

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0367.02 Owen Hatch x2698

HOUSE BILL 25-1290

HOUSE SPONSORSHIP

Lindstedt and Valdez,

SENATE SPONSORSHIP

Mullica,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TRANSIT WORKER SAFETY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates a specific criminal offense related to assault of a transit worker. The bill also adds regional transportation district transit police officers to the list of law enforcement officials who can access the peace officer training and support fund.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 **SECTION 1.** In Colorado Revised Statutes, 18-3-201, **amend** the
2 introductory portion; and **add** (4) as follows:

3 **18-3-201. Definitions.** As used in ~~sections 18-3-201~~ THIS SECTION
4 AND SECTIONS 18-3-202 to 18-3-204, unless the context otherwise
5 requires:

6 (4) "TRANSIT WORKER" MEANS A BUS OPERATOR, TRAIN
7 OPERATOR, TICKET INSPECTOR, CONDUCTOR, STATION CUSTOMER
8 ASSISTANT, OR A PERSON WHOSE OFFICIAL DUTIES INCLUDE THE
9 MAINTENANCE, REPAIR, INSPECTION, TROUBLESHOOTING, TESTING, OR
10 CLEANING OF BUSES, TRAINS, OR FACILITIES OF A MASS TRANSPORTATION
11 SYSTEM, AS DEFINED IN SECTION 32-9-103, OR A COMMUTER RAIL AGENCY,
12 AUTHORITY, OR COMPANY, PUBLIC OR PRIVATE, WHOSE OPERATION IS
13 AUTHORIZED BY THE STATE, WHETHER THE PERSON IS EMPLOYED BY A
14 POLITICAL SUBDIVISION OR A PRIVATE ENTITY.

15 **SECTION 2.** In Colorado Revised Statutes, 18-3-204, **amend**
16 (1)(b); and **add** (1)(c) and (1)(d) as follows:

17 **18-3-204. Assault in the third degree.** (1) A person commits the
18 crime of assault in the third degree if:

19 (b) The person, with intent to harass, annoy, threaten, or alarm
20 another person whom the actor knows or reasonably should know to be
21 a peace officer, a firefighter, an emergency medical care provider, or an
22 emergency medical service provider, causes the other person to come into
23 contact with blood, seminal fluid, urine, feces, saliva, mucus, vomit, or
24 toxic, caustic, or hazardous material by any means, including throwing,
25 tossing, or expelling the fluid or material; OR

26 (c) WITH INTENT TO HARASS, ANNOY, THREATEN, OR ALARM
27 ANOTHER PERSON WHOM THE PERSON KNOWS OR REASONABLY SHOULD

1 KNOW TO BE A TRANSIT WORKER, THE PERSON CAUSES THE TRANSIT
2 WORKER TO COME INTO CONTACT WITH BLOOD, SEMINAL FLUID, URINE,
3 FECES, SALIVA, MUCUS, VOMIT, OR TOXIC, CAUSTIC, OR HAZARDOUS
4 MATERIAL BY ANY MEANS, INCLUDING THROWING, TOSSING, OR EXPELLING
5 THE FLUID OR MATERIAL. INCIDENTAL CONTACT BY A TRANSIT WORKER
6 WITH A FLUID OR MATERIAL FOR THE PURPOSES OF CLEANING, AS A RESULT
7 OF PUBLIC INDECENCY AS DESCRIBED IN SECTION 18-7-301, IS NOT
8 ASSAULT IN THE THIRD DEGREE AS DESCRIBED IN THIS SUBSECTION (1)(c).

9 (d) WITH INTENT TO PREVENT ONE WHOM THE PERSON KNOWS, OR
10 REASONABLY SHOULD KNOW, TO BE A TRANSIT WORKER FROM
11 PERFORMING A LAWFUL DUTY, THE PERSON RECKLESSLY CAUSES BODILY
12 INJURY TO THE TRANSIT WORKER.

13 **SECTION 3.** In Colorado Revised Statutes, **amend** 24-33.5-538
14 as follows:

15 **24-33.5-538. Appropriation.** The ~~General Assembly~~ GENERAL
16 ASSEMBLY shall appropriate \$350 million to the peace officer training and
17 support fund for the purpose of:

18 (1) Granting funds to law enforcement agencies in municipalities
19 and counties for operating money to:

20 (a) Increase annual pay for police, sheriff, and other law
21 enforcement officials, INCLUDING REGIONAL TRANSPORTATION DISTRICT
22 TRANSIT POLICE OFFICERS;

23 (b) Provide one-time hiring, retention, or merit bonuses to attract,
24 maintain, or reward exceptional law enforcement officials, INCLUDING
25 REGIONAL TRANSPORTATION DISTRICT TRANSIT POLICE OFFICERS;

26 (c) Hire additional police or law enforcement officials, INCLUDING
27 REGIONAL TRANSPORTATION DISTRICT TRANSIT POLICE OFFICERS, to

1 address specific geographic areas or specific types of criminal activity,
2 including gang activity, drug cartels, human trafficking, stolen vehicle
3 units, and drug interdiction at the state's borders and along the state's
4 interstate highways;

5 (d) Initial and continuing education for law enforcement,
6 INCLUDING REGIONAL TRANSPORTATION DISTRICT TRANSIT POLICE
7 OFFICERS, including use of force training, restraint and non-lethal force
8 training, physical fitness training or enhancement, post-secondary
9 education advancement in criminal justice or other related areas of study,
10 and other programs and disciplines that contribute to a comprehensive
11 training and retraining of law enforcement officials in the state of
12 Colorado; and

13 (e) Money from the general fund as may be needed to pay the
14 surviving spouse or children or estate of police, INCLUDING REGIONAL
15 TRANSPORTATION DISTRICT TRANSIT POLICE OFFICERS, AND fire or other
16 first responders killed in the line of duty.

17 (2) AN ELIGIBLE LAW ENFORCEMENT AGENCY MAY GRANT FUNDS
18 RECEIVED FROM THE PEACE OFFICER TRAINING AND SUPPORT FUND TO THE
19 REGIONAL TRANSPORTATION DISTRICT, AS DESCRIBED IN ARTICLE 9 OF
20 TITLE 32, FOR THE PURPOSES DESCRIBED IN SUBSECTION (1) OF THIS
21 SECTION.

22 **SECTION 4. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2026 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.