

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 17-0342.02 Jerry Barry x4341

**SENATE BILL 17-035**

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**SENATE SPONSORSHIP**

**Sonnenberg,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**  
Agriculture, Natural Resources, & Energy

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING TAMPERING WITH EQUIPMENT ASSOCIATED WITH OIL**

102     **AND GAS GATHERING OPERATIONS.**

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**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>.)*

There is a current crime of tampering with equipment associated with oil or gas gathering operations. The bill includes placing another at risk of death or serious bodily injury as part of the crime and increases the penalty from a class 2 misdemeanor to a class 6 felony.

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

2           **SECTION 1. Legislative declaration - intent.** (1) The general  
3       assembly finds and declares that:

4               (a) Tampering with equipment used in oil or gas gathering could  
5       create a catastrophic incident that would place people in danger of death  
6       or serious bodily injury;

7               (b) Although there is a crime for tampering with equipment  
8       associated with oil or gas gathering operations, people continue to break  
9       into enclosed areas, break locks, and adjust valves on oil or gas gathering  
10      equipment;

11               (c) Most people who are arrested for such activity are only  
12       charged with second or third degree trespass, either a class 3  
13       misdemeanor or a class 1 petty offense;

14               (d) Some people who have been convicted of such crimes brag  
15       about their actions and post videos of their actions; and

16               (e) People do not realize that they are placing themselves and  
17       others in danger when they tamper with this equipment.

18               (2) The purpose of this act is to:

19               (a) Educate people of the danger and risks of tampering with  
20       equipment used in oil or gas gathering operations; and

21               (b) Increase the penalty for such actions to deter the commission  
22       of future actions.

23           **SECTION 2.** In Colorado Revised Statutes, **amend** 18-4-506.3  
24       as follows:

25           **18-4-506.3. Tampering with equipment associated with oil or**  
26       **gas gathering operations - penalty.** (1) Any person who in any manner  
27       knowingly destroys, breaks, removes, or otherwise tampers with or

1 attempts to destroy, break, remove, or otherwise tamper with any  
2 equipment associated with oil or gas gathering operations        commits a  
3 class ~~2~~ misdemeanor 6 FELONY.

4                   (2) Any person who in any manner, without the consent of the  
5 owner or operator, knowingly alters, obstructs, interrupts, or interferes  
6 with or attempts to alter, obstruct, interrupt, or interfere with the action  
7 of any equipment used or associated with oil or gas gathering operations  
8        commits a class ~~2~~ misdemeanor 6 FELONY.

9                   (3) THE CRIMINAL PENALTY PROVIDED IN THIS SECTION DOES NOT  
10 PRECLUDE THE VICTIM FROM SEEKING ANY OTHER REMEDIES OTHERWISE  
11 AVAILABLE UNDER LAW.

12                   **SECTION 3. Potential appropriation.** Pursuant to section  
13 2-2-703, C.R.S., any bill that results in a net increase in periods of  
14 imprisonment in state correctional facilities must include an appropriation  
15 of money that is sufficient to cover any increased capital construction and  
16 operational costs for the first five fiscal years in which there is a fiscal  
17 impact. Because this act may increase periods of imprisonment, this act  
18 may require a five-year appropriation.

19                   **SECTION 4. Act subject to petition - effective date -**  
20 **applicability.** (1) This act takes effect September 1, 2017; except that,  
21 if a referendum petition is filed pursuant to section 1 (3) of article V of  
22 the state constitution against this act or an item, section, or part of this act  
23 within the ninety-day period after final adjournment of the general  
24 assembly, then the act, item, section, or part will not take effect unless  
25 approved by the people at the general election to be held in November  
26 2018 and, in such case, will take effect on the date of the official  
27 declaration of the vote thereon by the governor.

