SENATE COMMITTEE OF REFERENCE REPORT

_______________________________ May 4, 2017  
Chairman of Committee  Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB17-1119 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend reengrossed bill, page 14, after line 21 insert:

"SECTION 2. In Colorado Revised Statutes, 8-40-301, amend (1); and add (10) as follows:

8-40-301. Scope of term "employee" - definition.
(1) (a) "Employee" excludes any person employed by a passenger tramway area operator, as defined in section 25-5-702 (1), C.R.S., or other employer, while participating in recreational activity, who at such time is relieved of and is not performing any duties of employment, regardless of whether such person is utilizing, by discount or otherwise, a pass, ticket, license, permit, or other device as an emolument of employment.

(b) (I) "Employee" excludes any person employed by an out-of-state employer performing incidental work in Colorado where the employee is covered at the time of injury under the workers' compensation act of another state regardless of where the contract for employment was created.

(II) For purposes of this section, "incidental work" means work that is temporary or transitory and is performed exclusively for an employer with no permanent, regular, or recurring operations in the state of Colorado.

(III) This section only applies to a workers' compensation act of another state that includes a reciprocal provision exempting Colorado employers from liability under the other state's act for incidental work.".
1 Renumber succeeding sections accordingly.

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