

CHAPTER 134

GOVERNMENT - STATE

SENATE BILL 13-023

BY SENATOR(S) Cadman and Morse, Carroll, Giron, Guzman, Heath, Jones, Kefalas, Newell, Schwartz, Steadman, Todd, Ulibarri;
also REPRESENTATIVE(S) Levy and Gardner, Exum, Fischer, Ginal, Hullinghorst, Lebsack, Lee, Mitsch Bush, Moreno, Murray, Pabon, Peniston, Pettersen, Rosenthal, Salazar, Ferrandino.

AN ACT

CONCERNING AN INCREASE IN THE LIMITATION ON THE AMOUNT OF DAMAGES THAT MAY BE RECOVERED BY AN INJURED PARTY UNDER THE "COLORADO GOVERNMENTAL IMMUNITY ACT".

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

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

24-10-114. Limitations on judgments - recommendation to general assembly - authorization of additional payment. (1) The maximum amount that may be recovered under this article in any single occurrence, whether from one or more public entities and public employees, shall be:

(a) For any injury to one person in any single occurrence, the sum of ~~one hundred fifty thousand~~ THREE HUNDRED FIFTY THOUSAND dollars;

(b) For an injury to two or more persons in any single occurrence, the sum of ~~six hundred thousand~~ NINE HUNDRED NINETY THOUSAND dollars; except that, in such instance, no person may recover in excess of ~~one hundred fifty thousand~~ THREE HUNDRED FIFTY THOUSAND dollars.

(c) THE AMOUNTS SPECIFIED IN SUBSECTIONS (a) AND (b) OF THIS SUBSECTION (1) SHALL BE ADJUSTED BY AN AMOUNT REFLECTING THE PERCENTAGE CHANGE OVER A FOUR-YEAR PERIOD IN THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR DENVER-BOULDER-GREELEY, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX. ON OR BEFORE JANUARY 1, 2018, AND BY JANUARY 1 EVERY FOURTH YEAR THEREAFTER, THE SECRETARY OF STATE SHALL CALCULATE THE ADJUSTED DOLLAR AMOUNT FOR THE IMMEDIATELY

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

PRECEDING FOUR-YEAR PERIOD AS OF THE DATE OF THE CALCULATION. THE ADJUSTED AMOUNT SHALL BE ROUNDED UPWARD TO THE NEAREST ONE THOUSAND DOLLAR INCREMENT. THE SECRETARY OF STATE SHALL CERTIFY THE AMOUNT OF THE ADJUSTMENT FOR THE PARTICULAR FOUR-YEAR PERIOD AND SHALL PUBLISH THE AMOUNT OF THE ADJUSTMENT ON THE SECRETARY OF STATE'S WEB SITE.

SECTION 2. Effective date - applicability. This act takes effect July 1, 2013, and applies to injuries occurring on or after said date.

SECTION 3. 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 19, 2013