

## CHAPTER 195

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**GOVERNMENT - STATE**


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HOUSE BILL 04-1244

BY REPRESENTATIVE(S) Jahn;  
also SENATOR(S) Evans.

**AN ACT**

**CONCERNING THE PAYMENT FROM THE RISK MANAGEMENT FUND OF THE LEGAL DEFENSE OF PROFESSIONALS RETAINED BY AGENCIES WITHIN THE DEPARTMENT OF REGULATORY AGENCIES WHO HAVE STATUTORY IMMUNITY FROM CIVIL SUIT.**

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

**SECTION 1.** 24-30-1510 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**24-30-1510. Risk management fund - creation - authorized and unauthorized payments.** (3) Expenditures shall be made out of the risk management fund in accordance with subsection (1) of this section only for the following purposes:

(h) TO PAY THE DEFENSE OF LIABILITY CLAIMS AND EXPENSES RELATED THERETO, BROUGHT AGAINST AN EXPERT WITNESS OR CONSULTANT WHO HAS STATUTORY IMMUNITY FROM CIVIL SUIT AND WHO HAS BEEN RETAINED BY A BOARD OR COMMISSION WITHIN THE DEPARTMENT OF REGULATORY AGENCIES, TO RENDER EXPERT TESTIMONY OR EXPERT OPINION OR PROVIDE CONSULTATIVE ADVICE, IN CONNECTION WITH A PROSPECTIVE OR PENDING DISCIPLINARY ACTION, AND WHO DOES RENDER EXPERT TESTIMONY OR EXPERT OPINION, OR PROVIDE CONSULTATIVE ADVICE, TO A BOARD OR COMMISSION WITHIN THE DEPARTMENT OF REGULATORY AGENCIES IN GOOD FAITH AND WITHIN THE SCOPE OF HIS OR HER EXPERTISE.

**SECTION 2.** 24-31-101, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**24-31-101. Powers and duties of attorney general.** (4.5) THE ATTORNEY GENERAL, PURSUANT TO SECTION 24-30-1507, SHALL HAVE THE DUTY TO REPRESENT EXPERT WITNESSES AND CONSULTANTS DESCRIBED IN SECTION 24-30-1510 (3) (h).

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

**SECTION 3. Effective date - applicability.** This act shall take effect July 1, 2004, and shall apply to expert witnesses and consultants retained on or after said date.

**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: April 23, 2004