

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



SENATE BILL 14-049

BY SENATOR(S) Heath, Herpin, Newell;  
also REPRESENTATIVE(S) Priola, Fields, Labuda, Pabon, Schafer.

CONCERNING ENDANGERING PUBLIC UTILITY TRANSMISSION, AND, IN  
CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 18-9-115, **amend** (1) (a), (3), (4), and (5); and **add** (1.5) and (4.5) as follows:

**18-9-115. Endangering public transportation and utility transmission.** (1) A person commits endangering public transportation if such person:

(a) Tamper with a facility of public transportation with intent to cause any damage, malfunction, ~~or~~ nonfunction, THEFT, OR UNAUTHORIZED REMOVAL OF MATERIAL which would result in the creation of a substantial risk of death or serious bodily injury to anyone; or

(1.5) A PERSON COMMITS ENDANGERING UTILITY TRANSMISSION IF SUCH PERSON TAMPERS WITH A FACILITY OF UTILITY TRANSMISSION WITH INTENT TO CAUSE ANY DAMAGE, MALFUNCTION, NONFUNCTION, THEFT, OR

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

UNAUTHORIZED REMOVAL OF MATERIAL WHICH WOULD:

(a) INTERRUPT PERFORMANCE OF UTILITY TRANSMISSION; OR

(b) RESULT IN A CREATION OF A SUBSTANTIAL RISK OF DEATH OR SERIOUS BODILY INJURY TO ANYONE.

(3) "Public conveyance" includes a PASSENGER OR FREIGHT train, airplane, bus, truck, car, boat, tramway, gondola, lift, elevator, escalator, or other device intended, designed, adapted, and used for the public carriage of persons or property.

(4) "Facility of public transportation" includes a public conveyance and any area, structure, or device which is designed, adapted, and used to support, guide, control, permit, or facilitate the movement, starting, stopping, takeoff, landing, or servicing of a public conveyance or the loading or unloading of passengers, FREIGHT, or goods.

(4.5) "FACILITY OF UTILITY TRANSMISSION" INCLUDES ANY AREA, STRUCTURE, OR DEVICE THAT IS DESIGNED, ADOPTED, OR USED TO SUPPORT, GUIDE, CONTROL, PERMIT, OR FACILITATE TRANSMISSION OF:

(a) ELECTRICAL ENERGY IN EXCESS OF THIRTY THOUSAND VOLTS; OR

(b) WATER, LIQUID FUEL, OR GASEOUS FUEL BY PIPELINE.

(5) Endangering public transportation OR ENDANGERING UTILITY TRANSMISSION is a class 3 felony.

**SECTION 2.** In Colorado Revised Statutes, **add** 17-18-111 as follows:

**17-18-111. Appropriation to comply with section 2-2-703 - SB 14-049 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 14-049, ENACTED IN 2014:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE

DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-ONE THOUSAND FOUR HUNDRED EIGHTY-FOUR DOLLARS (\$21,484).

(b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF FORTY-TWO THOUSAND NINE HUNDRED SIXTY-EIGHT DOLLARS (\$42,968).

(c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF SIXTY-FOUR THOUSAND FOUR HUNDRED FIFTY-TWO DOLLARS (\$64,452).

(d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2018, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF EIGHTY-FIVE THOUSAND NINE HUNDRED THIRTY-FIVE DOLLARS (\$85,935).

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.

**SECTION 3. Effective date - applicability.** This act takes effect July 1, 2014, and applies to offenses committed on or after said date.

**SECTION 4. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Morgan Carroll  
PRESIDENT OF  
THE SENATE

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO