

# An Act

HOUSE BILL 20-1402

BY REPRESENTATIVE(S) Weissman and Van Winkle, Herod, Soper, Snyder, Arndt, Baisley, Gray, Hooton, Humphrey, McKean, Neville, Pelton, Sandridge, Valdez A., Williams D., Woodrow, Young, Becker;  
also SENATOR(S) Gardner and Lee, Cooke, Rodriguez, Tate, Woodward.

CONCERNING THE NONSUBSTANTIVE REVISION OF STATUTES IN THE COLORADO REVISED STATUTES, AS AMENDED, AND, IN CONNECTION THEREWITH, AMENDING OR REPEALING OBSOLETE, IMPERFECT, AND INOPERATIVE LAW TO PRESERVE THE LEGISLATIVE INTENT, EFFECT, AND MEANING OF THE LAW.

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

**SECTION 1.** In Colorado Revised Statutes, 1-2-213.3, **amend as it will become effective July 1, 2020, (7)(a)(I)** as follows:

**1-2-213.3. Transfer of new voter registration records from department of revenue.** (7) (a) (I) If a notice provided under subsections ~~(2)~~ and (3) AND (4) of this section is returned as undeliverable within twenty days after the county clerk and recorder mails the notice, the person's registration or preregistration is cancelled and the person is deemed to have never registered or preregistered. If the notice is returned as undeliverable

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

after twenty days after the county clerk and recorder mails the notice, the person's registration or preregistration is marked inactive.

**SECTION 2.** In Colorado Revised Statutes, 5-16-105, **amend** (3)(c) as follows:

**5-16-105. Communication in connection with debt collection - definition.** (3) (c) In its initial written communication to a consumer, a collection agency shall include the following statement: "FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE ~~WWW.AGO.STATE.CO.US/CADC/CADCMAIN.CFM~~. [HTTPS://COAG.GOV/OFFICE-SECTIONS/CONSUMER-PROTECTION/CONSUMER-CREDIT-UNIT/COLLECTION-AGENCY-REGULATION/](https://coag.gov/office-sections/consumer-protection/consumer-credit-unit/collection-agency-regulation/)." If the website address is changed, the notification shall be corrected to contain the correct address. If the notification is placed on the back of the written communication, there shall be a statement on the front notifying the consumer of such fact.

**SECTION 3.** In Colorado Revised Statutes, 6-1-1202, **amend** (5) as follows:

**6-1-1202. Definitions.** As used in this part 12, unless the context otherwise requires:

(5) "Delivery period" means the time when a shared car is being delivered to the location of the car sharing start time, as documented by the governing car sharing agreement.

**SECTION 4.** In Colorado Revised Statutes, 6-1-1203, **amend** (8)(a) as follows:

**6-1-1203. Insurance coverage during car sharing period.** (8) This section does not:

(a) Limit the liability of the car sharing program for an act or omission of the car sharing program that results in bodily injury to any person as a result of the use of a shared ~~vehicle~~ CAR through a car sharing program; or

**SECTION 5.** In Colorado Revised Statutes, 6-1-1205, **amend** (2) introductory portion as follows:

**6-1-1205. Liability - exclusions for personal automobile liability insurance policy - indemnification.** (2) An automobile insurer of the shared car owner that defends or indemnifies a shared car claim has the right to contribution against the insurer of the ~~shared car~~ CAR SHARING program if the claim is:

**SECTION 6.** In Colorado Revised Statutes, 6-1-1211, **amend** (1) introductory portion as follows:

**6-1-1211. Driver's license verification and data retention.** (1) A car sharing program shall not enter into a car sharing agreement with a ~~car sharing~~ SHARED CAR driver unless the driver:

**SECTION 7.** In Colorado Revised Statutes, 7-90-203.8, **amend as it will become effective July 1, 2020**, (1)(c) as follows:

**7-90-203.8. Statement of owner's interest exchange.** (1) After a plan of exchange is approved pursuant to section 7-90-203.4, the acquiring entity shall deliver to the secretary of state, for filing pursuant to part 3 of this article 90, a statement of owner's interest exchange stating:

(c) A statement that the acquiring entity acquires ~~shares~~ OWNER'S INTEREST of the other entity or entities.

**SECTION 8.** In Colorado Revised Statutes, 7-108-501, **amend as it will become effective July 1, 2020**, (1)(a)(IV) as follows:

**7-108-501. Conflicting interest transaction - definition.** (1)(a) As used in this section, "conflicting interest transaction" means, with respect to a director of the corporation, any of the following:

(IV) The director's taking a corporate opportunity, except to the extent permitted pursuant to a provision of the articles of incorporation adopted under section ~~7-102-102(2)(d)~~ 7-102-102 (2)(e).

**SECTION 9.** In Colorado Revised Statutes, 8-14.3-202, **amend** (2) as follows:

**8-14.3-202. Definitions.** As used in this part 2, unless the context otherwise requires:

(2) "Apprenticeship" means an apprenticeship training program registered with the United States department of labor, office of apprenticeship. ~~training.~~

**SECTION 10.** In Colorado Revised Statutes, 10-3-503, **amend** (1)(g) as follows:

**10-3-503. Persons covered.** (1) The proceedings authorized by this part 5 may be applied to:

(g) All health care plans subject to the ~~"Prepaid Dental Care Plan Law of Colorado", article 16.5 of this title, or the "Colorado Health Maintenance Organization Act", article 17 of this title~~ PARTS 1, 4, AND 5 OF ARTICLE 16 OF THIS TITLE; and

**SECTION 11.** In Colorado Revised Statutes, 10-3-903, **amend** (2)(h) as follows:

**10-3-903. Definition of transacting insurance business.** (2) This section does not apply to:

(h) Transactions in this state involving group sickness and accident or blanket sickness and accident insurance where the master policy was lawfully issued and delivered to a single employer in another state in which the company was authorized to do an insurance business, when a master policy which covers residents of this state includes mammography benefits at a level at least as comprehensive as those required by section ~~10-16-104 (18)(b)(III)~~ 10-16-104 (18)(b.5);

**SECTION 12.** In Colorado Revised Statutes, 10-4-614, **amend** (2) as follows:

**10-4-614. Inflatable restraint systems - replacement - verification of claims.** (2) For the purposes of this section, "inflatable restraint system" has the same meaning as is set forth in ~~49 CFR 507.208 S4.1.5.1 (b)~~ 49 CFR 571.208 S4.1.5.1 (b).

**SECTION 13.** In Colorado Revised Statutes, 10-4-1201, **amend** (6)(a) as follows:

**10-4-1201. Definitions.** As used in this part 12, unless the context otherwise requires:

(6) "Insurer" or "licensed insurer" means any person, firm, association, or corporation duly licensed to transact a property and casualty insurance business in this state. The following are not licensed insurers for the purposes of this part 12, and this list is not exclusive:

(a) All risk retention groups as defined in the "Superfund Amendments Reauthorization Act of 1986", Pub.L. 99-499, 100 Stat. 1613 (1986), the "~~Risk Retention Act~~" "LIABILITY RISK RETENTION ACT OF 1986", 15 U.S.C. ~~secs.~~ SEC. 3901 et seq., and the "Model Risk Retention Act", part 14 of article 3 of this title;

**SECTION 14.** In Colorado Revised Statutes, 10-7-802, **amend as it will become effective July 1, 2020**, (5)(a)(I) as follows:

**10-7-802. Definitions.** As used in this part 8, unless the context otherwise requires:

(5) "Policy" means any policy or certificate of life insurance that provides a death benefit. The term does not include:

(a) A policy or certificate of life insurance that provides a death benefit under an employee benefit plan:

(I) Subject to the federal "Employee RETIREMENT Income Security Act of 1974", 29 U.S.C. ~~sec. 1002~~ SEC. 1001 ET SEQ., as amended; or

**SECTION 15.** In Colorado Revised Statutes, 10-11-124, **amend** (1)(c) as follows:

**10-11-124. Affiliated business arrangements - rules - investigative information shared with division of real estate.** (1) (c) Neither a title insurance company nor a title insurance agent shall require the use of an affiliated business arrangement or a particular settlement producer as a condition of obtaining title insurance services from

the company or agent. For the purposes of this paragraph (c), "require the use" shall have the same meaning as "required use" in ~~24-CAR-3500.2 (b)~~ 12 CAR 1024.2.

