

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-1094.01 Jane Ritter x4342

**HOUSE BILL 17-1280**

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**HOUSE SPONSORSHIP**

**Michaelson Jenet and Young,**

**SENATE SPONSORSHIP**

**Gardner,**

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**House Committees**

Public Health Care & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

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

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**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://leg.colorado.gov>.)*

The bill conforms Colorado statutory language relating to the creation of a disability trust to conform to the language established in the federal "21st Century Cures Act". Specifically, it clarifies that the individual who is the beneficiary of a disability trust can also be the person who establishes such trust.

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.*

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

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

4           **15-14-412.8. Disability trusts - limitations.** (2) A disability trust  
5 is not valid for the purpose of establishing or maintaining a person's  
6 resource eligibility for medical assistance unless the trust meets all of the  
7 following criteria:

8           (a) The trust is funded by assets of an individual under age  
9 sixty-five who is disabled as defined in 42 U.S.C. sec. 1382c (a)(3), as  
10 amended, and which is established for the benefit of such individual by  
11 THE INDIVIDUAL, the individual's parent, THE INDIVIDUAL'S grandparent,  
12 THE INDIVIDUAL'S guardian, or by the court.

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