

**NOTE: This bill has been prepared for the signature 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.**



HOUSE BILL 09-1081

BY REPRESENTATIVE(S) Looper, Casso, Priola, Vigil, Acree, Curry, Kerr J., King S., Lambert, Liston, May, Murray, Nikkel, Roberts, Gardner B.;  
also SENATOR(S) Morse, Boyd, Gibbs, Heath, King K., Kopp, Lundberg, Newell, Penry, Schultheis, Williams.

CONCERNING AN INCREASE IN THE LENGTH OF THE STATUTE OF LIMITATIONS  
FOR VEHICULAR HOMICIDE.

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

**SECTION 1.** 16-5-401 (1) (a), Colorado Revised Statutes, is amended to read:

**16-5-401. Limitation for commencing criminal proceedings and juvenile delinquency proceedings.** (1) (a) Except as otherwise provided by statute applicable to specific offenses, delinquent acts, or circumstances, no adult person or juvenile shall be prosecuted, tried, or punished for any offense or delinquent act unless the indictment, information, complaint, or petition in delinquency is filed in a court of competent jurisdiction or a summons and complaint or penalty assessment notice is served upon the defendant or juvenile within the period of time after the commission of the offense or delinquent act as specified below:

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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.*

Murder, kidnapping, treason, any sex offense against a child, and any forgery regardless of the penalty provided: No limit

Attempt, conspiracy, or solicitation to commit murder; attempt, conspiracy, or solicitation to commit kidnapping; attempt, conspiracy, or solicitation to commit treason; attempt, conspiracy, or solicitation to commit any sex offense against a child; and attempt, conspiracy, or solicitation to commit any forgery regardless of the penalty provided: No limit

VEHICULAR HOMICIDE AND LEAVING THE SCENE OF AN ACCIDENT THAT RESULTED IN THE DEATH OF A PERSON: FIVE YEARS

Other felonies: Three years

Misdemeanors: Eighteen months

Class 1 and 2 misdemeanor traffic offenses: One year

Petty offenses: Six months

**SECTION 2. Exception to the requirements of section 2-2-703, Colorado Revised Statutes.** The general assembly hereby finds that the amendments to section 16-5-401, Colorado Revised Statutes, enacted in section 1 of this act will result in the minor fiscal impact of one additional offender being convicted and sentenced to the department of corrections during the five years following passage of this act. Because of the relative insignificance of this degree of fiscal impact, these amendments are an exception to the five-year appropriation requirements specified in section 2-2-703, Colorado Revised Statutes.

**SECTION 3. Effective date - applicability.** This act shall take effect July 1, 2009, and shall apply to all offenses committed on or after said date and all offenses committed prior to said date for which the statute of limitations has not expired as of July 1, 2009.

**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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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO