

SB034\_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB23-034 be amended as follows:

1 Amend reengrossed bill, page 2, lines 2 and 3, strike "**amend** (3)(p)" and  
2 substitute "**add** (3)(p.5)".

3 Page 2, strike lines 4 through 10 and substitute:

4           **"18-1-901. Definitions.** (3) (p.5) "SUBSTANTIAL RISK" MEANS THE  
5 RISK GENERALLY ASSOCIATED WITH THE TYPE OF CONDUCT OR INJURY.  
6 THIS LEGISLATIVE DEFINITION SPECIFICALLY REJECTS THE  
7 INTERPRETATION OF "SUBSTANTIAL RISK" AS SET OUT BY THE COLORADO  
8 SUPREME COURT IN *PEOPLE V. VIGIL*, 488 P.3d 1150 (COLO. 2021) AND  
9 ADOPTS THAT OF *PEOPLE V. SANCHEZ*, 751 P.2d 1013 (COLO. APP. 1988)  
10 AND *PEOPLE V. COVINGTON*, 988 P.2d 657 (COLO. APP. 1999), REV'D ON  
11 OTHER GROUNDS, 19 P.3d 15 (COLO. 2001).".

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