

## MISDEMEANORS

This section contains a current listing of misdemeanor offenses. Misdemeanor offenses are categorized as class 1, class 2, class 3, and unclassified. The penalty for the commission of a misdemeanor offense depends on its classification. The penalty scheme for misdemeanors is indicated in Table 4 below.

**Table 4  
Sentencing Scheme for Misdemeanors**

Class of Misdemeanor	Minimum Sentence	Maximum Sentence
<b>Class 1 (extraordinary risk of harm*)</b>	6 months, \$500 fine, or both	24 months, \$5,000 fine, or both
<b>Class 1</b>	6 months, \$500 fine, or both	18 months, \$5,000 fine, or both
<b>Class 2</b>	3 months, \$250 fine, or both	364 days, \$1,000 fine, or both
<b>Class 3</b>	\$50 fine	6 months, \$750 fine, or both
<b>Class 1 Traffic Offense</b>	10 days, \$300 fine, or both	364 days, \$1,000 fine, or both
<b>Class 2 Traffic Offense</b>	10 days, \$150 fine, or both	90 days, \$300 fine, or both
<b>Unclassified</b>	Specified in statute	Specified in statute

*\*Misdemeanor offenses that present an extraordinary risk of harm to society include the following: third degree assault; sexual assault; second degree sexual assault as it existed prior to July 1, 2000; unlawful sexual contact; third degree sexual assault as it existed prior to July 1, 2000; child abuse; second and all subsequent violations of a protection order; misdemeanor failure to register as a sex offender; and misdemeanor invasion of privacy for sexual gratification (Section 18-1.3-501 (3), C.R.S.).*

*†If a defendant is convicted of third degree assault and the victim is a peace officer, emergency medical service provider, emergency medical care provider, firefighter, or mental health professional at the Colorado Department of Human Services engaged in the performance of his or her duties, the minimum sentence is 24 months in jail and the maximum sentence is 48 months in jail. The court may also impose a fine of \$500 to \$5,000 (Section 18-1.3-501 (1.5) and (1.7), C.R.S.).*

*††If the victim of class 1 misdemeanor third degree assault or class 3 misdemeanor reckless endangerment is a mental health professional who is engaged in the performance of his or her duties and is employed by or under contract with the Department of Human Services, the defendant may be sentenced to a term of imprisonment greater than the maximum sentence but not more than twice the maximum sentence for third degree assault or reckless endangerment. For third degree assault, the sentence may be 6 to 48 months in jail; for reckless endangerment, the sentence may be up to 12 months in jail. Courts may also impose a fine on such offenders in accordance with the range applicable to the offense committed (Section 18-1.3-501 (1.7), C.R.S.).*

It is important to note that not all persons convicted of a misdemeanor offense receive a sentence to the county jail. Many offenders receive a sentence to probation.

The crimes in this listing are grouped according to the statutory title in which they appear. In addition, those crimes that appear in Title 18 are further designated by their article. For example, crimes in Article 3 of Title 18 are identified as "Offenses Against the Person."

All listings are current through the 2020 regular session laws.

## DRUG MISDEMEANORS

Drug-related misdemeanors committed on or after October 1, 2013, are subject to a different sentencing scheme than other misdemeanors. Previously, the sentencing scheme for drug misdemeanors was the same as the sentencing scheme for other misdemeanors. This section contains a current listing of drug misdemeanors. Drug misdemeanors are categorized as either level 1 or level 2 offenses. The penalty for the commission of a certain drug misdemeanor depends on its classification. The sentencing scheme for drug misdemeanors is indicated in Table 5 below.

**Table 5**  
**Sentencing Scheme for Drug Misdemeanors**  
**Committed on or after October 1, 2013**

<b>Level</b>	<b>Minimum Sentence</b>	<b>Maximum Sentence</b>
Level 1 Drug Misdemeanor	6 months, \$500 fine, or both	18 months, \$5,000 fine, or both
Level 2 Drug Misdemeanor	\$50 fine	364 days, \$750 fine, or both

It is important to note that not all persons convicted of a felony drug offense receive a sentence to prison. Colorado law authorizes many alternatives to prison, including deferred prosecution, deferred sentencing, probation, and community corrections. In addition, there are several special sentencing categories that may increase or decrease the presumptive sentencing range for a felony.

The crimes in this listing are grouped according to the statutory title in which they appear.

All listings are current through the 2020 regular session laws.

## MISDEMEANOR TRAFFIC OFFENSES

This section contains a current listing of misdemeanor traffic offenses. Misdemeanor traffic offenses have two categories: class 1 and class 2. There are also five unclassified misdemeanor traffic offenses. The penalty scheme for misdemeanor traffic offenses is indicated in Table 6. In addition to the penalties listed below, certain traffic offenses may carry a points assessment against the offender's driver's license pursuant to Section 42-4-127, C.R.S.

**Table 6**  
**Sentencing Scheme for Misdemeanor Traffic Offenses**

<b>Class of Misdemeanor Traffic Offense</b>	<b>Minimum Sentence</b>	<b>Maximum Sentence</b>
Class 1	10 days, \$300 fine, or both	364 days, \$1,000 fine, or both
Class 2	10 days, \$150 fine, or both	90 days, \$300 fine, or both
Unclassified	Specified in statute	Specified in statute

It is important to note that not all persons convicted of a misdemeanor traffic offense receive a sentence to the county jail. Many offenders receive a sentence to probation.

All listings are current through the 2020 regular session laws.