

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

INTRODUCED

LLS NO. 21-0038.01 Jane Ritter x4342

SENATE BILL 21-031

SENATE SPONSORSHIP

Bridges,

HOUSE SPONSORSHIP

Cutter,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING LIMITS ON GOVERNMENTAL ACTIONS RELATED TO**
102 **LAWFUL PROTESTS.**

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 prohibits a state, county, or local government agency, or any person acting on behalf of the state, county, or local government agency, from ordering persons participating in a protest or demonstration (protest) to disperse, or from deeming the protest unlawful, unless the persons participating in the protest are acting in concert to pose an imminent threat to use force or violence to cause personal injury or

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

significant property damage.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-31-905, **add** (2)
3 as follows:

4 **24-31-905. Prohibited law enforcement and governmental**
5 **actions in response to protests or demonstrations.** (2) IN RESPONSE TO
6 A PROTEST OR DEMONSTRATION, A STATE, COUNTY, CITY AND COUNTY, OR
7 LOCAL GOVERNMENT AGENCY, OR ANY PERSON ACTING ON BEHALF OF THE
8 STATE, COUNTY, CITY AND COUNTY, OR LOCAL GOVERNMENT AGENCY,
9 SHALL NOT ORDER THE PERSONS PARTICIPATING IN THE PROTEST OR
10 DEMONSTRATION TO DISPERSE, OR DEEM THE PROTEST OR
11 DEMONSTRATION TO BE UNLAWFUL. BEFORE RENDERING THE PROTEST OR
12 DEMONSTRATION AS UNLAWFUL:

13 (a) A SIGNIFICANT NUMBER OR PERCENTAGE OF PERSONS ACTING
14 IN CONCERT MUST POSE AN IMMINENT THREAT OF USING FORCE OR
15 VIOLENCE TO CAUSE PERSONAL INJURY OR SIGNIFICANT PROPERTY
16 DAMAGE; AND

17 (b) EVERY EFFORT MUST BE TAKEN TO DIFFERENTIATE BETWEEN
18 THOSE PERSONS ACTING IN CONCERT TO ESCALATE THE ACTIVITIES
19 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION AND THOSE PERSONS
20 ACTING IN CONCERT TO CONTINUE ENGAGING IN A PEACEFUL, LAWFUL
21 ASSEMBLY. PERSONS ACTING TO CONTINUE ENGAGING IN A PEACEFUL,
22 LAWFUL ASSEMBLY MUST BE ALLOWED TO CONTINUE TO DO SO WITHOUT
23 INTERRUPTION.

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V
3 of the state constitution against this act or an item, section, or part of this
4 act within such period, then the act, item, section, or part will not take
5 effect unless approved by the people at the general election to be held in
6 November 2022 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.