

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

INTRODUCED

LLS NO. 09-0014.01 Michael Dohr

HOUSE BILL 09-1081

HOUSE SPONSORSHIP

Looper,

SENATE SPONSORSHIP

Morse,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Extends the statute of limitations for vehicular homicide from 3 years to 5 years.

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

2 **SECTION 1.** 16-5-401 (1) (a), Colorado Revised Statutes, is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 amended to read:

2 **16-5-401. Limitation for commencing criminal proceedings**
3 **and juvenile delinquency proceedings.** (1) (a) Except as otherwise
4 provided by statute applicable to specific offenses, delinquent acts, or
5 circumstances, no adult person or juvenile shall be prosecuted, tried, or
6 punished for any offense or delinquent act unless the indictment,
7 information, complaint, or petition in delinquency is filed in a court of
8 competent jurisdiction or a summons and complaint or penalty assessment
9 notice is served upon the defendant or juvenile within the period of time
10 after the commission of the offense or delinquent act as specified below:

11	Murder, kidnapping, treason, any sex offense against a	
12	child, and any forgery regardless of the penalty provided:	No limit
13	Attempt, conspiracy, or solicitation to commit murder;	
14	attempt, conspiracy, or solicitation to commit kidnapping;	
15	attempt, conspiracy, or solicitation to commit treason;	
16	attempt, conspiracy, or solicitation to commit any sex offense	
17	against a child; and attempt, conspiracy, or solicitation	
18	to commit any forgery regardless of the penalty provided:	No limit
19	VEHICULAR HOMICIDE:	FIVE YEARS
20	Other felonies:	Three years
21	Misdemeanors:	Eighteen months
22	Class 1 and 2 misdemeanor traffic offenses:	One year
23	Petty offenses:	Six months

24 **SECTION 2. Effective date - applicability.** This act shall take
25 effect July 1, 2009, and shall apply to all offenses committed on or after
26 said date and all offenses committed prior to said date for which the
27 statute of limitations has not expired as of July 1, 2009.

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.