B traffic infraction)     |

**CRIMES LISTED**

**BY**

**TYPE**

## **FELONIES AND MISDEMEANORS BY CRIME TYPE**

This section lists all class 1 through class 6 felonies and class 1 through class 3 misdemeanors by category of crime. The categories correspond to the headings of the 24 titles comprising the Colorado Revised Statutes. This section does not include unclassified felonies or misdemeanors, petty offenses, or traffic infractions.

This listing allows the review of all of the various offense levels of a specific crime. Each numbered item is a new offense. Each un-numbered item that follows is a different offense level of the same crime. For instance, all of the felony and misdemeanor sexual assault offenses are listed beginning on page 224. Item number 137 lists the class 2 felony, class 3 felony, class 4 felony and class 1 misdemeanor crimes of sexual assault. Also listed under the heading of sexual assault are the felony and misdemeanor crimes of unlawful sexual contact, sexual assault on a child, sexual assault on a child by one in a position of trust, sexual assault on a client by a psychotherapist, and sex offenders against children - duty to register.

There are some instances in which all crimes of a certain type are not listed together because they are located in different places in the statutes. For example, the crimes of assault against at-risk adults and at-risk juveniles are listed on page 244 in a separate section of the statutes dealing with wrongs to at-risk adults and at-risk juveniles. The detailed table of contents on page viii lists the categories of specific crimes.

All listings are current through 2004 regular session laws.

**Elements of Offense**

**C.R.S. Citation**

**ELECTIONS**

**Election Offenses**

1. ***False certificates by officers.*** Making a false certificate in connection with an election is a class 1 misdemeanor. 1-13-105
2. ***Penalties for election offenses - forgery.*** Anyone who forges, makes, or alters any ballot, petition, nomination paper, or letter of acceptance, declination, or withdrawal, commits forgery in the second degree, which is a class 5 felony. 1-13-106
3. ***False statements relating to candidates or questions submitted to electors.*** False statements relating to candidates or questions submitted to electors is a class 2 misdemeanor. 1-13-109 (2)
4. ***False information regarding residence.*** Any person who votes by giving a false place of residence commits a class 6 felony. 1-2-228, 1-9-304.5, and 1-13-709.5
5. ***Fair Campaign Practices Act.*** Willfully and intentionally violating provisions of the Fair Campaign Practices Act or failing to disclose campaign contributions or expenditures is a class 2 misdemeanor. 1-45-113 (1)

**UNIFORM COMMERCIAL CODE**

**Secured Transactions**

6. ***Taking possession after default.*** Knowing falsification of a repossession bond application or misrepresentation of information contained in the application is a class 1 misdemeanor. 4-9-629 (e)

**CONSUMER AND COMMERCIAL AFFAIRS**

**Colorado Consumer Protection Act**

7. ***Promoting pyramid promotional scheme.*** Anyone who is convicted of a second or subsequent offense of promoting a pyramid promotional scheme commits a class 6 felony. 6-1-114



**Elements of Offense**

**C.R.S. Citation**

Promoting a pyramid promotional scheme or commission of any deceptive trade practice by a hearing aid dealer is a class 1 misdemeanor.

6-1-114

8. ***Telemarketing fraud.*** Conducting business as a commercial telephone seller without having registered with the attorney general and after receiving notice of noncompliance from the attorney general or district attorney is a class 1 misdemeanor.

6-1-305 (1) (a)

Knowingly engaging in any unlawful telemarketing practice as defined in section 6-1-304 (1) (b) to (1) (h) is a class 1 misdemeanor.

6-1-305 (1) (b)

**Colorado Antitrust Act of 1992**

9. ***Violations.*** Violation of any of the provisions of sections 6-4-104, 6-4-105, or 6-4-106 of the Colorado Antitrust Act of 1992 regarding illegal restraint or trade or commerce, monopolization, and bid-rigging is a class 5 felony.

6-4-117 (2)

**Colorado Charitable Solicitations Act**

10. ***Violations.*** The commission of charitable fraud according to section 6-16-111 (1) (b), (c), (d), (f), or (g) is a class 5 felony.

6-16-111 (2)

Charitable fraud pursuant to section 6-16-111 (1) (a) or (e) involving three separate contributors in any one solicitation campaign is a class 5 felony.

6-16-111 (3)

Violation of the provisions of section 6-16-111 (1) (a) or (e) of the Colorado Charitable Solicitations Act is a class 2 misdemeanor.

6-16-111 (3)

**LABOR AND INDUSTRY**

**Division of Labor — Industrial Claim Appeals Office**

11. ***Penalty for false statements.*** Anyone who willfully makes a false statement or misrepresentation for the purposes of obtaining a benefit under Article 1 of Title 8 regarding the Division of Labor's Industrial Claim Appeals Office commits a class 5 felony.

8-1-144

**Elements of Offense**

**C.R.S. Citation**

**Labor Relations**

12. *Armed guards.* Anyone who brings workmen into this state to guard other persons or property with arms, or removes them from one place to another without a permit from the Governor, commits a class 6 felony. 8-2-106

**Labor Peace Act**

13. *Unfair labor practices.* Disclosing who signed a petition or how a person voted in a labor election or refusing to call an election is a class 2 misdemeanor. 8-3-108 (1) (c) (V)

**Petroleum Storage Tanks**

14. *Confidentiality.* Release of confidential records regarding petroleum storage tanks is a class 3 misdemeanor. 8-20.5-105 (2)

**Labor and Industry — Enforcement and Penalties**

15. *Penalty for false statements/Workers' Compensation Act of Colorado.* Anyone who willfully makes a false statement or misrepresentation material to the claim in order to obtain labor benefits under Articles 40 to 47 of Title 8 commits a class 5 felony. 8-43-402

**Insurance**

16. *Data related to workers' compensation.* Release of confidential data obtained pursuant to the collection of data and statistics regarding the workers' compensation system of Colorado is a class 2 misdemeanor. 8-44-113 (1) (a)

**SAFETY — INDUSTRIAL AND COMMERCIAL**

**Construction Requirement**

17. *Willful negligence to observe construction requirement.* If any lives are lost by reason of the willful negligence and failure to observe the construction and fire regulations for buildings to be used for public assemblages, the person through whose default such loss of life was occasioned commits a class 6 felony. 9-1-106

**Elements of Offense**

**C.R.S. Citation**

18. *Excavation requirements.* Willfully or maliciously removing markings used to mark the location of underground facilities is a class 2 misdemeanor. 9-1.5-103 (4) (b.5)

**Explosives**

19. *Death by negligence.* Any person who knowingly and unlawfully places or allows explosives to be placed on a vehicle which results in the death of another commits a class 4 felony. 9-6-104
20. *Unlawfully transporting explosives.* Any person who unlawfully transports explosives in violation of Article 6 of Title 9 commits a class 6 felony. 9-6-103

**INSURANCE**

**Violation of Insurance Laws**

21. *Unauthorized companies.* Procuring, receiving, or forwarding applications for insurance in, or to issue or to deliver policies for any insurance company not legally authorized to do business in this state is a class 1 misdemeanor. 10-3-104
22. *Regulation of insurance companies.* Any insurer who wilfully violates the provisions of Article 8 of Title 10 regarding regulation of insurance holding companies commits a class 6 felony. 10-3-810
23. *Property and casualty companies.* Violation of Fraudulent Claims and Arson Information Reporting Act is a class 2 misdemeanor. 10-4-1007
24. *Captive insurance companies.* Knowingly or willfully making any materially false certificate, entry, or memo on any of the books or papers of any captive insurance company or on any statement filed or to be filed in the Division of Insurance is a class 2 misdemeanor. 10-6-128.5 (4)
25. *Preneed funeral contracts.* Violation of any of the provisions regarding preneed funeral contracts or violation of a cease and desist order issued regarding preneed funeral contracts is a class 3 misdemeanor. 10-15-118 (1)

**FINANCIAL INSTITUTIONS**

**Credit Unions**

26. ***Suspension or removal.*** Performing any duty or exercising any power of a credit union after suspension or removal order is a class 1 misdemeanor. 11-30-106 (8) (b) (IV)

**Foreign Capital Depositories**

27. ***Civil liability for wrongful disclosure of financial record.*** A director, executive officer, controlling person, or employee of a foreign capital depository or an officer, employee, or agent of a state or local agency who knowingly discloses a financial record in violation of any of the privacy protection provisions of the Colorado Foreign Capital Depository Act commits a class 6 felony. 11-37.5-215 (2)

Disclosing the identity of a customer under investigation or audit of a foreign capital depository to another person not associated with the investigation or audit is a class 1 misdemeanor. 11-37.5-213 (2)

Disclosing financial records that violate the privacy protection provisions of foreign capital depositories is a class 1 misdemeanor. 11-37.5-215 (2)

28. ***Violation.*** Second violation of provisions relating to the "Colorado Foreign Depository Act" is a class 2 misdemeanor. 11-37.5-503 (2)

Operating a foreign capital depository in violation to the "Colorado Foreign Capital Depository Act" is a class 3 misdemeanor. 11-37.5-503 (1)

**Organization and Powers**

29. ***Defrauding savings and loan associations.*** Any employee of any savings and loan association who attempts to steal or defraud the association of any of its funds, securities, or properties, commits a class 5 felony. 11-41-127 (1)

**Foreign Savings and Loan Associations**

30. ***Restrictions on foreign associations.*** Operation by a foreign savings and loan association of an office in this state in order to sell its shares or accounts or make new loans in this state is a class 2 misdemeanor. 11-43-101

**Elements of Offense**

**C.R.S. Citation**

**Division of Financial Services**

31. *Suspension or removal.* Performing any duty or exercising any power of a domestic savings and loan association after suspension or removal order is a class 1 misdemeanor. 11-44-106.5 (2) (c)

**Securities**

32. *Fraudulent practices.* Any person who willfully violates the provisions of section 11-51-501 regarding the fraudulent offer, sale, or purchase of any security, directly or indirectly, commits a class 3 felony. 11-51-603 (1)
33. *Violation of securities act.* Any person who wilfully violates the provisions of the Colorado Securities Act (Article 51 of Title 11) commits a class 6 felony. 11-51-603 (2)

**Colorado Commodity Code**

34. *Unlawful activities - commodity sales.* Any violation of any provision of Article 53 of Title 11 or section 11-53-108 regarding the Colorado Commodity Code, when the person makes a statement which is false or misleading, is a class 3 felony. 11-53-204 (1)

**Uniform Facsimile Signature of Public Officials Act**

35. *Violation of "Uniform Facsimile Signature of Public Officials Act".* Any person who violates the provisions of Article 55 of Title 11 commits a class 6 felony. 11-55-105

**Colorado Municipal Bond Supervision Act**

36. *Criminal penalties.* Any person who willfully makes a false or misleading statement in any document filed with the securities commissioner commits a class 3 felony. 11-59-115 (1)
- Violation of any of the provisions or any rule or order of the Colorado Municipal Bond Supervision Act is a class 3 misdemeanor. 11-59-115 (2)

**Division of Banking**

37. *Derogatory statements.* Making a false derogatory statement regarding the financial condition of a state bank is a class 2 misdemeanor. 11-102-508

**Elements of Offense**

**C.R.S. Citation**

**State Banking Commissioner**

38. *Violation of banking laws.* Any person responsible for any act or omission expressly declared to be criminal by the banking code, if the act or omission was intended to defraud, commits a class 6 felony. 11-107-108 (1) (b)
39. *Penalty for violation or non-performance of duties concerning the State Banking Commission.* Any person who willfully fails to perform any act required, or commits any act in violation of his or her duties concerning bank examinations and liquidations, commits a class 5 felony. 11-107-109
40. *Derogatory statements.* Making a false derogatory statement regarding the financial condition of any industrial bank is a class 2 misdemeanor. 11-108-401 (16)
41. *Violation of industrial banking laws.* Any person associated with an industrial bank who embezzles or misapplies funds of an industrial bank in an amount exceeding \$5,000 commits a class 6 felony. 11-108-801 (3)
- Violation of statute governing industrial banks is a class 1 misdemeanor. 11-108-801 (2)
- Embezzlement of funds from industrial bank of less than \$5,000 is a class 1 misdemeanor. 11-108-801 (3)
- Violation of statute governing industrial banks for which no other penalty is provided is a class 1 misdemeanor. 11-108-802

**PROFESSIONS AND OCCUPATIONS**

**Accountants**

42. *Violation.* Violation of any provision of the statute regulating accountants or a cease and desist order issued pursuant to section 12-2-126 is a class 3 misdemeanor. 12-2-129

**Architects**

43. *Violation.* Violation of the provisions regarding the practice of architecture is a class 3 misdemeanor. 12-4-113 (1)

**Elements of Offense**

**C.R.S. Citation**

**Automobiles**

44. ***Licensure.*** Any violation of Part 1 of Article 6 of Title 12 regarding the licensure of motor vehicle dealers is a class 1 misdemeanor. 12-6-121
- Acting as a motor vehicle dealer, manufacturer, distributor, wholesaler, branch, representative, agent, or salesperson unless duly licensed is a class 3 misdemeanor. 12-6-121
45. ***Violation of automobile dealer "Antimonopoly Financing Law".*** Any person who violates the provisions of Part 2 of Article 6 of Title 12 commits a class 6 felony. 12-6-210

**Barbers and Cosmetologists**

46. ***Violation.*** Practicing barbering or cosmetology without a license or knowingly employing a barber or cosmetologist without a license is a class 2 misdemeanor. 12-8-127 (1)

**Bingo and Raffles Law**

47. ***Violation.*** Willful violation, procurement, aiding, or abetting in violation of the Bingo and Raffles Law is a class 2 misdemeanor. 12-9-114

**Boxing**

48. ***Toughperson fighting.*** Violation of any of the provisions regarding the prohibition against toughperson fighting in Colorado is a class 1 misdemeanor. 12-10-107.5
49. ***Violation.*** Willful violation of the "Colorado Professional Boxing Safety Act" is a class 2 misdemeanor. 12-10-110 (2)

**Slaughterers**

50. ***Violation.*** Violation of any of the provisions regarding slaughterers by any person, company, or corporation within three years of a previous violation is a class 1 misdemeanor. 12-11-109 (2)
- Violation of any of the provisions regarding slaughterers is a class 3 misdemeanor. 12-11-109 (1)
51. ***Slaughtering of another's animals.*** Unlawful butchering of another's animals is a class 1 misdemeanor. 12-11-110 (3)

**Elements of Offense**

**C.R.S. Citation**

**Fair Debt Collection Practices Act**

52. **Violations.** Violation of the provisions of section 12-14-128 (1) through (4) of the Colorado Fair Debt Collection Practices Act is a class 1 misdemeanor. 12-14-129

**Credit Services Organization Act**

53. **Violations.** Violation of any of the provisions of the Colorado Credit Services Organization Act (Article 14.5 of Title 12) is a class 1 misdemeanor. 12-14.5-110 (1)

**Farm Products and Farm Commodity Warehouses**

54. **Farm products.** A person commits a class 6 felony if that person:
- a) makes fraudulent charges or returns for the handling, sale, or storage or for any service in connection with the handling, sale, or storage of farm products; 12-16-115 (1) (a)
  - b) willfully fails or refuses to render a true account of sales or storage or to make a settlement thereon to pay for farm products received within the time and in the manner required by Part 1 of Article 16 of Title 12; 12-16-115 (1) (b)
  - c) intentionally makes false or misleading statements as to market conditions for farm products or false or misleading statements as to the condition, quality, or quantity of farm products received, handled, sold, or stored; 12-16-115 (1) (c)
  - d) engages in fictitious sales, in collusion, or in unfair practices to defraud the owners; or 12-16-115 (1) (d)
  - e) acts as a dealer, small volume dealer, agent, or transporter without having obtained a license or acts as a dealer or agent without having executed and delivered a surety bond as provided in Part 1 of Article 16 of Title 12. 12-16-115 (1) (e)
- Committing fraud or deception in the procurement of a farm products license is a class 1 misdemeanor. 12-16-115 (1) (g)
- Failure to comply with any lawful order of the Commissioner of Agriculture concerning administration of the Farm Products Act is a class 1 misdemeanor. 12-16-115 (1) (h)



**Elements of Offense**

**C.R.S. Citation**

Interfering or hindering an authorized representative of the Commissioner of Agriculture pursuant to the Farm Products Act is a class 1 misdemeanor.	12-16-115 (1) (i)
Failure of a licensed cash buyer to pay in cash or farm products for any transaction without first complying with the bonding requirements of section 12-16-106 is a class 1 misdemeanor.	12-16-115 (1) (l)
Purchasing \$20,000 or more worth of farm products in one year for processing or resale, or purchasing \$2,500 or more worth of farm products in any single transaction by one who is licensed as a small-volume dealer is a class 1 misdemeanor.	12-16-115 (1) (m)
Violation of any unspecified provision of the Farm Products Act is a class 1 misdemeanor.	12-16-116 (2)
55. <b><i>Farm commodity warehousing.</i></b> A person commits a class 6 felony if that person:	
a) makes fraudulent charges or returns for the handling, sale, or storage or for the rendering of any service in connection with the handling, sale, or storage of any commodities;	12-16-221 (1) (a)
b) willfully fails or refuses to render a true account of sales or storage or to make a settlement thereon or to pay for commodities received within the time and in the manner required by Part 2 of Article 16 of Title 12;	12-16-221 (1) (b)
c) intentionally makes false or misleading statements as to the market conditions for commodities or false or misleading statements as to the condition, quality, or quantity of commodities received, handled, sold, or stored;	12-16-221 (1) (c)
d) engages in fictitious sales, in collusion, or in unfair practices to defraud the owners;	12-16-221 (1) (d)
e) acts as a commodity handler without a license or filing a surety bond or letter of credit; or	12-16-221 (1) (e)

**Elements of Offense**

**C.R.S. Citation**

- f) willfully alters or destroys any negotiable warehouse receipt or the record of such receipt or issuing a receipt without preserving a record thereof; or issues a receipt when the commodity described is not available; or issues, with intent of defraud, a second receipt for a commodity for which a valid negotiable warehouse receipt is already outstanding and in force; or while any valid receipt is outstanding and in force, sells, pledges, mortgages, encumbers, or transfers a commodity in violation of the provisions of Part 2 of Article 16 of Title 12 without the written consent of the holder of the receipt. 12-16-221 (1) (j)
- Committing fraud or deception in the procurement of a farm commodity warehouse license is a class 1 misdemeanor. 12-16-221 (1) (g)
- Failure to comply with any lawful order of the Commissioner of Agriculture pursuant to the Commodity Warehouse Act is a class 1 misdemeanor. 12-16-221 (1) (h)
- Interfering or hindering an authorized representative of the Commissioner of Agriculture pursuant to the Commodity Warehouse Act is a class 1 misdemeanor. 12-16-221 (1) (i)
- Violation of any unspecified provision of the Commodity Warehouse Act is a class 1 misdemeanor. 12-16-222 (2)

**Drugs and Druggists**

- 56. **Violations.** A first violation of any provision of Part 1 of Article 22 of Title 12 regarding drugs and druggists is a class 2 misdemeanor. 12-22-127
- A second or subsequent violation of any of the provisions of Part 1 of Article 22 of Title 12 regarding drugs and druggists is a class 6 felony. 12-22-127

**Electricians**

- 57. **Electricians.** Failure to comply with a citation, a stipulated settlement agreement, or an order issued pursuant to an administrative hearing after exhausting other remedies available pursuant to sections 12-23-118 or 12-23-120 regarding electricians is a class 1 misdemeanor. 12-23-118 (5) (c)
- Violation of any of the provisions of section 12-23-119 regarding unlawful acts by electricians is a class 1 misdemeanor. 12-23-119 (2)

**Elements of Offense**

**C.R.S. Citation**

**Engineers and Surveyors**

58. **Engineers.** The practice of professional engineering in violation of the provisions of Part 1 of Article 25 of Title 12 regarding engineers and surveyors is a class 3 misdemeanor. 12-25-105 (6)
- Violation of the provisions of Part 1 of Article 25 of Title 12 regarding engineers and surveyors by a person, partnership, professional association, joint stock company, or corporation is a class 3 misdemeanor. 12-25-105 (7)
59. **Surveyors.** The practice of professional land surveying in violation of any of the provisions of Part 2 of Article 25 of Title 12 regarding surveyors is a class 3 misdemeanor. 12-25-205 (3.5)
- Violation of the provisions of Part 2 of Article 25 of Title 12 regarding surveyors is a class 3 misdemeanor. 12-25-205 (4)

**Background Checks — Gun Shows**

60. **Violations.** Violation of any of the provision of section 12-26.1-101 regarding background checks at gun shows is a class 1 misdemeanor. 12-26.1-101 (1)
- Providing false information to a gun dealer for a background check at a gun show is a class 1 misdemeanor. 12-26.1-102 (2)
- Failure of a gun show promoter to post notice setting forth the requirement for background checks is a class 1 misdemeanor. 12-26.1-104 (2)

**Fireworks**

61. **Violation.** Violation of any of the provisions of Article 28 of Title 12 regarding fireworks is a class 3 misdemeanor. 12-28-110

**Acupuncturists**

62. **Acupuncturists.** Sexual contact, intrusion, or penetration with a patient during the course of patient care by an acupuncturist is a class 4 felony. 12-29.5-108 (3)
- A subsequent violation within three years of the date of conviction of any of the provisions of section 12-29.5-106 (1) (a) through (i) regarding grounds for disciplinary action for acupuncturists is a class 5 felony. 12-29.5-108 (1)
- Sexual contact by an acupuncturist with a patient during the course of patient care is a class 1 misdemeanor. 12-29.5-108 (2)

**Elements of Offense**

**C.R.S. Citation**

Violation of any of the provisions of section 12-29.5-106 (1)(a) to (1)(i) regarding grounds for taking disciplinary action against acupuncturists is a class 3 misdemeanor. 12-29.5-108 (1)

**Cancer Cure Control**

63. *False advertising of cancer cure.* Any person who is convicted of a third or subsequent offense of willfully and falsely representing a device, substance, or treatment as being of value in the treatment, alleviation, or cure of cancer, commits a class 6 felony. 12-30-107 (2)

**Podiatrists**

64. *Podiatrists.* Any person who presents as his or her own the diploma, license, certificate, or credentials of another, or who gives false or forged evidence to the Colorado Podiatry Board in connection with the application for license to practice podiatry, or who practices podiatry under an assumed name or who falsely impersonates a licensee commits a class 6 felony. 12-32-109 (1.5)

The practice of podiatry by any person, association, or corporation, without complying with the provisions of Article 32 of Title 12 regarding podiatrists or the violation of any provision of said article is a class 3 misdemeanor. 12-32-109 (1)

Violation of the provisions of section 12-32-117 regarding the division of podiatrists' fees is a class 3 misdemeanor. 12-32-117 (1)

**Chiropractors**

65. *Violation.* Violation of the provisions of Article 33 of Title 12 regarding chiropractors is a class 3 misdemeanor. 12-33-120

**Dentists and Dental Hygienists**

66. *Violation.* Violation of the provisions of Article 35 of Title 12 regarding dentists and dental hygienists is a class 3 misdemeanor. 12-35-135 (1)

**Medical Practice**

67. *Violation.* Dispensing or injecting an anabolic steroid for a second or subsequent violation unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 3 felony. 12-36-129 (2.5)

**Elements of Offense**

**C.R.S. Citation**

Dispensing or injecting an anabolic steroid unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 5 felony. 12-36-129 (2.5)

A second or subsequent offense of any person, association or corporation practicing medicine without complying with the provisions of Article 36 of Title 12 regarding medical practice is a class 6 felony. 12-36-129 (1)

A person who practices medicine under a false or assumed name or who uses false or forged evidence to obtain a license commits a class 6 felony. 12-36-129 (2)

The practice of medicine without complying with the provisions of, or violation of any provision of the Colorado Medical Practice Act is a class 2 misdemeanor. 12-36-129 (1)

Violation of the provisions of section 12-36-125 regarding the division of medical fees related to an independent advertising or marketing agent is a class 3 misdemeanor. 12-36-125 (1) (a)

Receiving pay or compensation in violation of section 12-36-125 regarding the practice of medicine, by any person, firm, association or corporation is a class 3 misdemeanor. 12-36-127

**Midwifery**

68. ***Unlawful practices.*** Any person who practices direct-entry midwifery without first complying with the registration requirements and the disclosure requirements for a second or subsequent offense commits a class 6 felony. 12-37-108

Practicing or offering or attempting to practice direct-entry midwifery without first complying with registration and disclosure requirements is a class 2 misdemeanor. 12-37-108 (1)

**Colorado Parental Notification Act**

69. ***False information - notification concerning abortion.*** It is a class 5 felony to counsel, encourage, or conspire to persuade a pregnant minor to provide false information to a physician about the minor's age, marital status, or other facts or circumstances in order to induce or attempt to induce such physician to perform an abortion without providing written notice required by Article 37.5 of Title 12. 12-37.5-106 (3)

**Elements of Offense**

**C.R.S. Citation**

**Nursing**

70. ***Practicing nursing without a license.*** A professional or practical nurse who practices without a license or during suspension of a license, or who fraudulently obtains a license commits a class 6 felony if convicted of a second or subsequent violation with three years of the first violation. 12-38-123 (2)
- Violation of the provisions of section 12-38-123 (1) regarding the licensing of medical nurses is a class 3 misdemeanor. 12-38-123 (2)

**Nurse Aides**

71. ***Nurse aide - unlawful acts.*** A subsequent violation of any of the provisions of section 12-38.1-118 (1) regarding the practice and certification of nurse aides is a class 6 felony. 12-38.1-118 (2)
- Violation of any of the provisions of section 12-38.1-118 (1) regarding practice as a nurse aide is a class 2 misdemeanor. 12-38.1-118 (2)

**Nursing Home Administrator**

72. ***Unlawful acts.*** A subsequent violation within 3 years of the date of a first conviction of any of the provisions of section 12-39-116 regarding the practice and licensure of nursing home administrators is a class 6 felony. 12-39-116 (2)
- Violation of the provisions of section 12-39-116 (1) regarding the practice and licensure as a nursing home administrator is a class 3 misdemeanor. 12-39-116 (2)

**Optometry**

73. ***Violation.*** Violation of any of the provisions of Article 40 of Title 12 regarding the practice of optometry for a third or subsequent offense is a class 6 felony. 12-40-124
- A second violation of any of the provisions regarding the practice of optometry is a class 1 misdemeanor. 12-40-124
- Violation of the provisions of Article 40 of Title 12 regarding the practice of optometry is a class 3 misdemeanor. 12-40-124

**Elements of Offense**

**C.R.S. Citation**

**Physical Therapists**

74. **Violation.** Violation of the provisions of section 12-41-121 (1) regarding the licensing and practice of physical therapy is a class 3 misdemeanor. 12-41-121 (2)

**Respiratory Therapy Practice Act**

75. **Violation.** Violation of provisions of the Respiratory Therapy Practice Act is a class 1 misdemeanor. 12-41.5-112 (2)

**Psychiatric Technicians**

76. **Violation.** Violation of the provisions of section 12-42-119 (1) regarding the licensing of or practicing as a psychiatric technician is a class 3 misdemeanor. 12-42-119 (1)

**Mental Health**

77. **Mental health occupations.** A subsequent violation within three years of a previous conviction of any of the provisions regarding mandatory disclosure of information to clients; title use restrictions; performing outside of the area of training, experience or competence; using any designation implying licensure when such license has been revoked; and selling or fraudulently obtaining or furnishing a license to practice is a class 5 felony. 12-43-226 (2)

Violation of the provisions of subsection (1) of section 12-43-226 regarding mental health occupations and licensure is a class 3 misdemeanor. 12-43-226 (2)

Practice of psychotherapy by an unlicensed psychotherapist if not included in the data base of unlicensed psychotherapists is a class 3 misdemeanor. 12-43-702.5

**Hotels and Food Service**

78. **Procuring food or accommodations with intent to defraud.** Any person who procures food or accommodations with intent to defraud and without making payment, and the amount due under the agreement with the public establishment is more than \$500, commits a class 6 felony. 12-44-102

**Elements of Offense**

**C.R.S. Citation**

**Indian Arts and Crafts**

79. **Violation.** Violation of Indian Arts and Crafts Sales statute is a class 1 misdemeanor. 12-44.5-107

**Alcoholic Beverages**

80. **Gambling activity - premises licensed to sell alcohol.** It is a class 5 felony, in the case of an establishment licensed to sell alcoholic beverages, to permit or authorize gambling activity, except that which is conducted by an authorized nonprofit organization. 12-47-901 (5) (n) (II)

Violation of any provision of sections 12-47-901 (1)(a), (1)(b), (1)(c), (1)(f), (1)(g), (1)(i), (1)(k), (1)(l), (5)(a)(I), or (5)(b) regarding alcoholic beverages is a class 2 misdemeanor. 12-47-903 (2) and (3)

**Colorado Limited Gaming Act**

81. **Records.** Disclosure of confidential records or information of the Colorado Limited Gaming Control Commission in violation of the provisions of section 12-47.1-527 is a class 1 misdemeanor. 12-47.1-527 (4) (a)

82. **Violation of taxation provisions.** Any person who makes any false or fraudulent return in an attempt to defeat or evade taxes imposed pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 12-47.1-603 (1) (a)

Any person who, twice within a year, fails to pay taxes due or file a return pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 12-47.1-603 (1) (d)

Any person who willfully aids, assists, procures, counsels, or advises, in any matter before the Colorado Limited Gaming Control Commission, a return, affidavit, claim, or other document which is fraudulent or contains false information, commits a class 5 felony. 12-47.1-603 (1) (e)

Failure to pay tax due pursuant to the Colorado Limited Gaming Act within 30 days after the due date is a class 1 misdemeanor. 12-47.1-603 (1) (b)

Failure to file a return pursuant to the Colorado Limited Gaming Act within 30 days after the due date is a class 1 misdemeanor. 12-47.1-603 (1) (c)



**Elements of Offense**

**C.R.S. Citation**

83. ***False statement on application.*** Any person who knowingly makes a false statement in any application for a license, or who fails to keep books and records to substantiate receipts or expenses, or who falsifies any books or records relating to any transaction connected with any limited gaming, or who knowingly violates any of the provisions of the provisions of the Colorado Limited Gaming Act or any rule or regulation promulgated by the Colorado Limited Gaming Control Commission commits a class 5 felony. 12-47.1-802
84. ***Slot machines - shipping notices.*** Violation of any of the provisions regarding the shipping or importing of a slot machine into the State of Colorado is a class 5 felony. 12-47.1-803 (1) (b)
85. ***Age of participants.*** Violation of any of the provisions of section 12-47.1-809 regarding a person under 21 years who is allowed to participate, play, or collect winnings pursuant to the Colorado Limited Gaming Act is a class 2 misdemeanor. 12-47.1-809 (4)
86. ***Failure to pay winners.*** Willful refusal to pay a winner of any limited gaming game is a class 1 misdemeanor. 12-47.1-817 (2)
87. ***Cheating.*** Cheating at any limited gaming activity by an owner, employee of, or player at a limited gaming establishment is a class 5 felony if the person is a repeat gambling offender. 12-47.1-822 (3)
- Cheating at any limited gaming activity is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-822 (3)
- Cheating at any limited gaming activity by a person other than a licensee is a class 1 misdemeanor. 12-47.1-822 (3)
88. ***Fraudulent acts - gaming.*** Violation of any of the provisions of section 12-47.1-823 regarding fraudulent gaming acts is a class 5 felony if the person is a repeat gambling offender. 12-47.1-823 (2)
- Violation of any of the provisions of section 12-47.1-823 regarding fraudulent gaming acts is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-823 (2)
- Violation of any of the provisions prohibiting fraudulent acts pursuant to the Colorado Limited Gaming Act by a person other than a licensee is a class 1 misdemeanor. 12-47.1-823 (2)

**Elements of Offense**

**C.R.S. Citation**

89. ***Use of a device for calculating probabilities.*** Use or possession of any device used to assist in projecting the outcome of a game, keep track of cards played, or analyze the probability of an event occurring or the strategy for playing or betting is a class 5 felony when the person is a repeat gambling offender. 12-47.1-824 (2)
- Use or possession of any device used to assist in projecting the outcome of a game, keep track of cards played, or analyze the probability of an event occurring or the strategy for playing or betting is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-824 (2)
- Use of any device for calculating probabilities pursuant to the Colorado Limited Gaming Act by a person other than a licensee is a class 1 misdemeanor. 12-47.1-824 (2)
90. ***Counterfeit or unapproved chips or tokens - unlawful devices, equipment, products, or materials.*** Violation of any of the provisions of section 12-47.1-825 regarding the use of counterfeit or unapproved chips or tokens, unlawful coins or devices, and the possession of certain unlawful devices, equipment, products, or materials commits a class 5 felony when the person is a repeat gambling offender. 12-47.1-825 (8)
- Violation of any of the provisions of section 12-47.1-825 regarding the use of counterfeit or unapproved chips or tokens, unlawful coins or devices, and the possession of certain unlawful devices, equipment, products, or materials is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-825 (8)
91. ***Cheating game and devices.*** Knowingly conducting, operating, or allowing any cheating or thieving game or device, or knowingly dealing, conducting, or operating any game with cards or devices which have been marked or tampered with is a class 5 felony when the offender is a repeat gambling offender. 12-47.1-826 (2)
- Knowingly conducting, operating, or allowing any cheating or thieving game or device, or knowingly dealing, conducting, or operating any game with cards or devices which have been marked or tampered with is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-826 (2)

**Elements of Offense**

**C.R.S. Citation**

92. ***Unlawful manufacture, sale, distribution of equipment and devices associated with limited gaming.*** Violation of any of the provisions of section 12-47.1-827 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming is a class 5 felony when the offender is a repeat gambling offender. 12-47.1-827 (4)
- Violation of any of the provisions of section 12-47.1-827 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-827 (4)
- Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices pursuant to the Colorado Limited Gaming Act by a person other than a licensee is a class 1 misdemeanor. 12-47.1-827 (4)
93. ***Unlawful entry.*** Unlawful entry into the premises of a licensed gaming establishment by a person whose name is on the list of persons who are to be excluded and ejected from gaming establishments is a class 5 felony. 12-47.1-828 (3)
94. ***Failure to display license.*** Failure to display operator and premises license pursuant to the Colorado Limited Gaming Act is a class 2 misdemeanor. 12-47.1-830 (2)
95. ***Violation.*** Violation of any of the provisions of the Colorado Limited Gaming Act, except as otherwise specified is a class 1 misdemeanor. 12-47.1-832
96. ***Personal pecuniary gain or conflict of interest.*** Any person who issues, suspends, revokes, or renews any license pursuant to the Colorado Limited Gaming Act for any personal pecuniary gain or any thing of value commits a class 3 felony. 12-47.1-838 (2)
97. ***False or misleading information.*** Providing any false or misleading information pursuant to the Colorado Limited Gaming Act is a class 5 felony. 12-47.1-839 (2)

**Notaries Public**

98. ***Violations.*** Knowing and willful violation of the duties of a notary public is a class 2 misdemeanor. 12-55-116 (1)
- Impersonating a notary public is a class 2 misdemeanor. 12-55-117

**Elements of Offense**

**C.R.S. Citation**

Unlawfully possessing a notary's journal or seal, electronic signature, or electronic records relating to notarial acts is a class 3 misdemeanor. 12-55-118

**Outfitters and Guides**

99. *Issuance of certificate of registration.* A second or subsequent conviction of any of the provisions regarding the requirements for issuance of a certificate of registration for outfitters is a class 5 felony. 12-55.5-107.5 (1)

**Pawnbrokers**

100. *Pawnbrokers.* A second or subsequent conviction for a violation of Article 56 of Title 12 regarding pawnbrokers within three years after the date of a prior conviction constitutes a class 6 felony. 12-56-104 (4)

Any customer who knowingly gives false information with respect to the information a pawnbroker is required to obtain and keep, commits a class 6 felony. 12-56-104 (5)

Violation of any provision of Article 56 of Title 12 by a pawnbroker is a class 1 misdemeanor. 12-56-104 (4)

Violation of the terms of a contract, by a pawnbroker, for purchase involving a fixed price is a class 2 misdemeanor. 12-56-104 (3) (b)

**Plumbers**

101. *Violation.* Violation of section 12-58-105 regarding the licensure of plumbers and registration of plumbers' apprentices is a class 3 misdemeanor. 12-58-116 (2)

**Racing**

102. *Violation.* Unlicensed wagering or betting on the results of a pari-mutuel horse or greyhound race is a class 2 misdemeanor. 12-60-703.5

Violation of any of the provisions of section 12-60-507 (1) regarding investigation, denial, suspension, and revocation actions against racing licensees is a class 2 misdemeanor. 12-60-801 (1)

**Real Estate**

103. *Acting as subdivision developer without registering.* Any person who acts as a subdivision developer without having been properly and legally registered commits a class 6 felony. 12-61-407

## Elements of Offense

## C.R.S. Citation

104. ***Preowned Housing Home Warranty Service Contract.*** Violation of Preowned Housing Home Warranty Service Contract statute is a class 2 misdemeanor. 12-61-612
105. ***Violation.*** Subsequent act of acting as a real estate appraiser without first having obtained a license or certificate within three years after the date of a conviction for the same violation is a class 1 misdemeanor. 12-61-712 (2)
- Acting as a real estate appraiser without a license or certificate is a class 3 misdemeanor. 12-61-712 (2)

## **Veterinarians**

106. ***Violation.*** The practice of veterinary medicine without a license is a class 3 misdemeanor. 12-64-114 (2)

## **COURTS AND COURT PROCEDURE**

### **Offenses Related to Courts and Court Procedure**

107. ***Confidentiality.*** Releasing information regarding a decision of a court of record before such decision is publicly announced by the court is a class 6 felony. 13-1-128 (4)
108. ***Genetic tests to determine parentage.*** Intentionally releasing an identifiable specimen of another for any purpose, other than that relevant to a proceeding to determine parentage, without a court order or the written permission of the individual who furnished the specimen is a class 1 misdemeanor 13-25-126 (1) (e)
109. ***Documents arising from environmental self-evaluation.*** Divulging or disseminating any information contained in an environmental audit report by a public entity, employee, or official. In addition, the entity, employee, or official may be found in contempt of court and assessed a penalty of up to \$10,000 is a class 1 misdemeanor. 13-25-126.5 (5) (b) (II)
110. ***Avoiding writ.*** Any person who attempts to avoid a writ of habeas corpus commits a class 6 felony. 13-45-114
111. ***Juror summons.*** Failure to obey a juror summons without justifiable excuse is a class 3 misdemeanor. 13-71-111
112. ***Juror questionnaires.*** Willful misrepresentation of a material fact on a juror questionnaire is a class 3 misdemeanor. 13-71-115 (1)

**Elements of Offense**

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113. *Harassment of a juror.* Willful harassment of a juror by an employer is a class 2 misdemeanor. 13-71-134 (2)

**DOMESTIC MATTERS**

**Nonsupport**

114. *Nonsupport of spouse and children.* Any person who willfully neglects, fails, or refuses to provide reasonable support and maintenance for his or her spouse or children commits a class 5 felony. 14-6-101 (1)

**PROBATE, TRUSTS, AND FIDUCIARIES**

**Colorado Medical Treatment Decision Act**

115. *Falsifying or forging a declaration.* Any person who falsifies or forges a declaration of another, and the terms of the declaration are carried out, resulting in the death of the purported declarant, commits a class 2 felony. 15-18-113 (3)
- Any person who falsifies or forges a declaration of another commits a class 5 felony. 15-18-113 (2)
- Willfully concealing, defacing, damaging or destroying a declaration as to medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act is a class 1 misdemeanor. 15-18-113 (1)
- Willfully withholding information concerning the revocation of the declaration as to medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act is a class 1 misdemeanor. 15-18-113 (4)

**CRIMINAL PROCEEDINGS**

**Crime Stopper Organizations**

116. *Violation.* Knowing or intentional disclosure of confidential records or information in violation of the provisions regarding a Crime Stopper Organization is a class 1 misdemeanor. 16-15.7-104 (2) (b)

**CRIMINAL CODE — INCHOATE OFFENSES**

**Attempt**

117. *Criminal attempt.* Intentionally engaging in conduct which constitutes a substantial step toward the commission of an offense is criminal attempt, and:
- criminal attempt to commit a class 1 felony is a class 2 felony. 18-2-101 (4)
  - criminal attempt to commit a class 2 felony is a class 3 felony. 18-2-101 (4)
  - criminal attempt to commit a class 3 felony is a class 4 felony. 18-2-101 (4)
  - criminal attempt to commit a class 4 felony is a class 5 felony. 18-2-101 (4)
  - criminal attempt to commit a class 5 or class 6 felony is a class 6 felony. 18-2-101 (4)
  - criminal attempt to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony. 18-2-101 (5)
  - criminal attempt to commit a class 1 misdemeanor is a class 2 misdemeanor. 18-2-101 (6)
  - criminal attempt to commit a misdemeanor other than a class 1 misdemeanor is a class 3 misdemeanor. 18-2-101 (7)

**Elements of Offense**

**C.R.S. Citation**

**Conspiracy**

117. ***Criminal conspiracy.*** A person who agrees with one or more persons to engage in conduct which constitutes a crime or an attempt to commit a crime, with the intent to facilitate or promote commission of such crime, or agrees to aid one or more of them in planning or committing the crime or attempting to commit the crime, commits criminal conspiracy, and:
- conspiracy to commit a class 1 felony is a class 2 felony. 18-2-206 (1)
  - conspiracy to commit a class 2 felony is a class 3 felony. 18-2-206 (1)
  - conspiracy to commit a class 3 felony is a class 4 felony. 18-2-206 (1)
  - conspiracy to commit a class 4 felony is a class 5 felony. 18-2-206 (1)
  - conspiracy to commit a class 5 or class 6 felony is a class 6 felony. 18-2-206 (1)
  - conspiracy to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony. 18-2-201 (5)
  - conspiracy to commit a class 1 misdemeanor is a class 2 misdemeanor. 18-2-206 (4)
  - conspiracy to commit a misdemeanor defined outside of Title 18 for which no penalty is specifically provided is a class 3 misdemeanor. 18-2-201 (5)
  - conspiracy to commit a misdemeanor other than a class 1 misdemeanor is a class 3 misdemeanor. 18-2-206 (5)

**Solicitation**

118. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a felony commits criminal solicitation, and:
- criminal solicitation to commit a class 1 felony is a class 2 felony. 18-2-301 (5) and 18-2-101 (4)
  - criminal solicitation to commit a class 2 felony is a class 3 felony. 18-2-301 (5) and 18-2-101 (4)
  - criminal solicitation to commit a class 3 felony is a class 4 felony. 18-2-301 (5) and 18-2-101 (4)
  - criminal solicitation to commit a class 4 felony is a class 5 felony. 18-2-301 (5) and 18-2-101 (4)



**Elements of Offense**

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- criminal solicitation to commit a class 5 or class 6 felony is a class 6 felony. 18-2-301 (5) and 18-2-101 (4)
- criminal solicitation to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony. 18-2-301 (5) and 18-2-101 (4)

**CRIMINAL CODE — OFFENSES AGAINST PERSONS**

**Homicide**

119. ***Murder in the first degree.*** A person commits the class 1 felony of murder in the first degree if: 18-3-102
- a) After deliberation and with the intent to cause the death of another person, he or she causes the death of that person or of another person; or (1) (a)
  - b) Acting either alone or with one or more persons, he or she commits or attempts to commit arson, robbery, burglary, kidnapping, sexual assault in the first or second degree as prohibited by section 18-3-402 or 18-3-403, or a class 3 felony for sexual assault on a child as provided in section 18-3-405 (2), or the crime of escape as provided in section 18-8-208, and, in the course of or in furtherance of the crime that he or she is committing or attempting to commit, or of immediate flight therefrom, the death of a person, other than one of the participants, is caused by anyone; or (1) (b)
  - c) By perjury or subornation of perjury he or she procures the conviction and execution of any innocent person; or (1) (c)
  - d) Under circumstances evidencing an attitude of universal malice manifesting extreme indifference to the value of human life generally, he or she knowingly engages in conduct which creates a grave risk of death to another person or persons, and thereby causes the death of another; or (1) (d)

**Elements of Offense**

**C.R.S. Citation**

- e) He or she commits unlawful distribution, dispensation, or sale of a controlled substance to a person under the age of eighteen years on school grounds as provided in section 18-18-407 (2), and the death of such person is caused by the use of such controlled substance; or (1) (e)
  - f) He or she knowingly causes the death of a child who has not yet attained twelve years of age, and was in a position of trust with respect to the victim. (1) (f)
120. ***Murder in the second degree.*** A person commits the class 2 felony of murder in the second degree if he or she knowingly causes the death of a person. 18-3-103 (3)
- It is a class 3 felony when a person knowingly causes the death of another where the act causing the death was performed upon a sudden heat of passion caused by a serious and highly provoking act of the victim, affecting the person causing the death sufficiently to excite an irresistible passion in a reasonable person. 18-3-103 (3) (b)
121. ***Manslaughter.*** A person who recklessly causes the death of another person, or intentionally causes or aids another person to commit suicide, commits manslaughter, which is a class 4 felony. 18-3-104
122. ***Criminally negligent homicide.*** A person who causes the death of another person by conduct amounting to criminal negligence commits criminally negligent homicide, which is a class 5 felony. 18-3-105
123. ***Vehicular homicide.*** A person who recklessly operates or drives a motor vehicle, and this conduct is the proximate cause of the death of another person, commits vehicular homicide, and:
- it is a class 4 felony. 18-3-106 (1) (c)
  - it is a class 3 felony if a person is under the influence of alcohol or drugs or both and, as a result, commits vehicular homicide. 18-3-106 (1) (c)
124. ***First degree murder of a peace officer or fireman.*** A person who commits murder in the first degree, as defined in section 18-3-102, and the victim is a peace officer or fireman engaged in the performance of official duties, commits the class 1 felony of first degree murder of a peace officer or fireman. 18-3-107 (1)

**Elements of Offense**

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**Assault**

125. ***Assault in the first degree.*** If any person intentionally causes serious injury to another person through the use of a deadly weapon or conduct which creates a grave risk of death, or in the commission of a crime or flight therefrom he causes serious injury to another, or, if a person threatens a peace officer or fireman or person employed by a detention facility with a deadly weapon with intent to cause harm, that person commits a class 3 felony. 18-3-202 (2) (b)
- If assault in the first degree is committed but in the heat of passion caused by a highly provoking act of the victim, affecting the person causing the injury sufficiently to excite an irresistible passion in a reasonable person, and without an interval between the provocation and the injury sufficient for the voice of reason and humanity to be heard, it is a class 5 felony. 18-3-202 (2) (a)
126. ***Assault in the second degree.*** It is a class 3 felony if a person who is assaulted, other than a participant in the crime, suffers serious bodily injury during the commission or attempted commission of or flight from the commission or attempted commission of murder, robbery, arson, burglary, first degree escape, first degree kidnaping, sexual assault, or class 3 felony sexual assault on a child. 18-3-203 (2) (b.5)
- It is a class 4 felony to: (a) intentionally cause serious bodily injury to another; or (b) attempt to cause serious bodily injury with a deadly weapon; or (c) cause bodily injury with intent to prevent a peace officer or firefighter from doing his or her duty; or (d) recklessly cause serious injury by means of a deadly weapon; or (e) harm someone by means of administering a drug or other substance; or (f) when lawfully confined, use physical force against a peace officer or firefighter in the performance of his or her duties. 18-3-203 (2) (b)
- It is a class 6 felony when assault in the second degree is committed upon a sudden heat of passion, caused by a highly provoking act of the victim, affecting the person causing the assault sufficiently to excite an irresistible passion in a reasonable person, and without an interval between the provocation and the injury sufficient for the voice of reason and humanity to be heard. 18-3-203 (2) (a)
127. ***Assault in the third degree.*** Assault in the third degree is a class 1 misdemeanor. 18-3-204
128. ***Vehicular assault.*** A person who operates a motor vehicle while under the influence of alcohol or drugs and causes serious bodily injury to another commits a class 4 felony. 18-3-205 (1) (c)

**Elements of Offense**

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A person who drives a motor vehicle in a reckless manner, and this conduct is the proximate cause of the serious bodily injury to another, commits a class 5 felony. 18-3-205 (1) (c)

**Menacing**

129. **Menacing.** A person who menaces another by use of a deadly weapon or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or who represents verbally or otherwise that he or she is armed with a deadly weapon, commits a class 5 felony. 18-3-206 (1)

A person who knowingly places or attempts to place another in fear of imminent serious bodily injury by any threat or physical action commits a class 3 misdemeanor. 18-3-206 (1)

**Extortion**

130. **Criminal extortion.** A person who threatens a person, or his or her property or reputation, to induce that person to act against his will to do an act or refrain from doing a lawful act commits criminal extortion, which is a class 4 felony. 18-3-207 (4)

A person who threatens another person by means of chemical or biological agents, weapons, poison, or radioactive agents to induce the person to do an act against his or her will or refrain from doing a lawful act commits aggravated criminal extortion, which is a class 3 felony. 18-3-207 (4)

**Reckless Endangerment**

131. **Reckless endangerment.** A person who recklessly engages in conduct that creates a substantial risk of serious bodily injury to another person commits reckless endangerment, which is a class 3 misdemeanor. 18-3-208

**Elements of Offense**

**C.R.S. Citation**

**Kidnapping**

132. ***First degree kidnapping.*** A person who does any of the following acts with the intent thereby to force the victim or any other person to make any concession or give up anything of value in order to secure a release of a person under the offender's actual or apparent control commits first degree kidnapping: 18-3-301 (1)

a) Forcibly seizes and carries any person from one place to another; or (1) (a)

b) Entices or persuades any person to go from one place to another; or (1) (b)

c) Imprisons or forcibly secretes any person. (1) (c)

First degree kidnapping is a class 1 felony if the person kidnapped suffered bodily injury; but no person convicted of first degree kidnapping shall suffer the death penalty if the person kidnapped was liberated alive prior to the conviction of the kidnapper. (2)

First degree kidnapping is a class 2 felony if the kidnapped person was liberated unharmed. 18-3-301 (3)

133. ***Second degree kidnapping.*** Second degree kidnapping is a class 2 felony if the person kidnapped is a victim of a sexual offense against a person or a robbery. 18-3-302 (3) (a)

Second degree kidnapping is a class 3 felony if the kidnaping is accomplished with intent to sell, trade, or barter the victim for consideration or does not include sexual assault or robbery but is accomplished by the use of a deadly weapon or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon or if the kidnaping is accomplished by the perpetrator representing that he or she is armed with a deadly weapon. 18-3-302 (4)

A person who kidnaps a child not his or her own and under the age of eighteen years of age commits a class 4 felony, if the person kidnaped is not a victim of sexual assault or robbery, and the use of a deadly weapon is not employed. 18-3-302 (5)

**Elements of Offense**

**C.R.S. Citation**

**False Imprisonment**

134. *False imprisonment.* Any person other than a peace officer acting within the scope of his or her duties who uses or threatens force to confine or detain another, and who confines or detains the person for 12 hours or longer commits a class 5 felony. 18-3-303 (2)
- Knowingly confining or detaining another without the other's consent and without proper legal authority is a class 2 misdemeanor. 18-3-303 (2)

**Violation of Custody Order**

135. *Violation of custody order.* A person who, in the course of taking or enticing any child under the age of 18 from the custody of his or her parents, guardian, or other lawful custodian or who violates an order of any district or juvenile court granting the custody of a child under 18 years of age to any person, agency, or institution with the intent to deprive the lawful custodian of the custody of a child under the age of 18 and who, in the course of doing so, removes a child under the age of 18 from the country commits a class 4 felony. 18-3-304 (2.5)
- A person who takes or entices any child under the age of 18 from the custody of his or her parents, guardian, legal custodian, or person with parental responsibilities with respect to the child commits a class 5 felony. 18-3-304 (1)
- A parent who violates an order of court granting custody of a child or parental responsibilities with respect to a child under 18 to any person, agency, or institution, with the intent to deprive the lawful custodian or person with parental responsibilities of the custody or care of the child, commits a class 5 felony. 18-3-304 (2)

**Enticement of a Child**

136. *Enticement of a child.* A person who, with the intent to commit sexual assault or unlawful sexual contact, invites or persuades or attempts to invite or persuade a child under the age of 15 to enter a vehicle, building, room, or secluded place commits enticement of a child, and: 18-3-305 (2)
- it is a class 4 felony. 18-3-305 (2)
  - it is a class 3 felony if the person has a previous conviction for enticement of a child or sexual assault on a child. 18-3-305 (2)

**Elements of Offense**

**C.R.S. Citation**

**Sexual Assault**

137. ***Sexual assault.*** Sexual assault is a class 2 felony when: (a) more than one person aids the actor in the assault; or (b) the victim suffers serious bodily injury; or (c) the actor uses a deadly weapon, or uses an article fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents verbally that the actor is armed with a deadly weapon, and uses the deadly weapon, article, or representation to cause the victim to submit. 18-3-402 (5)

Sexual assault is a class 3 felony when the victim is physically helpless and the actor knows the victim is physically helpless and has not consented. 18-3-402 (3.5)

Sexual assault is a class 3 felony when the actor: (a) causes submission of the victim through physical force or violence; or (b) the actor causes submission of the victim by threat of death, serious bodily injury, extreme pain or kidnapping and the victim believes the actor can execute the threats; or (c) the actor causes the victim to submit by threatening future retaliation; or (d) the actor has substantially impaired the victim's power to appraise or control the victim's conduct by use of any drug, intoxicant, or other means. 18-3-402 (4)

An actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits a class 4 felony if: (a) he causes the submission of a victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or (b) the actor knows the victim is unable to appraise the nature of the victim's conduct; or (c) the actor knows that the victim submits believing the actor to be the victim's spouse; or (d) the victim is less than fifteen years of age and the actor is four years older than and is not the spouse of the victim; or (e) the victim is at least fifteen years old but less than seventeen years old and the actor is at least ten years older than the victim and is not the victim's spouse; or (f) the victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses the position of authority to coerce the victim to submit unless the act is a lawful search; or (g) the actor, while purporting to offer a medical service, engages in treatment or examination of the victim for other than bona fide medical purposes. 18-3-402 (2)

Sexual assault of a victim who is at least fifteen years of age but less than seventeen years by an actor who is at least ten years older than the victim and not the victim's spouse is a class 1 misdemeanor. 18-3-402 (3)

**Elements of Offense**

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138. ***Unlawful sexual contact.*** Unlawful sexual contact is a class 4 felony when an actor compels a victim to submit by the use of force, intimidation, or threat or if the actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner inconsistent with reasonable medical practices or if the adult actor knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual activity with another person for the actor's own sexual gratification. 18-3-404 (2)
- Unlawful sexual contact is a class 1 misdemeanor. 18-3-404 (2)
139. ***Sexual assault on a child.*** An actor commits a class 3 felony if he subjects a victim who is less than fifteen years of age to any sexual contact, and the actor is at least four years older than the victim, and the actor applies force, or threatens death, injury, kidnaping, or future retaliation or the actor commits the offense as part of a pattern of sexual abuse. 18-3-405 (2)
- Any actor who subjects to sexual contact a child that is less than fifteen years of age while that actor is at least four years older than the victim commits a class 4 felony. 18-3-405 (2)
140. ***Sexual assault on a child by one in a position of trust.*** Sexual assault on a child by one in a position of trust is a class 3 felony if the victim is less than fifteen years of age or the actor commits the offense as part of a pattern or sexual abuse. 18-3-405.3 (2)
- Sexual assault on a child by one in a position of trust is a class 4 felony if the victim is fifteen years of age or older but less than eighteen years of age and the offense is not committed as part of a pattern of sexual abuse. 18-3-405.3 (3)
141. ***Sexual assault on a client by a psychotherapist.*** Sexual penetration or sexual intrusion on a victim by an actor when the actor is a psychotherapist and the victim is a patient is a class 4 felony. 18-3-405.5 (1) (b)
- Sexual contact by an actor with a client when the actor is a psychotherapist and the client is the patient is a class 1 misdemeanor. 18-3-405.5 (2) (b)
142. ***Failure to register as a sex offender.*** Failure to register as a convicted sex offender or submitting false information on a registration form is a class 5 felony for a second or subsequent offense. 18-3-412.5 (2) (a) and (c)



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- Failure to register as a convicted sex offender or submitting false information on a registration form is a class 6 felony. 18-3-412.5 (2) (a) and (c)
- Failure to register as a sex offender when convicted of misdemeanor unlawful sexual behavior or of another offense, the underlying factual basis of which involved misdemeanor unlawful sexual behavior; if adjudicated for an offense that would constitute misdemeanor unlawful sexual behavior if committed by an adult; or if convicted of a misdemeanor sex offense in another state or jurisdiction is a class 1 misdemeanor. 18-3-412.5 (3)
143. ***Sex offenders against children - duty to register.*** Failure to register as a convicted sex offender or submitting false information on a registration form is a class 6 felony for a second or subsequent offense. In addition to any other penalty, a mandatory one-year sentence to the Department of Corrections is imposed for this offense. 18-3-412.5 (4) (b)
144. ***Unlawful termination of pregnancy.*** A person who, with intent to unlawfully terminate the pregnancy of another, terminates the other's pregnancy commits a class 4 felony. 18-3.5-101

**CRIMINAL CODE — OFFENSES AGAINST PROPERTY**

**Arson**

145. ***First degree arson.*** A person who by means of fire or explosives knowingly damages or destroys any building or occupied structure that is the property of another commits a class 3 felony. 18-4-102 (2)
146. ***Second degree arson.*** A person who by means of fire or explosives knowingly damages or destroys the property of another, other than a building or occupied structure, commits second degree arson, and:
- is a class 2 misdemeanor if the damage caused is valued at less than \$100. 18-4-103 (3)
  - it is a class 4 felony if the damage caused is valued at \$100 or more. 18-4-103 (2)
147. ***Third degree arson.*** A person who by means of fire or explosives intentionally damages any property with intent to defraud commits a class 4 felony. 18-4-104 (2)

**Elements of Offense**

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148. ***Fourth degree arson.*** A person who knowingly or recklessly starts or maintains a fire or causes an explosion on his or her or another's property, and thereby places another in danger of bodily injury or death or places any building or occupied structure of another in danger of damage, commits fourth degree arson, and:
- it is a class 3 misdemeanor if only property is thus endangered and the value of the property is less than \$100. 18-4-105 (4)
  - it is a class 2 misdemeanor if only property is thus endangered and the value of the property is \$100 or more. 18-4-105 (3)
  - it is a class 4 felony if a person is thus endangered. 18-4-105 (2)

**Burglary**

149. ***First degree burglary.*** A person who unlawfully enters a building with intent to commit a crime and assaults or menaces any person or is armed with explosives or a deadly weapon commits first degree burglary, which is a class 3 felony.
- A person who engages in first degree burglary involving controlled substances within a pharmacy or other place that has lawful possession thereof commits first degree burglary of controlled substances, which is a class 2 felony. 18-4-202 (3)
150. ***Second degree burglary.*** A person who knowingly and unlawfully enters a place with intent to commit a crime against a person or property commits second degree burglary, and:
- it is a class 4 felony. 18-4-203 (2)
  - it is a class 3 felony if it is a burglary of a dwelling or the objective of the burglary is theft of controlled substances. 18-4-203 (2)
151. ***Third degree burglary.*** A person who enters or breaks into any vault, safe, cash register, coin vending machine, product dispenser, money depository, safety deposit box, coin telephone, coin box, etc., commits third degree burglary, and:
- it is a class 5 felony. 18-4-204 (2)
  - it is a class 4 felony if the object of the burglary is the theft of a controlled substance, lawfully kept in or upon the property burglarized. 18-4-204 (2)

**Elements of Offense**

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152. ***Possession of burglary tools.*** Possession of any explosive, tool, instrument, or other article adapted, designed, or commonly used for committing or facilitating burglary is a class 5 felony. 18-4-205 (2)

**Robbery**

153. ***Aggravated robbery of controlled substances.*** It is a class 2 felony if robbery of controlled substances from the legal possessor involves the use of a deadly weapon in the robbery, placing the victim in fear of death or injury, or being aided and abetted by an armed confederate. 18-4-303 (2)
154. ***Aggravated robbery.*** If possession or use of a deadly weapon is involved in a robbery by the actor or an accomplice, aggravated robbery is a class 3 felony. 18-4-302 (3)
155. ***Robbery.*** A person who takes anything of value from a person by the use of force, threats, or intimidation commits a class 4 felony. 18-4-301 (2)

**Theft**

156. ***Theft.*** Theft is a class 3 felony if the value of the thing involved is \$15,000 or more. 18-4-401 (2) (d)
- Theft is a class 3 felony if a person has committed theft more than once within a six-month period without being charged for the earlier offense and the aggregate value of the things involved is \$15,000 or more. 18-4-401 (4)
- Theft is a class 4 felony if a person knowingly exercises control over anything which is valued at \$500 or more, but less than \$15,000, without authorization or by threat or deception. 18-4-401 (2) (c)
- Theft is a class 4 felony if it is committed on two or more occasions within six months, the person is not placed in jeopardy for the prior offense, and the aggregate value of the things involved is between \$500 and \$15,000. 18-4-401 (4)
- Theft is a class 5 felony, without regard to the value of the thing taken, if the thing involved was taken from another person by means other than the use of force, threat, or intimidation. 18-4-401 (5)
- Theft is a class 2 misdemeanor if the value of the thing involved is \$100 or more but less than \$500. 18-4-401 (2) (b)
- Theft is a class 3 misdemeanor if the value of the thing involved is less than \$100. 18-4-401 (2) (a)

**Elements of Offense**

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157. ***Theft of rental property.*** Theft of rental property is a class 3 felony where the value of the property involved is \$15,000 or more. 18-4-402 (5)
- Theft of rental property twice or more within a period of six months without having been placed in jeopardy for prior offenses and when the aggregate value of the property is \$15,000 or more is a class 3 felony. 18-4-402 (6)
- If a person engages in the theft of rental property when the value is \$500 or more, but less than \$15,000, it is a class 5 felony. 18-4-402 (4)
- Theft of rental property twice or more within a period of six months without having been placed in jeopardy for prior offenses and the aggregate value of the property is \$500 or more but less than \$15,000 is a class 5 felony. 18-4-402 (6)
- Theft of rental property (if the value of the thing involved is \$100 or more but less than \$500) is a class 2 misdemeanor. 18-4-402 (3)
- Theft of rental property (if the value of the property involved is less than \$100) is a class 3 misdemeanor. 18-4-402 (2)
158. ***Theft of trade secrets.*** Any person who steals or discloses to an unauthorized person a trade secret or makes or causes to be made a copy of an article representing a trade secret commits theft of a trade secret. If a second or subsequent offense is committed within five years of a prior conviction, it is a class 5 felony. 18-4-408 (3)
- Theft of trade secret is a class 1 misdemeanor. 18-4-408 (3)
159. ***Aggravated motor vehicle theft.*** A person who takes any motor vehicle from another without authorization and who either retains control for over twenty-four hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 3 felony if the value of the motor vehicle or vehicles involved is more than \$15,000 or if the defendant has twice previously been convicted of charges separately brought and tried. 18-4-409 (3) (b)
- A person who takes any motor vehicle from another without authorization and who either retains control for over twenty-four hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 4 felony if the motor vehicle or vehicles involved is valued at \$15,000 or less. 18-4-409 (3) (a)

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	Aggravated motor vehicle theft in the second degree is a class 5 felony if the value of the motor vehicle or motor vehicles involved is \$15,000 or more.	18-4-409 (4)
	Second degree aggravated motor vehicle theft is a class 6 felony when the value of the motor vehicle or vehicles involved is \$500 or more but less than \$15,000.	18-4-409 (4) (b)
	Aggravated motor vehicle theft in the second degree if the value of the vehicle is less than \$500 is a class 2 misdemeanor.	18-4-409 (4)
160.	<b><i>Theft by receiving.</i></b> When a person receives, retains, loans money by pawn or pledge on, or disposes of another's property, knowing that said property has been stolen, and he intends to deprive the owner permanently of the property, and the value of the property is \$15,000 or more, the person commits a class 3 felony.	18-4-410 (5)
	When the value of the property involved is \$500 or more and the person is engaged in the business of buying and selling of stolen goods for profit, theft by receiving is a class 3 felony.	18-4-410 (6)
	When a person commits theft by receiving twice or more within a period of six months without being placed in jeopardy for the prior offenses and the aggregate value of the things involved is \$15,000 or more, he or she commits a class 3 felony.	18-4-410 (7)
	If a person receives a thing of value which is valued at \$500 or more but less than \$15,000 which he believes or knows to be stolen, and he intends to deprive the lawful owner permanently of the use or benefit of the thing of value, he commits a class 4 felony.	18-4-410 (4)
	When a person commits theft by receiving twice or more within a period of six months without having been placed in jeopardy for the prior offenses and the aggregate value of the things involved is \$500 or more but less than \$15,000, it is a class 4 felony.	18-4-410 (7)
	Theft by receiving where value of thing involved is \$100 or more but less than \$500 is a class 2 misdemeanor.	18-4-410 (3)
	Theft by receiving where the value of the thing involved is less than \$100 is a class 3 misdemeanor.	18-4-410 (2)
161.	<b><i>Theft of medical records or medical information.</i></b> Any person who obtains medical records or medical information without authorization and who uses the records or information for his or her own use or the use of another commits theft of medical records or medical information, which is a class 6 felony.	18-4-412 (3)

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162. ***Theft detection shielding device.*** Manufacture, use, possession, or deactivation of a theft detection shielding device is a class 1 misdemeanor. 18-4-417 (3)
163. ***Fuel piracy.*** Fuel piracy is a class 2 misdemeanor when the value of the fuel is \$100 or more but less than \$500. 18-4-418 (2) (b)
- Fuel piracy is a class 3 misdemeanor when the value of the fuel is less than \$100. 18-4-418 (2) (a)

**Trespass, Tampering, and Criminal Mischief**

164. ***Criminal mischief.*** A person who knowingly damages real or personal property of another, including property owned by the person jointly with another person or property owned by the person in which another person has an interest, valued \$15,000 or more in the aggregate commits a class 3 felony. 18-4-501 (1)
- A person commits a class 4 felony when in a single criminal episode he knowingly damages real or personal property, including property owned by the person jointly with another person or property owned by the person in which another person has an interest, and the aggregate damage is more than \$500 but less than \$15,000. 18-4-501 (1)
- Criminal mischief where the aggregate damage to the real or personal property, including property owned by the person jointly with another person or property in which another has a possessory or proprietary interest, is \$100 or more but less than \$500 is a class 2 misdemeanor. 18-4-501 (1)
- Criminal mischief where the aggregate damage to property, including property owned jointly with another person or property owned by the person in which another has a possessory or proprietary interest, is less than \$100 is a class 3 misdemeanor. 18-4-501 (1)
165. ***First degree criminal trespass.*** A person who knowingly and unlawfully enters a building or enters a car with intent to steal commit a crime therein commits a class 5 felony. 18-4-502
166. ***Second degree criminal trespass.*** It is a class 4 felony if a person unlawfully enters or remains on fenced or enclosed premises classified as agricultural land, with the intent to commit a felony. 18-4-503 (2) (b)
- Second degree criminal trespass if the premises have been classified as agricultural land pursuant to section 39-1-103 (1.6) is a class 2 misdemeanor. 18-4-503 (2) (a)

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- Unlawfully entering or remaining in or upon premises which are enclosed in a manner designed to exclude intruders or which are fenced; knowingly and unlawfully entering or remaining in or upon the common areas of a hotel, motel, condominium, or apartment building; or knowingly and unlawfully entering or remaining in a motor vehicle of another is a class 3 misdemeanor. 18-4-503 (2)
167. ***Third degree criminal trespass.*** It is a class 5 felony if a person unlawfully enters or remains on premises classified as agricultural land, with the intent to commit a felony. 18-4-504 (2) (b)
- Third degree criminal trespass if the premises have been classified by the county assessor as agricultural land is a class 3 misdemeanor. 18-4-504 (2) (a)
168. ***First degree criminal tampering.*** First degree criminal tampering is a class 1 misdemeanor. 18-4-505
169. ***Second degree criminal tampering.*** Second degree criminal tampering is a class 2 misdemeanor. 18-4-506
170. ***Oil or gas gathering operations.*** Tampering with equipment associated with oil or gas and (2) gathering operations is a class 2 misdemeanor. 18-4-506.3 (1) and (2)
171. ***Utility meter.*** Tampering with utility meter is a class 2 misdemeanor. 18-4-506.5 (1) and (2)
172. ***Defacing or destruction of written instruments.*** Defacing or destruction of written instruments evidencing a property right with intent to defraud is a class 1 misdemeanor. 18-4-507
173. ***Landmarks.*** Defacing or destroying landmarks or monuments is a class 2 misdemeanor. 18-4-508 (1) and (2)
174. ***Defacing property.*** A second or subsequent conviction for defacing property is a class 1 misdemeanor. 18-4-509 (2) (a)
- Destroying, defacing, removing, or damaging any historical monument is a class 2 misdemeanor. 18-4-509 (2) (a)
- Defacing public or private property is a class 2 misdemeanor. 18-4-509 (1)
- Defacing, causing, aiding, or permitting the defacing of public or private property without consent by use of paint, spray paint, ink, or other method. In addition, convicted person must personally make repairs to damaged property is a class 2 misdemeanor. 18-4-509 (2)
175. ***Abandonment of a motor vehicle.*** Abandonment of a motor vehicle is a class 3 misdemeanor. 18-4-512 (4)

**Elements of Offense**

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176. *Criminal use of a noxious substance.* Criminal use of noxious substance is a class 3 misdemeanor. 18-4-513 (1)
177. *Criminal operation of a device in a motion picture theater.* Operating an audiovisual recording device in a motion picture theater for the purpose of recording a motion picture and without the consent of the motion picture's owner or lessor is a class 1 misdemeanor. 18-4-516 (1) and (2)

**Theft of Sound Recordings**

178. *Unlawful transfer for sale of sound recordings.* Any person who, without the consent of the owner, transfers any copyrighted sound recordings with the intent to sell such article on which such sounds are recorded or to cause the same to be sold for profit or used for promotion, commits a class 6 felony. 18-4-602 (2)
179. *Unlawful trafficking in unlawfully transferred articles.* Unlawful trafficking in unlawfully transferred articles (sound recordings) is a class 3 misdemeanor. 18-4-603 (2)
180. *Dealing in unlawfully packaged recorded articles.* Dealing in unlawfully packaged recorded articles (sound recordings) is a class 3 misdemeanor. 18-4-604 (2)

**Theft of Cable Television Services**

181. *Violation.* Any violation of section 18-4-701 regarding theft of cable television service is a class 2 misdemeanor. 18-4-701 (4)

**CRIMINAL CODE — OFFENSES INVOLVING FRAUD**

**Forgery, Simulation, Impersonation, and Related Offenses**

182. *Forgery.* A person commits forgery, a class 5 felony if, with intent to defraud, such person falsely makes, completes, or alters a written instrument listed in paragraphs (a) through (g) of section 18-5-102 (1). 18-5-102 (2)
183. *Second degree forgery.* Second degree forgery is a class 1 misdemeanor. 18-5-104 (2)



**Elements of Offense**

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184. ***Use of forged academic record.*** Use of forged academic record is a class 1 misdemeanor. 18-5-104.5
185. ***Criminal possession of first degree forged instrument.*** Any person who possesses a forged instrument and intends to use the instrument to defraud, commits a class 6 felony. 18-5-105
186. ***Criminal possession of second degree forged instrument.*** Criminal possession of second degree forged instrument is a class 2 misdemeanor. 18-5-107
187. ***Criminal possession of forgery devices.*** Any person who possesses forgery devices with the intent to fraudulently use them commits a class 6 felony. 18-5-109 (2)
188. ***Criminal simulation.*** Criminal simulation is a class 1 misdemeanor. 18-5-110 (2)
189. ***Trademark counterfeiting.*** Trademark counterfeiting is a class 1 misdemeanor. 18-5-110.5
- Trademark counterfeiting for a first offense involving fewer than 100 items with a value of less than \$1,000 is a class 2 misdemeanor. 18-5-110.5 (2) (a) (I)
190. ***Unlawfully using slugs.*** Unlawfully using slugs is a class 3 misdemeanor. 18-5-111 (4)
191. ***Obtaining signature by deception.*** Obtaining signature by deception is a class 2 misdemeanor. 18-5-112 (3)
192. ***Criminal impersonation.*** Any person who assumes a false or fictitious identity or capacity and in such identity or capacity does an act with intent to unlawfully gain a benefit for himself or herself or another or to injure or defraud another commits a class 6 felony. 18-5-113 (2)
193. ***Offering a false instrument for recording.*** Any person who offers a false instrument for recording with intent to defraud commits a class 5 felony. 18-5-114 (2)
- Offering a false instrument for recording in the second degree is a class 1 misdemeanor. 18-5-114 (4)
194. ***Controlled substances - consumption by fraudulent means.*** Any person who fraudulently causes another person to unknowingly consume or receive the direct administration of any controlled substance commits a class 4 felony. 18-5-116 (2)

**Elements of Offense**

**C.R.S. Citation**

195. ***Unlawful possession of personal identifying information.*** Possession of personal identifying information with the intent to use the information, to aid or permit another to use the information, to unlawfully gain a benefit for a person, or to injure or defraud another person is a class 1 misdemeanor. 18-5-117 (5)

**Fraud in Obtaining Property or Services**

196. ***Fraud by check.*** Fraud by check is a class 6 felony if the fraudulent check was for the sum of \$500 or more, or if the offender is convicted of fraud by check involving the issuance of two or more checks within any 60 day period totaling \$500 or more, or if the offender has been twice previously convicted under this section. 18-5-205 (3) (c)
- Fraud by check is a class 6 felony if the fraudulent check was drawn on an account which did not exist or which had been closed for a period of 30 days or more prior to issuance of the check. 18-5-205 (3) (d)
- Fraud by check if the fraudulent check was for the sum of \$100 or more and less than \$500 or if it involves the issuance of two or more checks within any 60-day period totaling \$100 or more and less than \$500 is a class 2 misdemeanor. 18-5-205 (3) (b)
- Opening a checking account using false identification or an assumed name for the purpose of issuing fraudulent checks is a class 2 misdemeanor. 18-5-205 (5)
- Fraud by check where the amount is less than \$100 is a class 3 misdemeanor. 18-5-205 (3) (a)
197. ***Defrauding a secured creditor or debtor.*** A person who, with intent to defraud a creditor, impairs, renders worthless or unenforceable any security interest, or who sells, assigns, transfers, conveys, pledges, encumbers, conceals, destroys, or disposes of any collateral subject to a security interest, and the value of the collateral is \$15,000 or more, commits a class 3 felony. 18-5-206 (1) (d)
- If a creditor, with intent to defraud a debtor, sells, assigns, transfers, conveys, pledges, buys, or encumbers a promissory note or contract signed by the debtor, and the amount owed on such note or contract is \$15,000 or more, the creditor commits a class 3 felony. 18-5-206 (2) (d)
- A person who intends to defraud a creditor by rendering any security interest worthless or enforceable by disposing of any collateral subject to a security interest commits a class 5 felony if the value of the collateral is \$500 or more but less than \$15,000. 18-5-206 (1) (c)

**Elements of Offense**

**C.R.S. Citation**

- A creditor who intends to defraud a debtor by encumbering a promissory note or contract signed by the debtor commits a class 5 felony if the amount owing on such note or contract is \$500 or more but less than \$15,000. 18-5-206 (2) (c)
- Defrauding a secured creditor or debtor if the value of the collateral or amount owed is \$100 or more but less than \$500 is a class 2 misdemeanor. 18-5-206 (1) (b) and (2) (b)
- Defrauding a secured creditor or debtor, if the value of the collateral or the amount owed is less than \$100 is a class 3 misdemeanor. 18-5-206 (1) (a) and (2) (a)
198. ***Purchase on credit to defraud.*** Purchase on credit to defraud is a class 2 misdemeanor. 18-5-207
199. ***Dual contracts to induce loans.*** Dual contracts to induce loans is a class 3 misdemeanor. 18-5-208
200. ***Issuing a false financial statement.*** A person who issues two or more false financial statements for the purpose of obtaining two or more financial transaction devices in order to obtain property, services, or money commits a class 6 felony. 18-5-209 (5)
- Issuing a false financial statement for purposes of obtaining a financial transaction device in order to obtain property, services, or money is a class 1 misdemeanor. 18-5-209 (4)
- Issuing a false financial statement is a class 2 misdemeanor. 18-5-209 (2)
201. ***Receiving deposits in a failing financial institution.*** Any officer, manager, or other person directing a financial institution, who receives deposits or investments, knowing that the institution is insolvent, commits a class 6 felony. 18-5-210

**Fraudulent and Deceptive Sales and Business Practices**

202. ***Fraud in effecting sales.*** Fraud in effecting sales is a class 2 misdemeanor. 18-5-301 (1)
203. ***Unlawful activity concerning the selling of land.*** A person who sells the same land twice with intent to defraud commits a class 5 felony. 18-5-302 (1)
- Any person who knowingly makes a false representation as to the existence of an ownership interest in land which he or she has as a seller or which his or her principal has, and which is relied upon, commits a class 6 felony. 18-5-302 (2)

**Elements of Offense**

**C.R.S. Citation**

- 204. ***Bait advertising.*** Bait advertising is a class 2 misdemeanor. 18-5-303 (3)
- 205. ***Identification number.*** Altering an identification number is a class 3 misdemeanor. 18-5-305 (5)

**Bribery and Rigging of Contests**

- 206. ***Commercial bribery and breach of duty to act disinterestedly.*** A person who solicits, accepts, or agrees to accept any benefit as consideration for knowingly violating or agreeing to violate a duty of fidelity to which he or she is subject commits a class 6 felony. 18-5-401 (1)  

A person who holds himself or herself out to the public as being engaged in the business of making disinterested selection, appraisal, or criticism of commodities, property, or services commits a class 6 felony if he or she knowingly solicits, accepts, or agrees to accept any benefit to alter, modify, or change his or her selection, appraisal, or criticism. 18-5-401 (2)

A person who confers or offers or agrees to confer any benefit the acceptance of which would be a felony under subsections 18-5-401(1) and 18-5-401(2) commits a class 6 felony. 18-5-401 (3)
- 207. ***Rigging publicly exhibited contests.*** Rigging publicly exhibited contests is a class 3 misdemeanor. 18-5-402 (1) and (2)
- 208. ***Bribery in sports.*** Any person involved in bribery in sports contests or of sports participants commits a class 6 felony. 18-5-403 (3)

**Offenses Related to the Uniform Commercial Code**

- 209. ***Failure to pay over assigned accounts.*** A class 5 felony is committed when an assignor for the collection of a debt account fails to pay the assignee any money collected from the debtor, where the sum of money involved is \$500 or more. 18-5-502  

Failure to pay over assigned accounts where the amount of such proceeds withheld is less than \$500 is a class 2 misdemeanor. 18-5-502
- 210. ***Concealment or removal of secured property.*** If a person has given security interest in personal property and conceals or removes the encumbered property from Colorado without written consent, that person commits a class 5 felony if the amount of the proceeds withheld is \$500 or more. 18-5-504

**Elements of Offense**

**C.R.S. Citation**

- Concealment or removal of secured property where the value of the property concealed or removed is less than \$500 is a class 2 misdemeanor. 18-5-504
211. ***Failure to pay over proceeds.*** Any person giving security interest and retaining possession of the encumbered property and having liberty of sale or other disposition, and who wrongfully fails to pay to the secured creditor the amounts due on account thereof, commits a class 5 felony where the amount of the proceeds withheld is \$500 or more. 18-5-505
- Failure to pay over proceeds of security interest in personal property where the amount of the proceeds withheld is less than \$500 is a class 2 misdemeanor. 18-5-505
212. ***Fraudulent receipt.*** A warehouseman who fraudulently issues a receipt for goods knowing that the goods have not been actually received by the warehouseman, or are not under his or her actual control at the time of issuing the receipt, commits a class 6 felony. 18-5-506
213. ***False statement in receipt.*** Fraudulently issuing a false statement of the receipt for goods is a class 2 misdemeanor. 18-5-507
214. ***Duplicate receipt not marked.*** A warehouseman who issues a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods is outstanding and uncanceled, without placing upon the face thereof the word "duplicate", commits a class 6 felony. 18-5-508
215. ***Warehouseman's goods.*** Issuing a negotiable receipt for goods without stating fully the ownership of such goods is a class 2 misdemeanor. 18-5-509
216. ***Delivery of goods.*** Delivery of goods knowing that a negotiable receipt of those goods is outstanding and uncanceled, without obtaining the possession of that receipt before the time of delivery is a class 2 misdemeanor. 18-5-510
217. ***Mortgaged goods receipt.*** Depositing goods to which the person does not have title or upon which there is a security interest and taking a negotiable receipt for such goods with the intention of negotiating for value without disclosing the want of title or the existence of the security interest is a class 2 misdemeanor. 18-5-511
218. ***Issuance of a bad check.*** Issuance of a bad check is a class 3 misdemeanor. 18-5-512 (3)

**Elements of Offense**

**C.R.S. Citation**

**Financial Transaction Device Crime Act**

219. ***Unauthorized use of a financial device.*** Any person who uses a financial transaction device for the purpose of obtaining cash, credit, property, or services or for making financial payment, with intent to defraud, commits unauthorized use of a financial device. If such cash, credit, property, or service obtained or financial payment made exceeds \$15,000, it is a class 3 felony. 18-5-702 (3) (d)
- Unauthorized use of a financial device if the value of cash, credit, property, or services obtained or financial payments made exceeds \$500 but is less than \$15,000 is a class 5 felony. 18-5-702 (3) (c)
- Unauthorized use of a financial transaction device if the value of the cash, credit, property, or services obtained or of the financial payment made is \$100 or more but is less than \$500 is a class 2 misdemeanor. 18-5-702 (3) (b)
220. ***Criminal possession of a financial transaction device.*** Any person who possesses four or more financial transaction devices issued to different account holders with the intent to defraud or which he or she knows to be lost, stolen, or delivered under a mistake commits a class 5 felony. 18-5-703 (4)
- Any person who possesses two or more financial transaction devices, with the intent to defraud or which he or she knows to be lost, stolen, or delivered under a mistake commits a class 6 felony. 18-5-703 (3)
- Criminal possession of one financial transaction device is a class 1 misdemeanor. 18-5-703 (2)
221. ***Sale of a financial transaction device.*** Any person who, with intent to defraud, sells or possesses to sell, two or more financial transaction devices which he or she knows to be lost, stolen, forged, altered, counterfeited, or delivered under a mistake commits a class 3 felony. 18-5-704 (2)
- Any person who delivers, circulates, or sells two or more blank financial transaction devices which have not been embossed or magnetically encoded with the name of the account holder, personal identification code, expiration date, or other proprietary institutional information, commits a class 3 felony. 18-5-705 (5)
- Any person who, with intent to defraud, sells or possesses to sell, any financial transaction device which he or she knows to be lost, stolen, forged, altered, counterfeited, or delivered under a mistake, commits a class 5 felony. 18-5-704 (1)

**Elements of Offense**

**C.R.S. Citation**

Any person who delivers, circulates, or sells one blank financial transaction device which has not been embossed or magnetically encoded with the name of the account holder, personal identification code, expiration date, or other proprietary institutional information commits a class 5 felony.

18-5-705 (4)

222. ***Criminal possession of a blank financial transaction device.*** Any person who possesses two or more blank financial transaction devices and who intends to use, deliver, circulate, or sell them without the authorization of the issuer or manufacturer commits a class 5 felony.

18-5-705 (3)

Any person who possesses a blank financial transaction device and who intends to use, deliver, circulate, or sell it without the authorization of the issuer or manufacturer commits a class 6 felony.

18-5-705 (2)

223. ***Unlawful manufacture of a financial transaction device.*** A person commits a class 5 felony if he or she commits unlawful manufacture of a financial transaction device, with intent to defraud, by: a) falsely making or manufacturing such a device; b) falsely altering or adding codes or information to such a device; or c) falsely completing such a device.

18-5-707 (3)

A person who possesses any tools, photographic equipment, printing equipment, or other device used in the unauthorized manufacture, printing, embossing, magnetic encoding, or altering of a financial transaction device commits a class 6 felony.

18-5-706 (2)

**Equity Skimming and Related Offenses**

224. ***Equity skimming.*** Equity skimming of real property is a class 5 felony.

18-5-802 (3)

Equity skimming of a vehicle is a class 6 felony.

18-5-803 (2)

**Computer Crimes**

225. ***Computer crime.*** Any person who commits computer crime, and the loss, damage, value of services, thing of value taken, or cost of restoration or repair caused is \$15,000 or more, it is a class 3 felony.

18-5.5-102 (3) (a)

If the loss, damage, value of service, or thing of value taken or cost of restoration or repair caused by computer crime is \$500 or more but less than \$15,000, computer crime is a class 4 felony.

18-5.5-102 (3) (a)

**Elements of Offense**

**C.R.S. Citation**

- A person commits a class 6 felony if he or she accesses a computer, computer network, or computer system without authorization, exceeds authorized access to, or uses a computer, computer network, or computer system without authorization or in excess of authorized access after having been previously convicted of such offense. 18-5.5-102 (3) (b)
- Computer crime if the loss, damage, cost of repair, or thing taken is valued at \$100 or more but less than \$500 is a class 2 misdemeanor. 18-5.5-102 (3)
- Computer crime if less than \$100 is a class 3 misdemeanor. 18-5.5-102 (3)

**CRIMINAL CODE — OFFENSES INVOLVING THE FAMILY RELATIONS**

**Abortion**

226. ***Criminal abortion.*** Abortion by any means other than justified medical termination or birth is criminal abortion when the woman dies because of the criminal abortion is a class 2 felony. 18-6-102 (2)
- Any person who intentionally ends the pregnancy of a woman by any means other than justified medical termination or birth commits the class 4 felony of criminal abortion. 18-6-102 (2)
227. ***Pretended criminal abortion.*** Any person who intentionally pretends to end the real or apparent pregnancy of a woman by means other than justified medical termination or birth commits a class 5 felony. 18-6-103 (2)
- It is a class 2 felony to commit pretended criminal abortion if the woman dies because of the pretended abortion. 18-6-103 (2)
228. ***Distributing abortifacient.*** Distributing abortifacient is a class 1 misdemeanor. 18-6-105 (2)

**Bigamy**

229. ***Bigamy.*** Any married person who, while still married, marries or cohabits with another commits bigamy which is a class 6 felony. 18-6-201
- Knowingly marrying a bigamist is a class 2 misdemeanor. 18-6-202



**Elements of Offense**

**C.R.S. Citation**

**Incest**

230. **Aggravated incest.** A person commits aggravated incest who knowingly marries a natural child, inflicts sexual penetration or intrusion on, or subjects to sexual contact a natural child, stepchild, adopted child, and certain other whole or half blood relatives. The provision does not apply to a legal marriage to a stepchild or adopted child. Aggravated incest is a class 3 felony. 18-6-302 (2)
231. **Incest.** Any person who knowingly marries, inflicts sexual penetration or sexual intrusion, or subjects to sexual contact, an ancestor or descendant, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood commits incest which is a class 4 felony. 18-6-301 (1)

**Wrongs to Children**

232. **Child abuse.** If a person knowingly or recklessly commits child abuse and such abuse results in the death of a child, it is a class 2 felony. 18-6-401 (7) (a) (I)
- When a person acts with criminal negligence and the child abuse results in the death of the child, it is a class 3 felony. 18-6-401 (7) (a) (II)
- When a person acts knowingly or recklessly and the child abuse results in serious bodily injury to the child, it is a class 3 felony. 18-6-401 (7) (a) (III)
- A person who causes serious bodily injury to a child while acting with criminal negligence commits a class 4 felony. 18-6-401 (7) (a) (IV)
- When a person acts knowingly and recklessly and the child abuse results in any injury other than serious bodily injury, it is a class 1 misdemeanor. 18-6-401 (7) (a) (V)
- Knowing or reckless child abuse committed with criminal negligence not resulting in serious bodily injury is a class 2 misdemeanor. 18-6-401 (7) (a) (VI) and (7) (b) (I)
- Child abuse when a person acts with criminal negligence but where no death or injury results is a class 3 misdemeanor. 18-6-401 (7) (b) (II)
233. **Child abuse.** When, in the presence of a child, on the premises where a child is found, or where a child resides, a person engages in the manufacture or attempted manufacture of a controlled substance or possesses ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers, with the intent to use the product as an immediate precursor in the manufacture of a controlled substance, it is a class 3 felony. 18-6-401 (7) (d)

**Elements of Offense**

**C.R.S. Citation**

234. ***Trafficking in children.*** Selling, exchanging, bartering, or leasing a child and receiving money or other consideration or thing of value for the child as a result of such transaction is a class 3 felony. 18-6-402 (3)
235. ***Sexual exploitation of children.*** A person who, for any commercial purpose, knowingly causes a child to engage in or be used for explicit sexual conduct or traffics in sexually exploitative material, commits sexual exploitation of a child which is a class 3 felony. 18-6-403 (5)
- The second or subsequent offense of sexual exploitation of a child by possession of sexually exploitative material is a class 4 felony. 18-6-403 (5)
- Sexual exploitation of a child by possession of sexually exploitative material is a class 1 misdemeanor. 18-6-403 (5)
236. ***Procurement of a child for sexual exploitation.*** Any person who intentionally gives, transports, provides, or makes available, or offers to do the same for the purpose of sexually exploiting a child, commits a class 3 felony. 18-6-404

**Harboring a Minor**

237. ***Harboring a minor.*** Harboring a minor is a class 2 misdemeanor. 18-6-601 (2)

**Contributing to Delinquency**

238. ***Contributing to delinquency.*** Inducing, aiding, or encouraging a child to violate any state or federal law, municipal or county ordinance, or court order is a class 4 felony. 18-6-701 (2)

**Domestic Violence**

239. ***Domestic violence - sentencing.*** Any person convicted of any offense which would otherwise be a misdemeanor, the underlying factual basis of which includes an act of domestic violence and such person has been three times previously convicted of a felony or misdemeanor or municipal ordinance violation, the underlying factual basis of which included an act of domestic violence, shall be convicted of a class 5 felony. 18-6-801 (7)
240. ***Violation of a restraining order.*** Violation of a protection order when the restrained person has previously been convicted of violation of a protection order or an analogous municipal ordinance, or when the protection order is issued pursuant to section 18-1-1001 is a class 1 misdemeanor. 18-6-803.5 (2) (a)

**Elements of Offense**

**C.R.S. Citation**

Violation of a protection order is a class 2 misdemeanor.

18-6-803.5 (2) (a)

**CRIMINAL CODE — WRONGS TO AT-RISK ADULTS  
AND AT-RISK JUVENILES**

**Criminal Negligence**

241. ***Criminal negligence.*** Any person whose conduct amounts to criminal negligence and such negligence results in the death of an at-risk adult or at-risk juvenile commits a class 4 felony. 18-6.5-103 (2) (a)

Any person whose conduct amounts to criminal negligence when the negligence results in serious bodily injury to an at-risk adult or at-risk juvenile commits a class 5 felony. 18-6.5-103 (2) (b)

A crime against an at-risk adult or at-risk juvenile is a class 6 felony when the crime amounts to criminal negligence resulting in bodily injury. 18-6.5-103 (2) (c)

**Assault Against At-risk Adults and At-risk Juveniles**

242. ***Assault against at-risk adults and at-risk juveniles.*** A person who commits a crime of assault in the first degree when the victim is an at-risk adult or at-risk juvenile commits a class 2 felony. 18-6.5-103 (3) (a)

Any person who commits the crime of assault in the second degree when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony. 18-6.5-103 (3) (b)

Any person who commits a crime of assault in the first degree and the victim is an at-risk adult or an at-risk juvenile commits a class 4 felony if the act causing the injury is performed, not after deliberation, upon a sudden heat of passion, caused by a serious and highly provoking act of the intended victim, affecting the person causing the injury sufficiently to excite an irresistible passion in a reasonable person. 18-6.5-103 (3) (a)

Any person who commits a crime of assault in the second degree when the victim is an at-risk adult or at-risk juvenile and the act was committed upon a sudden heat of passion, caused by a serious and highly provoking act of the victim, causing an irresistible passion in a reasonable person, commits a class 5 felony. 18-6.5-103 (3) (b)

**Elements of Offense**

**C.R.S. Citation**

**Robbery/Theft**

243. ***Robbery from at-risk adults and at-risk juveniles.*** Any person who commits robbery when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony. 18-6.5-103 (4)

244. ***Theft from at-risk adults and at-risk juveniles.*** Any person who commits theft in the presence of the victim when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony when the value of the item involved is \$500 or more. 18-6.5-103 (5)

Any person who commits theft from an at-risk adult or at-risk juvenile by means other than the use of force, threat, or intimidation commits a class 4 felony without regard to the value of the thing taken. 18-6.5-103 (5)

Any person who commits theft, and commits any element of the offense in the presence of the victim when the victim is an at-risk adult or at-risk juvenile commits a class 5 felony when the value of the thing involved is less than \$500. 18-6.5-103 (5)

**Neglect**

245. ***Neglect of at-risk adults and at-risk juveniles.*** Knowing neglect of an at-risk adult or at-risk juvenile or knowingly acting in a manner likely to be injurious to the physical or mental welfare of an at-risk adult or at-risk juvenile is a class 1 misdemeanor. 18-6.5-103 (6)

**Sexual Assault Against At-risk Adults and At-risk Juveniles**

246. ***First degree sexual assault.*** Sexual assault or first degree sexual assault against an at-risk adult or an at-risk juvenile is a class 2 felony. 18-6.5-103 (7) (a)

247. ***Second degree sexual assault.*** Any person who commits a crime of sexual assault in the second degree and the victim is an at-risk adult or an at-risk juvenile commits a class 3 felony. 18-6.5-103 (7) (b)

**Elements of Offense**

**C.R.S. Citation**

248. ***Third degree sexual assault.*** Any person who commits third degree sexual assault and the victim is an at-risk adult or an at-risk juvenile commits a class 3 felony if the person compels the victim to submit by use of force, intimidation, or threat or if the actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner inconsistent with reasonable medical practices or if the actor, with or without sexual contact, induces or coerces a child to expose intimate parts or to engage in sexual contact for the purpose of the actor's own sexual gratification. 18-6.5-103 (7) (c)
- A person who commits unlawful sexual contact or third degree sexual assault against a victim who is an at-risk adult or an at-risk juvenile commits a class 6 felony. 18-6.5-103 (7) (c)
249. ***Sexual assault on a child.*** Sexual assault on a child when the victim is an at-risk juvenile is a class 2 felony when the actor uses force, threat, threat of retaliation, or commits the abuse as part of a pattern. 18-6.5-103 (7) (d)
- Sexual assault on a child when the victim is an at-risk juvenile is a class 3 felony. 18-6.5-103 (7) (d)
250. ***Sexual assault by one in a position of trust.*** Sexual assault on a child by one in a position of trust when the victim is an at-risk juvenile is a class 2 felony when the victim is less than 15 years of age. 18-6.5-103 (7) (e)
- Sexual assault on a child by one in a position of trust when the victim is an at-risk juvenile is a class 3 felony when the victim is 15 years of age or older but less than 18 years of age. 18-6.5-103 (7) (e)
251. ***Sexual assault by a psychotherapist.*** Sexual assault on a client by a psychotherapist when the victim is an at-risk adult or an at-risk juvenile is a class 3 felony when the actor knowingly inflicts sexual penetration or sexual intrusion on the victim and the actor is a psychotherapist and the victim is a client or the actor is a psychotherapist and the victim is a client and the sexual penetration or intrusion occurred by means of therapeutic deception. 18-6.5-103 (7) (f)
- A psychotherapist who commits sexual assault against a client who is an at-risk adult or an at-risk juvenile commits a class 6 felony. 18-6.5-103 (7) (f)

**CRIMINAL CODE — OFFENSES RELATING TO MORALS**

**Obscenity**

252. *Obscenity.* Wholesale promotion of obscenity to a minor is a class 6 felony. 18-7-102 (1.5) (b)
- Promotion of obscenity to a minor is a class 6 felony. 18-7-102 (2.5) (b)
- Wholesale promotion of obscenity is a class 1 misdemeanor. 18-7-102 (1) (b)
- Promotion of obscenity is a class 2 misdemeanor. 18-7-102 (2) (b)

**Prostitution**

253. *Prostitution.* Prostitution is a class 3 misdemeanor. 18-7-201 (3)
254. *Prostitution with knowledge of being infected with AIDS.* Prostitution with knowledge of being infected with AIDS is a class 5 felony. 18-7-201.7 (2)
255. *Soliciting for prostitution.* Soliciting for prostitution is a class 3 misdemeanor. 18-7-202 (2)
256. *Pandering.* Any person who induces another person by menacing or criminal intimidation to commit prostitution or by arranging for another to practice prostitution commits a class 5 felony. 18-7-203 (2)
- Pandering by arranging or offering to arrange a situation in which a person may practice prostitution is a class 3 misdemeanor. 18-7-203 (2)
257. *Keeping a place of prostitution.* Keeping a place of prostitution is a class 2 misdemeanor. 18-7-204 (2)
258. *Patronizing a prostitute with knowledge of being infected with AIDS.* Patronizing a prostitute with knowledge of being infected with AIDS is a class 6 felony. 18-7-205.7 (2)
259. *Pimping.* Any person who knowingly lives on or is supported or maintained by any money earned by another person through prostitution commits pimping, which is a class 3 felony. 18-7-206
260. *Promoting sexual immorality.* Promoting sexual immorality is a class 2 misdemeanor. 18-7-208 (3)

**Elements of Offense**

**C.R.S. Citation**

**Public Indecency**

261. *Indecent exposure.* A third or subsequent offense of indecent exposure to a child is a class 6 felony. 18-7-302 (4)  
Indecent exposure is a class 1 misdemeanor. 18-7-302 (2) (b)

**Child Prostitution**

262. *Soliciting for child prostitution.* A person who solicits another, arranges a meeting, or directs another to a place for the purpose of child prostitution commits a class 3 felony. 18-7-402 (2)
263. *Pandering of a child.* Anyone who induces a child to commit prostitution by threatening or intimidating the child commits a class 2 felony. 18-7-403 (2)  
Anyone who arranges or offers to arrange a situation in which a child may practice prostitution commits a class 3 felony. 18-7-403 (2)
264. *Procurement of a child.* Any person who intentionally gives, transports, provides, or makes available or offers to do the same for the purpose of child prostitution commits a class 3 felony. 18-7-403.5
265. *Keeping a place of child prostitution.* Any person who exercises control over a place which offers seclusion or shelter for the purpose of prostitution of or by a child commits a class 3 felony. 18-7-404 (2)
266. *Pimping of a child.* Any person who lives on or is supported by money or other thing of value procured by a child through prostitution commits a class 3 felony. 18-7-405
267. *Inducement of child prostitution.* Any person who by word or action (other than menacing or criminal intimidation) induces a child to engage in prostitution commits a class 3 felony. 18-7-405.5 (2)
268. *Patronizing a prostituted child.* A class 3 felony is committed by anyone who engages in an act which involves child prostitution, or by anyone who enters a place of prostitution with the intention of engaging in child prostitution. 18-7-406 (2)

**Sexually Explicit Materials Harmful to Children**

269. *Violation.* Violation of any of the provisions of Part 5 of Article 7 of Title 18 regarding sexually explicit materials and children is a class 2 misdemeanor. 18-7-502 (6)

**Elements of Offense**

**C.R.S. Citation**

**Sexual Conduct in Penal Institutions**

270. ***Sexual conduct in penal institutions.*** An employee or contract employee of a criminal justice facility who engages in sexual conduct with an inmate commits a class 5 felony if the sexual conduct includes sexual intrusion or sexual penetration. 18-7-701 (3)
- An employee or contract employee of a criminal justice facility who engages in sexual conduct with an inmate commits a class 6 felony if the conduct consists solely of sexual contact. 18-7-701 (4) (a)
- A volunteer at a criminal justice facility who engages in sexual conduct including sexual intrusion or sexual penetration commits a class 6 felony. 18-7-701 (4) (b)
- Sexual conduct in a penal institution if the sexual conduct consists solely of sexual contact and is committed by a volunteer is a class 1 misdemeanor. 18-7-701 (5)

**Criminal Invasion of Privacy**

271. ***Criminal invasion of privacy.*** Taking a photograph of another person's intimate parts without that person's consent in a place where the person photographed has a reasonable expectation of privacy is a class 2 misdemeanor 18-7-801 (3)

**CRIMINAL CODE — GOVERNMENTAL OPERATIONS**

**Obstruction of Public Justice**

272. ***Obstructing government operations.*** Obstructing government operations is a class 3 misdemeanor. 18-8-102 (3)
273. ***Resisting arrest.*** Resisting arrest is a class 2 misdemeanor. 18-8-103 (4)
274. ***Obstructing a peace officer or fireman.*** Obstructing a peace officer or fireman is a class 2 misdemeanor. 18-8-104 (4)
275. ***Accessory to crime.*** A person who renders assistance to another who has committed a crime in order to prevent the person's apprehension and punishment commits a class 4 felony if the person who renders assistance knows that the person being assisted has committed a class 1 or class 2 felony. 18-8-105 (3)



**Elements of Offense**

**C.R.S. Citation**

- Being an accessory to crime is a class 5 felony if the offender knows that the person being assisted is suspected of or wanted for a class 1 or class 2 felony. 18-8-105 (4)
- Being an accessory to crime is a class 5 felony if the offender knows that the person being assisted has committed, or has been convicted of, or is charged with, or is suspected of or wanted for a felony other than a class 1 or class 2 felony. 18-8-105 (5)
- Being an accessory to a crime is a class 6 felony when the crime is a class 6 felony. 18-8-105 (5)
276. ***Compounding.*** Compounding (accepting or agreeing to accept money for refraining from seeking prosecution for an offense or refraining from reporting a crime to law enforcement authorities) is a class 3 misdemeanor. 18-8-108 (3)
277. ***Concealing death.*** Concealing death thereby preventing a determination of the cause of death is a class 1 misdemeanor. 18-8-109
278. ***False report of explosives.*** Any person who reports that a bomb or other explosive, chemical or biological agent, poison or weapon, or harmful radioactive substance has been placed in any public or private place or vehicle, knowing that the report is false, commits a class 6 felony. 18-8-110
279. ***False reporting.*** False reporting to authorities is a class 3 misdemeanor. 18-8-111
280. ***Impersonating a peace officer.*** falsely pretending to be a peace officer and performing an act in that pretended capacity is a class 6 felony. 18-8-112 (2)
281. ***Impersonating a public servant.*** Impersonating a public servant is a class 3 misdemeanor. 18-8-113 (3)
282. ***Abuse of public records.*** Abuse of public records is a class 1 misdemeanor. 18-8-114 (1)
283. ***Disarming a peace officer.*** It is a class 5 felony to knowingly, without justification and without consent, removes the firearm of a peace officer who is acting under color of official authority. 18-8-116 (2)

**Escape and Offenses Relating to Custody**

284. ***Aiding an escape.*** It is a class 2 felony to aid the escape of a person who was in custody or confinement for conviction of a class 1 or class 2 felony. 18-8-201 (4)

**Elements of Offense**

**C.R.S. Citation**

- It is a class 3 felony to aid the escape of a person who has been convicted of a felony other than a class 1 or class 2 felony. 18-8-201 (5)
- It is a class 1 misdemeanor to aid the escape of a person who was in custody or confinement and charged with, held for, or convicted of a misdemeanor or a petty offense. 18-8-201 (6)
285. ***Aiding escape from mental hospital.*** Any person who aids the escape of an inmate in a mental hospital knowing the person was committed pursuant to the criminal insanity statute commits a class 5 felony. 18-8-201.1
286. ***Introducing contraband in the first degree.*** It is a class 4 felony for any person to attempt to introduce a dangerous instrument, alcoholic beverage, controlled substance, or marijuana into a detention facility, or for any person who is confined in a detention facility to make any of these items. 18-8-203 (2)
287. ***Introducing contraband in the second degree.*** Any person who introduces contraband, as defined in section 18-8-204, into a detention facility commits a class 6 felony. 18-8-204 (3)
288. ***Possession of contraband.*** Possession of contraband which involves a dangerous instrument is a class 4 felony. 18-8-204.1 (3)
289. ***Possession of contraband in the first degree.*** Any person confined in a detention facility who possesses contraband (other than a dangerous instrument) commits a class 6 felony. 18-8-204.1 (2)
290. ***Possession of contraband in the second degree.*** Possession of contraband in the second degree is a class 1 misdemeanor. 18-8-204.2 (2)
291. ***Assault during escape.*** Any person confined in any lawful place of confinement within the state who, while escaping or attempting to escape, commits an assault with intent to commit bodily injury upon another person with a deadly weapon, or by any means of force likely to produce serious bodily injury, commits a class 1 felony if the person has been convicted of a class 1 felony. 18-8-206 (1) (a)
- It is a class 2 felony to commit an assault with intent to injure while attempting to escape from confinement for conviction of a felony other than a class 1 felony. 18-8-206 (1) (b)
- It is a class 3 felony if a person who is being held or charged with but not convicted of a felony attempts to escape and assaults another intentionally with a deadly weapon or another means of force likely to produce injury. 18-8-206 (1) (c)

**Elements of Offense**

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	It is a class 3 felony if a person in custody who is charged with, held for, or convicted of a misdemeanor or petty offense attempts to escape and assaults another intentionally with a deadly weapon or another means of force likely to produce injury.	18-8-206 (1) (d)
292.	<b><i>Holding hostages.</i></b> If, while escaping from lawful custody or confinement, a person holds another hostage by force or threat, he or she commits a class 2 felony.	18-8-207
293.	<b><i>Escape.</i></b> It is a class 2 felony to knowingly escape confinement following conviction of a class 1 or 2 felony.	18-8-208 (1)
	It is a class 3 felony if a person who has been convicted of a felony other than a class 1 or class 2 felony escapes from custody or confinement.	18-8-208 (2)
	It is a class 4 felony for a person who has been charged but not convicted of a felony to escape confinement.	18-8-208 (3)
	A person who has been confined pursuant to the criminal insanity law and who escapes confinement and travels outside of the state of Colorado commits a class 5 felony.	18-8-208 (6) (c)
	A person who escapes while in custody or confinement pursuant to the "Uniform Extradition Act" commits a class 5 felony	18-8-208 (8)
	Escape while confined pursuant to insanity statute (Article 8 of Title 16) if charged with a misdemeanor at the proceeding in which person was committed is a class 1 misdemeanor.	18-8-208 (6) (a)
	Escape while confined pursuant to insanity statute (Article 8 of Title 16) if charged with a felony at the proceeding in which person was committed is a class 1 misdemeanor.	18-8-208 (6) (b)
	Escape while in custody or confinement following conviction of a misdemeanor or petty offense or violation of municipal ordinance is a class 3 misdemeanor.	18-8-208 (4)
294.	<b><i>Attempt to escape.</i></b> It is a class 4 felony for a person who is in custody or confinement following the conviction of a felony to attempt to escape.	18-8-208.1 (1)
	A person who, while in custody or confinement and held for or charged with but not convicted of a felony, attempts to escape commits a class 5 felony.	18-8-208.1 (2)
295.	<b><i>Persons in custody or confinement for unclassified offenses.</i></b> A person who is in custody or confinement for a felony offense which is unclassified and escapes commits a class 5 felony.	18-8-210

**Elements of Offense**

**C.R.S. Citation**

296. ***Riots in detention facilities.*** A person who engages with two or more other persons in violent conduct, using a deadly weapon, or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents that he or she is armed with a deadly weapon which creates grave danger and obstructs performance of institutional functions, commits a class 3 felony. 18-8-211 (2) (a)
- A person confined in any correctional institution commits a class 5 felony if, during a riot, he or she intentionally disobeys an order to move, disperse, or refrain from specified activities. 18-8-211 (3)
297. ***Violation of bail bond conditions.*** A person who has been accused of a felony and is released on bail bond commits a class 6 felony if he or she knowingly fails to appear for trial or if he or she knowingly violates the condition of the bail bond. 18-8-212 (1)
- Violation of bail bond conditions is a class 3 misdemeanor. 18-8-212 (2)
298. ***Unauthorized residency by parolee or probationer from another state.*** A probationer or parolee from another state who, in order to stay in the state, is required to have permission of the administrator of the Interstate Compact for Parolee Supervision, and does not receive such approval, commits a class 5 felony. 18-8-213 (2)

**Bribery and Corrupt Influences**

299. ***Bribery.*** It is a class 3 felony if a person offers a pecuniary benefit to a public official with the intent to influence some action, or if a person who is a public official accepts a bribe. 18-8-302 (3)
300. ***Compensation for official behavior.*** A person who accepts compensation for having, as a public servant, given a decision, opinion, recommendation, or vote favorable to another or for having otherwise exercised a discretion in another person's favor, or a person who offers compensation for such a favor commits a class 6 felony. 18-8-303 (1)
301. ***Soliciting unlawful compensation.*** Soliciting unlawful compensation is a class 2 misdemeanor. 18-8-304
302. ***Trading in public office.*** Trading in public office is a class 1 misdemeanor. 18-8-305 (3)
303. ***Attempt to influence a public servant.*** Any person who attempts to influence any public servant by means of deceit, threat of violence, or economic reprisal commits a class 4 felony. 18-8-306

**Elements of Offense**

**C.R.S. Citation**

304. ***Designation of supplier prohibited.*** Any public servant who requires or directs a bidder or contractor to deal with a particular person in procuring goods or services required in submitting a bid to or fulfilling a contract with any government commits a class 6 felony. 18-8-307 (4)
305. ***Failing to disclose a conflict of interest.*** Failure to disclose conflict of interest by a public servant is a class 2 misdemeanor. 18-8-308 (3)

**Abuse of Public Office**

306. ***Misuse of official information.*** Any public servant who, in contemplation of an official action or in reliance on information to which he or she has access in a official capacity and which has not been made public, commits a class 6 felony if he or she: (1) acquires a pecuniary interest in any property, transaction, or enterprise which may be affected by such information or official action; or (2) speculates or wagers on the basis of such information or official action; or (3) aids, advises, or encourages another to do any of the foregoing with intent to confer on any person a special pecuniary benefit. 18-8-402 (2)
307. ***Official oppression.*** Official oppression is a class 2 misdemeanor. 18-8-403 (2)
308. ***First degree official misconduct.*** First degree official misconduct is a class 2 misdemeanor. 18-8-404 (2)
309. ***Issuing a false certificate.*** A public servant who is authorized to make and issue official certificates or other official written instruments commits a class 6 felony if he or she makes and issues such an instrument containing a statement which he or she knows is false. 18-8-406
310. ***Embezzlement of public property.*** A class 5 felony is committed when a public servant converts public moneys or properties to personal use or to any use other than the public use as authorized by law. 18-8-407 (2)

**Perjury and Related Offenses**

311. ***Perjury in the first degree.*** A person who makes a materially false statement under oath in any official proceeding commits a class 4 felony. 18-8-502 (3)

**Elements of Offense**

**C.R.S. Citation**

312. *Perjury in the second degree.* A person who makes a materially false statement, which he or she does not believe to be true, under oath with the intent to mislead a public servant in the performance of his or her duty commits a class 1 misdemeanor. 18-8-503 (2)

**Offenses Relating to Judicial and Other Proceedings**

313. *Bribe - receiving by a witness.* A witness accepting any benefit for the purpose of influencing his or her presence or testimony at an official proceeding commits a class 4 felony. 18-8-603 (1)
314. *Bribing a juror.* A person who attempts to influence a juror's decision by offering or conferring any benefit upon the juror commits a class 4 felony. 18-8-606 (2)
315. *Bribe - receiving by a juror.* Any juror who accepts any benefit for the purpose of influencing his or her vote commits a class 4 felony. 18-8-607 (2)
316. *Intimidating a juror.* A person who attempts to influence a juror's vote by use of threat of harm or injury to any person or property commits a class 4 felony. 18-8-608 (2)
317. *Jury tampering.* Jury tampering in any class 1 felony trial is a class 4 felony. 18-8-609 (2)
- Knowing participation in the fraudulent processing or selection of jurors or prospective jurors or attempting to communicate with or influence jurors other than as a part of the official trial proceedings is a class 5 felony. 18-8-609 (2)
318. *Tampering with physical evidence.* Tampering with physical evidence is a class 6 felony. 18-8-610 (3)
319. *Simulating the legal process.* Simulating the legal process is a class 3 misdemeanor. 18-8-611 (2)
320. *Failure to obey a juror summons.* Failure to obey a juror summons is a class 3 misdemeanor. 18-8-612 (2)
321. *Juror questionnaire.* Willful misrepresentation of material fact on a juror questionnaire is a class 3 misdemeanor. 18-8-613 (2)
322. *Harassment of a juror by an employer.* Willful harassment of a juror is a class 2 misdemeanor. 18-8-614 (2)

**Elements of Offense**

**C.R.S. Citation**

**Victims and Witnesses Protection**

323. ***Bribing a witness or victim.*** A person commits a class 4 felony when he or she offers or confers any benefit upon a witness or victim, in any official proceeding, members of the witness or victim's family, or persons in close relationship to or residing in the same household with a witness or victim in an attempt to influence that witness or victim. 18-8-703 (2)
324. ***Intimidating a witness or victim.*** If, in an attempt to influence a witness or victim, a person threatens harm or injury to any person or property, that person commits a class 4 felony. 18-8-704 (2)
325. ***Aggravated intimidation of a witness or victim.*** If, in an attempt to influence a witness or victim, a person either: a) is armed with a deadly weapon and intends, if resisted, to kill, maim, or wound any person; or b) knowingly wounds any person or puts any person in a reasonable fear of death or bodily injury, that person commits a class 3 felony. 18-8-705 (3)
326. ***Retaliation against a witness or victim.*** A person who intentionally inflicts harm or injury upon any person or property as retaliation for testimony given in any official proceeding commits a class 3 felony. 18-8-706 (2)
327. ***Retaliation against a juror.*** It is a class 3 felony if an individual uses a threat, act of harassment, or act of harm or injury upon any person or property, which action is directed to or committed upon a juror who has served for a criminal or civil trial involving the individual or a person or persons on whose behalf the individual is acting, or upon a member of the juror's family, an individual in close relationship to the juror, or an individual residing in the same household with the juror, as retaliation or retribution against the juror. 18-8-706.5 (2)
328. ***Tampering with a witness or victim.*** A person who attempts to influence a victim or witness without bribery or threats commits a class 4 felony. 18-8-707 (2)

**Offenses Relating to Use of Force by Peace Officers**

329. ***Duty to report use of force by peace officers.*** Failure of a peace officer to report use of force by another peace officer is a class 1 misdemeanor. 18-8-802 (1) (c)

**CRIMINAL CODE — OFFENSES AGAINST  
PUBLIC PEACE, ORDER, AND DECENCY**

**Public Peace and Order**

330. *Inciting riot.* Any person who incites, urges, instructs, or signals a group of five or more persons to engage in a riot and injury to a person or damage to property results therefrom commits a class 5 felony. 18-9-102 (3)
- Inciting riot, if no injury to person or property is a class 1 misdemeanor. 18-9-102 (3)
331. *Arming rioters.* A person who supplies a deadly weapon or destructive device for use in a riot, or who teaches another to use such weapon or device in a riot, commits a class 4 felony. 18-9-103 (2)
332. *Engaging in a riot.* If, in the course of rioting, a person employs a deadly weapon or destructive device or any article used or fashioned in a manner to cause a person to believe that the article is a deadly weapon, or if in the course of rioting, the actor represents verbally or otherwise that he or she is armed with a deadly weapon, that person commits a class 4 felony. 18-9-104 (1)
- Engaging in a riot without a deadly weapon is a class 2 misdemeanor. 18-9-104 (1)
333. *Disobedience of public safety orders.* Disobedience of public safety orders under riot conditions is a class 3 misdemeanor. 18-9-105
334. *Disorderly conduct.* Discharging a firearm in a public place or displaying deadly weapon in manner calculated to alarm is a class 2 misdemeanor. 18-9-106 (3)
- Disorderly conduct - fighting with another in a public place is a class 3 misdemeanor. 18-9-106 (3)
335. *Obstructing highway or other passageway.* Obstructing highway or other passageway is a class 3 misdemeanor. 18-9-107 (3)
336. *Disrupting lawful assembly.* Disrupting lawful assembly is a class 3 misdemeanor. 18-9-108 (2)
337. *Interference with staff, faculty, or students of educational institutions.* Interference with staff, faculty, or students of educational institutions is a class 3 misdemeanor. 18-9-109 (5)



**Elements of Offense**

**C.R.S. Citation**

338. ***Public buildings.*** Violation of the provisions of section 18-9-110 regarding trespass or interference in public buildings is a class 2 misdemeanor. 18-9-110 (8)
339. ***Harassment - stalking.*** Stalking is a class 4 felony for a second or subsequent offense if such offense occurs within seven years of the date of a prior conviction for stalking. 18-9-111 (5) (a.5)
- Stalking is a class 4 felony when, at the time of the offense, there was a temporary or permanent protection order, injunction, or condition of bond, probation, or parole or any other court order in effect against such person prohibiting the stalking behavior 18-9-111 (5) (b)
- Stalking is a class 5 felony for a first offense. 18-9-111 (5) (a)
- Harassment with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, or national origin is a class 1 misdemeanor. 18-9-111 (2)
- Harassment is a class 3 misdemeanor. 18-9-111 (2)
340. ***Desecration of venerated objects.*** Desecration of place of worship or burial of human remains is a class 1 misdemeanor. 18-9-113 (1) (b)
- Desecration of venerated objects is a class 3 misdemeanor. 18-9-113 (1) (a)
341. ***Hindering transportation.*** Hindering transportation is a class 2 misdemeanor. 18-9-114
342. ***Endangering public transportation.*** If a person tampers with a facility of public transportation intentionally to cause damage which would result in possible bodily harm or death, or intends to commit a crime on the public conveyance or threatens anyone with a deadly weapon on a public conveyance, he or she commits a class 3 felony. 18-9-115 (5)
343. ***Violation of a restraining order related to public conveyances.*** Violation of a restraining order related to public conveyances is a class 3 misdemeanor. 18-9-115.5
344. ***Vehicular eluding.*** Vehicular eluding which results in death to another person is a class 3 felony. 18-9-116.5
- Any person who attempts to elude a peace officer while operating a motor vehicle, and which results in bodily injury to another person, commits a class 4 felony. 18-9-116.5

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- Any person who, while operating a motor vehicle, knowingly eludes or attempts to elude a peace officer also operating a motor vehicle, and who operates the vehicle in a reckless manner, commits a class 5 felony when no bodily injury or death occurs. 18-9-116.5
345. ***Unlawful conduct on public property.*** Violation of any order, rule, or regulation issued by any officer or agency having the power of control, management, or supervision of a public building or public property that is reasonably necessary for the administration, protection, and maintenance of such public building and property is a class 2 misdemeanor. 18-9-117 (3) (b)
- Unlawful conduct on public property is a class 3 misdemeanor. 18-9-117 (3)
346. ***Firearms, explosives, or incendiary devices in facilities of public transportation.*** Any person who, without legal authority, possesses any loaded firearm or explosive or incendiary device, or carries or brings any of such items into any facility of public transportation, commits a class 6 felony. 18-9-118
347. ***Failure to leave premises upon request of a peace officer.*** Any person who barricades or refuses police entry to any premises through use or threat of force, fails to leave upon request by a peace officer outside the structure, and holds another person hostage with use of a deadly weapon commits a class 4 felony. 18-9-119 (5)
- Any person who barricades or refuses police entry to any premises through use or threat of force and fails to leave upon request by a peace officer outside the structure, and holds a hostage by feigning possession of a deadly weapon commits a class 5 felony. 18-9-119 (7)
- Failure or refusal to leave premises or property through use of or threatened use of force after being requested to do so by a peace officer or holding another person hostage during the same episode; recklessly or knowingly causing a peace officer to believe that the person possesses a deadly weapon is a class 1 misdemeanor. 18-9-119 (4)
- Barricading or refusing police entry to any premises or property or failing to leave any premises or property when requested to do so by a peace officer and, in the same criminal episode, knowingly holding another person hostage or confining or detaining such person without his or her consent is a class 2 misdemeanor. 18-9-119 (3)
- Barricading or refusing police entry to any premises or property through use of or threatened use of force, or, knowingly refusing or failing to leave any premises or property upon the request of a peace officer is a class 3 misdemeanor. 18-9-119 (2)

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348. ***Terrorist training activities.*** Any person who teaches, demonstrates, practices with, or is instructed in the use, application, or making of firearms, explosive or incendiary devices, or techniques capable of causing injury or death and who knows that the same will be used in the furtherance of a civil disorder commits a class 5 felony. 18-9-120 (2)

349. ***Ethnic intimidation.*** Ethnic intimidation is a class 4 felony if the offender is physically aided or abetted by one or more other persons during the commission of the offense. 18-9-121 (3)

Knowingly causing bodily injury to another person because of that person's actual or perceived race, color, religion, ancestry, or national origin constitutes a class 5 felony. 18-9-121 (3)

Placing another person in fear of imminent lawless action directed at that person or that person's property while knowing that such words or conduct will likely produce bodily injury to that person or that person's property; or knowingly causing damage to or destruction to another person's property because of that person's actual or perceived race, color, religion, ancestry, or national origin is a class 1 misdemeanor. 18-9-121 (3)

350. ***Preventing passage to and from a health care facility.*** Knowingly obstructing, detaining, hindering, impeding, or blocking another person's entry to or exit from a health care facility is a class 3 misdemeanor. 18-9-122 (2)

Knowingly approaching another person within 8 feet of that person, without consent, for the purpose of passing information to, displaying a sign to, or engaging in oral protest, education, or counseling with that person within a radius of 100 feet from any entrance to a health care facility is a class 3 misdemeanor. 18-9-122 (3)

351. ***Hazing.*** Hazing is a class 3 misdemeanor. 18-9-124

**Cruelty to Animals**

352. ***Cruelty to animals.*** A second or subsequent conviction of aggravated cruelty to animals (knowing torture, torment, or killing) is a class 5 felony. 18-9-202 (2) (c)

A second or subsequent conviction of cruelty to animals is a class 6 felony. 18-9-202 (2) (b) (I)

Aggravated cruelty to animals (knowing torture, torment, or killing) is a class 6 felony. 18-9-202 (2) (c)

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- Cruelty to animals is a class 1 misdemeanor. 18-9-202 (2) (a)
353. ***Animal fighting - penalty.*** Any person committing a second or subsequent violation of causing, sponsoring, arranging, or encouraging a fight between animals for monetary gain or entertainment commits a class 4 felony. 18-9-204 (2)
- Any person who causes, sponsors, arranges, or encourages a fight between animals for monetary gain or entertainment commits a class 5 felony. 18-9-204 (2)
354. ***Unlawful ownership of dangerous dog.*** Any person who owns a dangerous dog when the dog causes the death of a person commits a class 5 felony. 18-9-204.5 (3) (d)
- Unlawful ownership of a dangerous dog when the dog inflicts bodily injury upon a person is a class 6 felony for a second or subsequent violation. 18-9-204.5 (3) (c)
- Ownership of a dangerous dog when the dog inflicts serious bodily injury to another person is a class 1 misdemeanor. 18-9-204.5 (3) (c)
- A second or subsequent violation of ownership of a dangerous dog when the dog inflicts bodily injury upon another person is a class 2 misdemeanor. 18-9-204.5 (3) (b)
- A second or subsequent violation of ownership of a dangerous dog when the dog injures or destroys any domestic animal is a class 2 misdemeanor. 18-9-204.5 (3) (e) (II)
- Unlawful ownership of a dangerous dog when the dog inflicts bodily injury upon any other person is a class 3 misdemeanor. 18-9-204.5 (3) (b)
- Unlawful ownership of a dangerous dog when the dog injures or destroys any domestic animal is a class 3 misdemeanor. 18-9-204.5 (3) (e) (I)
355. ***Unauthorized release of an animal.*** Unauthorized release of an animal is a class 2 misdemeanor. 18-9-206 (2)
356. ***Tampering or drugging of livestock.*** Tampering or drugging of livestock is a class 1 misdemeanor. 18-9-207

**Offenses Involving Communications**

357. ***Wiretapping and eavesdropping devices prohibited.*** Any person who possesses instruments or devices for wiretapping or eavesdropping with intent to unlawfully use or employ such devices commits a class 5 felony upon a second or subsequent offense. 18-9-302

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- Possessing devices used for wiretapping or eavesdropping is a class 2 misdemeanor. 18-9-302
358. ***Wiretapping prohibited.*** Wiretapping that does not involve a cordless phone is a class 6 felony. 18-9-303 (2)
- Wiretapping of a cordless phone is a class 1 misdemeanor. 18-9-303 (2)
359. ***Eavesdropping prohibited.*** Eavesdropping is a class 6 felony. 18-9-304 (2)
360. ***Obstruction of telephone or telegraph service.*** Obstruction of telephone or telegraph service is a class 1 misdemeanor. 18-9-306.5 (2)
361. ***Abuse of telephone and telegraph service.*** Abuse of telephone and telegraph service is a class 3 misdemeanor. 18-9-306 (1)
362. ***Telecommunications crime.*** A person who knowingly uses cloning equipment to create a cloned cellular phone commits a class 4 felony. 18-9-309 (2) (b)
- A second or subsequent violation of knowingly cloning equipment to create a cloned cellular phone is a class 4 felony. 18-9-309 (2.5)
- A person commits a class 4 felony if he or she knowingly uses cloning equipment to: intercept signals, including signals transmitted to or from a cellular phone, between a telecommunications provider and persons using telecommunications services, or between persons using telecommunications services; or create a cellular phone. 18-9-309 (4) (a)
- A person commits a class 4 felony if he or she aids, abets, advises, or encourages one or more persons who engage in the activities described in section 18-9-309 (4) (a). 18-9-309 (4) (b)
- Any person who makes, possesses, or uses illegal telecommunications equipment, commits a class 6 felony for a second or subsequent violation within five years of a previous violation. 18-9-309 (2.5)
- Make, possess, or use illegal telecommunications equipment is a class 3 misdemeanor. 18-9-309 (2)
363. ***Unlawful use of information.*** Any person who, having obtained information pursuant to a court order for wiretapping or eavesdropping, knowingly uses, publishes, or divulges the information to any person or in any manner not authorized by law commits a class 6 felony. 18-9-310

**Elements of Offense**

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364. *Peace officer personal information on the internet.* It is a class 1 misdemeanor to knowingly make available on the internet personal information about a peace officer if the dissemination of the information poses an imminent and serious threat to the peace officer's safety or the safety of the officer's immediate family. 18-9-313 (3)

**CRIMINAL CODE — GAMBLING**

**Gambling**

365. *Professional gambling.* A person who engages in professional gambling and is a repeated gambling offender commits a class 5 felony. 18-10-103 (2)  
A first offense of professional gambling is a class 1 misdemeanor. 18-10-103 (2)
366. *Possession of gambling devices.* Possession of gambling devices by a repeating gambling offender is a class 6 felony. 18-10-105 (2)  
Possession of gambling device or record is a class 2 misdemeanor. 18-10-105 (2)
367. *Gambling information.* Any person who is a repeating gambling offender and knowingly transmits or receives gambling information commits a class 6 felony. 18-10-106 (1)  
Transmitting or receiving gambling information is a class 3 misdemeanor. 18-10-106 (1)
368. *Gambling premises.* A repeating gambling offender who maintains gambling premises commits a class 6 felony. 18-10-107 (3)  
Maintaining gambling premises is a class 3 misdemeanor. 18-10-107 (3)

**CRIMINAL CODE — OFFENSES INVOLVING DISLOYALTY**

**Treason and Related Offenses**

369. *Treason.* A person commits the class 1 felony of treason if he or she levies war against the state of Colorado or adheres to its enemies, giving them aid and comfort. 18-11-101

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370. ***Insurrection.*** Any person who intentionally, by force, resists the execution of state law or engages or participates with any armed force to invade the state, commits the class 5 felony of insurrection. 18-11-102 (2)

**Anarchy — Sedition**

371. ***Advocating overthrow of government.*** Anyone who advocates the destruction or overthrow of the government of the United State or of Colorado by violent force or action commits sedition, which is a class 5 felony. 18-11-201 (2)
372. ***Inciting destruction of life or property.*** Any person who advocates the unlawful destruction of private or public property by the use of physical force, or the unlawful injury of any person, or the unlawful taking of human life, as a policy or course of conduct, under circumstances constituting a clear and present danger that violent action will result therefrom, commits a class 6 felony. 18-11-202
373. ***Membership in anarchistic and seditious associations.*** Any person who is a member of an unlawful organization which advocates violent and forceful change in the state of Colorado or in the United States commits a class 5 felony. 18-11-203 (2)
374. ***Mutilation - contempt of flag.*** Mutilating, burning, or defacing the flag of the United States or the state of Colorado with the intent to demonstrate contempt of such flags or cause a breach of the public peace is a class 3 misdemeanor. 18-11-204 (3)

**CRIMINAL CODE — OFFENSES RELATING TO  
FIREARMS AND WEAPONS**

**Unlawful Possession and Use of Firearms and Weapons**

375. ***Possessing a dangerous or illegal weapon.*** A person who knowingly possesses a dangerous weapon commits a class 4 felony for a second violation and for each subsequent violation. 18-12-102 (3)
- A person who knowingly possesses a dangerous weapon commits a class 5 felony. 18-12-102 (3)
- Possession of an illegal weapon is a class 1 misdemeanor. 18-12-102 (4)
376. ***Possession of a defaced firearm.*** Possession of a defaced firearm is a class 1 misdemeanor. 18-12-103

