

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**REVISED**

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

LLS NO. 13-0150.01 Michael Dohr x4347

**SENATE BILL 13-013**

---

**SENATE SPONSORSHIP**

**King,**

**HOUSE SPONSORSHIP**

**McCann,**

---

**Senate Committees**  
Judiciary

**House Committees**  
Judiciary

---

**A BILL FOR AN ACT**

101 **CONCERNING PEACE OFFICER AUTHORITY FOR CERTAIN EMPLOYEES**  
102 **OF THE UNITED STATES SECRET SERVICE.**

---

**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://www.leg.state.co.us/billsummaries>.)*

The bill gives a special agent, uniform division officer, physical security technician, physical security specialist, or special officer of the United States secret service limited peace officer authority while working in Colorado.

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

HOUSE  
2nd Reading Unamended  
March 27, 2013

SENATE  
3rd Reading Unamended  
February 19, 2013

SENATE  
2nd Reading Unamended  
February 1, 2013

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 16-2.5-150 as  
3 follows:

4 **16-2.5-150. Federal secret service agents.** (1) A SPECIAL AGENT,  
5 UNIFORM DIVISION OFFICER, PHYSICAL SECURITY TECHNICIAN, PHYSICAL  
6 SECURITY SPECIALIST, OR SPECIAL OFFICER OF THE UNITED STATES SECRET  
7 SERVICE, REFERRED TO IN THIS SECTION AS A "SECRET SERVICE AGENT", IN  
8 ANY JURISDICTION WITHIN THE STATE OF COLORADO, IS A PEACE OFFICER  
9 WHOSE AUTHORITY IS LIMITED AS PROVIDED IN THIS SECTION. THE SECRET  
10 SERVICE AGENT IS A PEACE OFFICER IN THE FOLLOWING CIRCUMSTANCES:

11 (a) (I) RESPONDING TO A NONFEDERAL FELONY OR MISDEMEANOR  
12 THAT HAS BEEN COMMITTED IN HIS OR HER PRESENCE;

13 (II) RESPONDING TO AN EMERGENCY SITUATION IN WHICH HE OR  
14 SHE HAS PROBABLE CAUSE TO BELIEVE THAT A NONFEDERAL FELONY OR  
15 MISDEMEANOR INVOLVING INJURY OR THREAT OF INJURY TO A PERSON OR  
16 PROPERTY HAS BEEN, OR IS BEING, COMMITTED AND IMMEDIATE ACTION IS  
17 REQUIRED TO PREVENT ESCAPE, SERIOUS BODILY INJURY, OR DESTRUCTION  
18 OF PROPERTY;

19 (III) RENDERING ASSISTANCE AT THE REQUEST OF A COLORADO  
20 PEACE OFFICER; OR

21 (IV) EFFECTING AN ARREST OR PROVIDING ASSISTANCE AS PART OF  
22 A BONA FIDE TASK FORCE OR JOINT INVESTIGATION WITH COLORADO  
23 PEACE OFFICERS; AND

24 (b) THE SECRET SERVICE AGENT ACTS IN ACCORDANCE WITH THE  
25 RULES AND REGULATIONS OF HIS OR HER EMPLOYING AGENCY.

26 (2) A SECRET SERVICE AGENT IS A PERSON WHO IS EMPLOYED BY

1 THE UNITED STATES GOVERNMENT, ASSIGNED TO THE UNITED STATES  
2 SECRET SERVICE, EMPOWERED TO EFFECT AN ARREST WITH OR WITHOUT  
3 A WARRANT FOR VIOLATIONS OF THE UNITED STATES CODE, AND  
4 AUTHORIZED TO CARRY A FIREARM AND USE DEADLY FORCE IN THE  
5 PERFORMANCE OF HIS OR HER DUTIES AS A FEDERAL LAW ENFORCEMENT  
6 OFFICER.

7 (3) UPON EFFECTING AN ARREST UNDER THE AUTHORITY OF THIS  
8 SECTION, A SECRET SERVICE AGENT SHALL IMMEDIATELY SURRENDER  
9 CUSTODY OF THE ARRESTED INDIVIDUAL TO A COLORADO PEACE OFFICER.

10 (4) THIS SECTION DOES NOT IMPOSE LIABILITY ON OR REQUIRE  
11 INDEMNIFICATION OR CREATE A WAIVER OF SOVEREIGN IMMUNITY BY THE  
12 STATE OF COLORADO FOR ANY ACTION PERFORMED UNDER THIS SECTION  
13 BY A SECRET SERVICE AGENT.

14 (5) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO EXPAND  
15 THE AUTHORITY OF FEDERAL LAW ENFORCEMENT OFFICERS TO INITIATE OR  
16 CONDUCT AN INDEPENDENT INVESTIGATION INTO VIOLATIONS OF  
17 COLORADO LAW.

18 **SECTION 2. Safety clause.** The general assembly hereby finds,  
19 determines, and declares that this act is necessary for the immediate  
20 preservation of the public peace, health, and safety.