



Criminal Code Update

CITY COUNCIL MEETING – March 3, 2026

City Staff Representatives:

James Gallagher, Assistant City Attorney I

Michael Davis, Assistant City Attorney II

Department:

City Attorney's Office

PURPOSE



To discuss updates to the *Brighton Municipal Code* with respect to penalties and criminal code sections and to align with the recent Colorado Supreme Court ruling.

Brighton's Current General Penalty

Maximum Penalty
Up to 364 days in jail;
Up to a \$2,650 fine; or
Both

New Penalty Classification

Class 1 Misdemeanor	Class 2 Misdemeanor	Petty Offense	General Penalty
Up to 364 days imprisonment, not more than a \$1,000 fine, or both.	Up to 120 days imprisonment, not more than a \$750 fine, or both.	Up to 10 days imprisonment, not more than a \$300 fine, or both.	Up to 364 days imprisonment, not more than a \$2,650 fine, or both.

Amending Article 9 – Criminal Code

- Addition of a penalty classification for each criminal offense that has a comparable state offense.
- When no penalty classification is mentioned, the general penalty will still apply.

Duplicate Offenses Being Removed

- Refusing to aid a police officer
- Defacing or damaging posted advertisement or bill
- Theft by rental property
- Theft of food or accommodations
- Intentional bodily injury (renamed assault)
- Bodily injury / criminal negligence



Offenses that Changed

- *Trespass* – mimic state law
- *Theft* – mimic state law
- *Theft by shoplifting* – removed element making it harder to prosecute in municipal court
- *Harassment and disorderly conduct* – penalty broken up by subsections
- *Impeding or disrupting certain meetings in public buildings* – split up
- *Consumption prohibited* – removed religious request section
- *Firearms prohibited in or upon public facilities* – clarified that the offense applies to City Council chambers

Options for Council Consideration

- Accept the ordinance as proposed
- Deny as proposed
- Accept with modifications

Questions?