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377. ***Defacing a firearm.*** Defacing a firearm is a class 1 misdemeanor. 18-12-104
378. ***Carrying a concealed weapon.*** Unlawfully carrying a concealed weapon is a class 2 misdemeanor. 18-12-105 (1)
379. ***Possession of weapons on school, college, or university grounds.*** It is a class 6 felony to knowingly and unlawfully carry, bring, or possess a weapon on the property of any school, college, or university. 18-12-105.5 (1)
380. ***Prohibited use of weapons.*** Prohibited use of weapons is a class 2 misdemeanor. 18-12-106 (1)
381. ***Use of stun guns.*** The use of a stun gun in the commission of a criminal offense is a class 5 felony. 18-12-106.5
382. ***Second offense.*** Any person who has within five years previously been convicted of possessing an illegal weapon, possessing a defaced firearm, unlawfully carrying a concealed weapon, or using a weapon in a prohibited manner, shall upon conviction for a second or subsequent offense be guilty of a class 5 felony. 18-12-107
383. ***Illegal discharge of a firearm.*** Illegal discharge of a firearm is a class 5 felony. 18-12-107.5 (3)
384. ***Possession of weapons by previous offenders.*** A second or subsequent offense of possession of a weapon by a person who has previously been convicted of or adjudicated for a felony and when the weapon is a dangerous weapon or when the conviction was for or the adjudication was based on an offense involving burglary, arson, or any felony involving the use of force or the use of a deadly weapon is a class 4 felony. 18-12-108 (5)
- Possession of a weapon by a previous offender subsequent to the offender's conviction for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the weapon is a dangerous weapon. 18-12-108 (2) (b)
- Possession of a weapon by a previous offender subsequent to the offender's conviction for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the previous conviction was for burglary, arson, or any felony involving the use of force or a deadly weapon. 18-12-108 (2) (c)



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Possession of a weapon by a previous offender subsequent to the person's adjudication as a juvenile for an act that would have constituted a felony if committed by an adult, or for attempt or conspiracy to commit a felony, is a class 5 felony when the weapon is a dangerous weapon.	18-12-108 (4) (b)
Possession of a weapon by a previous offender subsequent to the offender's adjudication for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the previous adjudication was for burglary, arson, or any felony involving the use of force or a deadly weapon.	18-12-108 (4) (c)
A person who knowingly possesses, uses, or carries a firearm or any other weapon subsequent to the person's conviction for attempt or conspiracy to commit a felony commits a class 6 felony.	18-12-108 (2) (a)
A person who knowingly possesses, uses, or carries a firearm or any other weapon subsequent to the person's adjudication for an act which, if committed by an adult, would constitute a felony, commits a class 6 felony.	18-12-108 (4) (a)
385. <b><i>Possession of handguns by juveniles.</i></b> Possession of any handgun by a person who has not attained the age of 18 years is a class 5 felony for a second or subsequent offense.	18-12-108.5 (1) (c) (II)
Illegal possession of a handgun by a juvenile is a class 2 misdemeanor.	18-12-108.5 (1) (c) (I)
386. <b><i>Unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun.</i></b> Any person who intentionally, knowingly, or recklessly provides a handgun to any person under the age of 18, or any person who knows of such juvenile's possession of a handgun and fails to make reasonable efforts to prevent such possession, commits unlawfully providing a handgun to a juvenile or permitting a juvenile to possess a handgun, a class 4 felony.	18-12-108.7 (1) (b)
Any person who intentionally, knowingly, or recklessly provides a handgun to a juvenile or who permits a juvenile to possess a handgun, even though the person is aware of a substantial risk that such juvenile will use a handgun to commit a felony offense, or who fails to make reasonable efforts to prevent the commission of the offense, commits the crime of unlawfully providing or permitting a juvenile to possess a handgun, a class 4 felony.	18-12-108.7 (2) (b)
Providing a firearm other than a handgun to a juvenile without the consent of the juvenile's parent or guardian is a class 1 misdemeanor.	18-12-108.7 (3)

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387. ***Explosives or incendiary devices - chemical, biological, or radiological weapons.*** Any person who knowingly uses, gives, mails, or sends such devices in the commission of or attempt to commit a felony commits a class 2 felony. 18-12-109 (4)
- A person who knowingly possesses, controls, manufactures, gives, mails, or sends such weapons commits a class 3 felony. 18-12-109 (2.5)
- A person who removes any chemical, biological or radiological weapon from the place where it is lawfully kept without the consent of the lawful possessor commits a class 3 felony. 18-12-109 (5.5)
- A person who possesses parts of such weapons commits a class 3 felony. 18-12-109 (6.5)
- Any person who knowingly possesses or controls an explosive or incendiary device commits a class 4 felony. 18-12-109 (2)
- Any person who removes any explosive or incendiary device from the premises of a lawful possessor without consent, commits a class 4 felony. 18-12-109 (5)
- Any person who possesses any explosive or incendiary parts commits a class 4 felony. 18-12-109 (6)
- Any person who possesses a valid permit issued under the provisions of Article 7 of Title 9 regarding the regulation and inspection of explosives, or an employee of a permittee acting within the scope of his or her employment who knowingly dispenses, distributes, or sells explosive or incendiary devices to a person not authorized to possess or control such devices, commits a class 4 felony. 18-12-109 (8)
388. ***Possession of explosives.*** Any person who manufacturers or possesses or who gives, mails, sends, or causes to be sent any false, facsimile, or hoax explosive or incendiary device or chemical, biological, or radiological weapon to another person or places any such purported explosive or incendiary device or chemical, biological, or radiological weapon in or upon any real or personal property commits a class 5 felony. 18-12-109 (7)
389. ***Unlawful purchase of firearms.*** Any person who knowingly purchases or otherwise obtains a firearm on behalf of or for transfer to a person who the transferor knows or reasonably should know to be ineligible to possess a firearm commits a class 4 felony. 18-12-111 (1)

**CRIMINAL CODE — MISCELLANEOUS OFFENSES**

**Miscellaneous Offenses**

390. ***Abuse of corpse.*** Abuse of corpse is a class 2 misdemeanor. 18-13-101 (2)
391. ***Dueling.*** Persons who by agreement engage in a fight with deadly weapons commit dueling, which is a class 4 felony. 18-13-104 (2)
392. ***Criminal libel.*** It is a class 6 felony to publish or disseminate any statement or object tending to blacken the memory of one who is dead, or to impeach the reputation or expose the natural defects of one who is alive, exposing a person to public hatred, contempt, or ridicule. 18-13-105 (3)
393. ***Interference with persons with disabilities.*** Interference with persons with disabilities is a class 3 misdemeanor. 18-13-107 (4)
394. ***Removal of timber from state lands.*** Removal of timber from state lands without lawful authority is a class 3 misdemeanor. 18-13-108
395. ***Firing woods or prairie.*** Any person who, without lawful authority and knowingly, recklessly, and with criminal negligence sets on fire, or causes to be set on fire, any woods, prairie, or grounds of any description, other than his or her own, or who, knowingly, recklessly, or with criminal negligence permits a fire, set or caused to be set by such person, to pass from his or her grounds to the injury of any other person commits a class 6 felony when he or she knows or reasonably should know that he or she violates any applicable order, rule, or regulation lawfully issued by a governmental authority that prohibits, bans, restricts, or otherwise regulates fires during periods of extreme fire hazard and that is designed to promote the safety of persons and property. 18-13-109 (2) (a)
- Firing of woods or prairie is a class 2 misdemeanor. 18-13-109
396. ***Intentionally setting wildfire.*** It is a class 3 felony to intentionally set a wildfire. 18-13-109.5 (2)
397. ***Purchases of copper or copper alloy, aluminum, or magnesium.*** Violation of the provisions of, or providing false information pursuant to section 18-13-111, regarding purchases of copper or copper alloy, aluminum, or magnesium is a class 1 misdemeanor. 18-13-111 (3)

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398. ***Hazardous wastes violations.*** Any person who abandons a vehicle containing hazardous wastes or intentionally spills such wastes on a street, highway, or public or private property without consent, commits a class 4 felony. 18-13-112 (3)
399. ***Violation concerning sale of secondhand property.*** Upon a second or subsequent conviction within a three-year period, any dealer in secondhand property who fails to make record of a sale exceeding \$30, to deliver such record to local law enforcement agencies, or to retain such record for a one-year period commits a class 5 felony. 18-13-114 (6) (a)
- Failure of secondhand dealer to keep records of each sale or trade of secondhand property or failure to maintain required information pursuant to such sale is a class 1 misdemeanor. 18-13-114 (6) (a)
- Trading with a secondhand dealer, or any secondhand dealer who knowingly gives false information pursuant to information required by section 18-13-114 (2) is a class 1 misdemeanor. 18-13-114 (6) (b)
- Violation of the provisions of subsection (8) of section 18-13-114 regarding the sale or trade of secondhand merchandise is a class 3 misdemeanor. 18-13-114 (8)
400. ***Notice.*** Violation of the provisions of subsection (1) of section 18-13-115 by a secondhand dealer or operator of a flea market is a class 3 misdemeanor. 18-13-115 (3)
401. ***Sales tax license.*** Violation of any of the provisions of subsection (1) of section 18-13-116 regarding sales tax licenses required of secondhand dealers is a class 3 misdemeanor. 18-13-116 (2)
402. ***Record of sales.*** Violation of any of the provisions of subsection (1) of section 18-13-117 regarding the requirement of secondhand dealers to keep records of sales is a class 3 misdemeanor. 18-13-117 (2)
403. ***Abuse of property insurance.*** Abuse of property insurance is a class 2 misdemeanor. 18-13-119.5 (5)
404. ***Transport, storage, or usage of drip gasoline.*** Transport, storage, or usage of drip gasoline by unauthorized agents is a class 2 misdemeanor. 18-13-120 (4)
405. ***Unlawful use of gamma hydroxybutyrate (GHB).*** The knowingly unlawful manufacture, distribution, dispensing, sale, or possession with intent to manufacture, distribute, dispense, or sell GHB or their immediate chemical precursors or analogs or to knowingly cause or attempt to cause any other person to unknowingly consume or receive the direct administration of GHB or ketamine or the 18-13-123 (5)

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immediate precursors or chemical analogs for such substances is a class 2 felony if the violation is subsequent to a prior conviction for such a violation.

It is a class 3 felony to knowingly manufacture, distribute, dispense, sell, or possess with intent to manufacture, distribute, dispense, or sell GHB or to knowingly cause or attempt to cause any other person to unknowingly consume or receive the direct administration of GHB or ketamine or the immediate precursors or chemical analogs for either substance.

18-13-123 (5)

406. ***Dissemination of false information to obtain hospital admittance or care.*** Knowingly providing false identifying information for the purpose of either obtaining admittance to, or health services from, a hospital, or evading an obligation to a hospital for services provided is a class 1 misdemeanor.

18-13-124 (2)

**CRIMINAL CODE — MAKING, FINANCING, OR COLLECTION OF LOANS**

**Offenses — Making, Financing, or Collection of Loans**

407. ***Extortionate extension of credit.*** Any agreement between a creditor and a debtor to the effect that delay or failure in making repayment for extension of credit will result in the use of extortionate means of collection results in extortionate extension of credit, which is a class 4 felony.

18-15-102

408. ***Collection of extensions of credit by extortionate means.*** Any person who uses extortionate means to collect any extension of credit commits a class 4 felony.

18-15-107 (2)

409. ***Financing extortionate extensions of credit.*** Any person advancing money or property to another whom he or she reasonably suspects will use such money or property for the purpose of making an extortionate extension of credit commits a class 5 felony.

18-15-105

410. ***Criminal usury.*** Any person who knowingly charges, takes, or receives any money or other property as a loan finance charge where the charge exceeds an annual percentage rate of forty-five percent or the equivalent for a longer or shorter period commits a class 6 felony.

18-15-104 (1)

411. ***Financing criminal usury.*** Any person who finances criminal usury commits a class 6 felony.

18-15-106

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412. *Records of criminal usury.* Any person who possesses or conceals records of criminally serious transactions with intent to aid, assist, or facilitate criminal usury commits a class 6 felony. 18-15-108 (1)
413. *Loan finders.* Violation of the provisions of section 18-15-109 regarding loan finders is a class 1 misdemeanor. 18-15-109 (4)

**CRIMINAL CODE — PURCHASES OF VALUABLE ARTICLES**

**Offenses Related to Purchases of Valuable Articles**

414. *Violation of "Purchase of Valuable Articles" statute.* Any person who violates the provisions of Article 16 of Title 18 regarding the purchase and sale of valuable articles, or who knowingly gives false information regarding the seller of a valuable article commits a class 6 felony. 18-16-108

**CRIMINAL CODE — COLORADO ORGANIZED CRIME CONTROL ACT**

**Colorado Organized Crime Control Act**

415. *Racketeering activities.* It is a class 2 felony to knowingly invest proceeds from a pattern of racketeering activity or collection of an unlawful debt in real property or any enterprise, to participate in racketeering activities, or to conspire to participate in racketeering activities. (The penalty provisions for racketeering activities are contained in section 18-17-105 (1)). 18-17-104

**CRIMINAL CODE —  
UNIFORM CONTROLLED SUBSTANCES ACT OF 1992**

**Unlawful Use of a Controlled Substance**

416. *Unlawful use of a controlled substance.* Any person who uses any controlled substance, except its lawful administration for bona fide medical needs, commits a class 5 felony in the case of a schedule I or II controlled substance. 18-18-404 (1.1) (a) (I)

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Any person who uses any controlled substance, except its lawful administration for bona fide medical needs, commits a class 6 felony in the case of a schedule I or II controlled substance.

18-18-404 (1) (a) (I)

Unlawful use of a controlled substance listed in schedule III, IV, or V of Part 3 of Article 22 of Title 12 is a class 1 misdemeanor.

18-18-404 (1) (a) (II),  
(1.1) (a) (II)

**Unlawful Distribution, Manufacturing, Dispensing, Sale, or Possession**

417. *Unlawful distribution, manufacturing, dispensing, sale, or possession.* It is a class 2 felony to dispense, sell, or distribute a schedule I or II controlled substance, or to conspire with or induce another to undertake such activity when the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory.

18-18-405 (2) (a) (I)  
(B), (2.1) (a) (I) (B)

It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 3 felony:

18-18-405

- a) if a person is convicted on a first offense for such activity in the case of schedule I or II controlled substances; or
- b) if the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory for such activity in the case of schedule III controlled substances.

(2) (a) (I) (A)  
(2.1) (a) (I) (A)  
(2) (a) (II) (B)  
(2.1) (a) (II) (B)

It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 4 felony:

18-18-405

- a) if the violation is based on the possession of a controlled substance listed in schedule II; or
- b) if a person is convicted of a first offense for such activity in the case of schedule III controlled substances; or
- c) when the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory for such activity in the case of schedule IV controlled substances.

(2) (a) (I) (A),  
(2.1) (a) (I) (A)  
(2) (a) (II) (A)  
(2.1) (a) (II) (A)  
(2) (a) (III) (B)  
(2.1) (a) (III) (B)

It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 5 felony:

18-18-405

- a) if a person is convicted of a first offense for such activity in the case of schedule IV controlled substances; or
- b) if the offense is committed subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory for such activity in the case of schedule V controlled substances.

(2) (a) (III) (A)  
(2.1) (a) (III) (A)  
(2) (a) (IV) (B)  
(2.1) (a) (IV) (B)

**Elements of Offense**

**C.R.S. Citation**

- Unlawful distribution of controlled substances listed in schedule V of Part 2 of Article 18 of Title 18 is a class 1 misdemeanor. 18-18-405 (2) (a) (IV) (A), (2.1) (a) (IV) (A)
418. ***Unlawful activity relating to controlled substances.*** It is unlawful to possess one gram or less of any material, compound, mixture, or preparation containing any quantity of a schedule I through schedule IV controlled substance, and: 18-18-405
- it is a class 6 felony for conviction of a first offense. 18-18-405 (2.3) (a) (I)
  - it is a class 4 felony for conviction of a second or subsequent offense. 18-18-405 (2.3) (a) (II)
419. ***Flunitrazepam.*** It is unlawful to knowingly manufacture, dispense, sell, distribute, possess, or possess with intent to manufacture, dispense, sell, or distribute flunitrazepam or to induce, attempt to induce or conspire with one or more other persons to manufacture, dispense, sell, distribute, possess or possess with intent to manufacture, dispense, sell, or distribute flunitrazepam, and: 18-18-405
- it is a class 3 felony for conviction of a first violation. 18-18-405 (2.5) (a), (2.6) (a)
  - it is a class 2 felony for conviction of a second or subsequent violation involving flunitrazepam. 18-18-405 (2.5) (a), (2.6) (a)

**Offenses Relating to Marijuana**

420. ***Offenses relating to marijuana.*** The following offenses involving marijuana or marijuana concentrate are class 3 felonies: 18-18-406
- a) a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, of dispensing (with consideration) over one ounce of marijuana by a person age 18 or over to a person age 15 to 17, or any amount of marijuana concentrate (with or without consideration) to a person under age 18, or dispensing any amount of marijuana (with or without consideration) by a person age 18 or over to a person under age 15; (7) (c)
  - b) a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for cultivating, growing, producing, processing, or manufacturing marijuana or its concentrate on land owned or controlled by the person, or allowing these activities on his or her land; and (8) (a) (II) (B)



**Elements of Offense**

**C.R.S. Citation**

- c) a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for manufacturing, dispensing, selling, possessing, or distributing marijuana or its concentrate. (8) (b) (III) (B)

The following offenses involving marijuana or marijuana concentrate are class 4 felonies: 18-18-406

- a) a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for possession of eight or more ounces of marijuana or any amount of marijuana concentrate; (4) (b) (II)
- b) an initial conviction of dispensing (with consideration) over one ounce of marijuana by a person aged 18 or over to a person aged 15 to 17 or any amount of marijuana concentrate (with or without consideration) to a person under age 18; (7) (a)
- c) an initial conviction of dispensing any amount of marijuana (with or without consideration) by a person aged 18 or over to a person under age 15; (7) (b)
- d) an initial conviction of cultivating, growing, producing, processing, or manufacturing marijuana or its concentrate on land owned or controlled by the person or allowing such activities on his or her land; (8) (a) (II) (A)
- e) an initial conviction of manufacturing, dispensing, selling, possessing, or distributing marijuana or its concentrate. (8) (b) (III) (A)

The following offenses relating to marijuana or marijuana concentrate are class 5 felonies: 18-18-406

- a) a conviction, subsequent to a prior conviction of the same offense in any U.S. state or U.S. territory, for possession of more than one ounce but less than eight ounces of marijuana; (4) (a) (II)
- b) an initial conviction for possession of eight ounces or more of marijuana or any amount of marijuana concentrate. (4) (b) (I)

Possession of more than one ounce of marihuana but less than eight ounces is a class 1 misdemeanor. 18-18-406 (4) (a) (I)

Failing to honor written promise to appear for possessing one ounce or less of marihuana is a class 3 misdemeanor. 18-18-406 (2)

- 421. ***Medical use of marijuana.*** Violating provisions relating to the registry of patients authorized to engage in the medical use of marijuana is a class 1 misdemeanor. 18-18-406.3 (2) (a)

**Elements of Offense**

**C.R.S. Citation**

422. ***Unlawful use of marijuana in a detention facility.*** Any person confined in any detention facility in this state commits a class 5 felony for a second or subsequent violation where both the initial and subsequent violations involved possessing more than one ounce of marihuana. 18-18-406.5 (1)
- Any person confined in any detention facility in this state who possesses or uses up to eight ounces of marijuana commits a class 6 felony. 18-18-406.5 (1)

**Other Violations**

423. ***Money laundering - illegal investments.*** A person who knowingly or intentionally violates any of the provisions of paragraphs (a) through (d) of section 18-18-408 regarding money laundering or illegal investments pursuant to the Uniform Controlled Substances Act of 1992 commits a class 3 felony. 18-18-408
424. ***Property related to unlawful distribution or manufacture of controlled substances.*** Violation of any of the provisions of section 18-18-411 regarding keeping, maintaining, controlling, renting, or making available property for unlawful distribution or manufacture of controlled substances is a class 1 misdemeanor. 18-18-411 (4)
425. ***Unlawful possession of materials to make methamphetamine and amphetamine.*** Any person who possesses ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts of isomers with the intent to use such product to make any controlled substance commits a class 3 felony. 18-18-412.5 (3)
426. ***Unlawful sale or distribution of materials to manufacture controlled substances.*** A person who sells or distributes chemicals, supplies, or equipment, and who knows or reasonably should know or believes that a person intends to use the chemicals, supplies, or equipment to illegally manufacture a controlled substance commits a class 3 felony. 18-18-412.7 (2)
427. ***Unlawful acts.*** Violation of any of the unlawful acts listed in paragraphs (o) through (t) of section 18-18-414 (1) pursuant to the Uniform Controlled Substances Act is a class 4 felony. 18-18-414 (5)
428. ***Fraud and deceit.*** Violation of the provisions of section 18-18-415 regarding obtaining controlled substances by fraud or deceit is a class 4 felony if the violation is committed subsequent to a prior conviction for the same offense. 18-18-415 (2) (b)

**Elements of Offense**

**C.R.S. Citation**

- Violation of any of the provisions of section 18-18-415 regarding obtaining a controlled substance by fraud, deceit, misrepresentation, or subterfuge is a class 5 felony. 18-18-415 (2) (a)
429. ***Controlled substances - inducing consumption by fraudulent means.*** It is a class 4 felony when a person by means of fraud or misrepresentation, causes another to unknowingly consume any controlled substance. 18-18-416 (2)
430. ***Imitation controlled substances.*** Any person aged 18 or over who distributes an imitation controlled substance to a person under 18 after a previous conviction of the same charge commits a class 3 felony. 18-18-422 (2) (b) (II)
- The manufacture, distribution, or possession with intent to distribute an imitation controlled substance is a class 4 felony when the violation is committed subsequent to a prior conviction for the same offense. 18-18-422 (1) (b) (II)
- Distribution of an imitation controlled substance by a person 18 or older to a person 18 or younger is a class 4 felony. 18-18-422 (2) (b) (I)
- The manufacture, distribution, or possession with intent to distribute an imitation controlled substance is a class 5 felony. 18-18-422 (1) (b) (I)
431. ***Imitation controlled substances.*** Publication of any advertisement or solicitation in order to promote the distribution of imitation controlled substances is a class 1 misdemeanor. 18-18-422 (3) (b)
432. ***Counterfeit substances.*** The knowing intent to manufacture, deliver, or possess or to intentionally make, distribute, or possess any equipment designed to reproduce a counterfeit controlled substance is a class 5 felony. 18-18-423 (3)
433. ***Drug paraphernalia.*** Manufacture, sale, or delivery of drug paraphernalia is a class 2 misdemeanor. 18-18-429
434. ***Advertisement of drug paraphernalia.*** Advertisement of drug paraphernalia is a class 2 misdemeanor. 18-18-430

**CRIMINAL CODE — OFFENSES RELATED TO LIMITED GAMING**

**Offenses Related to Limited Gaming**

435. **Violation of taxation provisions.** Any person who makes any false or fraudulent return in attempting to defeat or evade taxes imposed by the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (a)
- Any person who, twice or more within one year, fails to pay tax due within 30 days after the date due, or fails to file a return within 30 days after the date the return is due, pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (d)
- Any person who wilfully aids or assists in, or procures, counsels, or advises the preparation or presentation of a return, affidavit, claim, or other document which is fraudulent or false pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (e)
- Failure to pay tax due under the Colorado Limited Gaming Act within 30 days after the return is due is a class 1 misdemeanor. 18-20-103 (1) (b)
- Failure to file a return required by the Colorado Limited Gaming Act within 30 days after the return is due is a class 1 misdemeanor. 18-20-103 (1) (c)
436. **False statement on application.** Any person who knowingly makes a false statement in any application for a license or who provides false or misleading information or who fails to keep books and records to substantiate receipts or expenses or who falsifies any books or records related to any transaction connected with limited card games or slot machines or who knowingly violates any of the provisions of or rules and regulations promulgated pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-104
437. **Slot machines.** Any violation of the provisions of section 18-20-105 (1) regarding the requirements for shipping notices of slot machines commits a class 5 felony. 18-20-105 (1)
438. **Cheating.** Cheating at any limited gaming activity is a class 5 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-106 (3)
- Cheating at any limited gaming activity is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-106 (3)
- Cheating pursuant to the Colorado Limited Gaming Act, by a person other than a licensee is a class 1 misdemeanor. 18-20-106 (3)

**Elements of Offense**

**C.R.S. Citation**

439. ***Fraudulent acts - gaming.*** Violation of any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-107 (2)
- Violation of any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-107 (2)
- Committing any fraudulent act pursuant to the Colorado Limited Gaming Act, by a person other than a licensee is a class 1 misdemeanor. 18-20-107 (2)
440. ***Use of device for calculating probabilities.*** Any person who uses or possesses a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-108 (2)
- Any person who uses or possesses a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 6 felony when the offender has been issued a license pursuant to the Act. 18-20-108 (2)
- Using a device for calculating probabilities pursuant to the Colorado Limited Gaming Act by a person other than a licensee is a class 1 misdemeanor. 18-20-108 (2)
441. ***Counterfeit or unapproved chips or tokens - unlawful coins or devices.*** Violation of any of the provisions of section 18-20-109 regarding the use of counterfeit or unapproved chips or tokens or unlawful coins or devices or the possession or unlawful devices, equipment, products or materials pursuant to the Colorado Limited Gaming Act is a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-109 (8)

**Elements of Offense**

**C.R.S. Citation**

- Violation of any of the provisions of section 18-20-109 regarding the use of counterfeit or unapproved chips or tokens or unlawful coins or devices or the possession of unlawful devices, equipment, products or materials pursuant to the Colorado Limited Gaming Act is a class 6 felony when the offender has been issued a license pursuant to the Act. 18-20-109 (8)
442. ***Cheating game and devices.*** Any person who knowingly conducts or allows any cheating or thieving game or conducts any game played with cards or a mechanical device which has been marked commits a class 5 felony when the person has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-110 (2)
- Any person who knowingly conducts or allows any cheating or thieving game or conducts any game played with cards or a mechanical device which has been marked commits a class 6 felony when the person has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-110 (2)
443. ***Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming.*** Any person who violates any of the provisions of section 18-20-111 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment or devices related to limited gaming commits a class 5 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-111 (4)
- Any person who violates any of the provisions of section 18-20-111 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment or devices related to limited gaming commits a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-111 (4)
- Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming pursuant to the Colorado Limited Gaming Act by a person other than a licensee is a class 1 misdemeanor. 18-20-111 (4)
444. ***Unlawful entry by excluded and ejected persons.*** Any person who enters the licensed premises of a limited gaming licensee or who has any personal pecuniary interest in any limited gaming licensee or establishment when that person's name is on the list of persons who are to be excluded and ejected from such premises commits a class 5 felony. 18-20-112 (3)

**Elements of Offense**

**C.R.S. Citation**

445. ***Personal pecuniary gain or conflict of interest.*** Any person who issues, suspends, revokes, or renews any license pursuant to the Colorado Limited Gaming Act for any personal pecuniary gain or any thing of value commits a class 3 felony. 18-20-113 (2)
446. ***False or misleading information.*** Any person who provides any false or misleading information pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-114 (2)

**CRIMINAL CODE — GANG RECRUITMENT ACT**

**Gang Recruitment Act**

447. ***Recruitment of a juvenile.*** Recruitment of a juvenile for a criminal street gang is a class 1 misdemeanor. 18-23-102 (2)

**CHILDREN'S CODE**

**Offenses Related to the Children's Code**

448. ***Records.*** Request of information by an operator of a facility or agency licensed to provide child care, from records or reports of child abuse or neglect, concerning a person who is neither an employee or applicant for employment is a class 1 misdemeanor. 19-1-307 (2) (k)
- Improperly releasing or willfully permitting or encouraging the release of information contained in records or reports of child abuse or neglect to persons not permitted access to such information is a class 1 misdemeanor 19-1-307 (4)
449. ***Dependency and neglect.*** Violation of the provisions of subsections (1) or (3.5) of section 19-3-304 regarding the reporting of child abuse or neglect is a class 3 misdemeanor. 19-3-304 (4) (a)
450. ***Central registry.*** Permitting or willfully encouraging the release of data or information contained in the central registry of child protection to persons not permitted access to such information is a class 1 misdemeanor. 19-3-313 (10)

**Elements of Offense**

**C.R.S. Citation**

451. ***Relinquishment and adoption.*** Failing to provide notice to the court by a child placement agency of any suspension, revocation, or other disciplinary action taken by the state against the agency is a class 3 misdemeanor. 19-5-207 (9)

**EDUCATION**

**Offenses Related to Education**

452. ***Interest in contracts - penalty.*** It is a class 6 felony for the Board of Trustees or any treasurer, superintendent, or other officer or agent of the school to be directly or indirectly interested in any contract or other agreement for building, repairing, furnishing, or supplying the school, or to be given or receive drawbacks or secret discounts on account of any articles or materials furnished to or labor done for the school. 22-80-108

**HIGHER EDUCATION**

**Offenses Related to Higher Education**

453. ***Student information.*** Divulging data on students or personnel of any state-supported institution by the director of the Colorado Commission on Higher Education or by any commission employee except as provided by law is a class 1 misdemeanor. 23-1-108 (9)
454. ***Degrees.*** Violation of the provisions of section 23-2-103 regarding the conferring of an honorary or academic degree is a class 3 misdemeanor. 23-2-105



**STATE GOVERNMENT**

**State Treasurer**

455. *Personal profit on state moneys unlawful.* It is a class 6 felony for the State Treasurer or any employee in the Department of the Treasury to accept any fee in consideration of the deposit of state moneys with any person or in consideration of any agreement or arrangement touching upon the use of state moneys. 24-22-110
456. *Unlawful acts - State Treasurer.* Any person who pays to the State Treasurer or an employee of that office any fee in consideration of the deposit or investment of state moneys with any person commits a class 6 felony. 24-22-111

**State Department of Personnel**

457. *Procedures - vouchers and warrants.* Any person (State Treasurer or Controller or any other state officer or employee) who receives any profit in consideration of the loan or deposit of state moneys for any purpose not authorized by law commits a class 6 felony. 24-30-202 (15)
- Any person who offers compensation to the State Treasurer or Controller or to any other state officer or employee in consideration of the loan or deposit with such person of state moneys commits a class 6 felony. 24-30-202 (16)
458. *Private use of state postage meters.* Using a state-installed postage meter for private purposes is a class 3 misdemeanor. 24-30-1111
459. *State agency contracts - criminal liability.* Any person, other than a bona fide employee working solely for a person providing professional services, who offers, agrees, or contracts to solicit or secure for any other person state agency contracts for professional services and who, in so doing, receives any type of consideration contingent upon or resulting from the making of the contract commits a class 3 felony. 24-30-1406 (1)
- Offering to pay fee contingent upon making a contract for professional services with a state agency is a class 1 misdemeanor. 24-30-1406 (2)
- Soliciting or securing a contract for professional services with a state agency and receiving a fee contingent upon the making of a contract is a class 1 misdemeanor. 24-30-1406 (3)

**Elements of Offense**

**C.R.S. Citation**

Divulging information disclosed in any restricted or protected document, program, or dataset located at the General Government Computer Center is a class 1 misdemeanor. 24-30-1604 (2) (b)

**Department of Local Affairs**

460. *False claims for disaster relief.* Any person who fraudulently makes a misstatement of fact in connection with an application for financial assistance for disaster relief and who thereby receives assistance to which he or she is not entitled commits a class 6 felony. 24-32-2503

**Public Safety**

461. *Violations.* Wearing or duplicating the badge or uniform of the Colorado State Patrol with the intent of representing oneself as a member of the Colorado State Patrol is a class 1 misdemeanor. 24-33.5-219 (2)

Conducting an athletic or special event on a state highway when a permit for said event has not been issued or violation of the terms of a permit which has been issued for an athletic or special event is a class 1 misdemeanor. 24-33.5-226 (2.5) (b)

Knowingly misrepresenting identification regarding criminal history of the transferee or lawfulness of the gun purchase which deceives a transferor of a firearm is a class 1 misdemeanor. 24-33.5-424 (10) (b)

Any false statement regarding the installation, alteration, or repair of any fire suppression system is a class 1 misdemeanor. 24-33.5-1206.5 (2)

Subsequent failure to register as a fire suppression contractor after previous convictions of acting or advertising as a fire suppression contractor when not registered as such is a class 2 misdemeanor. 24-33.5-1206.5 (1)

Violation of any of the provisions of section 24-33.5-1206.1 regarding registration of a fire suppression contractor is a class 3 misdemeanor. 24-33.5-1206.5 (1)

**Department of Regulatory Agencies**

462. *Persons with disabilities.* Violation of rights of persons with assistance dogs is a class 3 misdemeanor. 24-34-804 (2)

**Elements of Offense**

**C.R.S. Citation**

**State Department of Revenue**

463. **State lottery.** Any person who, for personal pecuniary gain, issues, suspends, revokes, or renews a contract for gaming materials, or who violates the provisions concerning conflicts of interest in the operation of the state lottery commits a class 3 felony. 24-35-215 (3)
- Any person violating any disclosure provision required under the state lottery statute by providing any false or misleading information commits a class 6 felony. 24-35-215 (4)
- Violation of lottery ticket statutes is a class 2 misdemeanor. 24-35-215 (1)

**Office of Economic Development**

464. **Violation.** Charging a fee for information developed by the Small Business Assistance Center and not disclosing that the information is available at no cost from the center is a class 3 misdemeanor. 24-48.5-102 (4)

**Publications**

465. **Public printing contracts - penalty for bribe.** Any person who either offers to pay another not to bid for a public printing contract or any person who accepts payment for not bidding for a public printing contract commits a class 6 felony. 24-70-220

**State History, Archives and Emblems**

466. **Violations.** Illegal use of the seal of the state of Colorado is a class 5 felony. 24-80-902
- Knowingly disturbing an unmarked human burial is a class 1 misdemeanor. 24-80-1305 (1)
- Failure to notify local law enforcement with knowledge that an unmarked human burial is unlawfully disturbed is a class 2 misdemeanor. 24-80-1305 (2)

**Libraries**

467. **Library property.** Theft or mutilation of library property is a class 3 misdemeanor. 24-90-117

**HEALTH**

**Department of Public Health and Environment**

468. ***Tampering with public water system.*** Tampering with a public water system or with drinking water after its withdrawal for or treatment by a public water system is a class 3 felony. 25-1-114 (5) (b) (1)
- An attempt or threat to tamper with a public water system or with drinking water after its withdrawal for or treatment by a public water system is a class 5 felony. 25-1-114 (5) (b) (II)
469. ***Records.*** Violation, by any officer of employee or agent of the state or local department of health, of the provisions of section 25-1-122 (4) and (5) regarding confidential public health reports or records is a class 1 misdemeanor. 25-1-122 (6)
470. ***Emergency medical and trauma services.*** Violation of transportation subsystem requirements of the Colorado Emergency Medical Services Act is a class 3 misdemeanor. 25-3.5-306
471. ***Pet animal and psittacine bird dealerships.*** Violation of the provisions of the pet animal and psittacine bird dealerships statute is a class 2 misdemeanor. 25-4-713 (1)
472. ***Infant Immunization Act.*** Violation of the Infant Immunization Act by releasing or making public confidential immunization records or epidemiological information is a class 1 misdemeanor. 25-4-1705 (5) (e) (III) (A)
- Violation of the Infant Immunization Act by releasing or making public confidential immunization records or epidemiological information in exchange for money or any other thing of value is a class 1 misdemeanor. 25-4-1705 (5) (e) (III) (B)
473. ***Disease control.*** Violating provisions of section 25-4-1808 relating to the sale of shellfish and shellfish dealer certification is a class 3 misdemeanor. 25-4-1813
474. ***Products control and safety.*** Operation, by an area operator, of a passenger tramway which has not been licensed or when the license has been suspended or who fails to comply with an order is a class 3 misdemeanor. 25-5-707 (4)
475. ***Hazardous waste.*** Violation of any provision of the State Hazardous Waste Siting Act is a class 3 misdemeanor. 25-15-211

**Elements of Offense**

**C.R.S. Citation**

Violation of any of the provisions of the State Hazardous Waste Incinerator Siting Act is a class 3 misdemeanor. 25-15-513

**HUMAN SERVICES CODE**

**Department of Human Services**

476. ***Fraudulent acts.*** Obtaining public assistance or vendor payments to which one is not entitled, or public assistance or vendor payments greater than those to which one is entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device is a class 3 felony when the value of the assistance or payment is \$15,000 or greater (see 18-4-401 (2) (d)). 26-1-127 (1)
- Obtaining public assistance or vendor payments when not entitled, or public assistance or vendor payments greater than those to which one is justly entitled, by means of a willfully false statement or representation or by impersonation or by any other fraudulent device is a class 4 felony when the value of the assistance or payments is \$500 or more but less than \$15,000 (see 18-4-401 (2) (c)). 26-1-127 (1)
- Any person who obtains public assistance or vendor payments to which he or she is not entitled, or public assistance or vendor payments greater than those to which he or she is justly entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device, if the amount of overpayment to which the recipient or vendor is not entitled is \$100 or more but less than \$500 is a class 2 misdemeanor. 26-1-127 (1)
- Obtaining public assistance or vendor payments to which one is not entitled or which are greater than those to which one is entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device, when the value of the assistance or payment is less than \$100 (see section 18-4-401 (2)) is a class 3 misdemeanor. 26-1-127 (1)
- Any recipient of public assistance who fails to notify the department of the receipt of property or income in excess of that declared at the time of determination of eligibility or of any other change in circumstances affecting the recipient's eligibility is a class 3 misdemeanor. 26-1-127 (2) (a)

**Elements of Offense**

**C.R.S. Citation**

A recipient or vendor of public assistance who falsifies any required report is a class 3 misdemeanor. 26-1-127 (3)

**Colorado Public Assistance Act**

477. ***Fraudulent acts.*** Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 3 felony when the value of the food stamps is \$15,000 or more (see 18-4-401 (2) (d)). 26-2-305 (1)

Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 4 felony when the value of the stamps is \$500 or more but less than \$15,000 (see 18-4-401 (2) (c)) 26-2-305 (1)

Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation when the value of the stamps is \$100 or more but less than \$500 is a class 2 misdemeanor. 26-2-305 (1)

Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 3 misdemeanor when the value of the stamps is less than \$100 (see 18-4-401 (2)) is a class 3 misdemeanor. 26-2-305 (1)

Any recipient of food stamps who fails to notify the department of any change in circumstances affecting the recipient's eligibility or the amount of food stamp coupons or authorization to purchase cards and who by such failure receives benefits in excess of those to which the person was in fact entitled is a class 3 misdemeanor. 26-2-305 (2)

478. ***Trafficking in food stamps.*** Trafficking in food stamps is a class 3 felony if the value of the food stamps is \$15,000 or more. 26-2-306 (2) (d)

Trafficking in food stamps twice or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 3 felony when the aggregate value of the food stamps involved is \$15,000 or more. 26-2-306 (3)

Trafficking in food stamps is a class 4 felony if the value of the food stamps is \$500 or more but less than \$15,000. 26-2-306 (2) (c)

Trafficking in food stamps twice or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 4 felony when the aggregate value of the food stamps is \$500 or more but less than \$15,000. 26-2-306 (3)

**Elements of Offense**

**C.R.S. Citation**

Trafficking in food stamps when the value of the food stamps is \$100 or more but less than \$500 is a class 2 misdemeanor. 26-2-306 (2) (b)

Trafficking in food stamps when the value is less than \$100 is a class 3 misdemeanor. 26-2-306 (2) (a)

**Protective Services for Adults at Risk of Mistreatment or Self-neglect**

479. **Reporting requirements.** Willfully and knowingly making a false report of mistreatment or self-neglect regarding an at-risk adult to a county department or a law enforcement agency is a class 3 misdemeanor. 26-3.1-102 (4)

**Colorado Medical Assistance Act**

480. **Personal needs trust fund.** Unlawful use of a patient personal needs trust fund is a class 3 felony if the amount involved is \$15,000 or more. 26-4-504 (8) (d) (IV)

Unlawful use of a patient personal needs trust fund is a class 4 felony if the amount involved is \$500 or more but less than \$15,000. 26-4-504 (8) (d) (III)

Unlawful retention of patient personal needs fund twice or more within a 6 month period without having been placed in jeopardy for the prior offenses is a class 1 misdemeanor. 26-4-504 (8) (c)

Unlawful use of a patient personal needs trust fund when the amount involved is \$100 or more but less than \$500 is a class 2 misdemeanor. 26-4-504 (8) (d) (II)

Unlawful retention of patient personal needs funds is a class 3 misdemeanor. 26-4-504 (8) (c)

Unlawful retention of patient personal needs funds when the amount involved is less than \$100 is a class 3 misdemeanor. 26-4-504 (8) (d) (I)

**Blind-made Products**

481. **Violation.** Violation of any of the provisions of section 26-8.3-105 regarding blind-made products is a class 2 misdemeanor. 26-8.3-105 (3)

**Elements of Offense**

**C.R.S. Citation**

**Reform Act for the Provision of Health Care for the Medically Indigent**

482. *Violation.* Representing any medical service as reimbursable or subject to payment under the Reform Act for the Provision of Health Care for the Medically Indigent when it is not reimbursable or subject to payment is a class 2 misdemeanor. 26-15-112

**MILITARY AND VETERANS**

**Offenses Related to the Military and Veterans**

483. *Interference with duty - arrest - penalty.* Interference with a member of the National Guard while on duty is a class 3 misdemeanor. 28-3-507
484. *Misuse of property and funds by military.* Any officer or enlisted person who misuses military property or funds commits a class 6 felony. 28-3-701
485. *Trial procedure.* Refusal to appear, testify, or produce evidence pursuant to trial procedures under the Colorado Code of Military Justice is a class 3 misdemeanor. 28-3.1-312 (1)

**LOCAL GOVERNMENT**

**Local Hazardous Substance Incidents**

486. *Hazardous substance incidents.* Any person who intentionally causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 4 felony. 29-22-108 (1)
- Any person who willfully, recklessly, or with criminal negligence causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 5 felony. 29-22-108 (2)
- The release of information without express written consent, required to be provided by subsection (2) of section 107 in Article 22 of Title 29 regarding the listing of hazardous substances is a class 3 misdemeanor. 29-22-107 (2) (c) (III)



**Elements of Offense**

**C.R.S. Citation**

**COUNTY GOVERNMENT**

**County Officers**

487. *County coroners.* Conflict of interest of county coroners is a class 2 misdemeanor. 30-10-619 (4)

**Dog Licensing and Control**

488. *Violation.* Violation of county dog licensing and control statute which results in bodily injury is a class 2 misdemeanor. 30-15-102 (2)

**MUNICIPAL GOVERNMENT**

**Violations**

489. *Formation and reorganization.* Violation of any of the provisions of 31-2-225 regarding formation and reorganization of municipal governments is a class 2 misdemeanor. 31-2-225 (2)
490. *Initiative and referendum.* Tampering with initiative or referendum petition is a class 2 misdemeanor. 31-11-115

**SPECIAL DISTRICTS**

**Offenses Related to Special Districts**

491. *Interference.* Interference with the examination, by the state auditor, of the books, records, reports, or vouchers of the Denver Metro Major League Baseball Stadium District is a class 2 misdemeanor. 32-14-109 (2) (b)
- Interference by a director, employee, or agent of the metropolitan football stadium district of a state auditor's examination is a class 2 misdemeanor. 32-15-109 (2) (b)

**WILDLIFE AND PARKS AND OUTDOOR RECREATION**

**Licenses, Certificates, and Fees**

492. *License agents - reports - board of claims.* Any license agent who fails to account for licenses or who fails to pay over to the division its authorized representative moneys received from the sales of licenses and all donations received, when the amount in question is \$200 or more, commits a class 6 felony. 33-4-101 (11) (b)
493. *Black bears.* Violation of any of the provisions of section 33-4-101.3 regarding the taking of black bears is a class 1 misdemeanor. 33-4-101.3 (6)

**Wildlife**

494. *Illegal sale of wildlife.* It is unlawful for any person to sell or purchase or offer for sale or purchase any wildlife or to solicit another person in the illegal taking of any wildlife for the purpose of monetary or commercial gain or profit. Violation with respect to big game, endangered species, or eagles, constitutes a class 5 felony. 33-6-113 (2) (a)
495. *Native and nonnative fish.* Violation of sections 33-6-114.5 (2), (3) or (4) regarding the possession, transportation, importation, exportation, and release of native and nonnative fish is a class 1 misdemeanor. 33-6-114.5 (7) (a)
496. *Willful destruction of wildlife.* It is unlawful for a person to take or to solicit another person to take any wildlife and detach or remove, with the intent to abandon the carcass or body, only the head, hide, claws, teeth, antlers, horns, internal organs, or feathers or any or all of such parts; to abandon the carcass or body of such wildlife; or to take and abandon wildlife. Violation, with respect to big game, eagles and endangered species is a class 5 felony. 33-6-117 (1) (a)

**Passes and Registrations**

497. *Pass and registration agents - reports - board of claims.* Any pass or registration agent who fails to account for passes and registrations or who fails to pay over to the division or its authorized representative moneys received from the sale of passes and registrations when the amount in question is \$200 or more, commits a class 6 felony. 33-12-104 (11) (b)

**Elements of Offense**

**C.R.S. Citation**

**Law Enforcement and Penalties**

498. ***Fires.*** Any person who starts, builds, tends, or maintains a fire in violation of the provisions of any applicable order lawfully issued by a governmental authority that prohibits, bans, or regulates fires during periods of extreme fire hazard and that is designed to promote the safety of persons and property when such person knows or reasonably should know that he or she violates any such order commits a class 6 felony. 33-15-106 (2) (c)
- Leaving a fire unattended on lands under the control of the division of wildlife is a class 2 misdemeanor. 33-15-106 (2) (b) (fine is mandatory)
499. ***Littering.*** Throwing, dropping, or otherwise expelling a lit cigarette, cigar, match or other burning material from a motor vehicle upon land under the control of the Division of Wildlife is a class 2 misdemeanor. 33-15-108 (2)
500. ***Damage to state property.*** Damage to state property under the control of the Division of Wildlife is a class 2 misdemeanor. 33-15-109

**River Outfitters**

501. ***Violations.*** Operation of a vessel by a river outfitter or guide while under the influence of alcohol or any controlled substance is a class 1 misdemeanor. 33-32-107 (4) (b)
- Operation of a river outfitting business by a river outfitter without a valid outfitters license is a class 2 misdemeanor. 33-32-107 (1)
- Operation of a river vessel with wanton or willful disregard for the safety of persons or property is a class 2 misdemeanor. 33-32-107 (2) (c)
- Failure, by a river outfitter, to have one personal flotation device for each person on board is a class 3 misdemeanor. 33-32-107 (2) (a)
- Operation, by a river outfitter, of a vessel in a careless or imprudent manner without due regard for conditions, or, in such a manner as to endanger any person, property, or wildlife is a class 3 misdemeanor. 33-32-107 (2) (b)

## MINERAL RESOURCES

### Offenses Related to Mineral Resources

502. ***Mined Land Reclamation Act.*** Divulging confidential information in an application for a reclamation permit from the Mined Land Reclamation Board is a class 2 misdemeanor. 34-32-112 (9)
503. ***Land Reclamation Act for the Extraction of Construction Materials.*** Knowingly or wilfully disclosing the confidential information in a reclamation permit or notice of intent to conduct exploration is a class 2 misdemeanor. 34-32.5-112 (8)
504. ***Mining equipment - violation.*** Any person who violates the provisions of Article 46 of Title 34 regarding mining equipment and the transportation thereof commits a class 6 felony. 34-46-105
505. ***Failure to account for mine proceeds.*** Any owner, manager, or agent employed in extracting gold who neglects to account for, or pay over and deliver, all the proceeds thereof to which the owner is entitled commits a class 6 felony. 34-53-104

## AGRICULTURE

### Pesticide Act

506. ***Embargoed pesticides.*** Removal or disposal of detained or embargoed pesticide or device by sale or otherwise, without prior permission, or removal or alteration of the tag or marking is a class 1 misdemeanor. 35-9-123 (3)
507. ***Violations.*** Violation of any of the provisions of sections 35-9-120 (1) (a), (b), (c), (e), (f), (h), (j), (k), (2) (a), (b), (c), or (g) pursuant to the Pesticide Act is a class 1 misdemeanor. 35-9-125 (2)
- Violation of the provisions of section 35-9-120 (1) (g), (2) (d), or (2) (f) of the Pesticide Act is a class 2 misdemeanor. 35-9-125 (3)
- Violation of section 35-9-120 (2) (e) of the Pesticide Act is a class 3 misdemeanor. 35-9-125 (4)

**Elements of Offense**

**C.R.S. Citation**

**Pesticide Applicators' Act**

508. *Violations.* Violation of any of the provisions of sections 35-10-117 (1) (a), (b), (c), (e), (g), (2) (a), (b), (c), (d), (3) (a), or (4) (a) of the Pesticide Applicators' Act is a class 1 misdemeanor. 35-10-123 (2)
- Violation of the provisions of section 35-10-117 (1) (f), (2) (f), (2) (g), (4) (b), or (5) of the Pesticide Applicators Act is a class 2 misdemeanor. 35-10-123 (3)

**Colorado Chemigation Act**

509. *Violation.* Utilization of chemigation without a permit is a class 6 felony. 35-11-115 (1)

**Measurement Standards**

510. *Violation.* To make, install, sell or offer to sell, use or allow use of weights or measure, any counterfeit seal, or seal of the Commissioner of Agriculture without proper authority is a class 2 misdemeanor. 35-14-132 (1)

**Colorado Bee Act**

511. *Violation.* Any subsequent violation of any provision of the Colorado Bee and Bee Products Act is a class 2 misdemeanor. 35-25-111

**Colorado Nursery Act**

512. *Violation.* Intentional violation of any of the provisions of or of rules and regulations promulgated pursuant to the Colorado Nursery Act is a class 3 misdemeanor. 35-26-109 (1)

**Colorado Seed Act**

513. *Violation.* Violation of the provisions of section 35-27-113 (6) regarding the sale, barter, or distribution of seed and seed beans is a class 1 misdemeanor. 35-27-113 (6)

**Weed Free Forage Crop Certification Act**

514. *Violation.* Violation of any provision of, or rules and regulations promulgated pursuant to, the Weed Free Forage Crop Certification Act is a class 3 misdemeanor. 35-27.5-107

**Elements of Offense**

**C.R.S. Citation**

**Slaughter, Processing, and Sale of Meat Animals**

515. ***Construction and operation of processing facilities.*** The unlawful sale of diseased meat for slaughter or human consumption is a class 5 felony. 35-33-204 (2)
- Sale of adulterated or diseased meat is a class 2 misdemeanor. 35-33-204
516. ***Advertising and sale.*** Violation of the provisions regarding the advertisement and sale of meat animals is a class 2 misdemeanor. 35-33-302 (12)
517. ***Licenses and fees.*** Operating a food plan, locker plant, or meat processing facility without a valid license is a class 2 misdemeanor. 35-33-401 (3)
- Violation of any of the provisions of the Slaughter, Processing, and Sale of Meat Animals Act is a class 2 misdemeanor. 35-33-406

**Alternative Livestock Act**

518. ***Violation.*** Violation of any of the provisions of section 25-41.5-109 pursuant to the Alternative Livestock Act is a class 1 misdemeanor. 35-41.5-115

**Animal Shelters and Pounds**

519. ***Violation.*** Violation of the provisions of section 35-42.5-101 regarding duties and restrictions relating to animal shelters and pounds is a class 1 misdemeanor. 35-42.5-101 (3)

**Branding and Herding**

520. ***Wrongful branding - penalty.*** Any person who brands an animal which is the property of another or obliterates an existing brand is guilty of a class 6 felony (Pursuant to section 18-4-401(5), theft by means other than the use of force, intimidation, or threat is a class 6 felony without regard to the value of the thing taken.) 35-43-116
521. ***Theft of certain animals.*** Any person who commits theft of, or knowingly kills, sells, drives, leads, transports, rides away, purchases, or in any manner deprives the owner of the immediate possession of any cattle, horses, mules, sheep, goats, swine, or assess, either live or slaughtered, commits a class 4 felony. 35-43-128
522. ***Violation.*** Violation of any of the provisions regarding inspection of cattle entering a custom feedlot is a class 3 misdemeanor. 35-43-130 (2)

**Elements of Offense**

**C.R.S. Citation**

**Estrays**

523. *Who may take up estrays.* Any person who takes into custody and retains possession of any estray without notifying the State Board of Stock Inspection Commissioners within the time provided by statute is guilty of a class 6 felony. 35-44-108
524. *Concealing estray.* Any person who conceals any estray found or taken into his or her custody, or changes any mark or brand thereon, or carries the same beyond the county limits, or knowingly allows the same to be done, or neglects to notify or give information of estrays to the State Board of Stock Inspection Commissioners is guilty of a class 6 felony. 35-44-111

**Transportation of Animals**

525. *Shipping prior to inspection.* Any person who violates the provisions of the law concerning the transportation of livestock prior to inspection commits a class 6 felony, if it is for a third or subsequent violation. 35-53-112 (1)
526. *Permanent permits.* Fraudulent use of a permanent hauling transportation permit for rodeo and other horses is a class 3 misdemeanor. 35-53-129 (1)
527. *Annual transportation permit.* Fraudulent use of an annual transportation permit for cattle or alternative livestock is a class 3 misdemeanor. 35-53-130 (1)

**Sale of Stock**

528. *Selling livestock without bill of sale - theft.* Any person who sells livestock which does not carry the seller's brand, or for which the person has no bill of sale or power of attorney, is guilty of a class 5 felony (see section 18-4-401 (5)). 35-54-105 (1)

**Public Livestock Markets**

529. *Violations.* A second or subsequent violation of any provision or requirement of Article 55 of Title 35 regarding public livestock markets or of any rule or regulation adopted by the state board of stock inspection commissioners is a class 1 misdemeanor. 35-55-117

**Elements of Offense**

**C.R.S. Citation**

Violation of any provision or requirement of or rule or regulation promulgated pursuant to the Public Livestock Markets statute is a class 3 misdemeanor.

