

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 18-0265.03 Nate Carr x2584

**HOUSE BILL 18-1375**

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**HOUSE SPONSORSHIP**

**Willett and Lee, Foote, Herod, Wist**

**SENATE SPONSORSHIP**

**Gardner, Cooke, Guzman, Holbert, Kagan**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE NONSUBSTANTIVE REVISION OF STATUTES IN THE**  
102 **COLORADO REVISED STATUTES, AS AMENDED, AND, IN**  
103 **CONNECTION THEREWITH, AMENDING OR REPEALING OBSOLETE,**  
104 **IMPERFECT, AND INOPERATIVE LAW TO PRESERVE THE**  
105 **LEGISLATIVE INTENT, EFFECT, AND MEANING OF THE LAW.**

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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/>.)*

**Committee on Legal Services - Revisor's Bill.** To improve the clarity and certainty of the statutes, the bill amends, repeals, and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

HOUSE  
Amended 2nd Reading  
April 24, 2018

reconstructs various statutory provisions of law that are obsolete, imperfect, or inoperative. The specific reasons for each amendment or repeal are set forth in the appendix to the bill. The amendments made by the bill are not intended to change the meaning or intent of the statutes, as amended.

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

2 **SECTION 1.** In Colorado Revised Statutes, 6-1-112, **amend**  
3 (1)(f)(I) as follows:

4 **6-1-112. Civil penalties.** (1) The attorney general or a district  
5 attorney may bring a civil action on behalf of the state to seek the  
6 imposition of civil penalties as follows:

7 (f) (I) Any person who violates section 6-16-111 (1)(a) to (1)(g)  
8 shall forfeit and pay a civil penalty of up to ten thousand dollars for each  
9 violation, with a cap of three million dollars for a related series of  
10 violations. In determining a civil penalty under this ~~paragraph (f)~~  
11 SUBSECTION (1)(f), the court shall adjust the limitations cap for inflation  
12 based on the cumulative annual adjustment for inflation for each full year  
13 since August 10, 2016. The adjustments made under this ~~subparagraph (f)~~  
14 SUBSECTION (1)(f)(I) are rounded upward or downward to the nearest  
15 ten-dollar increment. As used in this ~~subparagraph (f)~~ SUBSECTION  
16 (1)(f)(I), "inflation" means the annual percentage change in the United  
17 States department of labor's bureau of labor statistics consumer price  
18 index for the ~~Denver-Boulder-Greeley metropolitan statistical area~~  
19 DENVER-AURORA-LAKEWOOD for the price of all items paid by all urban  
20 consumers, or its **APPLICABLE PREDECESSOR OR** successor index.

21 **SECTION 2.** In Colorado Revised Statutes, 8-14.3-202, **amend**  
22 (9) as follows:

23 **8-14.3-202. Definitions.** As used in this part 2, unless the context

1 otherwise requires:

2 (9) "Work force center" means a work force center created by a  
3 work force ~~investment~~ DEVELOPMENT board pursuant to the "Colorado  
4 ~~Work Force Investment~~ CAREER ADVANCEMENT Act", part 2 of article 83  
5 of this title 8.

6 **SECTION 3.** In Colorado Revised Statutes, 10-16-104, **amend**  
7 (1.3)(b)(II)(B) as follows:

8 **10-16-104. Mandatory coverage provisions - definitions -**  
9 **rules. (1.3) Early intervention services. (b) (II) (B)** For grandfathered  
10 health benefit plans, the coverage required by this subsection (1.3) per  
11 calendar or policy year for early intervention services for each eligible  
12 dependent child from birth up to the child's third birthday is limited to six  
13 thousand three hundred sixty-one dollars, including case management  
14 costs. Effective January 1, 2014, and each January 1 thereafter, the  
15 commissioner shall annually adjust the dollar limit for early intervention  
16 services coverage based on the DENVER-AURORA-LAKEWOOD consumer  
17 price index for the ~~Denver-Boulder-Greeley metropolitan statistical area~~  
18 OR, IF APPLICABLE, ITS PREDECESSOR OR SUCCESSOR INDEX for the state  
19 fiscal year that ends in the immediately preceding calendar year, or by an  
20 additional amount equal to the increase by the general assembly in the  
21 annual appropriated rate to serve one child for one fiscal year in the  
22 state-funded early intervention program if that increase is more than the  
23 consumer price index increase.

24 **SECTION 4.** In Colorado Revised Statutes, 10-16-119.5, **amend**  
25 (3) as follows:

26 **10-16-119.5. Stop-loss health insurance for small employers of**  
27 **not more than fifty employees - requirements - definitions - rules.**

1 (3) The commissioner may, by rule, change the dollar amounts in  
2 subsection (2) of this section based upon changes in the medical  
3 components of the DENVER-AURORA-LAKEWOOD consumer price index  
4 OR ITS APPLICABLE PREDECESSOR OR SUCCESSOR INDEX. ~~for the~~  
5 ~~Denver-Boulder-Greeley metropolitan statistical area.~~ Any change in  
6 these dollar amounts must be made at least six months prior to the  
7 effective date of the change.

8 **SECTION 5.** In Colorado Revised Statutes, 12-35.5-110, **amend**  
9 (1)(f)(I)(B) as follows:

10 **12-35.5-110. Scope of article - exclusions - authority for**  
11 **clinical setting.** (1) Nothing in this article 35.5 prohibits or requires a  
12 massage therapy license for any of the following:

13 (f) (I) The practice of animal massage if the person performing  
14 massage on an animal:

15 (B) Has earned a degree or certificate in animal massage from a  
16 school approved by the private occupational school division of the  
17 Colorado department of higher education under article 64 of title 23, an  
18 out-of-state school offering an animal massage program with an  
19 accreditation recognized by the United States department of education, or  
20 a school that is exempt under section ~~12-59-104~~ 23-64-104.

21 **SECTION 6.** In Colorado Revised Statutes, 12-42.5-203, **amend**  
22 (2)(a) as follows:

23 **12-42.5-203. Pharmacy peer health assistance fund.** (2) (a) As  
24 a condition of licensure and licensure renewal in this state, every  
25 applicant shall pay to the administering entity that has been selected by  
26 the board pursuant to ~~subsections (2)(c) and (2)(d)~~ of this section an  
27 amount set by the board not to exceed fifty-six dollars biennially. The

1 amount must be used to support designated providers that have been  
2 selected by the board to provide assistance to pharmacists and interns  
3 needing help in dealing with physical, emotional, psychiatric, or  
4 psychological problems or behavioral, mental health, or substance use  
5 disorders that may be detrimental to their ability to practice.

6 **SECTION 7.** In Colorado Revised Statutes, 12-47-412, **amend**  
7 (9)(a) as follows:

8 **12-47-412. Tavern license.** (9) (a) At the time a tavern license  
9 is due for renewal or by one year after August 10, 2016, whichever occurs  
10 later, a tavern licensed under this section that does not have as its  
11 principal business the sale of alcohol beverages, has a valid license on ~~the~~  
12 ~~effective date of this section~~ AUGUST 10, 2016, and is a lodging and  
13 entertainment facility may apply to, and the applicable local licensing  
14 authority shall, convert the tavern license to a lodging and entertainment  
15 license under section 12-47-426, and the licensee may continue to operate  
16 as a lodging and entertainment facility licensee. If a tavern licensee does  
17 not have as its principal business the sale of alcohol beverages but is not  
18 a lodging and entertainment facility, at the time the tavern license is due  
19 for renewal or by one year after August 10, 2016, whichever occurs later,  
20 the licensee may apply to, and the applicable local licensing authority  
21 shall, convert the tavern license to another license under this article **47**,  
22 if any, for which the person qualifies.

23 **SECTION 8.** In Colorado Revised Statutes, 12-47-901, **amend**  
24 (1)(l) as follows:

25 **12-47-901. Unlawful acts - exceptions - definitions.** (1) Except  
26 as provided in section 18-13-122, C.R.S., it is unlawful for any person:

27 (l) Who is a common carrier regulated under article ~~10 or 11~~ 10.1

1 of title 40, ~~C.R.S.~~, or is an agent or employee of such common carrier, to  
2 deliver alcohol beverages for any person who has not been issued a  
3 license or permit pursuant to this article ~~47~~;

4 **SECTION 9.** In Colorado Revised Statutes, 13-4-102, **amend**  
5 (2)(gg) as follows:

6 **13-4-102. Jurisdiction.** (2) The court of appeals has initial  
7 jurisdiction to:

8 (gg) Review final actions and orders appropriate for judicial  
9 review of the department of revenue relating to penalties for violations of  
10 statutes relating to the sale of cigarettes, ~~and~~ tobacco products, OR  
11 NICOTINE PRODUCTS to minors pursuant to section 24-35-505 (5); ~~C.R.S.~~;

12 **SECTION 10.** In Colorado Revised Statutes, 13-65-103, **amend**  
13 (2)(f) as follows:

14 **13-65-103. Compensation for certain exonerated persons -**  
15 **monetary compensation - financial literacy training - penalty for lack**  
16 **of a qualified health plan - expungement of records - damages**  
17 **awarded in civil actions.** (2) A district court that directs the state court  
18 administrator to compensate an exonerated person or an immediate family  
19 member of an exonerated person pursuant to this section shall reduce the  
20 directions to writing and include within the directions:

21 (f) A statement notifying the person and the state court  
22 administrator that, pursuant to section ~~24-30-209 (4)~~ 13-3-114 (4), the  
23 exonerated person is required to complete a personal financial  
24 management instruction course before the state court administrator may  
25 issue to the exonerated person more than one annual payment of monetary  
26 compensation or a lump-sum payment, as described by section 13-3-114  
27 (8);

1           **SECTION 11.** In Colorado Revised Statutes, 15-1-1106, **amend**  
2 (d)(1) as follows:

3           **15-1-1106. Release or modification of restrictions on**  
4 **management, investment, or purpose.** (d) If an institution determines  
5 that a restriction contained in a gift instrument on the management,  
6 investment, or purpose of an institutional fund is unlawful, impracticable,  
7 impossible to achieve, or wasteful, the institution, sixty days after  
8 notification to the attorney general, may release or modify the restriction,  
9 in whole or part, if:

10           (1) The institutional fund, subject to the restriction, has a total  
11 value of less than one hundred thousand dollars; except that the dollar  
12 limit established in this paragraph (1) shall be adjusted for inflation in  
13 accordance with the annual percentage change in the United States  
14 department of labor, bureau of labor statistics, consumer price index for  
15 ~~Denver-Boulder-Greeley~~, DENVER-AURORA-LAKEWOOD FOR all items  
16 AND all urban consumers, or its APPLICABLE PREDECESSOR OR successor  
17 index. On or before January 1, 2010, and each even-numbered year  
18 thereafter, the attorney general shall calculate the adjusted dollar amount  
19 for the next two-year cycle using inflation for the prior two calendar years  
20 as of the date of the calculation. The adjusted exemption shall be rounded  
21 upward to the nearest one-hundred-dollar increment. The attorney general  
22 shall certify the amount of the adjustment for the next two-year cycle and  
23 shall publish the amount on the attorney general's website.

24           **SECTION 12.** In Colorado Revised Statutes, 15-14-745, **amend**  
25 (2)(b) as follows:

26           **15-14-745. Effect on existing powers of attorney.** (2) (b) To the  
27 extent of any conflict between this subsection (2) and ~~either part 13 of~~

1 ~~article 1 of this title or~~ section 15-14-501, this subsection (2) shall  
2 control.

3 **SECTION 13.** In Colorado Revised Statutes, 15-15-404, **amend**  
4 (1) as follows:

5 **15-15-404. Form of beneficiary deed - recording.** (1) An owner  
6 may transfer an interest in real property effective on the death of the  
7 owner by executing a beneficiary deed that contains the words "conveys  
8 on death" or "transfers on death" or otherwise indicates the transfer is to  
9 be effective on the death of the owner and recording the beneficiary deed  
10 prior to the death of the owner in the office of the clerk and recorder in  
11 the county where the real property is located. A beneficiary deed may be  
12 in substantially the following form:

13 **BENEFICIARY DEED**

14 **(§§ 15-15-401 et seq., Colorado Revised Statutes)**

15 **CAUTION: THIS DEED MUST BE RECORDED PRIOR TO THE**  
16 **DEATH OF THE GRANTOR IN ORDER TO BE EFFECTIVE.**

17 \_\_\_\_\_, as grantor,

18 (Name of grantor)

19 designates \_\_\_\_\_ as

20 (Name of grantee-beneficiary)

21 grantee-beneficiary whose address is \_\_\_\_\_ (Note  
22 to Assessor and Treasurer: This address is for identification  
23 purposes only, all notices and tax statements should continue to be  
24 sent to grantor.)

25 (Optional) [or if grantee-beneficiary fails to survive grantor,  
26 grantor designates \_\_\_\_\_, as

27 (Name of successor grantee-beneficiary)



1 successor grantee-beneficiary whose address is  
2 \_\_\_\_\_]  
3 and grantor transfers, sells, and conveys on grantor's death to the  
4 grantee-beneficiary, the following described real property located  
5 in the County of \_\_\_\_\_, State of Colorado:

6 (insert legal description here)  
7 Known and numbered as \_\_\_\_\_

8 THIS BENEFICIARY DEED IS REVOCABLE. IT DOES NOT  
9 TRANSFER ANY OWNERSHIP UNTIL THE DEATH OF THE  
10 GRANTOR. IT REVOKES ALL PRIOR BENEFICIARY  
11 DEEDS BY THIS GRANTOR FOR THIS REAL PROPERTY  
12 EVEN IF THIS BENEFICIARY DEED FAILS TO CONVEY  
13 ALL OF THE GRANTOR'S INTEREST IN THIS REAL  
14 PROPERTY.

15 WARNING: EXECUTION OF THIS BENEFICIARY DEED  
16 MAY DISQUALIFY THE GRANTOR FROM BEING  
17 DETERMINED ELIGIBLE FOR, OR FROM RECEIVING,  
18 MEDICAID UNDER ~~TITLE 26~~ TITLE 25.5, COLORADO  
19 REVISED STATUTES.

20 WARNING: EXECUTION OF THIS BENEFICIARY DEED  
21 MAY NOT AVOID PROBATE.

22 Executed this \_\_\_\_\_.  
23 (Date)

24 \_\_\_\_\_  
25 (Grantor)

26 **SECTION 14.** In Colorado Revised Statutes, 15-16-801, **amend**  
27 (8)(b) as follows:

1           **15-16-801. Definitions.** As used in this part 8, unless the context  
2 otherwise requires:

3           (8) (b) A person who holds a nonfiduciary power over a trust,  
4 including a power of appointment as defined in section ~~15-2-102~~  
5 15-2.5-102 (14), is not subject to the provisions of this part 8, regardless  
6 of whether he or she is described as a "trust advisor" within a governing  
7 instrument.

8           **SECTION 15.** In Colorado Revised Statutes, **amend as amended**  
9 **by House Bill 18-1027** 16-2.5-121 as follows:

10           **16-2.5-121. Executive director of the department of revenue**  
11 **- senior director of enforcement for the department of revenue.** The  
12 executive director and the senior director of enforcement of the  
13 department OF REVENUE are peace officers while engaged in the  
14 performance of their duties whose authority includes the enforcement of  
15 laws and rules regarding automobile dealers pursuant to section 12-6-105  
16 (3), the lottery pursuant to sections 44-40-106 (3) and 44-40-107 (8),  
17 medical marijuana pursuant to article 43.3 of title 12, limited gaming  
18 pursuant to article 30 of title 44, liquor pursuant to section 12-47-904 (1),  
19 and racing events pursuant to section 12-60-203 (1), and the enforcement  
20 of all laws of the state of Colorado and who may be certified by the  
21 P.O.S.T. board.

22           **SECTION 16.** In Colorado Revised Statutes, 16-18.5-106.5  
23 **amend as amended by House Bill 18-1027** (3)(a) as follows:

24           **16-18.5-106.5. Lottery winnings offset - restitution.**  
25 (3) (a) Except as otherwise provided in subsection (5) of this section,  
26 upon notification by the department OF REVENUE of amounts deposited  
27 with the state treasurer pursuant to section 44-40-114, and upon the

1 transfer of the amounts by the state treasurer to the court in which the  
2 restitution obligation is pending, the court shall disburse the amounts in  
3 accordance with this subsection (3).

4 **SECTION 17.** In Colorado Revised Statutes, 17-1-104.3, **amend**  
5 (1)(b) as follows:

6 **17-1-104.3. Correctional facilities - locations - security level.**

7 (1)(b) The correctional facilities operated by the department, the location  
8 of such facilities, and the designated security level of such facilities shall  
9 be as follows:

10 <b>Correctional facility</b>	<b>Location</b>	<b>Security level</b>
11 Colorado state 12 penitentiary	Fremont county	Level V
13 Centennial correctional 14 facility	Fremont county	Level V
15 Limon correctional 16 facility	Lincoln county	Level IV
17 Arkansas Valley 18 correctional facility	Crowley county	Level III
19 Buena Vista 20 correctional complex	Chaffee county	Level III
21 Colorado Territorial 22 correctional facility	Fremont county	Level III
23 Fremont correctional 24 facility	Fremont county	Level III
25 Arrowhead 26 correctional center	Fremont county	Level II
27 Four Mile	Fremont county	Level II

1	correctional center		
2	Skyline correctional	Fremont county	Level I
3	center		
4	Colorado correctional	Jefferson county	Level I
5	center		
6	Delta correctional	Delta county	Level I
7	center		
8	Rifle correctional	Garfield county	Level I
9	center		
10	Colorado correctional	Chaffee county	Level I
11	alternative program		
12	<del>Colorado women's</del>	<del>Fremont county</del>	<del>Level IV</del>
13	<del>correctional facility</del>		
14	Denver reception and	City and county	Level V
15	diagnostic center	of Denver	
16	La Vista correctional	Pueblo county	Level III
17	facility		
18	San Carlos	Pueblo county	Level V
19	correctional facility		
20	Sterling correctional	Logan county	Level V
21	facility		
22	Trinidad correctional	Las Animas county	Level II
23	facility		
24	Denver women's	City and county	Level V
25	correctional facility	of Denver	
26	Youthful offender	Pueblo county	Level III
27	system		

1           **SECTION 18.** In Colorado Revised Statutes, 17-2-102, **amend**  
2 (10)(b) as follows:

3           **17-2-102. Division of adult parole - general powers, duties, and**  
4 **functions - definition - repeal.** (10) (b) For purposes of this subsection  
5 (10), ~~and section 17-2-106, "branch parole office" means any real estate~~  
6 ~~in this state that the division of adult parole, on behalf of the department~~  
7 ~~of corrections, may acquire by purchase, leasehold, or other method for~~  
8 ~~the purpose of operating an office to perform any function required or~~  
9 ~~permitted by this title concerning parolee interview, reporting, testing,~~  
10 ~~screening, and supervision "BRANCH PAROLE OFFICE" HAS THE SAME~~  
11 ~~MEANING AS PROVIDED IN SECTION 17-2-106.~~

12           **SECTION 19.** In Colorado Revised Statutes, 17-2-201, **amend**  
13 (4)(f)(I)(D) as follows:

14           **17-2-201. State board of parole - duties - definitions.** (4) The  
15 board has the following powers and duties:

16           (f) (I) To conduct an initial or subsequent parole release review  
17 in lieu of a hearing, without the presence of the inmate, if:

18           (D) The inmate is assessed to be a "low" or "very low" risk on the  
19 validated risk assessment instrument developed pursuant to section  
20 17-22.5-404 (2), ~~and~~ THE INMATE meets readiness criteria established by  
21 the board, and victim notification is not required pursuant to section  
22 24-4.1-302.5.

23           **SECTION 20.** In Colorado Revised Statutes, 17-2-217, **amend**  
24 (1) as follows:

25           **17-2-217. Release hearing officers - pilot program.** (1) The  
26 department and the board are hereby authorized to conduct a release  
27 hearing officers pilot program that utilizes the officers described in

1 section ~~17-2-201(3)(c.5)~~ 17-2-201 (3)(h.1).

2 **SECTION 21.** In Colorado Revised Statutes, 18-1-1001, **amend**  
3 (9)(I)(I) as follows:

4 **18-1-1001. Protection order against defendant - definitions.**

5 (9) (I) (I) A law enforcement agency that elects in good faith to not store  
6 a firearm or ammunition for a defendant pursuant to ~~sub-subparagraph~~  
7 ~~(B) of subparagraph (III) of paragraph (b) of this subsection (9)~~  
8 SUBSECTION (9)(b)(II) OF THIS SECTION shall not be held criminally or  
9 civilly liable for such election not to act.

10 **SECTION 22.** In Colorado Revised Statutes, **amend**  
11 18-1.3-103.4 as follows:

12 **18-1.3-103.4. Senate Bill 13-250 - legislative intent -**

13 **clarification of internal reference to level 4 drug felonies.** The intent  
14 of the general assembly in enacting Senate Bill 13-250 was to allow  
15 courts, for offenses committed on and after October 1, 2013, to vacate  
16 certain level 4 drug felony convictions and enter misdemeanor  
17 convictions if the offender completes community-based sentencing.  
18 While the term "level 4 drug felony" to which section 18-1.3-103.5 (3)(b)  
19 refers was described in section ~~18-8-405(2)(c)(H)~~ 18-18-405 (2)(c)(II) of  
20 the introduced version of Senate Bill 13-250, an amendment to the bill  
21 during the legislative process moved the level 4 drug felony description  
22 to section ~~18-8-405(2)(d)~~ 18-18-405 (2)(d). The conforming change was  
23 not made to the internal reference in section 18-1.3-103.5 (3)(b), resulting  
24 in an incorrect internal reference being published in the 2013 version of  
25 the Colorado Revised Statutes. When enacting Senate Bill 13-250, it was  
26 the intent of the general assembly that the level 4 drug felonies to which  
27 section 18-1.3-103.5 (3)(b) refers be those described in section ~~18-8-405~~

1 ~~(2)(d)~~ 18-18-405 (2)(d). Accordingly, by the passage of Senate Bill  
2 14-163, enacted in 2014, the general assembly corrects the internal  
3 reference found in section 18-1.3-103.5 (3)(b). The correction to the  
4 internal reference is effective as of the effective date of Senate Bill  
5 13-250, October 1, 2013, and applies to offenses committed on or after  
6 October 1, 2013.

7 **SECTION 23.** In Colorado Revised Statutes, 18-1.3-1201,  
8 **amend** (5)(c)(II.5) as follows:

9 **18-1.3-1201. Imposition of sentence in class 1 felonies -**  
10 **appellate review.** (5) For purposes of this section, the following are  
11 aggravating factors:

12 (c) The defendant intentionally killed any of the following persons  
13 while the person was engaged in the course of the performance of the  
14 person's official duties, and the defendant knew or reasonably should  
15 have known that the victim was a person engaged in the performance of  
16 the person's official duties, or the victim was intentionally killed in  
17 retaliation for the performance of the victim's official duties:

18 (II.5) An emergency medical service provider, as defined in  
19 section ~~18-3-201~~(1) 18-3-201 (1.3); or

20 **SECTION 24.** In Colorado Revised Statutes, 18-1.9-105, **amend**  
21 (2) as follows:

22 **18-1.9-105. Task force funding - staff support.** (2) The director  
23 of research of the legislative council, the director of the office of  
24 legislative legal services, the director of the division of criminal justice  
25 within the department of public safety, the director of the office of  
26 behavioral health, and the executive directors of the departments  
27 represented on the task force may supply staff assistance to the task force

1 as they deem appropriate within existing appropriations or if money is  
2 credited to the treatment of persons with mental ~~illness~~ HEALTH  
3 DISORDERS in the criminal and juvenile justice systems ~~cash~~ fund created  
4 in section 18-1.9-106 for the purpose of and in an amount sufficient to  
5 fund staff assistance. The task force may also accept donations of in-kind  
6 services for staff support from the private sector.

7 **SECTION 25.** In Colorado Revised Statutes, 18-3-107, **amend**  
8 (2) as follows:

9 **18-3-107. First degree murder of a peace officer, firefighter,**  
10 **or emergency medical service provider - legislative declaration.**

11 (2) As used in this section, "peace officer, firefighter, or emergency  
12 medical service provider engaged in the performance of his or her duties"  
13 means a peace officer, as described in section 16-2.5-101, ~~C.R.S.~~, a  
14 firefighter, as defined in section 18-3-201 (1.5), or an emergency medical  
15 service provider, as defined in section ~~18-3-201 (1)~~ 18-3-201 (1.3), who  
16 is engaged or acting in, or who is present for the purpose of engaging or  
17 acting in, the performance of any duty, service, or function imposed,  
18 authorized, required, or permitted by law to be performed by a peace  
19 officer, firefighter, or emergency medical service provider, whether or not  
20 the peace officer, firefighter, or emergency medical service provider is  
21 within the territorial limits of his or her jurisdiction, if the peace officer,  
22 firefighter, or emergency medical service provider is in uniform or the  
23 person committing an assault upon or offense against or otherwise acting  
24 toward the peace officer, firefighter, or emergency medical service  
25 provider knows or reasonably should know that the victim is a peace  
26 officer, firefighter, or emergency medical service provider.

27 **SECTION 26.** In Colorado Revised Statutes, 18-3.5-108, **amend**



1 (5)(d) and (5)(f) as follows:

2 **18-3.5-108. Aggravated vehicular unlawful termination of**  
3 **pregnancy - definitions.** (5) (d) No person except a physician, a  
4 registered nurse, an emergency medical service provider as certified in  
5 part 2 of article 3.5 of title 25, ~~C.R.S., an emergency medical technician~~  
6 ~~as defined in part 1 of article 3.5 of title 25, C.R.S.,~~ or a person whose  
7 normal duties include withdrawing blood samples under the supervision  
8 of a physician or registered nurse shall be entitled to withdraw blood for  
9 the purpose of determining the alcohol or drug content therein. In any trial  
10 for a violation of ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(a) of  
11 this section, testimony of a law enforcement officer that he or she  
12 witnessed the taking of a blood specimen by a person who he or she  
13 reasonably believed was authorized to withdraw blood specimens shall be  
14 sufficient evidence that the person was so authorized, and testimony from  
15 the person who obtained the blood specimens concerning the person's  
16 authorization to obtain blood specimens shall not be a prerequisite to the  
17 admissibility of test results concerning the blood specimens obtained. No  
18 civil liability shall attach to any person authorized to obtain blood, breath,  
19 saliva, or urine specimens or to any hospital, clinic, or association in or  
20 for which such specimens are obtained pursuant to this subsection (5) as  
21 a result of the act of obtaining such specimens from any person if such  
22 specimens were obtained according to the rules ~~and regulations~~  
23 prescribed by the state board of health; except that this subsection (5)  
24 ~~shall~~ DOES not relieve any such person from liability for negligence in the  
25 obtaining of any specimen sample.

26 (f) If a person refuses to take, complete, or cooperate in  
27 completing any test or tests as provided in this subsection (5) and the

1 person subsequently stands trial for a violation of ~~paragraph (b) of~~  
2 ~~subsection (1)~~ SUBSECTION (1)(a) of this section, the refusal to take,  
3 complete, or cooperate with completing any test or tests shall be  
4 admissible into evidence at the trial, and the person may not claim the  
5 privilege against self-incrimination with regard to the admission of his or  
6 her refusal to take, complete, or cooperate with completing any test or  
7 tests.

8 **SECTION 27.** In Colorado Revised Statutes, 18-6-801, **amend**  
9 (8)(j)(I) as follows:

10 **18-6-801. Domestic violence - sentencing.** (8) (j) (I) A law  
11 enforcement agency that elects in good faith to not store a firearm or  
12 ammunition for a defendant pursuant to ~~sub-subparagraph (B) of~~  
13 ~~subparagraph (III) of paragraph (b) of this subsection (8)~~ SUBSECTION  
14 (8)(b)(II) OF THIS SECTION shall not be held criminally or civilly liable for  
15 such election not to act.

16 **SECTION 28.** In Colorado Revised Statutes, **repeal** 18-12-216  
17 as follows:

18 **18-12-216. Permits issued prior to May 17, 2003.** ~~(1) A permit~~  
19 ~~issued pursuant to section 18-12-105.1, as it existed prior to its repeal,~~  
20 ~~shall permanently expire on June 30, 2007, or on the expiration date~~  
21 ~~specified on the permit, whichever occurs first. A person who submitted~~  
22 ~~a full set of fingerprints to obtain a permit prior to May 17, 2003, upon~~  
23 ~~expiration of the permit, may apply for renewal of the permit as provided~~  
24 ~~in this part 2. A person who did not submit a full set of fingerprints to~~  
25 ~~obtain a permit prior to May 17, 2003, upon expiration of the permit, may~~  
26 ~~apply for a new permit as provided in this part 2.~~

27 ~~(2) Within one hundred twenty days prior to the expiration of a~~

1 ~~permit issued pursuant to section 18-12-105.1, as it existed prior to its~~  
2 ~~repeal, the issuing authority shall send a notice of expiration to the~~  
3 ~~permittee to notify the permittee of the permit expiration as provided in~~  
4 ~~subsection (1) of this section and of his or her ability to renew the permit~~  
5 ~~or obtain a new permit as provided in subsection (1) of this section.~~

6 **SECTION 29.** In Colorado Revised Statutes, **amend** 18-18-402  
7 as follows:

8 **18-18-402. Definitions - terms used.** As used in this part 4,  
9 unless this part 4 otherwise provides or unless the context otherwise  
10 requires, terms used in this part 4 shall have the same meanings as those  
11 set forth in part 2 1 of this article **18**.

12 **SECTION 30.** In Colorado Revised Statutes, 18-18-428, **amend**  
13 (1)(b)(II) as follows:

14 **18-18-428. Possession of drug paraphernalia - penalty.**  
15 (1) (b) (II) Prior to assessing or treating a person, an emergency medical  
16 ~~technician~~ SERVICE PROVIDER, AS DEFINED IN SECTION 18-3-201 (1.3), or  
17 other first responder may ask the person whether the person is in  
18 possession of a hypodermic needle or syringe that may cut or puncture the  
19 technician or first responder. If a hypodermic needle or syringe is on the  
20 person, and the person, either in response to the question or voluntarily,  
21 alerts the ~~technician~~ EMERGENCY MEDICAL SERVICE PROVIDER or first  
22 responder of that fact, a peace officer shall not arrest or cite the person  
23 pursuant to this section for the hypodermic needle or syringe or section  
24 18-18-403.5 for any minuscule, residual controlled substance that may be  
25 present in a used hypodermic needle or syringe, and the district attorney  
26 shall not charge or prosecute the person pursuant to this section for the  
27 hypodermic needle or syringe or section 18-18-403.5 for any minuscule,

1 residual controlled substance that may be present in a used hypodermic  
2 needle or syringe.

3 **SECTION 31.** In Colorado Revised Statutes, 23-1-106, **amend**  
4 (7)(c)(I)(B) as follows:

5 **23-1-106. Duties and powers of the commission with respect**  
6 **to capital construction and long-range planning - legislative**  
7 **declaration - report - definitions.** (7) (c) (I) (B) The commission  
8 annually shall prepare a unified, two-year report for capital construction  
9 projects for new acquisitions of real property or for new construction,  
10 ~~described in subsection (10) of this section,~~ estimated to require total  
11 project expenditures exceeding two million dollars, coordinated with  
12 education plans. The commission shall transmit the report to the office of  
13 state planning and budgeting, the governor, the capital development  
14 committee, and the joint budget committee, consistent with the executive  
15 budget timetable.

16 **SECTION 32.** In Colorado Revised Statutes, 24-1-107.5, **repeal**  
17 (2)(c)(I) as follows:

18 **24-1-107.5. Nonprofit entities created or supported by state**  
19 **agencies and state-level authorities - requirements - legislative**  
20 **declaration.** (2) (c) The provisions of this subsection (2) do not apply to:

21 (I) ~~The Colorado advanced technology institute commission;~~

22 **SECTION 33.** In Colorado Revised Statutes, **amend** 24-1-135 as  
23 follows:

24 **24-1-135. Effect of congressional redistricting.** (1) Effective  
25 January 1, 1983, the terms of office of persons appointed pursuant to  
26 sections ~~11-2-102, 12-22-104~~ **11-102-103**, 12-35-104, **12-42.5-104**,  
27 ~~12-65-102, 17-2-102, and 23-60-104, C.R.S., sections 24-32-308 and~~

1 24-32-706, and sections 25-1-103, ~~25-1-902~~, 25-3.5-104, **25.5-1-602**,  
2 26-11-101, 33-11-105, 34-60-104, and 35-65-105 C.R.S., shall terminate.  
3 Prior thereto, the appointing authority designated by law shall appoint  
4 members to such boards, commissions, and committees for terms to  
5 commence on January 1, 1983, and to expire on the date the terms of the  
6 predecessors in office of such members would have expired, and any  
7 person whose term of office is terminated by this section may be  
8 reappointed effective January 1, 1983, and, for the purposes of such  
9 reappointment, shall not be deemed to succeed himself. Appointments  
10 thereafter shall be made as prescribed by law.

11 (2) Any member of a board, commission, or committee who was  
12 appointed or elected to such office as a resident of a designated  
13 congressional district pursuant to section 24 (2) of article VI of the state  
14 constitution or section ~~11-2-102, 12-22-104~~ **11-102-103**, 12-35-104,  
15 **12-42.5-104**, 12-47.1-301, 22-2-105, 23-1-102, 23-20-102, 23-21-503, or  
16 23-60-104, C.R.S., or section ~~24-32-308~~ or 24-32-706, or section  
17 25-1-103, ~~25-1-902~~, 25-3.5-104, **25.5-1-602**, 26-11-101, 33-11-105,  
18 34-60-104, or 35-65-401 C.R.S., and who no longer resides in such  
19 congressional district solely because of a change made to the boundaries  
20 of such district subsequent to the 1990 federal decennial census is eligible  
21 to hold office for the remainder of the term to which the member was  
22 elected or appointed, notwithstanding such nonresidency.

23 **SECTION 34.** In Colorado Revised Statutes, 24-4-104, **amend**  
24 (3)(b) and (4)(b) as follows:

25 **24-4-104. Licenses - issuance, suspension or revocation,**  
26 **renewal.** (3) (b) The full investigation requirement specified in  
27 ~~paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS SECTION

1 shall not apply to licenses issued under articles 1.1, 9, ~~10, 11, 11.5, 13, 14,~~  
2 ~~and 16~~ 10.1, AND 11.5 of title 40 or article 2 of title 42. ~~C.R.S.~~

3 (4) (b) The full investigation requirement specified in ~~paragraph~~  
4 ~~(a) of this subsection (4)~~ SUBSECTION (4)(a) OF THIS SECTION shall not  
5 apply to licenses issued under articles 1.1, 9, ~~10, 11, 11.5, 13, 14, and 16~~  
6 10.1, AND 11.5 of title 40 or article 2 of title 42. ~~C.R.S.~~

7 **SECTION 35.** In Colorado Revised Statutes, 24-10-103, **amend**  
8 (4)(b)(VII) as follows:

9 **24-10-103. Definitions.** As used in this article, unless the context  
10 otherwise requires:

11 (4) (b) "Public employee" includes any of the following:

12 (VII) Any administrative hearing officer utilized by the  
13 department of corrections and the state board of parole pursuant to section  
14 ~~17-2-201 (3)(e)(I), C.R.S.~~ 17-2-201 (3)(h)(I). An administrative hearing  
15 officer shall maintain the status of a public employee only when the  
16 administrative hearing officer engages in activities that are within the  
17 course and scope of his or her responsibilities as an administrative  
18 hearing officer.

19 **SECTION 36.** In Colorado Revised Statutes, 24-10-114, **amend**  
20 (1)(b) as follows:

21 **24-10-114. Limitations on judgments - recommendation to**  
22 **general assembly - authorization of additional payment - lower north**  
23 **fork wildfire claims.** (1) (b) The amounts specified in ~~paragraph (a) of~~  
24 ~~this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION shall be adjusted  
25 by an amount reflecting the percentage change over a four-year period in  
26 the United States department of labor, bureau of labor statistics, consumer  
27 price index for ~~Denver-Boulder-Greeley,~~ DENVER-AURORA-LAKEWOOD

1 FOR all items AND all urban consumers, OR ITS APPLICABLE PREDECESSOR  
2 or ~~its~~ successor index. On or before January 1, 2018, and by January 1  
3 every fourth year thereafter, the secretary of state shall calculate the  
4 adjusted dollar amount for the immediately preceding four-year period as  
5 of the date of the calculation. The adjusted amount shall be rounded  
6 upward to the nearest one-thousand-dollar increment. The secretary of  
7 state shall certify the amount of the adjustment for the particular four-year  
8 period and shall publish the amount of the adjustment on the secretary of  
9 state's website.

10 **SECTION 37.** In Colorado Revised Statutes, 24-30-202.7,  
11 **amend as amended by House Bill 18-1027** (4) as follows:

12 **24-30-202.7. Lottery winnings offset - definitions.** (4) Upon  
13 notification by the department OF REVENUE of amounts deposited with the  
14 state treasurer pursuant to section 44-40-113, the proceeds of the  
15 outstanding debt collected shall be accounted for and deposited into the  
16 fund or funds required pursuant to section 24-30-202.4 (3)(d).

17 **SECTION 38.** In Colorado Revised Statutes, 24-30-1101, **amend**  
18 (1)(d) as follows:

19 **24-30-1101. Legislative findings and declarations.** (1) The  
20 general assembly hereby finds, determines, and declares that:

21 (d) Meeting the service needs of state departments, institutions,  
22 and agencies in efficient and economical ways within the resource  
23 capabilities of the state is the prime goal of the ~~division of central services~~  
24 DEPARTMENT OF PERSONNEL policy;

25 **SECTION 39.** In Colorado Revised Statutes, 24-30-1104, **amend**  
26 (1)(l) as follows:

27 **24-30-1104. Functions of the department - definitions.**

1 (1) Within the counties of Adams, Arapahoe, Boulder, Douglas, Pueblo,  
2 El Paso, and Jefferson, the city and county of Broomfield, and the city  
3 and county of Denver, and within any other areas in the state of Colorado  
4 where central services are offered, the department of personnel shall  
5 perform the following functions for the executive branch of the state of  
6 Colorado, its departments, institutions, and agencies, under the direction  
7 of the executive director:

8 (l) Notify state agencies through written statements, which may  
9 include electronic statements, prepared by ~~central services~~ THE  
10 DEPARTMENT OF PERSONNEL that state agencies may obtain goods and  
11 services directly from the private sector, if the cost and quality of such  
12 goods or services offered by the private sector are competitive with those  
13 provided by ~~central services~~ THE DEPARTMENT OF PERSONNEL;

14 **SECTION 40.** In Colorado Revised Statutes, **amend 24-30-1112**  
15 as follows:

16 **24-30-1112. Permanent assignment of vehicles - state agency**  
17 **- verification of minimum mileage - revocation.** (1) A state-owned  
18 motor vehicle that is part of the state motor vehicle fleet established  
19 pursuant to section 24-30-1104 (2) may be assigned by the ~~division~~  
20 DEPARTMENT OF PERSONNEL to a state agency pursuant to this section. In  
21 addition, any state-owned motor vehicle that is assigned to a state agency  
22 may be further assigned by the executive director of the state agency or  
23 by the executive director's designee to an officer or employee of the state  
24 agency pursuant to section 24-30-1113.

25 (2) Unless a state agency can justify to the ~~division~~ DEPARTMENT  
26 OF PERSONNEL the need for permanent assignment of a vehicle because  
27 of its unique use, the ~~division~~ DEPARTMENT OF PERSONNEL may



1 permanently assign a state-owned motor vehicle to a state agency only if  
2 the use of the vehicle by the state agency is likely to meet the minimum  
3 required mileage established by the department of personnel for the  
4 utilization classification associated with the vehicle's intended work  
5 function and the use of such vehicle by the state agency complies with  
6 any additional criteria established by the ~~division~~ DEPARTMENT OF  
7 PERSONNEL in rules. A vehicle that is assigned to a state agency must be  
8 parked at a state facility, as defined by rule, when the vehicle is not in use  
9 unless the vehicle has been assigned to an officer or employee of the state  
10 agency pursuant to section 24-30-1113.

11 (3) The ~~division~~ DEPARTMENT OF PERSONNEL shall establish a  
12 program and adopt rules providing for annual verification that each  
13 state-owned motor vehicle permanently assigned to a state agency has met  
14 the minimum required mileage based on the appropriate utilization  
15 classification. If verification establishes that a vehicle has not met the  
16 minimum annual mileage rate and other criteria established in rules and  
17 if the responsible state agency cannot justify such lower mileage or failure  
18 to meet other criteria, the ~~division~~ DEPARTMENT OF PERSONNEL shall  
19 revoke the permanent assignment of the vehicle immediately.

20 (4) The ~~division~~ DEPARTMENT OF PERSONNEL shall adopt rules  
21 governing the procedure for revocation of assignment of state-owned  
22 motor vehicles that have been permanently assigned to a state agency.  
23 Revocation of assignment shall occur when the ~~division~~ DEPARTMENT OF  
24 PERSONNEL determines that:

25 (a) The vehicle has been used for other than official business or  
26 has been used for commuting without being assigned to an officer or  
27 employee of the state agency pursuant to section 24-30-1113;

1 (b) (I) The state agency has not submitted reports or other  
2 documentation to the ~~division~~ DEPARTMENT OF PERSONNEL that it is  
3 required to submit pursuant to rules adopted by the ~~division~~ DEPARTMENT;  
4 or

5 (II) Any reports or other documentation that the state agency has  
6 submitted fail to meet the standards established in rules adopted by the  
7 ~~division~~ DEPARTMENT OF PERSONNEL for the submission of such reports  
8 and documentation and the state agency has not cured the deficiencies  
9 within thirty days after receiving notification from the ~~division~~  
10 DEPARTMENT OF PERSONNEL of such deficiency;

11 (c) The state agency has knowingly and willfully supplied false  
12 information to the ~~division~~ DEPARTMENT OF PERSONNEL regarding the  
13 permanent assignment of the motor vehicle to the state agency;

14 (d) ~~That~~ A state-owned motor vehicle has been abused; or

15 (e) ~~That~~ A violation of other rules promulgated by the ~~division~~  
16 DEPARTMENT OF PERSONNEL has occurred, which warrants revocation of  
17 assignment to the state agency as specified in the rules adopted by the  
18 ~~division~~ DEPARTMENT OF PERSONNEL.

19 (5) The ~~division~~ DEPARTMENT OF PERSONNEL shall not honor new  
20 requisitions for assignment of vehicle following the revocation of  
21 assignment until the ~~division~~ DEPARTMENT OF PERSONNEL is assured that  
22 the violation for which a vehicle was previously revoked will not recur.

23 **SECTION 41.** In Colorado Revised Statutes, 24-30-1113, **amend**  
24 (2)(b) introductory portion, (3), (4), and (6) as follows:

25 **24-30-1113. Assignment of vehicles to state agency officers or**  
26 **employees - report to legislative audit committee - definition - repeal.**

27 (2) (b) The executive director of a state agency or the executive director's

1 designee must authorize the assignment of a vehicle in writing and submit  
2 the authorization and any supporting documentation to the EXECUTIVE  
3 director of the ~~division~~ DEPARTMENT OF PERSONNEL for final approval.  
4 The executive director of a state agency or the executive director's  
5 designee shall authorize the assignment of a vehicle only if:

6 (3) The EXECUTIVE director of the ~~division~~ DEPARTMENT OF  
7 PERSONNEL or the state controller, or the designee of either official, as  
8 applicable, shall review any assignment of a state-owned motor vehicle  
9 to an officer or employee of a state agency. The EXECUTIVE director of the  
10 ~~division~~ DEPARTMENT OF PERSONNEL or the state controller, or the  
11 designee of either official, as applicable, shall verify that the assignment  
12 of the vehicle complies with the requirements specified in subsection (2)  
13 of this section and the regulations of the federal internal revenue service.  
14 If the review establishes that the assignment of a vehicle does not comply  
15 with such requirements, the EXECUTIVE director of the ~~division~~  
16 DEPARTMENT OF PERSONNEL shall revoke the assignment of the vehicle.

17 (4) In addition to the initial approval required by subsection (3) of  
18 this section, the ~~division~~ DEPARTMENT OF PERSONNEL shall establish a  
19 program and adopt rules providing for annual review and verification by  
20 the EXECUTIVE director of the ~~division~~ DEPARTMENT OF PERSONNEL or the  
21 state controller, or the designee of either official, as applicable, that each  
22 state-owned motor vehicle assigned to an officer or employee of a state  
23 agency still complies with the requirements of subsection (2) of this  
24 section and the regulations of the federal internal revenue service. The  
25 requirements of this subsection (4) apply to all state-owned motor  
26 vehicles, whether they were assigned before, on, or after September 1,  
27 2017. If the verification process establishes that the assignment of a

1 vehicle no longer complies with subsection (2) of this section or the  
2 regulations of the federal internal revenue service, the ~~division~~  
3 DEPARTMENT OF PERSONNEL shall revoke the assignment of the vehicle.

4 (6) The EXECUTIVE director of the ~~division~~ DEPARTMENT OF  
5 PERSONNEL, or the EXECUTIVE director's designee, and the state controller,  
6 or state controller's designee, shall promulgate rules as required in this  
7 section and may promulgate additional rules deemed necessary for the  
8 implementation of this section. Such rules shall be promulgated in  
9 accordance with article 4 of this title 24.

10 **SECTION 42.** In Colorado Revised Statutes, 24-30-1114, **amend**  
11 (2) as follows:

12 **24-30-1114. Restrictions on assignment of vehicles.** (2) Special  
13 use vehicles, including but not limited to four-wheel drive and law  
14 enforcement vehicles, shall be assigned only to those agencies and  
15 individuals authorized or otherwise designated by the ~~division~~  
16 DEPARTMENT OF PERSONNEL to operate such vehicles.

17 **SECTION 43.** In Colorado Revised Statutes, 24-33.5-412,  
18 **amend** (9) as follows:

19 **24-33.5-412. Functions of bureau - legislative review -**  
20 **interagency cooperation with reporting functions - processing time**  
21 **for criminal history record checks - computer crime - synthetic**  
22 **cannabinoids enforcement.** (9) On and after September 1, 2014, the  
23 bureau shall purchase and maintain materials and equipment to be made  
24 available by the bureau to law enforcement agencies and to the liquor  
25 enforcement division ~~created in section 24-35-401~~ IN THE DEPARTMENT  
26 OF REVENUE, for the presumptive identification of synthetic cannabinoids  
27 or any other designer drugs.

1           **SECTION 44.** In Colorado Revised Statutes, 24-33.5-1227,  
2 **amend** (1)(a)(I) as follows:

3           **24-33.5-1227. Wildfire preparedness fund - creation - gifts,**  
4 **grants, and donations authorized - wildfire preparedness plan -**  
5 **report.** (1) (a) (I) There is hereby created in the state treasury the  
6 wildfire preparedness fund. The fund consists of all money that may be  
7 appropriated thereto by the general assembly, all private and public  
8 money received through gifts, grants, reimbursements, or donations that  
9 are transmitted to the state treasurer and credited to the fund, ~~all money~~  
10 ~~transferred to the fund pursuant to section 34-63-102 (5.4)(b)(H)~~, all  
11 money transferred to the fund from the healthy forests and vibrant  
12 communities fund created in section 23-31-313 (10), money transferred  
13 pursuant to section 39-29-109.3 (2)(n)(I)(C), and money transferred  
14 pursuant to subsection (1)(a)(II) of this section. All interest earned from  
15 the investment of money in the fund shall be credited to the fund. The  
16 money in the fund is hereby continuously appropriated for the purposes  
17 indicated in this section. Any money not expended at the end of the fiscal  
18 year shall remain in the fund and shall not be transferred to or revert to  
19 the general fund.

20           **SECTION 45.** In Colorado Revised Statutes, 24-33.5-1231,  
21 **amend** (1) as follows:

22           **24-33.5-1231. Local firefighter safety and disease prevention**  
23 **fund - creation - grants - rules.** (1) There is hereby created in the state  
24 treasury the local firefighter safety and disease prevention fund. The fund  
25 consists of all moneys that may be appropriated to the fund by the general  
26 assembly AND all private and public moneys received through gifts,  
27 grants, or donations that are transmitted to the state treasurer and credited

1 to the fund. ~~and all moneys transferred to the fund pursuant to section~~  
2 ~~34-63-102 (5.4)(b)(H), C.R.S.~~ The state treasurer shall credit all interest  
3 earned from the investment of moneys in the fund to the fund. The  
4 moneys in the fund are hereby continuously appropriated to the division  
5 for the purposes indicated in this section. Any moneys not expended at  
6 the end of each fiscal year remain in the fund and shall not be transferred  
7 to or revert to the general fund.

8 **SECTION 46.** In Colorado Revised Statutes, 24-33.5-1614,  
9 **amend (3)(b)** as follows:

10 **24-33.5-1614. Homeland security and all-hazards senior**  
11 **advisory committee - composition - duties - emergency planning**  
12 **subcommittee - public safety communications subcommittee -**  
13 **creation - definitions - repeal.** (3) The advisory committee shall:

14 (b) Annually review the state strategy for homeland security  
15 developed by the division pursuant to section ~~24-33.5-1604 (2)(a)(VII)~~  
16 24-33.5-1604 (5)(c) and make recommendations on the strategy's goals,  
17 policies, and priorities;

18 **SECTION 47.** In Colorado Revised Statutes, 24-34-104, **amend**  
19 **(29)(a)(II)** as follows:

20 **24-34-104. General assembly review of regulatory agencies**  
21 **and functions for repeal, continuation, or reestablishment - legislative**  
22 **declaration - repeal.** (29) (a) The following agencies, functions, or both,  
23 are scheduled for repeal on September 1, 2028:

24 (II) The administration of the "Colorado Fair Debt Collection  
25 Practices Act" by the administrator of the "Uniform Consumer Credit  
26 Code", articles 1 to 9 of title 5, in accordance with ~~article 14 of title 12~~  
27 ARTICLE 16 OF TITLE 5.

1           **SECTION 48.** In Colorado Revised Statutes, 24-34-109, **amend**  
2 (6) as follows:

3           **24-34-109. Nurse-physician advisory task force for Colorado**  
4 **health care - creation - duties - definition - repeal.** (6) ~~(a) The~~  
5 ~~NPATCH shall make recommendations to the state board of nursing and~~  
6 ~~the Colorado medical board to assist the boards in the development of~~  
7 ~~independent rules, consistent with sections 12-38-111.6 (4.5) and~~  
8 ~~12-36-106.4, C.R.S., regarding prescriptive authority of advanced~~  
9 ~~practice nurses, articulated plans, and the consultation or collaboration~~  
10 ~~between advanced practice nurses and physicians.~~

11           ~~(b) The NPATCH shall make recommendations other than those~~  
12 ~~described in paragraph (a) of this subsection (6), PURSUANT TO THIS~~  
13 ~~SECTION to the executive director of the department of regulatory~~  
14 ~~agencies.~~

15           **SECTION 49.** In Colorado Revised Statutes, 24-34-110, **amend**  
16 (4)(a)(X) as follows:

17           **24-34-110. Medical transparency act of 2010 - disclosure of**  
18 **information about health care licensees - fines - rules - short title -**  
19 **legislative declaration - repeal.** (4) When applying for a new license,  
20 certification, or registration or to renew, reinstate, or reactivate a license,  
21 certification, or registration in this state, each applicant shall provide the  
22 following information to the director of the division of professions and  
23 occupations, in a form and manner determined by the director, as  
24 applicable to each profession:

25           (a) (X) Information pertaining to any health-care-related  
26 employment contracts or contracts establishing an independent contractor  
27 relationship with any entities if the annual aggregate value of the

1 contracts exceeds five thousand dollars, as adjusted by the director during  
2 each license, certification, or registration renewal cycle to reflect changes  
3 in the United States department of labor, bureau of labor statistics,  
4 consumer price index for ~~Denver-Boulder-Greeley,~~  
5 DENVER-AURORA-LAKEWOOD FOR all items AND all urban consumers, or  
6 its APPLICABLE PREDECESSOR OR successor index. Nothing in this  
7 ~~subparagraph (X)~~ SUBSECTION (4)(a)(X) requires an applicant to report  
8 such information regarding contracts with insurance carriers for  
9 reimbursement of health care services provided to patients.

10 **SECTION 50.** In Colorado Revised Statutes, 24-46.3-101,  
11 **amend** (6) as follows:

12 **24-46.3-101. State work force development council - creation**  
13 **- membership - funding through gifts, grants, and donations - talent**  
14 **pipeline cash fund.** (6) In order to create a small-voting-member state  
15 council consistent with the requirements of the federal act, state council  
16 members may be appointed to satisfy more than one of the membership  
17 categories specified in the federal act for the state work force investment  
18 DEVELOPMENT board.

19 **SECTION 51.** In Colorado Revised Statutes, 24-47-103, **amend**  
20 (7)(b) as follows:

21 **24-47-103. Advanced industry - export acceleration program**  
22 **- definitions - repeal.** (7) **Reporting.** (b) Section 24-1-136(11) does not  
23 apply to the report required by ~~paragraph (a) of this subsection (8)~~  
24 SUBSECTION (7)(a) OF THIS SECTION.

25 **SECTION 52.** In Colorado Revised Statutes, 24-65.5-103.7,  
26 **amend** (1)(a) as follows:

27 **24-65.5-103.7. Deposit for incremental drilling costs.** (1) The



1 deposit for incremental drilling costs required under section  
2 24-65.5-103.3 (1)(b)(III)(C) shall be an amount for each well in an  
3 approved oil and gas operations area that is required to be drilled  
4 directionally in order to access a bottom-hole location in one of the five  
5 drilling windows permitted by the commission under its greater  
6 Wattenberg rule, 2 CCR 404-1, rule 318A, as in effect on August 3, 2007,  
7 excluding directional wells required by the commission's greater  
8 Wattenberg rule, 2 CCR 404-1, rule 318A (e), as such rule was in effect  
9 on December 31, 2006, to be drilled at the operator's expense, up to a  
10 total of four wells per governmental quarter section, and shall be  
11 determined in accordance with the following criteria:

12 (a) The amount deposited by the applicant for incremental drilling  
13 costs shall be eighty-seven thousand five hundred dollars per well, which  
14 amount shall be increased or decreased on July 1 of each year in  
15 accordance with corresponding percentage increases or decreases in the  
16 DENVER-AURORA-LAKEWOOD consumer price index, OR ITS APPLICABLE  
17 PREDECESSOR OR SUCCESSOR INDEX, published by the United States  
18 department of labor, bureau of labor statistics. ~~for the~~  
19 ~~Denver-Boulder-Greeley metropolitan area.~~

20 **SECTION 53.** In Colorado Revised Statutes, 24-72-203, **amend**  
21 (3.5)(b) introductory portion and (3.5)(c) as follows:

22 **24-72-203. Public records open to inspection.** (3.5) (b) A  
23 custodian is not required to produce a public record in a searchable or  
24 sortable format in accordance with subsection ~~(1)(a)~~ (3.5)(a) of this  
25 section if:

26 (c) If a custodian is not able to comply with a request to produce  
27 a public record that is subject to disclosure in a requested format specified

1 in subsection ~~(1)(a)~~ (3.5)(a) of this section, the custodian shall produce  
2 the record in an alternate format or issue a denial under section 24-72-204  
3 and shall provide a written declaration attesting to the reasons the  
4 custodian is not able to produce the record in the requested format. If a  
5 court subsequently rules the custodian should have provided the record  
6 in the requested format, attorney fees may be awarded only if the  
7 custodian's action was arbitrary or capricious.

8 **SECTION 54.** In Colorado Revised Statutes, 24-72-205, **amend**  
9 (6)(b) as follows:

10 **24-72-205. Copy, printout, or photograph of a public record**  
11 **- imposition of research and retrieval fee.** (6) (b) On July 1, 2019, and  
12 by July 1 of every five-year period thereafter, the director of research of  
13 the legislative council appointed pursuant to section 2-3-304 (1) ~~C.R.S.~~,  
14 shall adjust the maximum hourly fee specified in ~~paragraph (a) of this~~  
15 ~~subsection (6)~~ SUBSECTION (6)(a) OF THIS SECTION in accordance with the  
16 percentage change over the period in the United States department of  
17 labor, bureau of labor statistics, consumer price index for  
18 ~~Denver-Boulder-Greeley~~, DENVER-AURORA-LAKEWOOD FOR all items  
19 AND all urban consumers, or its successor index. The director of research  
20 shall post the adjusted maximum hourly fee on the website of the general  
21 assembly.

22 **SECTION 55.** In Colorado Revised Statutes, 24-72-703, **amend**  
23 (1) as follows:

24 **24-72-703. Sealing criminal conviction records - advisements**  
25 **- discovery - order applicability - general provisions.**  
26 (1) **Advisements.** (a) Whenever a defendant is sentenced following a  
27 conviction for an offense described in sections 24-72-704 to ~~24-72-708~~

1 24-72-710, the court shall provide him or her with a written advisement  
2 of his or her rights concerning the sealing of his or her conviction records  
3 pursuant to this section if he or she complies with the applicable  
4 provisions of this section.

5 (b) In addition to, and not in lieu of, the requirement described in  
6 ~~paragraph (a) of this subsection~~ (1) SUBSECTION (1)(a) OF THIS SECTION:

7 (I) If a defendant is sentenced to probation following a conviction  
8 for an offense described in sections ~~24-72-703 to 24-72-707~~ 24-72-704  
9 TO 24-72-710, the probation department, upon the termination of the  
10 defendant's probation, shall provide the defendant with a written  
11 advisement of his or her rights concerning the sealing of his or her  
12 conviction records pursuant to this section if he or she complies with the  
13 applicable provisions of this section; or

14 (II) If a defendant is released on parole following a conviction for  
15 an offense described in sections ~~24-72-703 to 24-72-707~~ 24-72-704 TO  
16 24-72-710, the defendant's parole officer, upon the termination of the  
17 defendant's parole, shall provide the defendant with a written advisement  
18 of his or her rights concerning the sealing of his or her conviction records  
19 pursuant to this section if he or she complies with the applicable  
20 provisions of this section.

21 **SECTION 56.** In Colorado Revised Statutes, 24-75-903, **amend**  
22 (2) as follows:

23 **24-75-903. Definitions.** As used in this part 9, unless the context  
24 otherwise requires:

25 (2) "Fund" means any fund or group of accounts to which state  
26 moneys are credited, including, but not limited to: The general fund, the  
27 highway users tax fund, the Pinnacol Assurance fund, the Colorado water

1 conservation board construction fund, the ~~central services~~ DEPARTMENT  
2 OF PERSONNEL revolving fund, the correctional industries account, the  
3 capital construction fund, the severance tax trust fund, and the higher  
4 education fund.

5 **SECTION 57.** In Colorado Revised Statutes, 24-80-1401, **amend**  
6 (2) as follows:

7 **24-80-1401. Colorado veterans' monument preservation trust**  
8 **fund - preservation trust committee.** (2) There is hereby created a  
9 preservation trust committee for the purpose of overseeing and making  
10 allocations out of the trust fund. The preservation trust committee shall  
11 be comprised of four members. One member shall be a representative or  
12 designee of the Colorado board of veterans affairs, created in section  
13 28-5-702, ~~C.R.S.~~, one member shall be a member or designee of the state  
14 capitol building advisory committee, created in section 24-82-108, one  
15 member shall be a veteran appointed jointly by the speaker of the house  
16 of representatives and the president of the senate, and one member shall  
17 be a representative of ~~the division of central services~~ in the department of  
18 personnel ~~created in part 1 of article 30 of this title~~, that oversees real  
19 estate services, who shall be an ex officio nonvoting member.

20 **SECTION 58.** In Colorado Revised Statutes, 24-82-103, **amend**  
21 (5)(a) as follows:

22 **24-82-103. Off-street parking - financing.** (5) (a) There is  
23 hereby created in the department of personnel the capitol parking  
24 authority, referred to in this subsection (5) as the "authority", which shall  
25 be under the direction of the executive director of the department of  
26 personnel. ~~and the director of the division of central services.~~ The  
27 authority shall constitute an enterprise for the purposes of section 20 of

1 article X of the state constitution so long as the authority retains the  
2 authority to issue revenue bonds pursuant to ~~paragraph (b) of this~~  
3 ~~subsection (5)~~ SUBSECTION (5)(b) OF THIS SECTION, and the authority  
4 receives less than ten percent of its total annual revenues from grants, as  
5 defined in section 24-77-102 (7), from all Colorado state and local  
6 governments combined. So long as the authority constitutes an enterprise  
7 pursuant to this section, the authority shall not be subject to any of the  
8 provisions of section 20 of article X of the state constitution.

9           **SECTION 59.** In Colorado Revised Statutes, 25-3-103, **amend**  
10 (1)(c) as follows:

11           **25-3-103. License denial or revocation - provisional license -**  
12 **rules.** (1) (c) On or after June 4, 2012, the state board of health may  
13 increase the amount of a provisional license fee established pursuant to  
14 ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION  
15 that is in effect on June 4, 2012, by an amount not to exceed the annual  
16 percentage change in the United States department of labor, bureau of  
17 labor statistics, consumer price index for ~~Denver-Boulder-Greeley~~  
18 DENVER-AURORA-LAKEWOOD for all urban consumers AND all goods, or  
19 its **APPLICABLE PREDECESSOR OR** successor index. Nothing in this  
20 ~~paragraph (c)~~ SUBSECTION (1)(c) limits the ability of the state board of  
21 health to reduce the amount of a provisional license fee in effect on such  
22 date or to modify fees in accordance with ~~paragraph (b) of this subsection~~  
23 ~~(1)~~ SUBSECTION (1)(b) OF THIS SECTION as necessary to comply with  
24 section 24-75-402. ~~C.R.S.~~

25           **SECTION 60.** In Colorado Revised Statutes, 25-3-105, **amend**  
26 (1)(a)(I)(B) as follows:

27           **25-3-105. License - fee - rules - penalty.** (1) (a) (I) (B) On or

1 after June 4, 2012, the state board of health may increase the amount of  
2 any fee on the schedule of fees established pursuant to ~~sub-subparagraph~~  
3 ~~(A) of this subparagraph (I)~~ SUBSECTION (1)(a)(I)(A) OF THIS SECTION that  
4 is in effect on June 4, 2012, by an amount not to exceed the annual  
5 percentage change in the United States department of labor, bureau of  
6 labor statistics, consumer price index for ~~Denver-Boulder-Greeley~~  
7 DENVER-AURORA-LAKEWOOD for all urban consumers AND all goods, or  
8 its APPLICABLE PREDECESSOR OR successor index. Nothing in this  
9 ~~sub-subparagraph (B)~~ SUBSECTION (1)(a)(I)(B) limits the ability of the  
10 state board of health to reduce the amount of any fee on the schedule of  
11 fees in effect on such date or to modify fees as necessary to comply with  
12 section 24-75-402. ~~C.R.S.~~

13 **SECTION 61.** In Colorado Revised Statutes, 25-7-412, **amend**  
14 (3) as follows:

15 **25-7-412. Definitions.** As used in sections 25-7-411 to 25-7-413,  
16 unless the context otherwise requires:

17 (3) "Program area" means the portions of the ~~six~~ FIVE counties in  
18 the AIR program area, including Adams, Arapahoe, Boulder, ~~Denver,~~  
19 Douglas, and Jefferson, ~~counties~~ AND THE CITIES AND COUNTIES OF  
20 DENVER AND BROOMFIELD.

21 **SECTION 62.** In Colorado Revised Statutes, 25-7-902, **add** an  
22 introductory portion as follows:

23 **25-7-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE  
24 CONTEXT OTHERWISE REQUIRES:

25 **SECTION 63.** In Colorado Revised Statutes, 25-7-1302, **add** an  
26 introductory portion as follows:

27 **25-7-1302. Definitions.** AS USED IN THIS PART 13, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 **SECTION 64.** In Colorado Revised Statutes, 25.5-5-308, **amend**  
3 (2)(a)(IV) and (8)(b.5) as follows:

4 **25.5-5-308. Breast and cervical cancer prevention and**  
5 **treatment program - creation - legislative declaration - definitions -**  
6 **funds - repeal.** (2) As used in this section, unless the context otherwise  
7 requires:

8 (a) "Eligible person" means a person who:

9 (IV) Does not have any creditable coverage as defined under  
10 federal law pursuant to 42 U.S.C. sec. ~~300gg(c)~~ 300gg-3 (c).

11 (8) (b.5) Until section 24-30-2204.5 ~~C.R.S.~~, is repealed, the state  
12 treasurer shall transfer any interest or income earned on moneys in the  
13 fund to the disability ~~investigational and pilot~~ support fund, created in  
14 section 24-30-2205.5. ~~C.R.S.~~

15 **SECTION 65.** In Colorado Revised Statutes, 26-13-118, **amend**  
16 **as amended by House Bill 18-1027** (2) and (3) as follows:

17 **26-13-118. Lottery winnings offset.** (2) Upon receiving  
18 notification from the department OF REVENUE that a lottery winner  
19 appears among those certified by the state department pursuant to section  
20 44-40-113, the state department shall notify the obligated parent, in  
21 writing, that the state intends to offset the parent's current monthly child  
22 support obligation, child support debt, child support arrearages, and child  
23 support costs against the parent's winnings from the state lottery. The  
24 notification shall include information on the parent's right to object to the  
25 offset and to request an administrative review pursuant to the rules of the  
26 state board of human services.

27 (3) Upon notification by the department OF REVENUE of amounts

1 deposited with the state treasurer pursuant to section 44-40-113, and after  
2 deduction of the fees authorized in subsection (4) of this section to be  
3 collected from applicants receiving support enforcement services  
4 pursuant to section 26-13-106 (2), the state department shall disburse  
5 such amounts to the appropriate county department for processing or for  
6 distribution to the individual receiving support enforcement services  
7 pursuant to section 26-13-106, as appropriate.

8 **SECTION 66.** In Colorado Revised Statutes, 28-5-703, **amend**  
9 (4)(b) as follows:

10 **28-5-703. Rules - duties.** (4) The board shall serve in an advisory  
11 capacity to:

12 (b) The division of employment and training in the department of  
13 labor and employment regarding the provision of services to state  
14 veterans pursuant to the "Colorado ~~Work Force Investment~~ CAREER  
15 ADVANCEMENT Act", part 2 of article 83 of title 8; ~~C.R.S.~~;

16 **SECTION 67.** In Colorado Revised Statutes, 30-2-102, **amend**  
17 (2.3)(b) as follows:

18 **30-2-102. Categorization of counties for fixing salaries of**  
19 **county officers - salary amounts - legislative declaration.**

20 (2.3) (b) Prior to January 1, 2018, and prior to January 1 each two years  
21 thereafter, the director of research of the legislative council appointed  
22 pursuant to section 2-3-304 (1) ~~C.R.S.~~, shall adjust the amount of each  
23 annual salary in each category specified in ~~paragraph (a) of this~~  
24 ~~subsection (2.3)~~ SUBSECTION (2.3)(a) OF THIS SECTION in accordance with  
25 the percentage change over the period in the United States department of  
26 labor, bureau of labor statistics, consumer price index for  
27 ~~Denver-Boulder-Greeley~~, DENVER-AURORA-LAKEWOOD FOR all items



1 AND all urban consumers, or its APPLICABLE PREDECESSOR OR successor  
2 index. The director of research shall post the adjusted annual salary  
3 amounts on the website of the general assembly. The annual salary of a  
4 county officer whose term of office begins on or after the date the salaries  
5 have been adjusted pursuant to this ~~paragraph (b)~~ SUBSECTION (2.3)(b)  
6 must be as adjusted by the director of research.

7 **SECTION 68.** In Colorado Revised Statutes, 32-13-107, **amend**  
8 (3)(b)(I)(C) as follows:

9 **32-13-107. Sales and use tax imposed - collection -**  
10 **administration of tax - use - definitions.** (3) The proceeds of such sales  
11 and use tax collections shall be used by the board to assist scientific and  
12 cultural facilities within the district. The board may deduct from the  
13 proceeds of the sales and use tax collections amounts necessary to cover  
14 the costs incurred by the district for the administration of such proceeds;  
15 except that the amount deducted for such purpose shall not exceed one  
16 and fifty one-hundredths percent of the sales and use tax revenues  
17 annually collected up to and including thirty-eight million dollars and one  
18 and fifty one-hundredths percent of the sales and use tax revenues  
19 annually collected in excess of thirty-eight million dollars. The board may  
20 also deduct from the proceeds of the sales and use tax collections an  
21 amount necessary to pay the district's actual or anticipated reasonable  
22 costs related to a coordinated election. After making the deductions  
23 allowed in this subsection (3), the board shall distribute the remaining  
24 proceeds from the sales and use tax collections to scientific and cultural  
25 facilities as follows:

26 (b) Upon voter approval of the levy and collection of the sales and  
27 use tax specified in section 32-13-105 (5)(a)(II) or (10)(a)(II), as

1 applicable, the sales and use tax revenues levied and collected by the  
2 district shall be distributed annually by the board for annual operating  
3 expenses as follows:

4 (I) Ninety-five percent of said sales and use tax revenues shall be  
5 distributed to scientific and cultural facilities within the district that are  
6 not receiving moneys pursuant to paragraph (a) of this subsection (3) and  
7 that meet the following criteria:

8 (C) For any facility that applies to receive district moneys prior to  
9 July 1, 2006, such facility shall have had an annual operating income of  
10 more than seven hundred thousand dollars for the previous year as  
11 adjusted for the annual change in the consumer price index as specified  
12 in this ~~sub-subparagraph (C)~~ SUBSECTION (3)(b)(I)(C). For any facility  
13 that applies to receive district moneys on or after July 1, 2006, such  
14 facility shall have had an annual operating income of more than one  
15 million two hundred fifty thousand dollars for the previous year as  
16 adjusted for the annual change in the consumer price index as specified  
17 in this ~~sub-subparagraph (C)~~ SUBSECTION (3)(b)(I)(C); except that any  
18 facility that qualified to receive a distribution pursuant to this ~~paragraph~~  
19 ~~(b)~~ SUBSECTION (3)(b) on or before June 30, 2006, shall be subject to the  
20 one million two hundred fifty thousand dollar threshold as adjusted for  
21 the annual change in the consumer price index as specified in this  
22 ~~sub-subparagraph (C)~~ SUBSECTION (3)(b)(I)(C), as of July 1, 2009. For  
23 distributions made pursuant to this ~~paragraph (b)~~ SUBSECTION (3)(b) in  
24 1996 and in each year thereafter, the board shall annually adjust the  
25 amount specified in this ~~sub-subparagraph (C)~~ SUBSECTION (3)(b)(I)(C),  
26 as applicable, in accordance with the annual percentage change in the  
27 consumer price index for the previous year for the

1 Denver-Boulder-Greeley consolidated metropolitan statistical area for all  
2 urban consumers AND all goods, as published by the United States  
3 department of labor, bureau of labor statistics. For distributions made  
4 pursuant to this ~~paragraph (b)~~ SUBSECTION (3)(b) in 2017 and in each year  
5 thereafter, the board shall annually adjust the amount specified in this  
6 ~~sub-subparagraph (C)~~ SUBSECTION (3)(b)(I)(C), as applicable, for the  
7 percentage change between the average ~~Denver-Boulder-Greeley~~  
8 ~~consolidated metropolitan statistical area~~ DENVER-AURORA-LAKEWOOD  
9 consumer price index, or ITS APPLICABLE PREDECESSOR OR successor  
10 index, for the calendar year three years prior to the year of distribution  
11 and the average ~~Denver-Boulder-Greeley consolidated metropolitan~~  
12 ~~statistical area~~ DENVER-AURORA-LAKEWOOD consumer price index, or  
13 ITS APPLICABLE PREDECESSOR OR successor index, for the calendar year  
14 two years prior to the year of distribution.

15 **SECTION 69.** In Colorado Revised Statutes, 33-4-102, **amend**  
16 (1.6)(b) as follows:

17 **33-4-102. Types of licenses and fees - rules.** (1.6) (b) The  
18 nonresident big game fees described in subsection (1.4) of this section  
19 shall annually be adjusted in accordance with changes in the United States  
20 bureau of labor statistics consumer price index for ~~the~~  
21 ~~Denver-Boulder-Greeley consolidated metropolitan statistical area~~  
22 DENVER-AURORA-LAKEWOOD for all urban consumers and all goods, or  
23 its APPLICABLE PREDECESSOR OR successor index. Such adjustment shall  
24 not be effective until the commission notifies the joint budget committee  
25 of such adjustment.

26 **SECTION 70.** In Colorado Revised Statutes, 34-32-116, **amend**  
27 (7)(n) as follows:

1           **34-32-116. Duties of operators - reclamation plans.**

2           (7) Reclamation plans and the implementation thereof shall conform to  
3           the following general requirements:

4           (n) If the operator's choice of reclamation is for range, the affected  
5           land shall be restored to the satisfaction of the board to slopes  
6           commensurate with the proposed land use and shall not be too steep to be  
7           traversed by livestock. The legume seed shall be properly inoculated in  
8           all cases. The area may be seeded either by hand or power or by the aerial  
9           method. The species of grasses and legumes and the rates of seeding to  
10          be used per acre shall be determined primarily by recommendations from  
11          the agricultural experiment stations established pursuant to ~~article 33 of~~  
12          ~~title 23, C.R.S.~~ PART 6 OF ARTICLE 31 OF TITLE 23, and experienced  
13          reclamation personnel of the operator, after considering other research or  
14          successful experience with range seeding. No grazing shall be permitted  
15          on reclaimed land until the planting is firmly established. The board, in  
16          consultation with the landowner and the local conservation district, if any,  
17          shall determine when grazing may start.

18          **SECTION 71.** In Colorado Revised Statutes, 35-1-104, **amend**  
19          (3) as follows:

20          **35-1-104. Functions, powers, and duties.** (3) Whenever a  
21          specific law provides for the renewal by the department of any license  
22          previously issued and provides a license renewal fee to be paid by the  
23          applicant therefor, upon the issuance of any such renewal license after the  
24          applicable renewal date, the applicant shall pay in addition to the renewal  
25          fee a penalty in an amount equal to the said renewal fee, but not to exceed  
26          twenty-five dollars. The provisions of this subsection (3) shall not apply  
27          to articles 14 ~~20~~, and 21 of this title **35**, nor to any other specific law

1 ~~which~~ THAT provides for a penalty for the issuance of a license, permit,  
2 or registration after the applicable renewal date.

3 **SECTION 72.** In Colorado Revised Statutes, 35-1-106, **amend**  
4 (1)(p)(I) as follows:

5 **35-1-106. Powers and duties of commission.** (1) In addition to  
6 all other powers and duties conferred upon the commission by this article  
7 1, the commission has the following specific powers and duties:

8 (p) (I) In consultation with interested industry groups, to fix,  
9 assess, and collect fees in amounts sufficient to recover the department's  
10 direct and indirect costs incurred in carrying out and enforcing the  
11 provisions of articles 12, 13, 14, 21, 33, **36, 37**, and 60 OF THIS TITLE 35  
12 AND PART 2 OF ARTICLE 43 of this ~~title and of articles 11 and 16 of title~~  
13 ~~42, C.R.S.~~ TITLE 35.

14 **SECTION 73.** In Colorado Revised Statutes, 35-1-106.5, **amend**  
15 (1) as follows:

16 **35-1-106.5. Inspection and consumer services cash fund -**  
17 **creation.** (1) All fees, fines, and penalties collected pursuant to articles  
18 12, 13, 14, 21, 33, ~~35,~~ **36, 37**, and 60 of this title 35 AND PART 2 OF  
19 ARTICLE 43 OF THIS TITLE 35 shall be transmitted to the state treasurer,  
20 who shall credit the same to the inspection and consumer services cash  
21 fund, which fund is hereby created in the state treasury. All interest  
22 derived from the deposit and investment of money in the fund shall be  
23 credited to the fund. At the end of any fiscal year, all unexpended and  
24 unencumbered money in the fund shall remain in the fund and shall not  
25 be credited or transferred to the general fund or any other fund or used for  
26 any purpose other than to offset the costs of implementing, administering,  
27 and enforcing the provisions of articles 12, 13, 14, 21, 33, **36, 37**, and 60

1 OF THIS TITLE 35 AND PART 2 OF ARTICLE 43 of this title 35. Money in the  
2 fund is subject to annual appropriation to the department for such  
3 purposes.

4 **SECTION 74.** In Colorado Revised Statutes, 35-1-107, **amend**  
5 (5) introductory portion as follows:

6 **35-1-107. Commissioner of agriculture - report - publications**  
7 **- deputy commissioner.** (5) The commissioner is authorized to adopt all  
8 reasonable rules for the implementation of articles 12, 13, 14, 21, 33, **36,**  
9 **37,** and 60 OF THIS TITLE 35 AND PART 2 OF ARTICLE 43 of this title ~~and of~~  
10 ~~articles 11 and 16 of title 12, C.R.S.~~ TITLE 35. Such rules may include, but  
11 are not limited to:

12 **SECTION 75.** In Colorado Revised Statutes, 35-80-103, **repeal**  
13 (2)(f) as follows:

14 **35-80-103. Scope of article.** (2) The provisions of this article 80  
15 do not apply to:

16 (f) ~~Any facility licensed pursuant to article 60 of title 12, C.R.S.,~~  
17 ~~for the racing of greyhounds;~~

18 **SECTION 76.** In Colorado Revised Statutes, 37-42-113, **amend**  
19 (1)(c) and (2) as follows:

20 **37-42-113. Powers of district.** (1) (c) Any contract purporting  
21 to bind the district to the payment of any sum in excess of five hundred  
22 thousand dollars must first be ratified by a majority of all the votes cast  
23 at a general or special election called for that purpose before it becomes  
24 binding, and all contracts entered into by the board of directors agreeing  
25 to a payment in excess of that amount shall be construed as being  
26 expressly subject to this subsection (1)(c) and do not become binding  
27 upon the district until authorized and ratified at an election called and

1 held for that purpose; except that, on July 1, 2022, and on July 1 of every  
2 five-year period thereafter, the board of directors shall adjust the dollar  
3 amount specified in this subsection (1)(c) in accordance with the  
4 percentage change over the previous five-year period in the United States  
5 department of labor, bureau of labor statistics, consumer price index for  
6 ~~Denver-Boulder-Greeley~~, DENVER-AURORA-LAKEWOOD FOR all items  
7 AND all urban consumers, or its successor index. The board of directors  
8 shall post the adjusted amount on its website and in its annual reports.

9 (2) Where the compensation to be paid by the district to the  
10 owners of any property that the board of directors of an irrigation district  
11 is authorized to take by proceedings in eminent domain has been finally  
12 determined to be in excess of five hundred thousand dollars, the courts  
13 shall give sufficient time for the submission to and determination by the  
14 landowners of the district, at a regularly called general or special election,  
15 of the question of whether the district shall pay the compensation or  
16 abandon the condemnation proceedings; except that, on July 1, 2022, and  
17 on July 1 of every five-year period thereafter, the board of directors shall  
18 adjust the dollar amount specified in this subsection (2) in accordance  
19 with the percentage change over the previous five-year period in the  
20 United States department of labor, bureau of labor statistics, consumer  
21 price index for ~~Denver-Boulder-Greeley~~, DENVER-AURORA-LAKEWOOD  
22 FOR all items AND all urban consumers, or its successor index. The board  
23 of directors shall post the adjusted amount on its website and in its annual  
24 reports. If the landowners, by majority vote of all the votes cast at the  
25 election, vote for the payment of the compensation, the courts shall give  
26 the district the necessary additional time to pay the compensation either  
27 by levy and collection of assessments against the lands of the district, by

1 the issuance and sale of bonds of the district, or by both such methods, as  
2 may be determined at a district election.

3 **SECTION 77.** In Colorado Revised Statutes, 37-60-115, **repeal**  
4 (7) as follows:

5 **37-60-115. Water studies - rules - repeal. (7) South Platte**  
6 **river alluvial aquifer study - study authorized.** ~~(a) The board shall, in~~  
7 ~~consultation with the state engineer and the Colorado water institute,~~  
8 ~~established in section 23-31-801, C.R.S., and also referred to in this~~  
9 ~~section as the "institute", conduct a comprehensive study to compile and~~  
10 ~~evaluate available historical hydrologic data through water year 2011. The~~  
11 ~~study's objectives are:~~

12 ~~(I) To evaluate whether current laws and rules that guide water~~  
13 ~~administration in the South Platte river basin achieve the dual goals of~~  
14 ~~protecting senior water rights and maximizing the beneficial use of both~~  
15 ~~surface water and groundwater within the basin;~~

16 ~~(II) To identify and delineate areas within the basin adversely~~  
17 ~~impacted by high groundwater levels and to conduct a feasibility-level~~  
18 ~~evaluation of the causes of high groundwater levels in the affected areas;~~

19 ~~(III) To provide information to use as a basis for implementation~~  
20 ~~of measures to mitigate adverse impacts in areas experiencing high~~  
21 ~~groundwater levels; and~~

22 ~~(IV) To provide information to the general assembly, the board,~~  
23 ~~and the state engineer to facilitate the long-term sustainable use of South~~  
24 ~~Platte water supplies.~~

25 ~~(b) The board shall enter into a contract with the institute, using~~  
26 ~~existing procurement mechanisms and agreements between the board and~~  
27 ~~the institute, to conduct, oversee, and coordinate all aspects of the study.~~



1 The board shall fund the study from existing research resources at levels  
2 agreed to between the board and the institute.

3 ~~(c) The institute shall conduct the study independently using~~  
4 ~~relevant, available, current, and historical hydrologic data and documents.~~  
5 ~~The study must examine water use in water districts 1, 2, and 64 within~~  
6 ~~water division 1. In conducting the study, the institute shall consider the~~  
7 ~~impacts to all water rights and interstate obligations in water division 1~~  
8 ~~and shall investigate, compile, and evaluate hydrologic variables and~~  
9 ~~factors, including:~~

10 ~~(I) The number and location of alluvial wells that are currently~~  
11 ~~withdrawing groundwater;~~

12 ~~(II) The number and location of alluvial wells that are currently~~  
13 ~~curtailed from pumping, either fully or partially;~~

14 ~~(III) The number and location of existing artificial recharge~~  
15 ~~facilities and the historical volume of water recharged;~~

16 ~~(IV) Historical volumes of water pumped for each high-capacity~~  
17 ~~irrigation, municipal, industrial, or other well not exempted under section~~  
18 ~~37-92-602;~~

19 ~~(V) Historical amounts of water leaving the state in excess of the~~  
20 ~~requirements of river compacts and of the "Platte River Cooperative~~  
21 ~~Agreement" of 1997;~~

22 ~~(VI) Historical water deliveries to surface water rights;~~

23 ~~(VII) Groundwater level data available from existing observation~~  
24 ~~wells and the historical fluctuations of groundwater levels based on the~~  
25 ~~data;~~

26 ~~(VIII) The South Platte decision support system's existing~~  
27 ~~phreatophyte groundwater evapotranspiration module and, using available~~

1 data, the relationship between high groundwater levels and nonbeneficial  
2 consumptive use by phreatophytes from 2001 through 2011;

3 (IX) The number and size of augmentation plans in operation in  
4 the study area; and

5 (X) The impact of transbasin supplies, reuse of fully consumable  
6 supplies, conservation practices, and the installation of lined storage  
7 facilities in the alluvium.

8 (d) The institute shall evaluate and report its findings and  
9 conclusions to the board and the general assembly regarding specific  
10 issues including to what extent depletions caused by past pumping of  
11 wells have delayed impacts on surface streams and, if so, the most  
12 appropriate methods for quantifying the impacts.

13 (e) In addition, and without expending additional funds, the  
14 institute shall evaluate and report its findings and conclusions to the board  
15 and the general assembly regarding:

16 (I) To what extent augmentation plans are preventing injury to  
17 other water rights holders or potentially causing over-augmentation of  
18 well depletions;

19 (II) Whether additional usage of the alluvial aquifers could be  
20 permitted in a manner consistent with protecting senior surface water  
21 rights; and

22 (III) Whether, and to what extent, the use of water in the basin  
23 could be improved or maximized by affording the state engineer  
24 additional authority to administer water rights while ensuring protection  
25 of senior surface water rights.

26 (f) The board shall commission the study as soon as practicable.  
27 The institute shall prepare a final report, including its conclusions, and

1 present it to the general assembly no later than December 31, 2013. The  
2 institute shall prepare a progress report and present it to a joint meeting  
3 of the house of representatives committee on agriculture, livestock, and  
4 natural resources and the senate committee on agriculture, natural  
5 resources, and energy, or their successor committees, during the first  
6 regular session of the sixty-ninth general assembly in 2013. The institute  
7 shall present the final report to a joint meeting of the house of  
8 representatives committee on agriculture, livestock, and natural resources  
9 and the senate committee on agriculture, natural resources, and energy,  
10 or their successor committees, during the second regular session of the  
11 sixty-ninth general assembly in 2014.

12 **SECTION 78.** In Colorado Revised Statutes, 38-13-116.5,  
13 **amend** (1)(b); and **repeal** (2.7) as follows:

14 **38-13-116.5. Unclaimed property trust fund - creation -**  
15 **payments - interest - appropriations - records - rules.** (1) (b) Except  
16 as provided in subsections (2) and (2.7) SUBSECTION (2) of this section,  
17 the principal of the trust fund shall not be expended except to pay claims  
18 made pursuant to this article 13. Money comprising the principal of the  
19 trust fund shall not constitute fiscal year spending of the state for  
20 purposes of section 20 of article X of the state constitution and is not  
21 subject to appropriation by the general assembly.

22 (2.7) (a) and (b) Repealed.

23 (c) The treasurer shall report to the general assembly annually any  
24 transmission of moneys to CoverColorado pursuant to this subsection  
25 (2.7).

26 (d) (Deleted by amendment, L. 2008, p. 1260, § 5, effective July  
27 1, 2008.)

1           **SECTION 79.** In Colorado Revised Statutes, 39-3-119.5, **amend**  
2 (2)(b)(II) as follows:

3           **39-3-119.5. Personal property - exemption - definitions.**

4 (2) (b) (II) As used in ~~subparagraph (I) of this paragraph (b)~~ SUBSECTION  
5 (2)(b)(I) OF THIS SECTION, "inflation" means the annual percentage change  
6 in the United States department of labor, bureau of labor statistics,  
7 consumer price index for ~~Denver-Boulder-Greeley,~~  
8 DENVER-AURORA-LAKEWOOD FOR all items AND all urban consumers, or  
9 its APPLICABLE PREDECESSOR OR successor index.

10           **SECTION 80.** In Colorado Revised Statutes, 39-22-322, **amend**  
11 (2) as follows:

12           **39-22-322. Taxation of an S corporation and its shareholders.**

13 (2) For the purposes of section ~~39-22-104 (1)~~ 39-22-104, each  
14 shareholder's pro rata share of the S corporation's income attributable to  
15 the state and each resident shareholder's pro rata share of the S  
16 corporation's income not attributable to the state, all as modified pursuant  
17 to section 39-22-323, shall be taken into account by the shareholder in the  
18 manner provided in section 1366 of the internal revenue code.

19           **SECTION 81.** In Colorado Revised Statutes, 39-22-534, **amend**  
20 (4)(b) as follows:

21           **39-22-534. Credit for estate taxes paid - agricultural land -**  
22 **recapture - definitions.** (4) As used in this section:

23 (b) "Rate of inflation" means the annual percentage change in the  
24 United States department of labor, bureau of labor statistics, consumer  
25 price index for ~~Denver-Boulder-Greeley,~~ DENVER-AURORA-LAKEWOOD  
26 FOR all items AND all urban consumers, or its APPLICABLE PREDECESSOR  
27 OR successor index.

1           **SECTION 82.** In Colorado Revised Statutes, 39-22-537, **amend**  
2 (2)(b) as follows:

3           **39-22-537. Credit for personal property taxes paid - legislative**  
4 **declaration - definitions - repeal.** (2) As used in this section, unless the  
5 context otherwise requires:

6           (b) "Inflation" means the annual percentage change in the United  
7 States department of labor, bureau of labor statistics, consumer price  
8 index for ~~Denver-Boulder-Greeley~~, DENVER-AURORA-LAKEWOOD FOR  
9 all items AND all urban consumers, or its APPLICABLE PREDECESSOR OR  
10 successor index.

11           **SECTION 83.** In Colorado Revised Statutes, 39-22-601, **amend**  
12 (2.5)(h) and (5)(h) as follows:

13           **39-22-601. Returns.** (2.5) (h) The payment referred to in  
14 ~~paragraph (e) of this subsection (2.5)~~ SUBSECTION (2.5)(e) OF THIS  
15 SECTION shall be in an amount equal to the highest marginal tax rate in  
16 effect under section ~~39-22-104 (1)~~ 39-22-104 multiplied by the  
17 shareholder's pro rata share of the income attributable to the state as  
18 reflected on the S corporation's return for the taxable period. An S  
19 corporation shall be entitled to recover a payment made pursuant to this  
20 ~~paragraph (h)~~ SUBSECTION (2.5)(h) from the shareholder on whose behalf  
21 the payment was made. Any such payment for a taxable period must be  
22 made at or before the time the annual return for such taxable period is  
23 required to be filed pursuant to ~~paragraph (a) of this subsection (2.5)~~  
24 SUBSECTION (2.5)(a) OF THIS SECTION.

