

CHAPTER 291

LABOR AND INDUSTRY

HOUSE BILL 93-1078

BY REPRESENTATIVES Tanner and Anderson;
also SENATORS Schroeder and Tebedo.

AN ACT

CONCERNING THE FUNDING FOR ACTIVITIES OF THE DIVISION OF WORKERS' COMPENSATION
RELATED TO THE "WORKERS' COMPENSATION COST CONTAINMENT ACT".

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

SECTION 1. 8-14.5-103 (3), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

8-14.5-103. Definitions. As used in this article, unless the context otherwise requires:

(3) "Certified program" means a cost containment or risk management program which has been implemented for a period of ~~six months~~ AT LEAST ONE YEAR and certified by the board.

SECTION 2. 8-44-112 (1) (b), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is RECREATED AND REENACTED, WITH AMENDMENTS, to read:

8-44-112. Surcharge on workers' compensation insurance premiums - funds.

(1) (b) (I) FOR PURPOSES OF FUNDING THE DIRECT AND INDIRECT COSTS OF THE ACTIVITIES OF THE DIVISION RELATED TO THE "WORKERS' COMPENSATION COST CONTAINMENT ACT", ARTICLE 14.5 OF THIS TITLE, THERE SHALL BE ADDED TO THE SURCHARGE IMPOSED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), AN INCREMENT NOT TO EXCEED THREE-HUNDREDTHS OF ONE PERCENT UPON THE PREMIUMS RECEIVED, SAID SURCHARGE TO BE REVIEWED AND ADJUSTED ANNUALLY AND PAID OVER TO THE DIVISION IN THE SAME MANNER AS SPECIFIED IN THIS SECTION FOR THE SURCHARGE.

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

(II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, NO EMPLOYER ACTING AS A SELF-INSURER UNDER THE PROVISIONS OF THE "WORKERS' COMPENSATION ACT OF COLORADO" SHALL BE SUBJECT TO THE INCREMENT ADDED TO THE SURCHARGE PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b).

(III) ALL MONEYS COLLECTED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE COST CONTAINMENT FUND, CREATED IN SECTION 8-14.5-108.

SECTION 3. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 6, 1993