35-55-117

**Inedible Meat Rendering and Processing Act**

530. *Wrongful use of inedible meat.* Any person who adds to, mixes with, or substitutes an inedible meat for food intended to be used for human consumption commits a class 6 felony.

35-59-113

**Pet Animal Care and Facilities Act**

531. *Violation.* Violation of any of the provisions of section 35-80-108 (1) (a), (1) (b), (1) (c), (1) (f), or (1) (m) of the Pet Animal Care and Facilities Act is a class 2 misdemeanor.

35-80-114

**NATURAL RESOURCES**

**Weather Modification**

532. *Weather modification.* Any person who fails to obey an order issued by the director of the Department of Natural Resources to cease conducting weather modification because of the lack of a permit or a license commits a class 6 felony.

36-20-123 (2) (b)

Any person responsible for conducting a weather modification operation without first having procured a license and permit or any person who contracts with another person known to be unlicensed and without a permit to conduct a weather modification operation commits a class 6 felony.

36-20-126 (1) (a)

**WATER AND IRRIGATION**

**Offenses Related to Water and Irrigation**

533. *Penalty for fraud by officer of water and irrigation district.* Any officer of a water or irrigation district who misuses district money commits a class 6 felony.

37-7-104



**Elements of Offense**

**C.R.S. Citation**

534. ***Officer interested in contracts.*** Any drainage district officer who is interested in any contract awarded by the board or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-24-107
- Any director or officer of the Grand Junction Drainage District who is interested in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-31-123
- Any director or officer of an irrigation district who is interested in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-41-108
- Same offense as above as applied to Irrigation District Law of 1921 is a class 6 felony. 37-42-110 (6)
- Same offense as described above and as applied to officers or directors of an internal improvement district is a class 6 felony. 37-44-142

**PROPERTY**

**Offenses Related to Real and Personal Property**

535. ***Penalty for removing property covered by a lien on a well or equipment.*** Any person who removed property covered by a lien on a well or equipment when the lien has been filed is guilty of a class 5 felony (see section 18-4-401(5)). 38-24-108
536. ***Altering or using altered certificate.*** Any person who alters or forges or causes to be altered or forged any certificate issued pursuant to the provisions of Article 29 of Title 38 regarding titles to manufactured homes, or any written transfer thereof, or any other notation placed thereon by the director or under his or her authority respecting the mortgaging of the manufactured home therein described or who uses or attempts to use any such certificate for the transfer thereof, knowing the same to have been forged or altered, commits a class 6 felony. 38-29-121
537. ***Theft of certificate.*** Theft of a certificate of title to real estate is a class 6 felony. 38-36-192
538. ***Fraudulently procuring certificate of title to land.*** Whoever fraudulently procures any certificate of title to land commits a class 6 felony. 38-36-194

**Elements of Offense**

**C.R.S. Citation**

539. *Forging seal or signature.* Any person who forges the seal of the registrar of titles commits a class 6 felony. 38-36-195

**Mortgages, Deeds of Trust, and Other Liens**

540. *Removal of improvements from encumbered property.* Removal of any improvements from encumbered property without first obtaining the written consent of the lien holder is a class 2 misdemeanor. 38-39-105 (2)

**TAXATION**

**Valuation and Taxation**

541. *Mobile homes.* A second or subsequent conviction for failure to provide an itemized list of household furnishings by a mobile home dealer is a class 3 misdemeanor. 39-5-203 (3) (b)

**Sale of Tax Liens**

542. *Acquisition by sale of tax lien.* County officials acquiring land by tax sale is a class 1 misdemeanor. 39-11-151 (3)

**Procedure and Administration**

543. *Department of Revenue employees.* Any officer or employee of the Department of Revenue who: (1) extorts or willfully oppresses any person through use of his or her authority; (2) knowingly demands greater sums than are authorized by law or receives any fee, compensation, or reward for the performance of his or her job; (3) makes opportunity for any person to defraud the state by intentionally failing to perform his or her duty; (4) conspires or colludes with any other person to defraud the state; (5) knowingly makes opportunity for any person to defraud the state; (6) commits or omits to do any act with the intent to enable any other person to defraud the state; or (7) makes or signs any fraudulent entry in any book or makes or signs any fraudulent certificate, return, or statement; or (8) fails to report to the executive director in writing any information concerning a violation of any revenue law; or (9) demands directly or indirectly, any sum of money for the settlement of any charge or complaint commits a class 6 felony. 39-21-112 (7) (b)

**Elements of Offense**

**C.R.S. Citation**

544. ***Tax amnesty program.*** The following violations involving the tax amnesty program are class 5 felonies:
- willfully attempting to evade or defeat any tax administered; 39-21-118 (1)
  - failing to collect or account for or pay such tax; 39-21-118 (2)
  - willfully making or subscribing a return, statement, or document that is not true or not correct as to every material matter; and 39-21-118 (4)
  - willfully aiding or assisting in the fraudulent or false giving of information. 39-21-118 (5)

**Estate and Inheritance and Succession Tax**

545. ***Officers or employees taking fees or rewards.*** Any executive director or any inheritance or gift tax analyst or other employee of the Department of Revenue who takes or demands for his or her own use any fees or rewards from any person commits a class 6 felony. 39-23-150

**Sales and Use Tax**

546. ***Sales tax.*** Engaging in the business of selling at retail in this state without securing a license is a class 3 misdemeanor. 39-26-103 (4)

**Gasoline and Special Fuel Tax**

547. ***Motor fuel and special fuel tax - no distributor license.*** It is unlawful for any person to act as a motor fuel distributor, supplier, importer, exporter, carrier, or blender in this state without having a license therefor. A person who engages in such a business without a license commits a class 6 felony. 39-27-104 (3)

**Cigarette Tax**

548. ***Violation.*** Violation of any of the provisions regarding the placement of labels, stamps, or other federal requirements related to cigarettes is a class 1 misdemeanor. 39-28-104.5 (5)

**Elements of Offense**

**C.R.S. Citation**

**Taxation**

549. *Penalties and other remedies.* To sell, distribute, acquire, hold, own, possess, transport, import, or cause to be imported cigarettes that a person knows or should know are intended for unlawful distribution or sale in Colorado is a class 2 misdemeanor. 39-28-306 (4)

**Tax on Tobacco Products**

550. *Violation.* Violation of any of the provisions regarding the placement of labels, stamps, or other federal requirements related to tobacco products is a class 1 misdemeanor. 39-28.5-111 (5)

**UTILITIES**

**Penalties**

551. *Violation by agent.* Failure of an agent of a public utility to comply with an order or requirement of the Public Utilities Commission is a class 2 misdemeanor. 40-7-106
552. *Violation by individual.* Failure of an agent of a corporation other than a public utility to comply with an order or requirement of the Public Utilities Commission is a class 2 misdemeanor. 40-7-108

**Motor Vehicle Carriers**

553. *Violation.* Failure of a motor vehicle carrier to comply, or helping another in noncompliance with any order, decision, rule, or regulation of the Public Utilities Commission is a class 2 misdemeanor. 40-10-113

**Contract Motor Carriers**

554. *Violation.* Failure of a contract motor vehicle carrier to comply, or helping another in noncompliance with any order, decision, rule, or regulation of the Public Utilities Commission is a class 2 misdemeanor. 40-11-111

**Elements of Offense**

**C.R.S. Citation**

**Commercial Carriers**

555. *Towing carriers.* Operating a towing vehicle on a public way without holding a valid permit is a class 3 misdemeanor. 40-13-110 (2)

**Professions and Occupations**

556. *Violation.* Violation of or failure to comply, or helping another in noncompliance with any provision regarding moving companies, or failure to comply, or helping another in noncompliance with an order, decision, or rule of the Public Utilities Commission regarding moving companies is a class 2 misdemeanor. 40-14-112 (1)

**Motor Vehicle Carriers Exempt from Regulation**

557. *Violation.* Operation of a motor vehicle, by a motor vehicle carrier exempt from regulation as a public utility, for its business is a class 2 misdemeanor. 40-16-107 (1)

**Killing Stock**

558. *Owner driving stock on track.* It is a class 6 felony for an owner of stock to drive any stock on the line of the track of any railway company with intent to injure the company. 40-27-101

**REGULATION OF VEHICLES AND TRAFFIC**

**Drivers' Licenses**

559. *License required.* Driving without a valid driver's license or driving a vehicle without the correct class of license is a class 2 misdemeanor traffic offense. 42-2-101 (10)
560. *License, permit, or identification card to be exhibited on demand.* Refusal to hand driver's license to peace officer upon demand is a class 2 misdemeanor traffic offense. 42-2-115 (2)
561. *Ignition interlock device.* Tampering with an ignition interlock device is a class 1 misdemeanor. 42-2-126.3

**Elements of Offense**

**C.R.S. Citation**

562. ***Failure to surrender permit or license to the court.*** Failure to immediately surrender license for an offense which makes revocation or suspension mandatory is a class 2 misdemeanor traffic offense. 42-2-124 (1) (a)
563. ***Mandatory surrender of license or permit for driving under the influence.*** Failure to immediately surrender license upon conviction of driving under the influence or excessive alcohol content is a class 2 misdemeanor traffic offense. 42-2-129
564. ***Mandatory surrender of permit or license for drug conviction.*** Failure to immediately surrender license after having pled guilty or nolo contendere for a drug-related offense for which suspension of a license is mandatory; failure to surrender license within five days of having sworn to not being in immediate possession of the license is a class 2 misdemeanor traffic offense. 42-2-130
565. ***Period of suspension or revocation.*** Making false application for a new license before the expiration of the period of suspension or revocation is a class 2 misdemeanor traffic offense. 42-2-132 (3)
566. ***Unlawful possession or use of license.*** Unlawful possession or use of license is a class 2 misdemeanor traffic offense. 42-2-136 (6) (a)
- Copying, duplicating, or reproducing a driver's license for the purpose of resale, manipulation, or reuse of the license is a class 3 misdemeanor. 42-2-136 (6) (b)
567. ***False affidavit.*** Making false affidavit or knowingly swearing or affirming falsely to any matter pursuant to Part 1 of Article 2 of Title 42 regarding drivers licenses is a class 2 misdemeanor traffic offense. 42-2-137
568. ***Driving under restraint.*** Failing to surrender an individual's license or permit to the court after being convicted of driving while under restraint is a class 2 misdemeanor. 42-2-138 (1) (f)

**Habitual Offenders of Motor Vehicle Laws**

569. ***Driving after revocation prohibited.*** Aggravated driving with a revoked license is a class 6 felony. 42-2-206 (1) (b) (II)
- Operating a motor vehicle while individual's license is revoked is a class 1 misdemeanor. 42-2-206 (1) (a) (I)

**Elements of Offense**

**C.R.S. Citation**

**Identification Cards**

570. ***Violation.*** Violating provisions of law regarding identification cards issued by Department of Revenue is a class 3 misdemeanor. 42-2-310

**Registration and Taxation**

571. ***Taxable value of classes of property.*** Fraudulently applying for the prorated specific ownership tax for special mobile machinery is a class 2 misdemeanor traffic offense. 42-3-107 (16.5) (e)
572. ***Violation of registration provisions.*** Display or possess fictitious, cancelled, revoked, suspended or altered vehicle registration; failure to surrender such vehicle registration upon demand; use of false information in any application for vehicle registration is a class 2 misdemeanor traffic offense. 42-3-133 (2) (b)

**Regulation of Vehicles and Traffic**

573. ***Obedience to police officers.*** Failure or refusal to comply with any lawful order or direction of a police officer is a class 2 misdemeanor traffic offense. 42-4-107
574. ***Restrictions on tire equipment.*** The sale of tires not in compliance with set standards is a class 2 misdemeanor traffic offense. 42-4-228 (8) (b)
575. ***Alteration of suspension system.*** Alteration of a vehicle's suspension system is a class 2 misdemeanor traffic offense. 42-4-233 (3)
576. ***Minimum standards for commercial vehicles.*** Violation of any rule or regulation pursuant to section 42-4-235 regarding minimum standards for commercial vehicles is a class 2 misdemeanor traffic offense. 42-4-235 (5)
577. ***Illegal use or possession of blue or red lights.*** Violation of any of the provisions regarding the illegal possession or use of red or blue lights while in control of a vehicle is a class 1 misdemeanor. 42-4-238
578. ***Wheel and axle loads.*** Violation of the provisions regarding wheel and axle loads is a class 2 misdemeanor traffic offense. 42-4-507 (6)
579. ***Gross weight of vehicles and loads.*** Violation of the provisions regarding the gross weight of vehicles and loads is a class 2 misdemeanor traffic offense. 42-4-508 (4)

**Elements of Offense**

**C.R.S. Citation**

580. ***Vehicles weighed.*** Refusal or failure to stop and submit vehicle and load to a weighing is a class 2 misdemeanor traffic offense. 42-4-509 (3)
581. ***Permits for excess size and weight and for manufactured homes.*** Violation of the provisions regarding permits for excess size and weight and for mobile homes is a class 2 misdemeanor traffic offense. 42-4-510 (12) (a)
- Providing for the movement of a manufactured home, by an owner of a manufactured home, without being the holder of a paid ad valorem tax certificate and a transportable manufactured home permit is a class 3 misdemeanor. 42-4-510 (12) (b)
582. ***Speed limits.*** Driving 25 m.p.h. or more in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of 75 m.p.h. is a class 2 misdemeanor traffic offense. 42-4-1101 (12)
583. ***Speed contests.*** Violation of any of the provisions regarding speed contests is a class 2 misdemeanor traffic offense. 42-4-1105 (3)
584. ***Driving under the influence - driving while impaired - driving with excessive alcoholic content.*** A second or subsequent violation of the prohibition against a person under 21 years of age driving a vehicle when the person's blood alcohol content is at least 0.02 but not more than 0.05 at the time of driving or within two hours after driving is a class 2 misdemeanor traffic offense. 42-4-1301 (2) (a.5)
585. ***Reckless driving.*** Violation of any of the provisions regarding reckless driving is a class 2 misdemeanor traffic offense. 42-4-1401 (2)
586. ***Careless driving.*** Driving any motor vehicle, bicycle, or motorized bicycle in a careless and imprudent manner when the careless actions are the proximate cause of bodily injury or death to another is a class 1 misdemeanor traffic offense. 42-4-1402 (2)
- Violation of any of the provisions regarding careless driving when such action does not result in bodily injury or death to another is a class 2 misdemeanor traffic offense. 42-4-1402 (2)
587. ***Foreign matter on highway prohibited.*** Throwing, dropping, or otherwise expelling a lit cigarette, cigar, match or other burning material from a motor vehicle upon any highway is a class 2 misdemeanor. 42-4-1406 (5) (b)
588. ***Spilling loads on highways.*** Violation of any provision that prohibits spilling loads on highways if the violation occurred while a person was driving or moving a motor vehicle and proximately caused bodily injury to another person is a class 2 misdemeanor traffic offense. 42-4-1407 (3) (c)



**Elements of Offense**

**C.R.S. Citation**

589. ***Compulsory insurance.*** Owning or driving a motor vehicle without an insurance policy in effect, failure to present evidence of insurance when asked to do so by a peace officer is a class 1 misdemeanor traffic offense. 42-4-1409 (4) (a)
590. ***Operation of bicycles and other human-powered vehicles.*** Violation of any of the provisions regarding the operation of bicycles and other human-powered vehicles pursuant to section 42-4-106.5 is a class 2 misdemeanor traffic offense. 42-4-1412 (12) (a)
591. ***Eluding or attempting to elude a police officer.*** Eluding or attempting to elude a police officer when operating a motor vehicle is a class 2 misdemeanor traffic offense. 42-4-1413
592. ***Accidents involving death or personal injuries.*** Drivers involved in accidents resulting in death or personal injuries shall immediately stop and remain at the scene, and shall fulfill the requirements concerning giving of certain information and the rendering of aid. A person who violates any provision of this section commits a class 4 felony if the accident resulted in the death of any person. 42-4-1601 (2) (c)
- The driver of any vehicle who fails to stop at an accident resulting in serious bodily injury to another in which he or she was directly involved commits a class 5 felony. 42-4-1601 (2) (b)
- Failing to stop at accident resulting in injury to another person is a class 1 misdemeanor traffic offense. 42-4-1601 (2) (a)
593. ***Accident involving damage.*** Failure to stop, when involved, at the scene of an accident resulting only in damage to a vehicle is a class 2 misdemeanor traffic offense. 42-4-1602 (1)
594. ***Duty upon striking unattended vehicle or other property.*** Failure to notify the operator of an unattended vehicle of damage caused to such vehicle when causing such damage is a class 2 misdemeanor traffic offense. 42-4-1604
595. ***Duty upon striking highway fixtures or traffic control devices.*** Failure to notify the road authority of an accident resulting only in damage to fixtures or traffic control devices on or adjacent to a highway is a class 2 misdemeanor traffic offense. 42-4-1605
596. ***Duty to report accidents.*** Violation of any of the provisions of section 42-4-1606 regarding duty to report accidents is a class 2 misdemeanor traffic offense. 42-4-1606 (6)

**Elements of Offense**

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- Failure by a capable occupant of a vehicle involved in an accident to report the accident when the driver is physically incapable of performing this duty is a class 2 misdemeanor traffic offense. 42-4-1607 (3)
597. ***Offenses by persons controlling vehicles.*** Violation of the provisions regarding offenses by persons controlling vehicles is a class 2 misdemeanor traffic offense. 42-4-1704
598. ***Notice to appear or pay fine.*** Violation of the provisions regarding notice to appear or pay fine and failure to appear to pay fine is a class 2 misdemeanor traffic offense. 42-4-1716 (2)
599. ***Towing and storage.*** Violation of the provisions not otherwise specified in Part 18 of Article 4 of Title 42 regarding towing and storage of vehicles is a class 2 misdemeanor. 42-4-1811
600. ***School buses.*** A second conviction within five years of failure to stop a vehicle when meeting or overtaking from either direction a school bus which has stopped with visual signal lights in operation is a class 1 misdemeanor traffic offense. 42-4-1903 (6) (b)
- Violation of any of the provisions regarding stops, signs, and the passing of school buses is a class 2 misdemeanor traffic offense. 42-4-1903 (6) (a)
601. ***Vehicles abandoned on private property - penalty.*** Violation of any of the provisions regarding vehicles abandoned on private property is a class 2 misdemeanor. 42-4-2110

**Automobile Theft Law**

602. ***Stolen motor vehicle parts.*** Any person who buys, sells, exchanges, or alters the appearance of a motor vehicle or motor vehicle part which is the property of another, or any person who aids in the commission of any such act and who knows or should know that such motor vehicle or motor vehicle part is stolen property, commits a class 5 felony. 42-5-102 (1)
- Any person who, except as needed for legitimate repairs, intentionally removes, alters, or obliterates a motor vehicle identification number, manufacturer's number, or engine number or who knowingly possesses a motor vehicle or motor vehicle part containing a removed, altered, or obliterated vehicle identification number, manufacturer's number, or engine number commits a class 5 felony. 42-5-102 (2)

**Elements of Offense**

**C.R.S. Citation**

603. ***Tampering with a motor vehicle.*** Tampering with a motor vehicle is a class 3 felony if the damage is \$15,000 or more or causes bodily injury to any person. 42-5-103 (2) (c)
- Tampering with a motor vehicle is a class 5 felony if the damage is \$500 or more but less than \$15,000. 42-5-103 (2) (b)
- Tampering with a motor vehicle when the damage is less than \$500 is a class 2 misdemeanor. 42-5-103 (2) (a)
604. ***Theft of motor vehicle parts.*** Theft of motor vehicle parts is a class 3 felony if the value of the thing involved is \$15,000 or more. 42-5-104 (2) (c)
- Theft of motor vehicle parts two times or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 4 felony when the aggregate value of the things involved is \$15,000 or more. 42-5-104 (3)
- Theft of motor vehicle parts is a class 5 felony if the value of the thing involved is \$500 or more but less than \$15,000. 42-5-104 (2) (b)
- Theft of motor vehicle parts two or more times within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 5 felony if the aggregate value of the things involved is \$500 or more but less than \$15,000. 42-5-104 (3)
- Theft of motor vehicle parts when the value of the things involved is less than \$500 is a class 2 misdemeanor. 42-5-104 (2) (a)
605. ***Violation.*** Violation of any of the provisions of Part 1 of Article 5 of Title 42 regarding motor vehicle theft not otherwise specified is a class 3 misdemeanor. 42-5-108

**Certificates of Title**

606. ***Salvage vehicles.*** Intentionally removing, altering, or failing to add a salvage brand stamp on a vehicle that was rebuilt from salvage is a class 1 misdemeanor. 42-6-136 (3)
607. ***Altering or using altered certificate.*** Any person who alters or forges or causes to be altered or forged any certificate of title to any automobile commits a class 6 felony. 42-6-143
608. ***Repossession of motor vehicle.*** Repossession of a motor vehicle without notification of the appropriate law enforcement agency is a class 2 misdemeanor. 42-6-146 (2)

**Elements of Offense**

**C.R.S. Citation**

**Used Motor Vehicle Sales**

609. *Violation.* Violation of any provision of section 42-6-202 regarding used motor vehicle sales is a class 1 misdemeanor. 42-6-203

**Motor Vehicle Financial Responsibility Law**

610. *Disclosure of insurance information.* Knowingly disclosing information from the Uninsured Motorist Identification Database to an unauthorized individual is a class 1 misdemeanor. 42-7-606 (2)

**Port of Entry Weigh Stations**

611. *Fines and penalties.* Driving or owning a vehicle in violation of the provisions of section 42-8-105(1) to (5) (Clearance of motor vehicles at port of entry weigh stations) or 42-8-106 (Issuance of clearance certificates) is a class 2 misdemeanor traffic offense. 42-8-109 (1)

**Disposition of Personal Property**

612. *Impounded vehicles.* Releasing an impounded vehicle from a garage or service station without an official release or court order when such vehicle has been ordered held by an officer of the Colorado State Patrol is a class 3 misdemeanor. 42-13-105

**Transportation of Hazardous and Nuclear Materials**

613. *Violation.* Violation of any provision of Parts 1, 2, or 3 of Article 20 of Title 42 regarding the transport by vehicle of hazardous materials is a class 1 misdemeanor. 42-20-111
- Intentionally transporting hazardous materials without a permit in violation of section 42-20-201 is a class 1 misdemeanor. 42-20-204 (1)
- Knowingly violating any of the terms and conditions of an annual or single trip hazardous materials transportation permit is a class 1 misdemeanor. 42-20-204 (3)
- Violation of any of the provisions of or any rule or regulation promulgated pursuant to Parts 4 or 5 of Article 20 of Title 42 regarding permits for and the transport of nuclear materials is a class 2 misdemeanor. 42-20-405 (1)

**Elements of Offense**

**C.R.S. Citation**

Violation of a rule or regulation promulgated pursuant to section 42-20-105 regarding the transport of hazardous materials by motor vehicle is a class 3 misdemeanor.	42-20-109 (1)
Violation of a rule or regulation promulgated pursuant to section 42-20-108 regarding the transport of hazardous materials by motor vehicle both in interstate and intrastate transportation is a class 3 misdemeanor.	42-20-109 (2)
Failure to give immediate notice to law enforcement of a hazardous materials spill when transporting hazardous materials as cargo is a class 3 misdemeanor.	42-20-113 (4)

**TRANSPORTATION**

**State, County, and Municipal Highways**

614. <i>Closure of public highways.</i> Intentionally blocking obstructing, or closing a public highway that extends to public land without good cause is a class 1 misdemeanor.	43-2-201.1 (1)
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