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### **Amending The Penalty Provisions of 40-19-3, Colorado Revised Statutes 1953, Relating To The Crime of Using Public Funds for Private Purposes.**

Colorado General Assembly

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## CHAPTER 49

**CRIMES AND PUNISHMENTS****OFFENSES INVOLVING PUBLIC FUNDS**

(Senate Bill No. 35. By Senator Bennett; also Representatives Kane and Gallegos.)

**AN ACT**

AMENDING THE PENALTY PROVISIONS OF 40-19-3, COLORADO REVISED STATUTES 1953, RELATING TO THE CRIME OF USING PUBLIC FUNDS FOR PRIVATE PURPOSES.

*Be It Enacted by the General Assembly of the State of Colorado:*

Section 1. 40-19-3, Colorado Revised Statutes 1953, is hereby amended to read:

40-19-3.—Public funds for private purposes—penalty.  
—If any officer appointed or elected by virtue of the constitution of this state, or any law thereof, as an officer, agent, or servant of an incorporated city, town, municipal township, school district, or county, or other subdivisions of this state, shall convert to his own use in any way whatever, or shall use, by way of investment in any kind of property or merchandise, or shall make way with or secrete any portion of the public funds or moneys, or any valuable securities by him received for safe keeping, disbursement, transfer, or for any other purpose, or which may be in his possession or over which he may have the supervision, care, or control, by virtue of his office, agency, or service, or under color or pretense thereof, every such officer, agent, or servant shall, upon conviction, be punished by imprisonment **IN THE STATE PENITENTIARY** ~~not less than five years~~ **LESS THAN ONE YEAR NOR MORE THAN FIVE YEARS.**

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

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

Approved: February 9, 1962.