

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 16-0514.01 Yelana Love x2295

HOUSE BILL 16-1060

HOUSE SPONSORSHIP

Tyler, Garnett, Kraft-Tharp, Lawrence, Priola, Wilson

SENATE SPONSORSHIP

Baumgardner,

House Committees

Transportation & Energy
Appropriations

Senate Committees

Transportation

A BILL FOR AN ACT

101 **CONCERNING ROADSIDE MEMORIALS FOR FALLEN STATE PATROL**
102 **OFFICERS.**

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 requires the department of transportation to erect a permanent roadside memorial for a Colorado state patrol officer who has died on a highway in the line of duty.

1 *Be it enacted by the General Assembly of the State of 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.

SENATE
3rd Reading Unamended
April 1, 2016

SENATE
2nd Reading Unamended
March 31, 2016

HOUSE
3rd Reading Unamended
March 8, 2016

HOUSE
2nd Reading Unamended
March 7, 2016

1 **SECTION 1.** In Colorado Revised Statutes, 43-2-149, **add** (2.5)
2 as follows:

3 **43-2-149. Roadside memorials authorized - specifications -**
4 **permit.** (2.5) (a) (I) THE DEPARTMENT SHALL ERECT AND MAINTAIN A
5 PERMANENT STATE MEMORIAL FOR EACH COLORADO STATE TROOPER WHO
6 HAS DIED ON A HIGHWAY WHILE IN THE LINE OF DUTY.

7 (II) THE STATE MEMORIAL ERECTED PURSUANT TO SUBPARAGRAPH
8 (I) OF THIS PARAGRAPH (a) MUST:

9 (A) BE PLACED IN THE LOCATION WHERE THE TROOPER'S DEATH
10 OCCURRED, LOCATED WITHIN THE HIGHWAY EASEMENT AS FAR FROM THE
11 ROADWAY AS IS PRACTICABLE OR REASONABLY NECESSARY TO PRESERVE
12 PUBLIC SAFETY AND FACILITATE HIGHWAY MAINTENANCE, GIVEN THE
13 PROPOSED LOCATION; AND

14 (B) MEASURE FOUR FEET IN HEIGHT BY THREE FEET IN WIDTH.

15 (b) THE DEPARTMENT SHALL USE GIFTS, GRANTS, AND DONATIONS
16 TO FUND THE STATE MEMORIALS PLACED PURSUANT TO THIS SUBSECTION
17 (2.5).

18 (c) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
19 CONTRARY, IF THE APPLICATION OF ANY PROVISION OF THIS SUBSECTION
20 (2.5) IN A SPECIFIC LOCATION CONFLICTS WITH FEDERAL LAW, THE
21 DEPARTMENT SHALL NEITHER ERECT NOR MAINTAIN A STATE MEMORIAL
22 AT THAT LOCATION.

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