

An Act

SENATE BILL 14-098

BY SENATOR(S) Zenzinger, Aguilar, Guzman, Heath, Herpin, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Newell, Nicholson, Rivera, Tochtrop, Todd, Carroll;
also REPRESENTATIVE(S) Foote and Schafer, Becker, Exum, Fields, Hullinghorst, Kraft-Tharp, Labuda, Lebsock, Melton, Moreno, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Young.

CONCERNING CLARIFICATIONS TO STATUTORY LANGUAGE ON CRIMES
AGAINST AT-RISK ELDERS.

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

SECTION 1. In Colorado Revised Statutes, 18-6.5-102, **amend** (1), (10) (a), and (13) as follows:

18-6.5-102. Definitions. As used in this article, unless the context otherwise requires:

(1) "Abuse" means any of the following acts or omissions committed against an at-risk elder:

(a) The nonaccidental infliction of bodily injury, serious bodily injury, or death;

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

(b) Confinement or restraint that is unreasonable under generally accepted caretaking standards;

(c) Subjection to sexual conduct or contact classified as a crime under this title; and

(d) Caretaker neglect; AND

(e) EXPLOITATION.

(10) "Exploitation" means an act or omission committed by a person who:

(a) Uses deception, harassment, intimidation, or undue influence to permanently or temporarily deprive an at-risk elder of the use, benefit, or possession of ~~his or her money, assets, or property~~ ANY THING OF VALUE;

(13) "Undue influence" means the use of influence ~~by someone who exercises authority over an at-risk elder in order to take unfair advantage of the~~ AN at-risk elder's vulnerable state of mind, neediness, pain, or agony EMOTIONAL DISTRESS.

SECTION 2. In Colorado Revised Statutes, 18-6.5-103, **repeal and reenact, with amendments, (7.5)** as follows:

18-6.5-103. Crimes against at-risk adults and at-risk juveniles - classifications. (7.5) (a) A PERSON COMMITS CRIMINAL EXPLOITATION OF AN AT-RISK ELDER WHEN HE OR SHE KNOWINGLY USES DECEPTION, HARASSMENT, INTIMIDATION, OR UNDUE INFLUENCE TO PERMANENTLY OR TEMPORARILY DEPRIVE AN AT-RISK ELDER OF THE USE, BENEFIT, OR POSSESSION OF ANY THING OF VALUE.

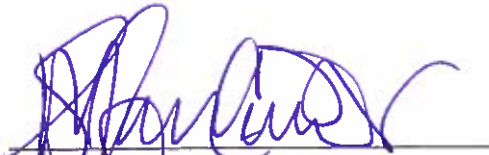
(b) CRIMINAL EXPLOITATION OF AN AT-RISK ELDER IS A CLASS 3 FELONY IF THE THING OF VALUE IS FIVE HUNDRED DOLLARS OR GREATER. CRIMINAL EXPLOITATION OF AN AT-RISK ELDER IS A CLASS 5 FELONY IF THE THING OF VALUE IS LESS THAN FIVE HUNDRED DOLLARS.

SECTION 3. In Colorado Revised Statutes, 26-3.1-102, **amend (3)** as follows:

26-3.1-102. Reporting requirements. (3) A copy of the report prepared by the county department in accordance with subsections (1) and (2) of this section shall be forwarded within twenty-four hours to ~~the district attorney's office~~ and a local law enforcement agency. A report prepared by a local law enforcement agency shall be forwarded within twenty-four hours to the county department. ~~and to the district attorney's office.~~

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.



Morgan Carroll
PRESIDENT OF
THE SENATE



Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

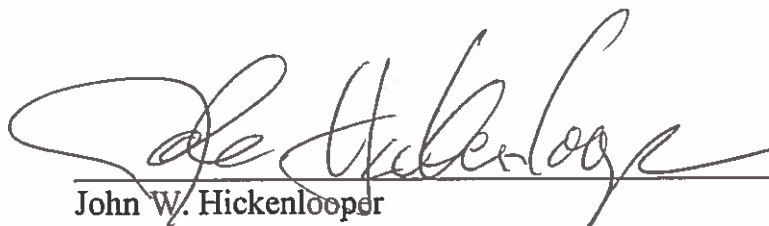


Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED

1:04 PM

4/7/14



John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO

State of Colorado

Senate Bill No. 14-098

By Senator(S) Zenzinger, Aguilar, Guzman, et al.;

Also Representative (S) Foote and Schafer, Becker, et al.

An Act CONCERNING CLARIFICATIONS TO STATUTORY LANGUAGE ON
CRIMES AGAINST AT-RISK ELDERS.

STATE OF COLORADO, SS.

THIS ACT ORIGINATED IN THE SENATE

Cecilia D. Maxwell
Secretary of the Senate

STATE OF COLORADO,)
GOVERNORS OFFICE) SS.

This Act was filed in my office this 7 day of
April

A.D. 20 14, at 1:04 o'clock P M.

John H. Foote
Governor

By *[Signature]*

STATE OF COLORADO,)
SECRETARY'S OFFICE) SS.

This Act was filed in my office this _____ day of
_____, at _____ o'clock _____ M.

Secretary of State

By _____
Deputy Secretary