

# An Act

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

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

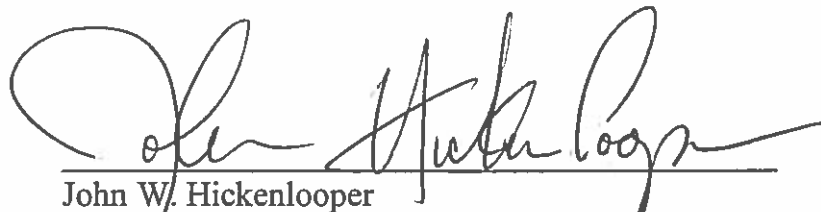


Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED

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5/23/17



John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO