

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 24-0595.01 Conrad Imel x2313

SENATE BILL 24-108

SENATE SPONSORSHIP

Priola and Baisley, Marchman, Cutter, Ginal, Kirkmeyer, Michaelson Jenet

HOUSE SPONSORSHIP

Parenti and Weinberg, Titone

Senate Committees

Business, Labor, & Technology

House Committees

Judiciary

A BILL FOR AN ACT

101 **CONCERNING A PROHIBITION ON AFFILIATING WITH A PUBLIC SAFETY**
102 **RADIO NETWORK WITHOUT AUTHORIZATION.**

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/>.)

Joint Technology Committee. The bill prohibits a person from knowingly affiliating with a public safety radio network without authorization from the network's authorizing entity. Unlawful affiliation with a public safety radio network is a class 2 misdemeanor.

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.

HOUSE
2nd Reading Unamended
April 15, 2024

SENATE
3rd Reading Unamended
March 5, 2024

SENATE
2nd Reading Unamended
March 4, 2024

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 18-8-118 as
3 follows:

4 **18-8-118. Unlawful affiliation with a public safety radio**
5 **network - penalty - definitions.** (1) (a) A PERSON WHO KNOWINGLY
6 AFFILIATES WITH A PUBLIC SAFETY RADIO NETWORK WITHOUT
7 AUTHORIZATION FROM THE NETWORK'S AUTHORIZING ENTITY COMMITS
8 UNLAWFUL AFFILIATION WITH A PUBLIC SAFETY RADIO NETWORK.

9 (b) UNLAWFUL AFFILIATION WITH A PUBLIC SAFETY RADIO
10 NETWORK IS A CLASS 2 MISDEMEANOR.

11 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
12 REQUIRES:

13 (a) "AFFILIATE" MEANS TRANSMITTING OR RECEIVING A SIGNAL ON
14 A RADIO NETWORK, INCLUDING THROUGH THE USE OF CLONING
15 EQUIPMENT. "AFFILIATE" DOES NOT INCLUDE LISTENING TO RADIO
16 NETWORK COMMUNICATIONS BY USE OF A PASSIVE LISTENING DEVICE,
17 INCLUDING A SCANNER, THAT DOES NOT TRANSMIT A SIGNAL TO THE
18 PUBLIC SAFETY RADIO NETWORK.

19 (b) "AUTHORIZING ENTITY" MEANS A STATE OR LOCAL
20 DEPARTMENT, AGENCY, OR OTHER ENTITY THAT CAN AUTHORIZE
21 AFFILIATION WITH A PUBLIC SAFETY RADIO NETWORK.

22 (c) "CLONING EQUIPMENT" MEANS ANY INSTRUMENT, APPARATUS,
23 EQUIPMENT, COMPUTER HARDWARE, COMPUTER SOFTWARE, OPERATING
24 PROCEDURE OR CODE, OR DEVICE, WHETHER USED SEPARATELY OR IN
25 COMBINATION, THAT IS DESIGNED OR ADAPTED AND IS USED, IS INTENDED
26 TO BE USED, OR IS CAPABLE OF BEING USED TO TRANSMIT OR RECEIVE
27 SIGNALS ON A PUBLIC SAFETY RADIO NETWORK WITHOUT AUTHORIZATION

1 FROM AN AUTHORIZING ENTITY.

2 (d) "PUBLIC SAFETY AGENCY" HAS THE SAME MEANING AS SET
3 FORTH IN SECTION 24-32-3501.

4 (e) "PUBLIC SAFETY RADIO NETWORK" MEANS A PUBLIC SAFETY
5 COMMUNICATION SYSTEM THAT FACILITATES COMMUNICATION BETWEEN
6 PUBLIC SAFETY AGENCIES AND THAT IS OPERATED BY THE DEPARTMENT OF
7 PUBLIC SAFETY OR A LOCAL GOVERNMENT. "PUBLIC SAFETY RADIO
8 NETWORK" INCLUDES A RADIO FREQUENCY, RADIO CHANNEL, OR RADIO
9 TALK-GROUP THAT IS USED BY A PUBLIC SAFETY AGENCY.

10 **SECTION 2. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly; except
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V
14 of the state constitution against this act or an item, section, or part of this
15 act within such period, then the act, item, section, or part will not take
16 effect unless approved by the people at the general election to be held in
17 November 2024 and, in such case, will take effect on the date of the
18 official declaration of the vote thereon by the governor.