**SECTION 16.** In Colorado Revised Statutes, 10-16-102, **amend** (22)(a) and (29) as follows:

**10-16-102. Definitions.** As used in this article 16, unless the context otherwise requires:

(22)(a) "Essential health benefits" has the same meaning as set forth in section 1302 (b) of the federal "Patient Protection and Affordable Care Act", ~~of 2010~~; as amended, Pub.L. 111-148;

(29) "Federal law" includes the federal "Patient Protection and Affordable Care Act", ~~of 2010~~; Pub.L. 111-148, as amended by the federal "Health Care and Education Reconciliation Act of 2010", Pub.L. 111-152, and as may be further amended, also referred to in this article as the "ACT"; the federal "Public Health Service Act", as amended, 42 U.S.C. sec. 201 et seq., also referred to in this article as "PHA"; the federal "Health Insurance Portability and Accountability Act of 1996", as amended, Pub.L. 104-191, also referred to in this article as "HIPPA"; the federal "Employee Retirement Income Security Act of 1974", as amended, 29 U.S.C. sec. 1001 et seq., also referred to in this article as "EISA"; and any federal regulation implementing these federal acts.

**SECTION 17.** In Colorado Revised Statutes, 10-16-1009, **amend** (1)(k) as follows:

**10-16-1009. Powers, duties, and responsibilities of cooperatives.**  
(1) Each cooperative organized pursuant to this part 10 shall:

(k) Maintain a trust account or accounts for the deposit of premium moneys collected pursuant to ~~paragraph (d) of subsection (3)~~ SUBSECTION (3)(e) of this section, to be paid to carriers or licensed provider networks or licensed individual providers for coverage offered through the cooperative. A cooperative shall have a fiduciary duty with respect to premium moneys collected for carriers and licensed provider networks offered through the cooperative.

**SECTION 18.** In Colorado Revised Statutes, 11-41-114, **amend** (1)(k) as follows:

**11-41-114. How funds invested.** (1) Any savings and loan association may invest any portion of its funds in any of the following:

(k) Loans as to which the association has the benefit of any guaranty under Title IV of the "Housing and Urban Development Act of 1968", as amended, or under part B of the "~~Urban Growth and New Community Development Act of 1970~~" "NATIONAL URBAN POLICY AND NEW COMMUNITY DEVELOPMENT ACT OF 1970", as amended, or under section 802 of the "Housing and Community Development Act of 1974", as amended, or of a commitment or agreement therefor;

**SECTION 19.** In Colorado Revised Statutes, 12-30-102, **amend** (4)(f) as follows:

**12-30-102. Medical transparency act of 2010 - disclosure of information about health care licensees - fines - rules - short title - legislative declaration - review of functions - repeal.** (4) When applying for a new license, certification, or registration or to renew, reinstate, or reactivate a license, certification, or registration in this state, each applicant shall provide the following information to the director, in a form and manner determined by the director, as applicable to each profession:

(f) Any involuntary surrender of the applicant's ~~United States~~ FEDERAL drug enforcement administration registration. The applicant shall provide a copy of the order requiring the surrender of the registration to the director at the time the application is made.

**SECTION 20.** In Colorado Revised Statutes, 12-240-107, **amend** (3)(s)(II) as follows:

**12-240-107. Practice of medicine defined - exemptions from licensing requirements - unauthorized practice by physician assistants and anesthesiologist assistants - penalties - definitions - rules - repeal.** (3) A person may engage in, and shall not be required to obtain a license or a physician training license under this article 240 with respect to, any of the following acts:

(s) (II) On or after July 1, 2010, a physician who serves as a preceptor or mentor to an advanced practice nurse pursuant to sections 12-240-108 and 12-255-112 (4) shall have a license in good standing without disciplinary sanctions to practice medicine in Colorado and an unrestricted registration by the FEDERAL drug enforcement administration for the same schedules as the collaborating advanced practice nurse.

**SECTION 21.** In Colorado Revised Statutes, 12-240-108, **amend** (1)(a)(II) as follows:

**12-240-108. Collaboration with advanced practice nurses with prescriptive authority - mentorships.** (1) (a) A physician licensed pursuant to this article 240 may, and is encouraged to, serve as a mentor to an advanced practice nurse who is applying for prescriptive authority pursuant to section 12-255-112 (4). A physician who serves as a mentor to an advanced practice nurse seeking prescriptive authority shall:

(II) Have a license in good standing without disciplinary sanctions to practice medicine in Colorado and an unrestricted registration by the FEDERAL drug enforcement administration for the same schedules as the advanced practice nurse.

**SECTION 22.** In Colorado Revised Statutes, 12-280-103, **amend** (7) as follows:

**12-280-103. Definitions - rules.** As used in this article 280, unless the context otherwise requires or the term is otherwise defined in another part of this article 280:

(7) "Bureau" means the FEDERAL drug enforcement administration, or its successor agency. ~~of the United States department of justice.~~

**SECTION 23.** In Colorado Revised Statutes, 13-4-102, **repeal** (2)(m.5) as follows:

**13-4-102. Jurisdiction.** (2) The court of appeals has initial jurisdiction to:

(m.5) ~~Review final decisions or orders of the director of the division of real estate, as provided in part 10 of article 61 of title 12, C.R.S.;~~



**SECTION 24.** In Colorado Revised Statutes, 14-14-102, **amend** (9) as follows:

**14-14-102. Definitions.** As used in this article 14, unless the context otherwise requires:

(9) "Wages" means income to an obligor in any form, including, but not limited to, actual gross income; compensation paid or payable for personal services, whether denominated as wages; earnings from an employer; salaries; payment to an independent contractor for labor or services; commissions; tips declared by the individual for purposes of reporting to the federal internal revenue service or tips imputed to bring the employee's gross earnings to the minimum wage for the number of hours worked, whichever is greater; rents; bonuses; severance pay; retirement benefits and pensions, including, but not limited to, those paid pursuant to articles 51, 54, 54.5, AND 54.6 and ~~54.7~~ of title 24, ~~C.R.S.~~; and article 30 of title 31; ~~C.R.S.~~; workers' compensation benefits; social security benefits, including social security benefits actually received by a parent as a result of the disability of that parent or as the result of the death of the minor child's stepparent, but not including social security benefits received by a minor child or on behalf of a minor child as a result of the death or disability of a stepparent of the child; disability benefits; dividends; royalties; trust account distributions; any moneys drawn by a self-employed individual for personal use; funds held in or payable from any health, accident, disability, or casualty insurance to the extent that such insurance replaces wages or provides income in lieu of wages; monetary gifts; monetary prizes, excluding lottery winnings not required by the rules of the Colorado lottery commission to be paid only at the lottery office; taxable distributions from general partnerships, limited partnerships, closely held corporations, or limited liability companies; interest; trust income; annuities; payments received from a third party to cover the health care cost of the child but which payments have not been applied to cover the child's health care costs; state tax refunds; and capital gains. "Wages", for the purposes of child support enforcement, may also include unemployment compensation benefits, but only subject to the provisions and requirements of section 8-73-102 (5). ~~C.R.S.~~

**SECTION 25.** In Colorado Revised Statutes, 16-8.5-101, **amend** (19)(c) as follows:

**16-8.5-101. Definitions.** As used in this article 8.5, unless the context otherwise requires:

(19) "Tier 1" means a defendant:

(c) FOR WHOM, as a result of the determination made pursuant to subsection (19)(b) of this section, delaying inpatient hospitalization beyond seven days would cause harm to the defendant or others.

**SECTION 26.** In Colorado Revised Statutes, 16-8.5-116, **amend** (12) as follows:

**16-8.5-116. Certification - reviews - termination of proceedings - rules.** (12) If charges against a defendant are dismissed pursuant to this section, such charges are not eligible for sealing pursuant to section ~~24-72-702.5~~ 24-72-705.

**SECTION 27.** In Colorado Revised Statutes, 16-10-404, **amend** (1)(b) as follows:

**16-10-404. Use of a court facility dog - definitions.** (1) As used in this section, unless the context otherwise requires:

(b) "Criminal proceeding" or "criminal proceedings" has the same meaning as set forth in section ~~16-8.5-101(7)~~ 16-8.5-101 (8).

**SECTION 28.** In Colorado Revised Statutes, 17-18-127, **add** (2) as follows:

**17-18-127. Appropriation to comply with section 2-2-703 - SB 19-172 - repeal.** (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2022.

**SECTION 29.** In Colorado Revised Statutes, 17-22.5-302, **amend** (1.5)(a) as follows:

**17-22.5-302. Earned time.** (1.5) (a) In addition to the thirty days of earned time authorized in subsection (1) of this section, an inmate who makes positive progress, in accordance with performance standards, goals, and objectives established by the department, in the correctional education program established pursuant to section 17-32-105, shall receive earned

time pursuant to section 17-22.5-405; except that, if, upon review of the inmate's performance record, the inmate has failed to satisfactorily perform in the ~~literacy corrections~~ or correctional education program, any earned time received pursuant to this paragraph (a) may be withdrawn as provided in subsection (4) of this section. For purposes of this paragraph (a), "positive progress", at a minimum, means that the person is attentive, responsive, and cooperative during the course of instruction and satisfactorily completes required work assignments equivalent to the courses and hours necessary for advancement at a rate of one grade level per calendar year in the school district where such inmate was last enrolled.

**SECTION 30.** In Colorado Revised Statutes, 17-22.5-405, amend (1)(g) as follows:

**17-22.5-405. Earned time - earned release time - achievement earned time - definition.** (1) Earned time, not to exceed ten days for each month of incarceration or parole, may be deducted from the inmate's sentence upon a demonstration to the department by the inmate, which is certified by the inmate's case manager or community parole officer, that he or she has made consistent progress in the following categories as required by the department of corrections:

(g) The inmate has made positive progress, in accordance with performance standards established by the department, in the ~~literacy corrections program or the~~ correctional education program established pursuant to article 32 of this title.

**SECTION 31.** In Colorado Revised Statutes, 17-26-118, amend (3)(i) as follows:

**17-26-118. Criminal justice data collection - definitions - repeal.** (3) The keeper of each jail facility shall keep and maintain a daily record of the following data:

(i) The number of confined inmates awaiting a competency evaluation, as defined in section ~~16-8.5-101(1)~~ 16-8.5-101 (2); a competency hearing, as defined in section ~~16-8.5-101(3)~~ 16-8.5-101 (4); or a restoration hearing, as defined in section ~~16-8.5-101(13)~~ 16-8.5-101 (17);

**SECTION 32.** In Colorado Revised Statutes, 19-1-102, amend

(1.9) as follows:

**19-1-102. Legislative declaration.** (1.9) The federal "Family First Prevention Services Act" was enacted on February 9, 2018. In order to comply with the provisions of the federal "Family First Prevention Services Act", the general assembly finds that it is necessary to update current statutes to enable Colorado to provide enhanced support to children, youth, and their families in order to prevent foster care placements. The state department OF HUMAN SERVICES shall implement the updated provisions in sections 19-1-103, 19-1-115, 19-3-208, and 19-3-308 utilizing foster care prevention services and qualified residential treatment programs when the federal government approves Colorado's five-year Title IV-E prevention plan, and subject to available general fund appropriations or federal funding.

**SECTION 33.** In Colorado Revised Statutes, 19-1-103, **amend** (87.9) as follows:

**19-1-103. Definitions.** As used in this title 19 or in the specified portion of this title 19, unless the context otherwise requires:

(87.9) "Qualified residential treatment program" means a licensed and accredited program that has a trauma-informed treatment model that is designed to address the child's or youth's needs, including clinical needs, as appropriate, of children and youth with serious emotional or behavioral disorders or disturbances in accordance with ~~section 201(a)(4)~~ of the federal "Family First Prevention Services Act", 42 U.S.C. SEC. 672 (k)(4), and is able to implement the treatment identified for the child or youth by the assessment of the child required in section 19-1-115 (4)(e)(I).

**SECTION 34.** In Colorado Revised Statutes, 19-1-104, **amend** (1)(i) as follows:

**19-1-104. Jurisdiction.** (1) Except as otherwise provided by law, the juvenile court has exclusive original jurisdiction in proceedings:

(i) For the treatment or commitment pursuant to article 23 of title 17 and ~~article 10.5 of title 27~~ PART 2 OF ARTICLE 10 OF TITLE 25.5 of a child who has a behavioral or mental health disorder or an intellectual and developmental disability and who comes within the court's jurisdiction

under other provisions of this section;

**SECTION 35.** In Colorado Revised Statutes, **amend** 19-1-129 as follows:

**19-1-129. Department - research authorized - prenatal substance exposure - newborn and family outcomes - report.** (1) The STATE department OF HUMAN SERVICES may conduct research as related to the definition of "abuse" in section 19-1-103 concerning the incidence of prenatal substance exposure and related newborn and family health and human services outcomes as the result of a mother's lawful and unlawful intake of controlled substances.

(2) Beginning in January 2021 and every two years thereafter, the STATE department OF HUMAN SERVICES shall report the outcomes of any research conducted pursuant to subsection (1) of this section to the joint health committees of the general assembly as part of its "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" presentation required by section 2-7-203.

**SECTION 36.** In Colorado Revised Statutes, 19-1-306, **amend** (11)(b)(III) as follows:

**19-1-306. Expungement of juvenile delinquent records - definition.** (11) (b) The court shall send a copy of an expungement order to each of the following, directing the entity to expunge the records in its custody as soon as practicable but no later than ninety days after the receipt of the order:

(III) Any county department of human OR SOCIAL services through which the juvenile received services at any point during the juvenile's case; and

**SECTION 37.** In Colorado Revised Statutes, 22-2-145, **amend** (2)(b)(VI) and (2)(b)(IX) as follows:

**22-2-145. Media literacy - committee - report - strategic plan - definition - repeal.** (2) (b) The commissioner of education shall appoint the following members to serve on the committee no later than July 15, 2019:

(VI) One member who is a school administrator in a school district that is not a rural school district or a small RURAL school district, as defined in section 22-7-1211 (4), and is a member of a professional association of school administrators;

(IX) One member who is a student in a school district that is not a rural school district or a small RURAL school district, as defined in section 22-7-1211 (4);

**SECTION 38.** In Colorado Revised Statutes, 22-20.5-104, **amend** (4) as follows:

**22-20.5-104. Pilot program - dyslexia markers - effective interventions - created - evaluation report - repeal.** (4) On or before December 31, 2022, the department shall submit to the state board OF EDUCATION and the education committees of the senate and the house of representatives, or any successor committees, a report concerning the implementation and evaluation of the pilot program. The department may include in the report any recommendations for legislation that the department deems necessary based on the evaluation of the pilot program.

**SECTION 39.** In Colorado Revised Statutes, 22-35-103, **amend** (1) as follows:

**22-35-103. Definitions.** As used in this article 35, unless the context otherwise requires:

(1) "Apprenticeship program" means a Colorado-based apprenticeship program that is registered with the United States department of labor, office of apprenticeship, ~~and training.~~

**SECTION 40.** In Colorado Revised Statutes, 22-97-203, **amend** (2) and (3)(b) as follows:

**22-97-203. Computer science education grant program - creation - rules - legislative declaration.** (2) The department shall administer the grant program in accordance with state board rules. The department shall accept and review grant applications received from public schools or school districts and shall make recommendations to the state board for the award of grants. In making its recommendations, the

department shall consider the priorities contained in ~~subsection (4)~~ SUBSECTION (5) of this section. The state board shall select the grant recipients and the amount of each grant.

(3) Pursuant to article 4 of title 24, the state board shall promulgate rules necessary for the implementation of the grant program, including rules relating to:

(b) Criteria for the award of grants, including the priorities for awarding grants contained in ~~subsection (4)~~ SUBSECTION (5) of this section;

**SECTION 41.** In Colorado Revised Statutes, 22-99-103, **amend** (5)(a)(XI) as follows:

**22-99-103. Pilot program - creation - qualifying instruction - application - award of grants - report.** (5) A school or school district awarded a pilot program grant shall use the grant to implement a comprehensive quality physical education instruction program that includes, at a minimum, all of the following components:

(a) (XI) A prohibition against exempting students from physical education instruction; except that a parent or guardian may excuse a student from participation for a limited period of time or limited portion of the instruction for religious observances or due to religious prohibitions. A student may be excused from the physical activity component of the instruction if the student is injured or has a physical or emotional condition that prevents participation. In those circumstances, modified physical activities may be provided. In accordance with the federal "Individuals with Disabilities Education Improvement Act", 42 20 U.S.C. sec. 1400 et. seq., as amended, all students shall receive equal-quality physical education.

**SECTION 42.** In Colorado Revised Statutes, 23-60-202, **amend** (1)(c)(II) as follows:

**23-60-202. Duties of board with respect to state system.** (1) With respect to the community and technical colleges within the state system, the board has the authority, responsibility, rights, privileges, powers, and duties customarily exercised by the governing boards of institutions of higher education, including the following:

(c) (II) To the extent space is available, the board may allow persons licensed pursuant to article 60.5 of title 22 ~~C.R.S.~~, to take, without charge at community and technical colleges, ~~classes~~ COURSES identified by the department of public safety pursuant to section ~~24-33.5-110, C.R.S.~~ 24-33.5-1606.5 (4), as related to the national incident management system developed by the federal emergency management agency.

**SECTION 43.** In Colorado Revised Statutes, 24-1-120, amend (5)(i) as follows:

**24-1-120. Department of human services - creation.** (5) The department of human services shall include the following:

(i) The office of homeless youth services, created by ~~article 5.9 of title 26, C.R.S.~~ IN SECTION 24-32-723. Said office and its powers, duties, and functions are transferred by a **type 2** transfer to the department of human services.

**SECTION 44.** In Colorado Revised Statutes, 24-33.5-705.4, amend (2)(b) as follows:

**24-33.5-705.4. All-hazards resource mobilization system - creation - plan - duties - reimbursement for expenses incurred by mobilized entities - eligibility - resource mobilization fund - creation - definitions - legislative declaration.** (2) As used in this section, unless the context otherwise requires:

(b) "Emergency manager" means the director or coordinator of the local or interjurisdictional emergency management agency, as described in section 24-33.5-707 (4), or other ~~person, identified pursuant to section 24-33.5-707(6);~~ PERSON responsible for local or interjurisdictional disaster preparedness, prevention, mitigation, response, and recovery.

**SECTION 45.** In Colorado Revised Statutes, 24-33.5-802, amend (11) as follows:

**24-33.5-802. Definitions.** As used in this part 8, unless the context otherwise requires:

(11) "Volunteer organization" means an organization that provides



emergency services on a state or local level pursuant to this ~~part 22~~ PART 8.

**SECTION 46.** In Colorado Revised Statutes, 24-33.5-1202, **amend** (13.7) as follows:

**24-33.5-1202. Definitions.** As used in this part 12, unless the context otherwise requires:

(13.7) "Sprinkler fitter apprenticeship program" means an apprenticeship training program that is registered with either the office of apprenticeship training, employer and labor services in the employment and training administration in the United States department of labor or a state apprenticeship agency in accordance with the requirements of 29 CFR 29.1 et seq., or other similar apprentice program approved by the administrator, and consists of a minimum of eight thousand hours of documented practical work experience on fire suppression systems, combined with a minimum of seven hundred hours of related instruction, including classroom or shop instruction, in the sprinkler fitter trade.

**SECTION 47.** In Colorado Revised Statutes, 24-37.5-702, **repeal** (3.5) as follows:

**24-37.5-702. Definitions.** As used in this part 7, unless the context otherwise requires:

(3.5) ~~"Education data subcommittee" means the subcommittee of the advisory board created in section 24-37.5-703.5 to provide policies and protocols regarding sharing education data among local and state education providers.~~

**SECTION 48.** In Colorado Revised Statutes, 24-101-301, **amend** (30) as follows:

**24-101-301. Definitions.** The terms defined in this section shall have the following meanings whenever they appear in this code, unless the context in which they are used clearly requires a different meaning or a different definition is prescribed for a particular article or portion thereof:

(30) "Procurement official" means the individual of a purchasing agency with purchasing authority created pursuant to section ~~24-102-204~~

24-102-202 (3) or 24-102-302 (2) or the individual authorized to enter into contracts for capital construction or controlled maintenance pursuant to section 24-30-1303 (5).

**SECTION 49.** In Colorado Revised Statutes, 25-1-1202, **amend** (1)(cc) as follows:

**25-1-1202. Index of statutory sections regarding medical record confidentiality and health information.** (1) Statutory provisions concerning policies, procedures, and references to the release, sharing, and use of medical records and health information include the following:

(cc) Section 18-3-203, ~~(3)~~; concerning assault in the second degree and the availability of medical testing for certain circumstances;

**SECTION 50.** In Colorado Revised Statutes, 25-1.5-106, **amend** (5)(e) as follows:

**25-1.5-106. Medical marijuana program - powers and duties of state health agency - rules - medical review board - medical marijuana program cash fund - subaccount - created - "Ethan's Law" - definitions - repeal.** (5) **Physicians.** A physician who certifies a debilitating medical condition or disabling medical condition for an applicant to the medical marijuana program shall comply with all of the following requirements:

(e) Only a physician can make a medical marijuana recommendation; except THAT, when making a medical marijuana recommendation for a patient with a disabling medical condition, the recommendation may be made by a medical doctor, dentist, or advanced practice practitioner with prescriptive authority acting within the scope of his or her practice.

**SECTION 51.** In Colorado Revised Statutes, **amend** 25-1.5-114 as follows:

**25-1.5-114. Freestanding emergency departments - licensure - requirements - definition - rules.** (1) AS USED IN THIS SECTION, "BOARD" MEANS THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103.

~~(1)~~ (1.5) On or after December 1, 2021, a person that wishes to

operate a freestanding emergency department must submit to the department on an annual basis a completed application for licensure as a freestanding emergency department. On or after July 1, 2022, a person shall not operate a freestanding emergency department that is required to be licensed pursuant to this section without a license issued by the department.

(2) The department may grant a waiver of the licensure requirements set forth in this section and in rules adopted by the board for either a licensed community clinic or community clinic seeking licensure that is serving an underserved population in the state.

(3) (a) The board shall adopt rules establishing the requirements for licensure of, waiver from the requirement for licensure of, safety and care standards for, and fees for licensing and inspecting freestanding emergency departments. The board must set the fees in accordance with section 25-3-105.

(b) The rules adopted by the board shall include a requirement that each individual seeking treatment at the freestanding emergency department receive a medical screening examination and a prohibition against delaying a medical screening examination in order to inquire about the individual's ability to pay or insurance status.

(c) The rules adopted by the board must take effect by July 1, 2021, and thereafter the board shall amend the rules as necessary.

(4) A freestanding emergency department licensed pursuant to this section is subject to the requirements in section 25-3-119.

(5) (a) As used in this section, "freestanding emergency department" means a health facility that offers emergency care, that may offer primary and urgent care services, and that is either:

(I) Owned or operated by, or affiliated with, a hospital or hospital system and located more than two hundred fifty yards from the main campus of the hospital; or

(II) Independent from and not operated by or affiliated with a hospital or hospital system and not attached to or situated within two hundred fifty yards of, or contained within, a hospital.

(b) "Freestanding emergency department" does not include a health facility described in subsection (5)(a) of this section that was licensed by the department pursuant to section 25-1.5-103 as a community clinic prior to July 1, 2010, if the facility is serving a rural community or a ski area, as defined in board rules.

**SECTION 52.** In Colorado Revised Statutes, 25-3.5-205, amend (5)(a) as follows:

**25-3.5-205. Emergency medical service providers - investigation - discipline.** (5) For the purposes of this section:

(a) "Medical director" means a physician who provides medical direction to CERTIFIED OR LICENSED emergency medical service providers consistent with the rules adopted by the director or chief medical officer, as applicable, under section 25-3.5-206.

**SECTION 53.** In Colorado Revised Statutes, 25-5-402, amend (4)(b) and (12)(d) as follows:

**25-5-402. Definitions.** As used in this part 4, unless the context otherwise requires:

(4) "Consumer commodity", except as otherwise specifically provided in this subsection (4), means any food, drug, cosmetic, or device. Such term does not include:

(b) Any commodity subject to packaging or labeling requirements imposed under article 9 of title 35, C.R.S., being known as the "Pesticide Act", or imposed by the secretary of agriculture under the "Federal Insecticide, Fungicide, and Rodenticide Act", as amended (~~7 U.S.C. secs. 135-135k~~) (7 U.S.C. SEC. 136 ET SEQ.), or under the federal "Animal Virus, Serum, Toxin, Antitoxin Act" (21 U.S.C. secs. 151-158);

(12) "Food additive" means any substance, the intended use of which results or may be reasonably expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food and including any source of radiation intended

for any such use) if such substance is not generally recognized among experts qualified by scientific training and experience to evaluate its safety as having been adequately shown through scientific procedures (or, in the case of a substance used in a food prior to January 1, 1958, through either scientific procedures or experience based on common use in food) to be safe under the conditions of its intended use. The term does not include:

(d) Any substance used in accordance with a sanction or approval granted prior to the enactment of the amendment to the federal act known as the "Food Additives Amendment of 1958", the "Poultry Products Inspection Act" (21 U.S.C. secs. 451-470), or the ~~"Meat Inspection Act of March 4, 1907"~~ "FEDERAL MEAT INSPECTION ACT", as amended and extended (~~21 U.S.C. secs. 71-91~~) (21 U.S.C. SECS. 603-623).

**SECTION 54.** In Colorado Revised Statutes, 25-5-420, **amend** (1) and (8) as follows:

**25-5-420. Enforcement.** (1) The authority to promulgate regulations for the efficient enforcement of this part 4 is vested in the department. The department is authorized to make the regulations promulgated under this part 4 conform, insofar as practicable, with those promulgated under the federal act, the federal "Fair Packaging and Labeling Act" (15 U.S.C. secs. 1451-1461), and the ~~federal "Meat Inspection Act of March 4, 1907"~~ "FEDERAL MEAT INSPECTION ACT", as amended (~~21 U.S.C. secs. 71-91~~) (21 U.S.C. SECS. 603-623). All regulations promulgated under this part 4 shall be promulgated in accordance with the provisions of article 4 of title 24, C.R.S.

(8) All regulations establishing standards of identity and composition for meat and meat food products and their amendments adopted under the ~~federal "Meat Inspection Act of March 4, 1907"~~ "FEDERAL MEAT INSPECTION ACT", as amended (~~21 U.S.C. secs. 71-91~~) (21 U.S.C. SECS. 603-623), are the established standards of identity and composition for meat and meat food products in this state. However, the department may, if it finds it necessary in the interest of consumers, adopt additional regulations establishing standards of identity and composition for meat and meat food products which are no less stringent than regulations promulgated under the ~~federal "Meat Inspection Act"~~ "FEDERAL MEAT INSPECTION ACT".

**SECTION 55.** In Colorado Revised Statutes, **amend** 25-5-423 as follows:

**25-5-423. Cooperation with federal agencies.** The department is authorized to confer and cooperate with the federal food and drug administration in the enforcement of the federal act and the United States department of agriculture in the enforcement of the federal ~~"Meat Inspection Act of 1907"~~ "FEDERAL MEAT INSPECTION ACT" (21 U.S.C. SECS. 603-623), as amended, as they may apply to foods, drugs, devices, and cosmetics received in this state from other states, territories, or foreign countries.

**SECTION 56.** In Colorado Revised Statutes, 25-5-1308, **repeal** (2) as follows:

~~**25-5-1308. Survey.** (2) On or before January 1, 2020, the department shall compile the results of the survey conducted under subsection (1) of this section and present the results to the health and insurance committee of the house of representatives, or its successor committee, and the health and human services committee of the senate, or its successor committee.~~

**SECTION 57.** In Colorado Revised Statutes, 25-7-105, **amend** (14) as follows:

**25-7-105. Duties of commission - rules - legislative declaration - definitions.** (14) The commission shall repeal the clean vehicle fleet program mandated by section 246 of the federal act and shall replace such program if required by federal law. ~~Nothing in this subsection (14) shall be deemed to impair the availability of the income tax credit established pursuant to section 39-22-516, C.R.S.~~

**SECTION 58.** In Colorado Revised Statutes, 25-7-503, **amend** (1)(a)(I) as follows:

**25-7-503. Powers and duties of commission - rules - delegation of authority to division.** (1) The commission has the following powers and duties:

- (a) To promulgate rules pursuant to section 24-4-103, C.R.S.,

regarding the following, as are necessary to implement the provisions of this part 5 only for areas of public access:

(I) Performance standards and practices for asbestos abatement which are not more stringent than 29 CFR 1910.1001 and ~~1926.58~~ 1926.1101;

**SECTION 59.** In Colorado Revised Statutes, 25-27.5-106, **amend** (2)(a)(II) as follows:

**25-27.5-106. License or registration - application - issuance - rules.** (2) (a) (II) ~~Except as provided in paragraph (a.5) of this subsection (2);~~ The department shall make inspections as it deems necessary to ensure that the health, safety, and welfare of the home care agency's or home care placement agency's home care consumers are being protected. Inspections of a home care consumer's home are subject to the consent of the home care consumer to access the property. The home care agency or home care placement agency shall submit in writing, in a form prescribed by the department, a plan detailing the measures that will be taken to correct any violations found by the department as a result of inspections undertaken pursuant to this subsection (2).

**SECTION 60.** In Colorado Revised Statutes, 25-51-104, **amend** (1)(e) as follows:

**25-51-104. Payment and financial resolution.** (1) If a patient accepts an offer of compensation made pursuant to section 25-51-103 (5) and receives the compensation, the payment of compensation to the patient is not a payment resulting from:

(e) A judgment, administrative action, settlement, or arbitration award involving malpractice under section 12-200-106 (5), 12-210-105 (5), 12-215-115 (1)(i), 12-220-130 (1)(q) or (1)(r), 12-235-111 (1)(i), 12-240-125 (4)(b)(III), ~~12-245-226 (8)~~ **12-245-226 (7)**, 12-250-116, 12-255-119 (3)(b)(II), 12-275-120 (1)(p) or (1)(v), 12-275-129, 12-280-111 (1), 12-285-120 (1)(o), 12-285-127 (1)(a), 12-285-211 (1)(k), 12-285-216 (1)(a), or 12-290-113 (2)(b)(III).

**SECTION 61.** In Colorado Revised Statutes, 25-54-101, **amend** (1)(a)(V) as follows:

**25-54-101. Definitions.** As used in this article 54, unless the context otherwise requires:

(1) (a) "Advance health care directive" means:

(V) Any of the advance health care directives listed in subsections (1)(a)(I) to (1)(a)(IV) of this section ~~or this subsection (1)(a)(V) that has~~ THAT HAVE been properly executed in another state.

**SECTION 62.** In Colorado Revised Statutes, 26-5-104, **amend** (8)(a) as follows:

**26-5-104. Funding of child welfare services provider contracts - funding mechanism review - fund - report - rules - definitions - repeal.** (8) **County-level child welfare staff.** (a) For the state fiscal year 2015-16, and for each state fiscal year thereafter, each county may receive a capped allocation in addition to its portion of the child welfare block grant for the specific purpose of hiring new child welfare staff at the county level in addition to child welfare staff existing as of January 1, 2015. A county that utilizes said additional allocation shall continue to pay for child welfare staff positions existing as of January 1, 2015, through the child welfare block grant. The child welfare allocations committee shall determine the allocation formula pursuant to section ~~26-5-103.5(5)~~ 26-5-104 (3).

**SECTION 63.** In Colorado Revised Statutes, 26-5.4-102, **amend** (2) as follows:

**26-5.4-102. Definitions.** As used in this article 5.4, unless the context otherwise requires:

(2) "Qualified residential treatment program" means a licensed and accredited program that has a trauma-informed treatment model that is designed to address the child's or youth's needs, including clinical needs, as appropriate, of children and youth with serious emotional or behavioral disorders or disturbances in accordance with ~~section 201(a)(4)~~ of the federal "Family First Prevention Services Act", 42 U.S.C. SEC. 672 (k)(4), and is able to implement the treatment identified for the child or youth by the assessment of the child or youth required in section 19-1-115 (4)(e)(I).

**SECTION 64.** In Colorado Revised Statutes, 26-6-102, **amend**



(30.5) as follows:

**26-6-102. Definitions.** As used in this article 6, unless the context otherwise requires:

(30.5) "Qualified residential treatment program" means a licensed and accredited program that has a trauma-informed treatment model that is designed to address the child's or youth's needs, including clinical needs, as appropriate, of children and youth with serious emotional or behavioral disorders or disturbances in accordance with ~~section 201(a)(4)~~ of the federal "Family First Prevention Services Act", 42 U.S.C. 672 (k)(4), and is able to implement the treatment identified for the child or youth by the assessment of the child or youth required in section 19-1-115 (4)(e)(I).

**SECTION 65.** In Colorado Revised Statutes, 38-33.3-209.4, **amend** (1)(b) as follows:

**38-33.3-209.4. Public disclosures required - identity of association - agent - manager - contact information.** (1) Within ninety days after assuming control from the declarant pursuant to section 38-33.3-303 (5), the association shall make the following information available to unit owners upon reasonable notice in accordance with subsection (3) of this section. In addition, if the association's address, designated agent, or management company changes, the association shall make updated information available within ninety days after the change:

(b) The name of the association's designated agent or management company, if any. ~~together with the agent's or management company's license number if the agent or management company is subject to licensure under part 10 of article 61 of title 12, C.R.S.;~~

**SECTION 66.** In Colorado Revised Statutes, **repeal** 38-33.3-402 as follows:

**38-33.3-402. Manager licensing - condition precedent for enforcement of contract terms.** ~~A person that is subject to licensure under part 10 of article 61 of title 12, C.R.S., shall at all times have and maintain a valid license when acting or purporting to act on behalf of the association. The association's agreement to pay a fee for the services of a community manager or to hold harmless or indemnify the community manager for any~~

~~act or omission in the course of providing those services is void and unenforceable for any period in which the manager's license is expired, suspended, or revoked.~~

**SECTION 67.** In Colorado Revised Statutes, 39-22-516.7, **amend** (6) as follows:

**39-22-516.7. Tax credit for innovative motor vehicles - definitions - repeal.** (6) Except as provided in subsection (5) of this section, and notwithstanding the allowance of credits for any tax years commencing on or after January 1, 2013, but prior to January 1, 2014, under this section and section 39-22-516.5, no more than one tax credit shall be granted pursuant to this section and sections ~~39-22-516, 39-22-516.5;~~ 39-22-516.5 and 39-22-516.8 for any individual motor vehicle.

**SECTION 68.** In Colorado Revised Statutes, 39-22-516.8, **amend** (15) as follows:

**39-22-516.8. Tax credit for innovative trucks - definitions - repeal.** (15) No more than one tax credit shall be granted pursuant to this section and sections ~~39-22-516, 39-22-516.5;~~ 39-22-516.5 and 39-22-516.7 for any individual motor vehicle or truck.

**SECTION 69.** In Colorado Revised Statutes, 39-26-123, **amend** (3)(b)(II) introductory portion as follows:

**39-26-123. Receipts - disposition - transfers of general fund surplus - sales tax holding fund - creation - definitions.** (3) For any state fiscal year commencing on or after July 1, 2013, the state treasurer shall credit eighty-five percent of all net revenue collected under this article 26 to the old age pension fund created in section 1 of article XXIV of the state constitution. The state treasurer shall credit to the general fund the remaining fifteen percent of the net revenue, less:

(b) (II) The amount credited to the housing development grant fund created in section 24-32-721 (1) under subsection ~~(1)(b)(f)~~ (3)(b)(I) of this section is reduced by the following amounts:

**SECTION 70.** In Colorado Revised Statutes, 40-2-127, **amend** (3.5)(b) introductory portion as follows:

**40-2-127. Community energy funds - community solar gardens - definitions - rules - legislative declaration - repeal. (3.5) Standards for construction and operation.** The following requirements apply to any community solar garden exceeding two megawatts:

(b) Following the development or acquisition by a qualifying retail utility of a community solar garden in which the qualifying retail utility retains ownership, the qualifying retail utility shall either use its own employees to operate and maintain the community solar garden or contract for operation and maintenance of the community solar garden by a contractor whose employees have access to an apprenticeship program registered with the United States department of labor's office of apprenticeship ~~and training~~ or with a state apprenticeship council recognized by that office; except that this apprenticeship requirement does not apply to:

**SECTION 71.** In Colorado Revised Statutes, 40-2-129, **amend** (1)(a) and (2) introductory portion as follows:

**40-2-129. New resource acquisitions - factors in determination - local employment - "best value" metrics.** (1) (a) When evaluating electric resource acquisitions and requests for a certificate of convenience and necessity for construction or expansion of generating facilities, including but not limited to pollution control or fuel conversion upgrades and conversion of existing coal-fired plants to natural gas plants, the commission shall consider, in all decisions involved in electric resource acquisition processes, best value regarding employment of Colorado labor, as defined in section 8-17-101 (2)(a), and positive impacts on the long-term economic viability of Colorado communities. To this end, the commission shall require utilities to obtain and provide to the commission the following information regarding "best value" employment metrics: The availability of training programs, including training through apprenticeship programs registered with the United States department of labor's office of apprenticeship ~~and training~~ or by state apprenticeship councils recognized by that office; employment of Colorado labor as compared to importation of out-of-state workers; long-term career opportunities; and industry-standard wages, health care, and pension benefits. When a utility proposes to construct new facilities of its own, the utility shall supply similar information to the commission.

(2) Following development or acquisition of a generating facility by a utility, for all generating facilities owned by the utility that do not emit carbon dioxide, the utility shall use utility employees or qualified contractors if the contractors' employees have access to an apprenticeship program registered with the United States department of labor's office of apprenticeship and training or by a state apprenticeship council recognized by that office; except that this apprenticeship requirement does not apply to:

**SECTION 72.** In Colorado Revised Statutes, 40-3.2-104, **amend** (5)(a) and (5)(b) as follows:

**40-3.2-104. Electricity utility demand-side management programs - rules - annual report - definition.** (5) The commission shall allow an opportunity for a utility's investments in cost-effective DSM programs to be more profitable to the utility than any other utility investment that is not already subject to special incentives. In complying with this subsection (5), the commission shall consider, without limitation, the following incentive mechanisms, which shall take into consideration the performance of the DSM program:

(a) An incentive to allow a rate of return on ~~DSM~~ DEMAND-SIDE MANAGEMENT investments that is higher than the utility's rate of return on other investments;

(b) An incentive to allow the utility to accelerate the depreciation or amortization period for ~~DSM~~ DEMAND-SIDE MANAGEMENT investments;

**SECTION 73.** In Colorado Revised Statutes, 43-4-206, **amend** (2)(b) introductory portion as follows:

**43-4-206. State allocation.** (2) (b) ~~Notwithstanding~~ NOTWITHSTANDING section 24-1-136 (11)(a)(I), beginning in 1998, the department of transportation shall report annually to the transportation committee of the senate and the transportation and energy committee of the house of representatives concerning the revenue expended by the department pursuant to subsection (2)(a) of this section and, beginning in 2019, any state general fund money that is credited to the state highway fund pursuant to section 24-75-219 (5), any net proceeds of lease-purchase agreements executed as required by section 24-82-1303 (2)(a) that are credited to the state highway fund pursuant to section 24-82-1303 (4)(b) and

expended by the department pursuant to subsection (1)(b)(V) of this section, and any net proceeds of transportation revenue anticipation notes issued as authorized by a ballot issue submitted to and approved by the registered electors of the state at the ~~2019~~ 2020 statewide election pursuant to section 43-4-705 (13)(b) that are credited to the state highway fund pursuant to this section. The department shall present the report at the joint meeting required under section 43-1-113 (9)(a), and the report shall describe for each fiscal year, if applicable:

**SECTION 74.** In Colorado Revised Statutes, 44-10-202, **repeal** (1)(a)(I) as follows:

**44-10-202. Powers and duties of state licensing authority - rules - legislative declaration - repeal.** (1) **Powers and duties.** The state licensing authority shall:

(a) Develop and maintain a seed-to-sale tracking system that tracks regulated marijuana from either the seed or immature plant stage until the regulated marijuana or regulated marijuana product is sold to a patient at a medical marijuana store or to a customer at a retail marijuana store or a retail marijuana hospitality and sales business to ensure that no regulated marijuana grown or processed by a medical marijuana business or retail marijuana business is sold or otherwise transferred except by a medical or retail marijuana store or a retail marijuana hospitality and sales business; except that the medical marijuana or medical marijuana product is no longer subject to the tracking system once the medical marijuana or medical marijuana product has been:


(I) ~~Transferred to a medical research facility pursuant to section 25-1.5-106.5 (5)(b); or~~

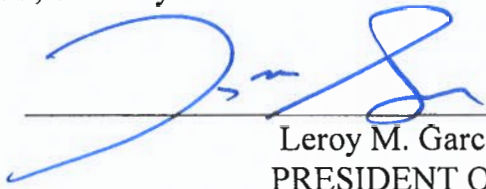
**SECTION 75.** In Colorado Revised Statutes, 44-33-106, **amend** (1) as follows:

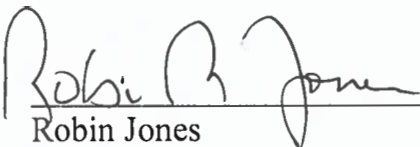
**44-33-106. Gambling payment intercept cash fund - creation - gifts, grants, donations - intercepts for restitution.** (1) There is hereby created in the state treasury the gambling payment intercept cash fund, referred to in this section as the "fund". The fund shall consist of any money deposited in the fund pursuant to section 44-33-105 (3), ~~any allocations made to the fund pursuant to section 24-33.5-506 (1)(c.5)(I)~~, any other

money appropriated to the fund by the general assembly, and any gifts, grants, or donations from private or public sources, that the department is hereby authorized to seek and accept for the purposes set forth in this section. All private and public funds received through gifts, grants, or donations shall be transmitted to the state treasurer, who shall credit the same to the fund. ~~The state treasurer shall also credit to the fund any money that is allocated thereto pursuant to section 24-33.5-506 (1)(c.5)(f).~~

**SECTION 76. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

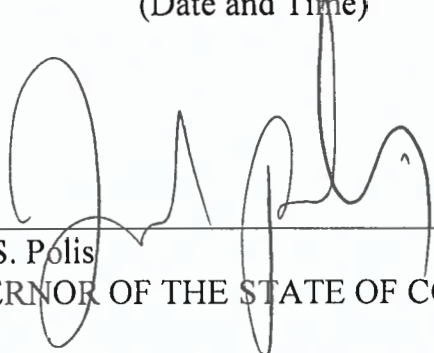
  
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KC Becker  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

  
\_\_\_\_\_  
Leroy M. Garcia  
PRESIDENT OF  
THE SENATE

  
\_\_\_\_\_  
Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

  
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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED June 30, 2020 at 8:46 pm  
(Date and Time)

  
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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO

## APPENDIX

C.R.S. Section	Section in bill	Reason for Amendment
1-2-213.3 (7)(a)(I) (as it will become effective July 1, 2020)	1	Corrects an internal reference to correspond with the renumbering of provisions. Senate second reading floor amendment L.008 added a new subsection (1) to section 1-2-213.3 resulting in the renumbering of subsections within the section; however, the conforming amendment in this section was not made. (See the 2019 Senate Journal for April 11 and April 23, pages 768 and 1028, and SB19-235, chapter 329, page 3048, Session Laws of Colorado 2019.)
5-16-105 (3)(c)	2	Updates the web address to the Colorado Attorney General's informational page about the Colorado Fair Debt Collection Practices Act.
6-1-1202 (5)	3	Amends provisions of the "Colorado Peer-to-peer Car Sharing Act" to apply a consistent use of defined terms throughout the act. (See section 6-1-1202, C.R.S. 2019.)
6-1-1203 (8)(a)	4	Same as section 6-1-1202 (5).
6-1-1205 IP(2)	5	Same as section 6-1-1202 (5).
6-1-1211 IP(1)	6	Same as section 6-1-1202 (5).
7-90-203.8 (1)(c) (as it will become effective July 1, 2020)	7	Changes "shares" to "owner's interest" as a conforming amendment to SB19-086. (See SB19-086, chapter 166, page 1917, Session Laws of Colorado 2019.)
7-108-501 (1)(a)(IV) (as it will become effective July 1, 2020)	8	Corrects an error originating in the introduced version of SB19-086 that resulted in an incorrect internal reference to a provision of the articles of incorporation limiting liability for taking a business or corporate opportunity. (See SB19-086, chapter 166, page 1933, Session Laws of Colorado 2019.)
8-14.3-202 (2)	9	Updates the name of a federal office. (See <a href="https://www.dol.gov/general/topic/training/apprenticeship">https://www.dol.gov/general/topic/training/apprenticeship</a> )
10-3-503 (1)(g)	10	As part of a nonsubstantive revision of laws

		concerning health care coverage, provisions addressing prepaid dental health plans and health maintenance organizations were relocated to different parts within title 10 by SB92-104. During the same legislative session, SB92-012 added section 10-3-503, which references the statutory location of prepaid dental health plans and health maintenance organizations prior to the relocation; therefore, to conform with the changes made by SB92-104, the references are being updated. (See the editor's note following section 10-3-503 C.R.S. 2019 and SB92-012, chapter 203, page 1431 and SB92-104, chapter 207, pages 1617, 1694, 1714, and 1728, Session Laws of Colorado 1992.)
10-3-903 (2)(h)	11	Updates an internal reference to correspond with the relocation of section 10-16-104 (18)(b)(III) to section 10-16-104 (18)(b.5). (See HB19-1301, chapter 192, page 2112, Session Laws of Colorado 2019.)
10-4-614 (2)	12	Corrects an internal reference to the definition of "inflatable restraint system" located in the transportation provisions of the Code of Federal Regulations.
10-4-1201 (6)(a)	13	Corrects the name of a federal act. (See Pub.L. 99-563 and Pub.L. 97-45.)
10-7-802 (5)(a)(I) (as it will become effective July 1, 2020)	14	Corrects the name of a federal act. (See Pub.L. 93-406.)
10-11-124 (1)(c)	15	Section 1061 (a)(7) of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act transferred the authority to administer, enforce, and otherwise implement the Real Estate Settlement Procedures Act (RESPA) from the Department of Housing and Urban Development (HUD) to the Consumer Financial Protection Bureau (CFPB), effective July 21, 2011. Certain agency rules, as set out in the Code of Federal Regulations, governing RESPA were relocated from HUD to CFPB, necessitating an update to the statutory definition of "required use", which is dependent on the definition found in the Code of



		Federal Regulations. (See Pub.L. 111-203, 76 FR 78977, 79 FR 34224, and 12 CFR 1024.2.)
10-16-102 (22)(a) and (29)	16	Corrects the name of a federal act. (See Pub.L. 111-148.)
10-16-1009 (1)(k)	17	Corrects an error in SB04-105 that resulted in an incorrect internal reference to the premium collection services provisions for health care coverage cooperatives. (See section 6-18-206 (1)(l) and (2)(e), C.R.S. 2003, and SB04-105, chapter 274, page 1000, Session Laws of Colorado 2004.)
11-41-114 (1)(k)	18	Corrects the name of a federal act. (See Pub.L. 95-128, title VI, §601(a)(1).)
12-30-102 (4)(f)	19	Standardizes how the federal drug enforcement agency is cited and clarifies that the referenced drug enforcement administration is the federal drug enforcement administration.
12-240-107 (3)(s)(II)	20	See section 12-30-102 (4)(f).
12-240-108 (1)(a)(II)	21	Same as section 12-30-102 (4)(f).
12-280-103 (7)	22	Same as section 12-30-102 (4)(f).
13-4-102 (2)(m.5)	23	Repeals internal references and text dependent on part 10 of article 61 of title 12 due to the repeal of the part, effective July 1, 2018. (See HB13-1277, chapter 352, page 2054, Session Laws of Colorado 2013.)
14-14-102 (9)	24	Repeals an internal reference to article 54.7 of title 24 due to the repeal of the article, effective July 1, 2002. (See SB02-231, chapter 278, page 1090, Session Laws of Colorado 2002.)
16-8.5-101 (19)(c)	25	Corrects a grammatical error in SB19-223. An amendment in the senate judiciary committee report amending the introduced version of the bill struck language essential to the sentence structure. (See the 2019 Senate Journal for April 15, page 834, and SB19-223, chapter 227, page 2273, Session Laws of Colorado 2019.)
16-8.5-116 (12)	26	Changes an internal reference added by SB19-223

		to conform with changes made by HB19-1275. House Bill 19-1275 repealed and reenacted part 7 of article 72 of title 24, which resulted in the relocation of section 24-72-702.5 in substantially the same form to section 24-72-705. During the same legislative session, SB19-223 repealed and reenacted section 16-8.5-116, which included an internal reference to section 24-72-702.5 in subsection (12). Because both bills passed concurrently, the internal reference added by SB19-223 was not updated. (See SB19-223, chapter 227, page 2284, and HB19-1275, chapter 295, pages 2732 and 2739, Session Laws of Colorado 2019.)
16-10-404 (1)(b)	27	Changes an internal reference to correspond with the renumbering of subsections in section 16-8.5-101. (See SB19-223, chapter 227, page 2273, Session Laws of Colorado 2019.)
17-18-127 (2)	28	Adds a future-repeal provision to this section to conform to standard drafting practices. The error originated in the senate appropriations committee report amending the introduced version of SB19-172. (See the 2019 Senate Journal for April 12, page 788; SB19-172, chapter 365, page 3360, Session Laws of Colorado 2019; and the Colorado Legislative Drafting Manual, section 7.3.4.3, Special Rule for Certain Correction Bills, pages 7-7 and 7-8, revised January 24, 2020.)
17-22.5-302 (1.5)(a)	29	Repeals an internal reference to the "literacy corrections program" due to the repeal of the program, effective July 1, 1991. (See HB88-1150, chapter 119, page 696, Session Laws of Colorado 1988.)
17-22.5-405 (1)(g)	30	Same as section 17-22.5-302 (1.5)(a).
17-26-118 (3)(i)	31	Same as section 16-10-404 (1)(b).
19-1-102 (1.9)	32	Because state department is not defined for this provision, the name of the department is being added to clarify that the department is the department of human services created in section 24-1-120. (See the 2019 Digest of Bills, page 160 and HB19-1308, chapter 256, page 2458, Session Laws of Colorado 2019.)

19-1-103 (87.9)	33	Corrects an internal reference to provisions in federal law associated with the qualified residential treatment program that are included in section 201(a)(4) of federal House Bill 253 of the 115th Congress. (See Pub.L. 115-123, enacted February 9, 2018, House Bill 253 as introduced in the 115th Congress, and HB19-1308, chapter 256, pages 2456, 2458, and 2461, Session Laws of Colorado 2019.)
19-1-104 (1)(i)	34	Changes an internal reference to correspond with the relocation of certain provisions in article 10.5 of title 27 to part 2 of article 10 of title 25.5. (See HB13-1314, chapter 323, pages 1742 and 1744, Session Laws of Colorado 2013.)
19-1-129	35	<ul style="list-style-type: none"> <li>• Same as section 19-1-102 (1.9).</li> <li>• See the 2019 Digest of Bills, page 150 and SB19-228, chapter 276, page 2603, Session Laws of Colorado 2019.</li> </ul>
19-1-306 (11)(b)(III)	36	Updates an internal reference to conform with SB18-092, which changed references in statute from "county department(s) of social services", or similar terms, to "county department(s) of human or social services". (See SB18-092, chapter 38, page 396, Session Laws of Colorado 2018.)
22-2-145 (2)(b)(VI) and (2)(b)(IX)	37	Corrects an error originating in the house education committee report amending the introduced version of HB19-1110 in which "small rural school district" as defined in section 22-7-1211 (4) was incorrectly referred to as a "small school district". (See the 2019 House Journal for February 8, page 227 and HB19-1110, chapter 412, page 3624, Session Laws of Colorado 2019.)
22-20.5-104 (4)	38	Because state board is not defined for the article, part, or section, the name of the board is being added to clarify that the referenced board is the board of education created and existing pursuant to section 1 of article IX of the state constitution. (See the 2019 Digest of Bills, page 65 and HB19-1134, chapter 407, page 3594, Session Laws of Colorado 2019.)
22-35-103 (1)	39	Same as section 8-14.3-202 (2).

22-97-203 (2) and (3)(b)	40	Corrects an error originating in the introduced version of HB19-1277 that resulted in an incorrect internal reference to the provision listing the criteria used by the state board of education to award computer science education grants. (See HB19-1277, chapter 353, page 3256, Session Laws of Colorado 2019.)
22-99-103 (5)(a)(XI)	41	Corrects an internal reference to the federal "Individuals with Disabilities Education Improvement Act". The error originated in a house second reading floor amendment to SB19-246. (See the 2019 House Journal for May 1, page 1792 and SB19-246, chapter 151, page 1796, Session Laws of Colorado 2019.)
23-60-202 (1)(c)(II)	42	Changes an internal reference to correspond with the relocation of section 24-33.5-110 to section 24-33.5-1606.5 (4). (See HB12-1283, chapter 240, page 1123, Session Laws of Colorado 2012.)
24-1-120 (5)(i)	43	Changes an internal reference to correspond with the relocation of the "Colorado Homeless Youth Services Act" from article 5.9 of title 26 to section 24-32-723. (See HB11-1230, chapter 170, page 588, Session Laws of Colorado 2011.)
24-33.5-705.4 (2)(b)	44	Repeals an internal reference to section 24-33.5-707 (6) due to its repeal, effective August 8, 2018. (See HB18-1394, chapter 234, page 1465, Session Laws of Colorado 2018.)
24-33.5-802 (11)	45	Changes an internal reference to correspond with the relocation of part 22 of article 32 of title 24 to part 8 of article 33.5 of title 24. (See HB12-1283, chapter 240, page 1089, Session Laws of Colorado 2012.)
24-33.5-1202 (13.7)	46	Same as section 8-14.3-202 (2).
24-37.5-702 (3.5)	47	Repeals the definition of the education data subcommittee due to the repeal of the provision creating the subcommittee, effective July 1, 2019. (See section 24-37.5-703.5 (8), C.R.S. 2018, and HB09-1285, chapter 199, page 894, Session Laws of Colorado 2009.)
24-101-301 (30)	48	Changes an internal reference to correspond with

		the relocation of a provision. House Bill 17-1051 added the definition of a procurement official that included a reference to section 24-102-204. Within the same bill, section 24-102-204 was relocated to section 24-102-202 (3); however, the reference in the definition was not updated to reflect the relocation. (See HB17-1051, chapter 99, page 302, Session Laws of Colorado 2017.)
25-1-1202 (1)(cc)	49	Removed the reference to subsection (3) due to the repeal of the subsection in 2016. (See HB16-1393, chapter 304, pages 1223 and 1226, Session Laws of Colorado 2016.)
25-1.5-106 (5)(e)	50	Corrects a grammatical error.
25-1.5-114	51	Because state board is not defined for the article, part, or section, the definition of "board" is being added to clarify that the referenced board is the board of health created in section 25-1-103.
25-3.5-205 (5)(a)	52	Inserts language to give effect to both SB19-242 and SB19-052. (See SB19-242, chapter 122, page 528, and SB19-052, chapter 122, page 528, Session Laws of Colorado 2019.)
25-5-402 (4)(b) and (12)(d)	53	<ul style="list-style-type: none"> <li>• Updates an internal reference to the Federal Insecticide, Fungicide, and Rodenticide Act. The act, codified at 7 U.S.C. 135 et seq., was superseded and relocated to 7 U.S.C. 136 et seq. by Public Law 92-516, effective October 21, 1972.</li> <li>• Updates an internal reference to the Federal Meat Inspection Act and corrects the name of the act. Public Law 90-201 transferred 21 U.S.C. secs. 71-91 to 21 U.S.C. secs. 603-623 and designated the transferred sections as the Federal Meat Inspection Act. Public Law 90-201 was enacted on December 15, 1967, and became effective 60 days later.</li> </ul>
25-5-420 (1) and (8)	54	Same as section 25-5-402 (4)(b) and (12)(d).
25-5-423	55	Same as section 25-5-402 (4)(b) and (12)(d).
25-5-1308 (2)	56	Repeals the firefighter survey reporting requirement in this section because the required reporting date has passed.
25-7-105 (14)	57	Repeals an internal reference and text dependent

		on section 39-22-516 due to the repeal of the section, effective December 31, 2016. (See HB09-1331, chapter 416, page 2295, Session Laws of Colorado 2009.)
25-7-503 (1)(a)(I)	58	Changes an internal reference to correspond with the relocation of 29 CFR 1926.58 to 29 CFR 1926.1101. (See 59 FR 40964.)
25-27.5-106 (2)(a)(II)	59	Repeals an internal reference to section 25-27.5-106 (2)(a.5) due to the repeal of the section, effective July 1, 2017. (See HB14-1360, chapter 373, page 1777, Session Laws of Colorado 2014.)
25-51-104 (1)(e)	60	Corrects an internal reference to a provision requiring notification of judgements or settlements of malpractice claims. (See SB19-201, chapter 144, page 1755 and HB19-1172, chapter 136, page 1246, Session Laws of Colorado 2019.)
25-54-101 (1)(a)(V)	61	Subsections (1)(a)(I) to (1)(a)(IV) are the only provisions within this section that list advance health care directives; thus, the internal reference to advance health care directives in subsection (1)(a)(V) of this section is incorrect and is being repealed. The error originated in the senate health and human services committee report amending the introduced version of SB19-073. (See the 2019 Senate Journal for February 7, page 173, and SB19-073, chapter 186, page 2078, Session Laws of Colorado 2019.)
26-5-104 (8)(a)	62	The provisions of section 26-5-103.5 (5), as it existed prior to its repeal in 2018, were relocated in part to section 26-5-104 (3); however, the conforming amendment in this provision was not made. (See SB18-254, chapter 216, page 1376, Session Laws of Colorado 2018.)
26-5.4-102 (2)	63	Same as section 19-1-103 (87.9).
26-6-102 (30.5)	64	Same as section 19-1-103 (87.9).
38-33.3-209.4 (1)(b)	65	Same as section 13-4-102 (2)(m.5).
38-33.3-402	66	Same as section 13-4-102 (2)(m.5).
39-22-516.7 (6)	67	Same as section 25-7-105 (14).

39-22-516.8 (15)	68	Same as section 25-7-105 (14).
39-26-123 IP(3)(b)(II)	69	Corrects an internal reference to the provision allocating money to the housing development grant fund from the old age pension fund created in section 1 of article XXIV of the state constitution. This corrects an error in the senate finance committee report amending the reengrossed version of HB19-1245. (See the 2019 Senate Journal for April 27, page 1149, and HB19-1245, chapter 199, page 2159, Session Laws of Colorado 2019.)
40-2-127 IP(3.5)(b)	70	Same as section 8-14.3-202 (2).
40-2-129 (1)(a) and IP(2)	71	Same as section 8-14.3-202 (2).
40-3.2-104 (5)(a) and (5)(b)	72	Clarifies that "DSM investments" means "demand-side management investments" because the term is not defined for this provision. (See HB07-1037, chapter 253, page 984, Session Laws of Colorado 2007.)
43-4-206 IP(2)(b)	73	Corrects the date that the secretary of state is required to submit to the voters for approval or rejection the ballot question located in section 43-4-705 (13)(b)(III). Senate Bill 18-001 originally required the question to appear on the 2019 ballot, but that requirement was delayed until 2020 by SB19-263. (See SB18-001, chapter 353, page 2103, Session Laws of Colorado 2018, and SB19-263, chapter 334, page 3085, Session Laws of Colorado 2019.)
44-10-202 (1)(a)(I)	74	Repeals an internal reference and text dependent on section 25-1.5-106.5 (5)(b) due to the repeal of the section, effective January 1, 2020. (See SB19-224, chapter 315, page 2840 and 2940, Session Laws of Colorado 2019.)
44-33-106 (1)	75	Repeals internal references and text dependent on section 24-33.5-506 (1)(c.5)(I) due to the repeal of the section, effective July 1, 2012. (See HB09-1137, chapter 308, page 1657, Session Laws of Colorado 2009.)