25           (5) (h) The payment referred to in ~~paragraph (e) of this subsection~~  
26 ~~(5)~~ SUBSECTION (5)(e) OF THIS SECTION shall be in an amount equal to the  
27 highest marginal tax rate in effect under section ~~39-22-104 (1)~~ 39-22-104

1 multiplied by the nonresident partner's share of the income attributable to  
2 the state as reflected on the partnership's return for the taxable period. A  
3 partnership shall be entitled to recover a payment pursuant to this  
4 ~~paragraph (h)~~ SUBSECTION (5)(h) from the nonresident partner on whose  
5 behalf the payment was made. Any such payment for a taxable period  
6 must be made at or before the time the annual return for such taxable  
7 period is required to be filed pursuant to ~~paragraph (a) of this subsection~~  
8 ~~(5)~~ SUBSECTION (5)(a) OF THIS SECTION.

9           **SECTION 84.** In Colorado Revised Statutes, 39-27-105, **amend**  
10 (1.5) as follows:

11           **39-27-105. Collection of tax on gasoline and special fuel.**

12 (1.5) On or before the twenty-sixth day of each calendar month, every  
13 licensee shall file with the executive director of the department of  
14 revenue, on forms prescribed and furnished by the department, a report  
15 made under penalty of perjury in the second degree specifying any  
16 information that the executive director of the department of revenue shall  
17 require. The executive director shall consult with persons in the gasoline  
18 or special fuel industry to determine such reporting requirements and  
19 promulgate said requirements by rule in accordance with the "State  
20 Administrative Procedure Act", article 4 of title 24. ~~C.R.S.~~ THE  
21 EXECUTIVE DIRECTOR MAY BY RULE REQUIRE THAT SUCH REPORTS BE  
22 FILED ELECTRONICALLY.

23           **SECTION 85.** In Colorado Revised Statutes, 40-2-109, **amend**  
24 (2)(a)(I) as follows:

25           **40-2-109. Report to executive director of the department of**  
26 **revenue.** (2) (a) On March 1 of each year, the public utilities commission  
27 shall furnish the executive director of the department of revenue with a

1 list of those public utilities subject to its jurisdiction, supervision, and  
2 regulation on January 1 of each year. The provisions of this subsection (2)  
3 shall not apply to:

4 (I) Motor carriers subject to the passenger-mile tax imposed by  
5 sections ~~42-3-304 to 42-3-306~~, C.R.S. 42-3-304 AND 42-3-306, so long as  
6 the cost of regulation of such motor carriers is defrayed from the proceeds  
7 of such passenger-mile tax; and

8 **SECTION 86.** In Colorado Revised Statutes, 42-2-114.5, **amend**  
9 (2)(o) as follows:

10 **42-2-114.5. Licensing services cash fund - fee setting**  
11 **procedures - rules.** (2) Except as provided in subsection (3) of this  
12 section, the following fees must be paid for the following functions:

13 (o) The fee for licensing driving testers under section ~~42-2-406(3)~~  
14 42-2-406 (5) is one hundred forty-eight dollars for the initial license and  
15 one hundred forty dollars for each subsequent annual license renewal; and

16 **SECTION 87.** In Colorado Revised Statutes, 42-3-309, **amend**  
17 (4)(a) as follows:

18 **42-3-309. Permit to be secured - records kept - penalties.**

19 (4) (a) If an examination of the financial responsibility of an owner or  
20 operator of a motor vehicle subject to the payment of the passenger-mile  
21 tax indicates that a financial guarantee in the form of cash, a certified  
22 check, a bank money order, a bond, or a negotiable certificate of deposit  
23 issued by a commercial bank doing business in this state and acceptable  
24 to the executive director is necessary to guarantee payment of the tax, the  
25 owner or operator may be required to deposit such guarantee with the  
26 department in an amount no greater than twice the amount of tax  
27 estimated by the executive director to become due and payable each tax

1 period. If the deposit is in cash or a negotiable certificate of deposit, it  
2 shall be subject to forfeiture upon failure of the owner or operator to  
3 comply with sections 42-3-304 to 42-3-308, this section, ~~articles 10 and~~  
4 ~~11 of title 40, C.R.S.~~ ARTICLE 10.1 OF TITLE 40, or the rules of the  
5 department or the public utilities commission; if it is a surety bond, it  
6 shall be conditioned upon the insured's faithful compliance with all  
7 applicable statutes and rules.

8 **SECTION 88.** In Colorado Revised Statutes, 42-4-309, **amend**  
9 (3)(b) as follows:

10 **42-4-309. Vehicle fleet owners - motor vehicle dealers -**  
11 **authority to conduct inspections - fleet inspection stations - motor**  
12 **vehicle dealer test facilities - contracts with licensed inspection-only**  
13 **entities.** (3) (b) Within the enhanced emissions program, motor vehicle  
14 dealers licensed pursuant to part 1 of article 6 of title 12 may contract for  
15 used motor vehicle inspection services by a licensed motor vehicle dealer  
16 test facility. Pursuant to rules of the commission, inspection procedures  
17 shall include a loaded mode transient dynamometer test cycle in  
18 combination with appropriate idle short tests. ~~pursuant to rules of the~~  
19 ~~commission.~~

20 **SECTION 89.** In Colorado Revised Statutes, 43-1-113, **amend**  
21 (16)(a) as follows:

22 **43-1-113. Funds - budgets - fiscal year - reports and**  
23 **publications - repeal.** (16) (a) If there are fewer than three bidders on a  
24 design bid build highway project, no award shall be made if the award is  
25 more than ten percent over the estimate of the department of  
26 transportation on the project; except that, if the estimate of the department  
27 on the project is less than one million dollars and there are fewer than



1 three bidders, the executive director may make an award of more than ten  
2 percent, but less than twenty-five percent, over the estimate of the  
3 department to the low responsible bidder, as defined in section  
4 ~~24-101-301 (24)~~ 24-101-301 (23).

5 **SECTION 90.** In House Bill 18-1039, **amend** section 7; and  
6 **repeal** section 6 as follows:

7 Section 6. **Effective date.** ~~This act takes effect upon passage;~~  
8 ~~except that Sections 1, 2, 3, and 5 of this act take effect July 1, 2022.~~

9 Section 7. **Act subject to petition - effective date.** SECTIONS 1,  
10 2, 3, AND 5 OF THIS ACT TAKE EFFECT JULY 1, 2022, AND THE REMAINDER  
11 OF this act takes effect at 12:01 a.m. on the day following the expiration  
12 of the ninety-day period after final adjournment of the general assembly  
13 (August 8, 2018, if adjournment sine die is on May 9, 2018); except that,  
14 if a referendum petition is filed pursuant to section 1 (3) of article V of  
15 the state constitution against this act or an item, section, or part of this act  
16 within such period, then the act, item, section, or part will not take effect  
17 unless approved by the people at the general election to be held in  
18 November 2018 and, in such case, will take effect on the date of the  
19 official declaration of the vote thereon by the governor; EXCEPT THAT  
20 SECTIONS 1, 2, 3, AND 5 OF THIS ACT TAKE EFFECT JULY 1, 2022.

21 **SECTION 91.** In Colorado Revised Statutes, 5-16-103, **amend**  
22 (3)(b)(VIII) as follows:

23 **5-16-103. Definitions.** As used in this article 16, unless the  
24 context otherwise requires:

25 (3) (b) "Collection agency" does not include:

26 (VIII) A limited gaming or racing licensee acting pursuant to ~~part~~  
27 ~~6 of article 35 of title 24~~ ARTICLE 33 OF TITLE 44.

1           **SECTION 92.** In Colorado Revised Statutes, 24-21-602, **amend**  
2 (38) as follows:

3           **24-21-602. Definitions.** As used in this part 6, unless the context  
4 otherwise requires:

5           (38) "Raffle" means a game in which a participant buys a ticket  
6 for a chance at a prize with the winner determined by a random method  
7 as determined by rules of the licensing authority, or a pull tab ticket as  
8 described in subsection (36) of this section. The term "raffle" does not  
9 include any activity that is authorized or regulated by the state lottery  
10 division pursuant to ~~part 2 of article 35 of this title 24~~ **ARTICLE 40 OF**  
11 **TITLE 44** or the "Limited Gaming Act of 1991", ~~article 47.1 of title 12~~ **30**  
12 **OF TITLE 44.**

13           **SECTION 93.** In Colorado Revised Statutes, **amend** 39-3-111 as  
14 follows:

15           **39-3-111. Property - used by fraternal or veterans'**  
16 **organization - charitable purposes - exemption - limitations.** Property,  
17 real and personal, which is owned and used solely and exclusively for  
18 strictly charitable purposes and not for private gain or corporate profit  
19 shall be exempt from the levy and collection of property tax if such  
20 property is used by any fraternal organization, as defined in section  
21 ~~12-9-102 (6), C.R.S.~~ 24-21-602 (18), notwithstanding the requirement  
22 that such organization be in existence for a period of five years, or by any  
23 veterans' organization, as defined in section ~~12-9-102 (21), C.R.S.,~~  
24 24-21-602 (43), notwithstanding the requirement that such organization  
25 be in existence for a period of five years, and the net income derived from  
26 the use of such property is irrevocably dedicated to any of the purposes  
27 specified in sections 39-3-106 to 39-3-110, 39-3-112, or 39-3-113 and to

1 the purpose of maintaining and operating such organization. As used in  
2 this section, the term "net income" means all items of revenue and gain  
3 minus all items of loss and expense, including amounts reasonably  
4 anticipated for future needs, as determined according to the usual method  
5 of accounting for such organization. No requirement shall be imposed  
6 that use of property which is otherwise exempt pursuant to this section  
7 shall benefit the people of Colorado in order to qualify for said  
8 exemption. Any exemption claimed pursuant to the provisions of this  
9 section shall comply with the provisions of section 39-2-117.

10 **SECTION 94. Effective date.** (1) Except as otherwise provided  
11 in this section, this act takes effect upon passage.

12 (2) Sections 15, 16, 37, and 65, and 92 of this act take effect only  
13 if House Bill 18-1027 becomes law, in which case these sections take  
14 effect October 1, 2018.

15 (3) Section 91 of this act takes effect only if Senate Bill 18-035  
16 becomes law, in which case this section takes effect October 1, 2018.

17 **SECTION 95. Safety clause.** The general assembly hereby finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, and safety.

## APPENDIX

C.R.S. Section	Section in bill	Reason
6-1-112 (1)(f)(I)	1	Beginning in 2018, the Denver-Aurora-Lakewood consumer price index will be the only consumer price index created that is based on prices collected in Colorado. The new index designation is being treated as a continuation of the Denver-Boulder-Greeley consumer price index. As a result of the new designation, references to the Denver-Boulder-Greeley consumer price index are being changed to the Denver-Aurora-Lakewood consumer price index. (For additional information, contact the United States Bureau of Labor Statistics.)
8-14.3-202 (9)	2	House Bill 16-1302 changed the name of the work force investment board to the work force development board and the "Colorado Work Force Investment Act" to the "Colorado Advancement Act"; however, the conforming amendments in this provision were missed. (See section 8-83-201, C.R.S. 2017 and HB16-1302, chapter 183, page 627.)
10-16-104 (1.3)(b)(II)(B)	3	See section 6-1-112 (1)(f)(I).
10-16-119.5 (3)	4	See section 6-1-112 (1)(f)(I).
12-35.5-110 (1)(f)(I)(B)	5	House Bill 17-1239 relocated section 12-59-104 to section 23-64-104; however, the conforming amendment in this provision was missed. (See HB17-1239, chapter 261, page 1180.)
12-42.5-203 (2)(a)	6	By removing the specified internal references within the section, the clarity of the section is enhanced and no substantive change has been made. (See SB93-259, chapter 284, page 1692.)
12-47-412 (9)(a)	7	Clarifies that "the effective date of this section" applies to this section as amended by HB16-1439, which took effect August 10, 2016. (See HB16-1439, chapter 312, pages 1261 and 1265.)
12-47-901 (1)(l)	8	Replaces references to articles 10, 11, 13, 14, and 16 of title 40 with article 10.1 of title 40. These articles were consolidated into article 10.1 by HB11-1198. (See HB11-1198, chapter 127, page 416.)
13-4-102 (2)(gg)	9	Inserts "or nicotine products" as a conforming amendment to SB14-018, which prohibited nicotine products to persons under eighteen years of age. (See SB14-018, chapter 113, page 406.)

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason</b>
13-65-103 (2)(f)	10	Corrects an internal reference to the provision requiring exonerated persons to complete a personal financial management instruction course to receive compensation from the state. The error originated in the introduced version of HB13-1230. (See HB13-1230, chapter 409, page 2419.)
15-1-1106 (d)(1)	11	See section 6-1-112 (1)(f)(I).
15-14-745 (2)(b)	12	Repeals an internal reference to part 13 of article 1 of title 15 due to the repeal of the part, effective January 1, 2010.
15-15-404 (1)	13	Corrects an internal reference to the "Colorado Medical Assistance Act". This act determines medicaid eligibility and was relocated from title 26 to title 25.5 by SB06-219. (See the editor's note following article 4 of title 26, C.R.S. 2017 and SB06-219, chapter 355, page 1815.)
15-16-801 (8)(b)	14	Corrects an internal reference to the definition of "power of appointment". The term was defined in section 15-2-102 prior to the enactment of HB14-1353, which repealed article 2 of title 15 and relocated the term to section 15-2.5-102 (14). (See HB14-1353, chapter 209, pages 772, 782, and 783.)
16-2.5-121 as amended by HB18-1027	15	Clarifies that the department referenced is the department of revenue. (See Section 6 of HB18-1027.)
16-18.5-106.5 (3)(a) as amended by HB18-1027	16	See section 16-2.5-121 as amended by HB18-1027. (See Section 8 of HB18-1027.)
17-1-104.3 (1)(b)	17	Repeals a reference to the Colorado women's correctional facility due to the facility's closure in June 2009.
17-2-102 (10)(b)	18	Minimizes the potential for conflict between the same term defined in this section and section 17-2-106 by eliminating one of the two locations where possible amendments to the term can be made.
17-2-201 (4)(f)(I)(D)	19	Amends this provision for clarity. (See the 2017 House Journal for April 21, page 1026 and HB17-1326, chapter 394, page 2030.)
17-2-217 (1)	20	Senate Bill 11-241 repealed section 17-2-201 (3)(c.5) and created a similar provision in section 17-2-201 (3)(h.1); however, the conforming amendment in this provision was missed. (See SB11-241, chapter 200, page 833.)

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason</b>
18-1-1001 (9)(l)(I)	21	Corrects an internal reference to a provision allowing a law enforcement agency to decline to store firearms and ammunition for a person subject to a mandatory protection order. The error originated in a senate second reading floor amendment amending SB13-197. (See the 2013 Senate Journal for March 8, page 450 and SB13-197, chapter 366, page 2134.)
18-1.3-103.4	22	Corrects internal references to the description of a "level 4 drug felony" as the term appeared in the introduced and enacted version of SB13-250. (See SB13-250, chapter 333, pages 1900 and 1909 and SB14-163, chapter 391, page 1970.)
18-1.3-1201 (5)(c)(II.5)	23	Corrects an internal reference to the definition of an "emergency medical service provider". Senate Bill 15-126 relocated the definition; however, the conforming amendment reflecting the relocation was not made in this provision. (See SB15-126, chapter 109, page 319.)
18-1.9-105 (2)	24	Senate Bill 17-246 changed the name of the fund created in section 18-1.9-106 but did not update the name of the fund in this provision. (See SB17-246, chapter 176, page 645.)
18-3-107 (2)	25	See section 18-1.3-1201 (5)(c)(II.5).
18-3.5-108 (5)(d) and (5)(f)	26	<ul style="list-style-type: none"> <li>• Corrects internal references to the offense of aggravated vehicular unlawful termination of pregnancy. (See HB13-1154, chapter 372, page 2188.)</li> <li>• Deletes a reference to "emergency medical technician" as a conforming amendment to HB12-1059. The passage of HB13-1154 inadvertently added "emergency medical technician" back into current law. (See section 25-3.5-103 (8), C.R.S. 2017, HB12-1059, chapter 271, page 1437, and HB13-1154, chapter 372, page 2188.)</li> </ul>
18-6-801 (8)(j)(I)	27	Corrects an internal reference to the provision allowing a law enforcement agency to decline to store firearms and ammunition for a person convicted of a crime described in subsection (8)(a) of this section. The error originated in a Senate second-reading floor amendment amending SB13-197. (See the 2013 Senate Journal for March 8, page 452 and SB13-197, chapter 366, page 2137.)
18-12-216	28	Effective June 30, 2007, all concealed handgun permits in effect permanently expired as a result of the passage of SB03-024, which created a new process to obtain a permit. Section 18-12-216 explains how permit holders and issuing authorities are to transition from the prior permitting process to the process created by SB03-024.

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason</b>
		Because the transition is complete, this section is being repealed as obsolete. (See SB03-024, chapter 44, page 635.)
18-18-402	29	Corrects an internal reference to the defined terms for article 18 of title 18. (See HB92-1015, chapter 71, pages 324 and 354.)
18-18-428 (1)(b)(II)	30	Changes the name of "emergency medical technician" to "emergency medical service provider" as a conforming amendment to HB12-1059, because HB12-1059 changed the terminology. The passage of SB15-116 inadvertently added the emergency medical technician back into current law. (See section 25-3.5-103 (8), C.R.S. 2017, HB12-1059, chapter 271, page 1437, and SB15-116, chapter 76, page 200.)
23-1-106 (7)(c)(I)(B)	31	Senate Bill 16-204 repealed subsection (10) of this section; therefore, the internal reference to subsection (10) is being repealed as a conforming amendment. (See SB16-204, chapter 222, page 848.)
24-1-107.5 (2)(c)(I)	32	House Bill 99-1359 repealed the Colorado advanced technology institute commission and SB99-004 retained reference to the commission during the repeal and reenactment of this section. Due to the concurrent passage of HB99-1359 and SB99-004, the conforming amendment to exclude the commission from SB99-004 was not made; therefore, the reference to the commission is being repealed. (See SB99-004, chapter 326, page 1350 and HB99-1359, chapter 226, page 876.)
24-1-135	33	Updates and repeals statutory references to conform with the following changes: Section 11-2-102 was relocated to section 11-102-103 by HB03-1257; section 12-22-104 was relocated to section 12-42.5-104 by HB12-1311; section 12-65-102 was repealed by HB86-1102; section 24-32-308 was relocated to section 24-48.5-103 by SB00-219 and then repealed by HB05-1205; and section 25-1-902 was relocated to section 25.5-1-602 by HB17-1024. (See HB86-1022, chapter 61, page 447; SB00-219, chapter 345, page 1676; HB03-1257, chapter 152, page 1062; HB05-1205, chapter 53, page 209; HB12-1311, chapter 281, page 1541; and HB17-1024, chapter 7, page 20.)
24-4-104 (3)(b) and (4)(b)	34	See section 12-47-901 (1)(l).
24-10-103 (4)(b)(VII)	35	Senate Bill 11-241 repealed section 17-2-201 (3)(c)(I) and created the same provision in section 17-2-201 (3)(h)(I); however, the conforming amendment in this

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason</b>
		provision was missed. (See SB11-241, chapter 200, page 833.)
24-10-114 (1)(b)	36	See section 6-1-112 (1)(f)(I).
24-30-202.7 (4) as amended by HB18-1027	37	See section 16-2.5-121 as amended by HB18-1027. (See Section 10 of HB18-1027.)
24-30-1101 (1)(d)	38	Changes existing statutory references to the division of central services to refer instead to the department of personnel pursuant to section 24-50.3-106, C.R.S.
24-30-1104 (1)(l)	39	See section 24-30-1101 (1)(d).
24-30-1112	40	See section 24-30-1101 (1)(d).
24-30-1113 IP(2)(b), (3), (4), and (6)	41	See section 24-30-1101 (1)(d).
24-30-1114 (2)	42	See section 24-30-1101 (1)(d).
24-33.5-412 (9)	43	Replaces an incorrect reference to the provision creating the liquor enforcement division with a general reference to the department in which it originates. (See HB14-1037, chapter 358, page 1682.)
24-33.5-1227 (1)(a)(I)	44	Senate Bill 14-046 repealed section 34-63-102 (5.4)(b)(II), effective July 1, 2017; therefore, the internal reference to this section is being repealed. (See SB14-046, chapter 210, page 784.)
24-33.5-1231 (1)	45	See section 24-33.5-1227 (1)(a)(I).
24-33.5-1614 (3)(b)	46	Corrects an internal reference to the provision requiring the division of homeland security and emergency management to develop a state strategy for homeland security. The error originated in the Senate Judiciary Committee Report amending HB12-1283. (See the 2012 Senate Journal for May 1, page 1010 and HB12-1283, chapter 240, page 1125.)
24-34-104 (29)(a)(II)	47	House Bill 17-1238 relocated the "Colorado Fair Debt Collection Practices Act" from article 14 of title 12 to article 16 of title 5; however, the conforming amendment in this provision was missed. (See HB17-1238, chapter 260, page 1079.)
24-34-109 (6)	48	Dual agency rule-making regarding the physician's role in prescriptive authority for advanced practice nurses was repealed by SB15-197, effective September 1, 2015; however, the conforming amendment repealing the dual agency rule-making provisions in this



<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason</b>
		subsection was missed. (See SB15-197, chapter 197, page 667 and 672.)
24-34-110 (4)(a)(X)	49	See section 6-1-112 (1)(f)(I).
24-46.3-101 (6)	50	See section 8-14.3-202 (9).
24-47-103 (7)(b)	51	Corrects an internal reference to the reporting requirements established in subsection (7)(a) of this section. This corrects an error originating in the introduced version of the HB13-1193. (See HB13-1193, chapter 259, page 1365.)
24-65.5-103.7 (1)(a)	52	See section 6-1-112 (1)(f)(I).
24-72-203 IP(3.5)(b) and (3.5)(c)	53	Corrects internal references to the public record formatting provisions found within this section. The errors originated in the House Appropriations Committee Report amending SB17-040. (See the 2017 House Journal for May 9, page 1409 and SB17-040, chapter 286, page 1582.)
24-72-205 (6)(b)	54	See section 6-1-112 (1)(f)(I).
24-72-703 (1)	55	Internal references within this provision were not updated due to missed conforming amendments and an oversight in the bill enacting this provision. (See SB14-206, chapter 317, page 1382, HB14-1378, chapter 283, page 1166, and HB17-1266, chapter 380, page 1952.)
24-75-903 (2)	56	See section 24-30-1101 (1)(d).
24-80-1401 (2)	57	See section 24-30-1101 (1)(d).
24-82-103 (5)(a)	58	See section 24-30-1101 (1)(d).
25-3-103 (1)(c)	59	See section 6-1-112 (1)(f)(I).
25-3-105 (1)(a)(I)(B)	60	See section 6-1-112 (1)(f)(I).
25-7-412 (3)	61	Updates the list of communities that are included in the wood-smoke-emissions-reduction program area. (See section 10 of article XX of the Colorado Constitution.)
25-7-902 IP	62	Inserts an introductory portion to a definitions section to follow standard drafting procedure.
25-7-1302 IP	63	See section 25-7-902 IP.
25.5-5-308 (2)(a)(IV) and (8)(b.5)	64	• Public Law 111-148, known as the "Patient Protection and Affordable Care Act", reclassified former section 42 U.S.C. sec. 300gg as 42 U.S.C. sec. 300gg-3 thus relocating the definition of "creditable coverage" from

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason</b>
		<p>sec. 300gg (c) to 300gg-3 (c). (See Public Law 111-148.)</p> <ul style="list-style-type: none"> <li>The House Appropriations Committee Report amending HB16-1362 renamed the disability investigational and pilot support fund to the disability support fund; however, the conforming amendment in this section was missed. (See the 2016 House Journal for April 26, page 1042 and HB16-1362, chapter 319, page 1291.)</li> </ul>
26-13-118 (2) and (3) as amended by HB18-1027	65	See section 16-2.5-121 as amended by HB18-1027. (See Section 14 of HB18-1027.)
28-5-703 (4)(b)	66	See section 8-14.3-202 (9).
30-2-102 (2.3)(b)	67	See section 6-1-112 (1)(f)(I).
32-13-107 (3)(b)(I)(C)	68	See section 6-1-112 (1)(f)(I).
33-4-102 (1.6)(b)	69	See section 6-1-112 (1)(f)(I).
34-32-116 (7)(n)	70	House Bill 07-1254 relocated the provisions related to agricultural experiment stations from article 33 of title 23 to part 6 of article 31 of title 23; however, the conforming amendment in this provision was missed. (See HB07-1254, chapter 141, page 541.)
35-1-104 (3)	71	Repeals an internal reference to article 20 of title 35 due to the repeal of the article, effective April 12, 1989. (See SB89-187, chapter 303, page 1395.)
35-1-106 (1)(p)(I)	72	Corrects internal references. Article 11 of title 12 was relocated to part 2 of article 43 of title 35 by SB09-151 and article 16 of title 12 was relocated to articles 36 and 37 of title 35 by SB17-225. (See SB09-151, chapter 89, page 342 and SB17-225, chapter 262, page 1209.)
35-1-106.5 (1)	73	See section 35-1-106 (1)(p)(I).
35-1-107 IP(5)	74	See section 35-1-106 (1)(p)(I).
35-80-103 (2)(f)	75	Live greyhound racing became a prohibited activity upon the passage of HB14-1146; therefore, this provision is being repealed as obsolete. (See section 12-60-604 C.R.S. 2017 and HB14-1146, chapter 25, page 164.)
37-42-113 (1)(c) and (2)	76	See section 6-1-112 (1)(f)(I).
37-60-115 (7)	77	House Bill 12-1278 authorized the South Platte River

C.R.S. Section	Section in bill	Reason
		and alluvial aquifer study and established reporting requirements that were to be completed by 2014; therefore, as this time has elapsed, this subsection is being repealed as obsolete. (See HB12-1278, chapter 239, page 1062 and to view the report, see <a href="http://southplatte.colostate.edu">http://southplatte.colostate.edu</a> .)
38-13-116.5 (2.7)	78	Authorization to transmit money pursuant to this subsection is no longer possible due to the repeal of subsections (2.7)(a), (2.7)(a.5), and (2.7)(b); therefore, the required report as specified in subsection (2.7)(c) on money transfers authorized by the three repealed provisions is no longer necessary. As subsection (2.7)(c) is the only remaining provision in this subsection, the entire subsection is being repealed as inoperative. (See HB08-1390, chapter 293, page 1260 and HB13-1115, chapter 338, page 1974.)
39-3-119.5 (2)(b)(II)	79	See section 6-1-112 (1)(f)(I).
39-22-322 (2)	80	House Bill 99-1207 reduced the state income tax rate for income imposed on individuals, estates, and trusts from five percent to four and three-quarters percent for the taxable year 1999 and HB00-1103 further reduced the tax rate for taxable years commencing on or after January 1, 2000, to four and sixty-three one hundredths percent. The conforming amendment in this provision to reflect the reduction of rate was missed resulting in an internal reference to the higher taxable rate in effect prior to 1999; therefore, the internal reference is being broadened to include the appropriate tax return scenario applicable to the filer. (See HB99-1207, chapter 333, page 1376 and HB00-1103, chapter 296, page 1413.)
39-22-534 (4)(b)	81	See section 6-1-112 (1)(f)(I).
39-22-537 (2)(b)	82	See section 6-1-112 (1)(f)(I).
39-22-601 (2.5)(h) and (5)(f)	83	See section 39-22-322 (2).
39-27-105 (1.5)	84	Restores language inadvertently dropped by HB00-1479. (See section 39-27-105 (1.5), C.R.S. 1999 and HB00-1479, chapter 371, page 1922.)
40-2-109 (2)(a)(I)	85	Repeals an internal reference to section 42-3-305 due to the repeal of the section, effective July 1, 2010. (See SB10-212, chapter 412, page 2032.)
42-2-114.5 (2)(o)	86	Corrects an internal reference to the provision requiring commercial driver's license driving testers to pay an annual fee. The error originated in the introduced

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason</b>
		version of SB14-194. (See SB14-194, chapter 346, page 1544.)
42-3-309 (4)(a)	87	See section 12-47-901 (1)(l).
42-4-309 (3)(b)	88	Repeals redundant language. (See HB93-1340, chapter 321, page 1955.)
43-1-113 (16)(a)	89	Corrects an internal reference to the definition of "low responsible bidder". The error originated in the introduced version of HB17-1051. (See HB17-1051, chapter 99, page 353.)
House Bill 18-1039 Sections 6 and 7	90	The effective dates outlined in sections 6 and 7 of the act are incompatible. Section 6 instructs that sections 4, 6, and 7, of the act take effect upon passage. Section 7 instructs that sections 4, 6, and 7 take effect August 8, 2018, or the date specified by the petition clause. Because these sections cannot take effect on both August 8, 2018, and upon passage, and because the act was passed with a petition clause, the effective date of these sections is being changed to follow the provisions of the petition clause.
5-16-103 (3)(b)(VIII)	91	Updates an internal reference to conform with SB18-035, which relocated part 6 of article 35 of title 24 to article 33 of title 44.
24-21-602 (38)	92	Updates internal references to conform with HB18-1027, which relocated part 2 of article 35 of title 24 to article 40 of title 44, and SB18-034, which relocated article 47.1 of title 12 to article 30 of title 44.
39-3-111	93	Updates internal references to conform with SB17-232, which relocated article 9 of title 12 to part 6 of article 21 of title 24. (See SB17-232, chapter 233, page 908.)