

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 17-1280

BY REPRESENTATIVE(S) Michaelson Jenet and Young, Becker K., Buckner, Danielson, Garnett, Ginal, Gray, Herod, Hooton, Kennedy, Lontine, Pettersen, Rosenthal, Salazar, Singer, Winter, Duran; also SENATOR(S) Gardner, Aguilar, Kefalas, Lambert, Martinez Humenik, Todd.

CONCERNING CONFORMING COLORADO STATUTORY LANGUAGE RELATED TO DISABILITY TRUSTS TO THE FEDERAL "21ST CENTURY CURES ACT".

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

SECTION 1. In Colorado Revised Statutes, 15-14-412.8, **amend** (2)(a) as follows:

15-14-412.8. Disability trusts - limitations. (2) A disability trust is not valid for the purpose of establishing or maintaining a person's resource eligibility for medical assistance unless the trust meets all of the following criteria:

(a) The trust is funded by assets of an individual under age sixty-five who is disabled as defined in 42 U.S.C. sec. 1382c (a)(3), as amended, and which is established for the benefit of such individual by THE

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

INDIVIDUAL, the individual's parent, THE INDIVIDUAL'S grandparent, THE INDIVIDUAL'S guardian, or by the court.

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.

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO