

# OFFICE OF LEGISLATIVE LEGAL SERVICES

COLORADO GENERAL ASSEMBLY

COLORADO STATE CAPITOL  
200 EAST COLFAX AVENUE SUITE 091  
DENVER, COLORADO 80203-1716

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## Statutory Revision Committee (SRC)

January 20, 2017

State Capitol, 12:00pm, SCR 352

1. Selection of chair and vice-chair
2. Vote<sup>1</sup> on bill drafts authorized at previous meetings (*Kristen Forrestal*)
  - a. Uniform Trust Decanting Act correction<sup>2</sup>
  - b. List of reports in Legislative Council Staff database<sup>3</sup>
    - i. Education and Higher Education
    - ii. Secretary of State
    - iii. Human Services
    - iv. Judicial
    - v. Labor and Employment
    - vi. Law
    - vii. Military and Veterans' Affairs
    - viii. Natural Resources
    - ix. Revenue
    - x. Transportation
3. Other business?
4. Next meeting?

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<sup>1</sup> Pursuant to section 2-3-902 (1) (d), C.R.S., legislation recommended by the Statutory Revision Committee must be made by an affirmative vote from at least five legislative members of the Committee.

<sup>2</sup> This bill draft was authorized at the SRC's December 13, 2016, meeting.

<sup>3</sup> These bill drafts were authorized at the SRC's October 13, 2016, meeting.



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## MEMORANDUM<sup>1</sup>

TO: Statutory Revision Committee

FROM: Kristen Forrestal, Office of Legislative Legal Services

DATE: January 13, 2017

SUBJECT: Correction to the Colorado Uniform Trust Decanting Act

### Summary

This issue came to the attention of the Office of Legislative Legal Services from the Colorado Bar Association's Statutory Revisions Committee.

Section 15-16-919 (2)(j)(I), C.R.S., of the Colorado Uniform Trust Decanting Act refers to a second trust when discussing the decanting power of an authorized fiduciary. This conflicts with the Uniform Law Commission's corrected version of the Uniform Trust Decanting Act (UTDA).

### Analysis

Section 15-16-919 (2)(j)(I), C.R.S., creates one of many limitations on the exercise of decanting power. It reads as follows:

**15-16-919. Tax-related limitations - definitions.** (2) An exercise of the decanting power is subject to the following limitations:

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<sup>1</sup> This legal memorandum was prepared by the Office of Legislative Legal Services (OLLS) in the course of its statutory duty to provide staff assistance to the Statutory Revision Committee (SRC). It does not represent an official legal position of the OLLS, SRC, General Assembly, or the state of Colorado, and is not binding on the members of the SRC. This memorandum is intended for use in the legislative process and as information to assist the SRC in the performance of its legislative duties.

(j) An authorized fiduciary may not exercise the decanting power if a settlor objects in a signed record delivered to the fiduciary within the notice period and:

(I) The first trust and a second trust are both grantor trusts, in whole or in part, the first trust grants the settlor or another person the power to cause the *second* trust to cease to be a grantor trust, and the second trust does not grant an equivalent power to the settlor or other person; or (*Emphasis added*)

The Uniform Law Commission has approved a correction to their corresponding section of the UTDA, section 19 (b)(10)(A), to reflect the Commission's original intent by making a one-word change as follows:

**SECTION 19. TAX-RELATED LIMITATIONS.** (b) An exercise of the decanting power is subject to the following limitations:

(10) An authorized fiduciary may not exercise the decanting power if a settlor objects in a signed record delivered to the fiduciary within the notice period and:

(A) the first trust and a second trust are both grantor trusts, in whole or in part, the first trust grants the settlor or another person the power to cause the *first* trust to cease to be a grantor trust, and the second trust does not grant an equivalent power to the settlor or other person; or (*Emphasis added*)

The original version of the UTDA incorrectly referred to a "second trust" when the intention was to refer to the "first trust." When Senate Bill 16-085 was passed by the General Assembly to create the Colorado Uniform Trust Decanting Act, it followed the Uniform State Law Commission version and thus also made the incorrect reference.

## Statutory Charge<sup>2</sup>

Because the reference in section 15-16-919 (2)(j)(I), C.R.S., refers to the incorrect trust when referencing the limitations on decanting by a fiduciary, it presents a defect in the law and also conflicts with the UTDA.

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<sup>2</sup> The Statutory Revision Committee is charged with "[making] an ongoing examination of the statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms" and recommending "legislation annually to effect such changes in the law as it deems necessary in order to modify or eliminate antiquated, redundant, or contradictory rules of law and to bring the law of this state into harmony with modern conditions". Section 2-3-902 (1), C.R.S. In addition, the Committee "shall propose legislation only to streamline, reduce, or repeal provisions of the Colorado Revised Statutes." Section 2-3-902 (3), C.R.S.

## **Proposed Bill**

If the Statutory Revision Committee requests a bill draft concerning this issue, the bill would contain a one-word change in section 15-16-919 (2)(j)(I), C.R.S., to change “second” to “first” where the reference is incorrect.



First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
1.12.17

Bill (2)(a)

LLS NO. 17-0801.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC: "CO Uniform Trust Decanting Act"**

**A BILL FOR AN ACT**

101 **CONCERNING A CORRECTION TO THE "COLORADO UNIFORM TRUST**  
102 **DECANTING ACT".**

**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/>.)*

**Statutory Revision Committee.** Section 15-16-919 (2)(j)(I) of the "Colorado Uniform Trust Decanting Act" refers to a second trust when discussing the decanting power of an authorized fiduciary. This conflicts with the uniform law commission's corrected version of the "Colorado Uniform Trust Decanting Act". The bill changes one reference to the second trust to the first trust.

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

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

2 **SECTION 1.** In Colorado Revised Statutes, 15-16-919, **amend**  
3 (2)(j)(I) as follows:

4 **15-16-919. Tax-related limitations - definitions.** (2) An  
5 exercise of the decanting power is subject to the following limitations:

6 (j) An authorized fiduciary may not exercise the decanting power  
7 if a settlor objects in a signed record delivered to the fiduciary within the  
8 notice period and:

9 (I) The first trust and a second trust are both grantor trusts, in  
10 whole or in part, the first trust grants the settlor or another person the  
11 power to cause the ~~second~~ FIRST trust to cease to be a grantor trust, and  
12 the second trust does not grant an equivalent power to the settlor or other  
13 person; or

14 **SECTION 2. Act subject to petition - effective date.** This act  
15 takes effect at 12:01 a.m. on the day following the expiration of the  
16 ninety-day period after final adjournment of the general assembly (August  
17 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
18 referendum petition is filed pursuant to section 1 (3) of article V of the  
19 state constitution against this act or an item, section, or part of this act  
20 within such period, then the act, item, section, or part will not take effect  
21 unless approved by the people at the general election to be held in  
22 November 2018 and, in such case, will take effect on the date of the  
23 official declaration of the vote thereon by the governor.



First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.15.16

Bill (2)(b)(i)

LLS NO. 17-0266.01 Kip Kolkmeier x4510

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Reqmnts By Education Agencies To GA"

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY EDUCATIONAL**  
102 **AGENCIES TO THE GENERAL ASSEMBLY.**

**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/>.)*

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement. The bill addresses the reporting requirements of educational agencies.

**Sections 1 through 10, 12 through 18, and 20 through 43** of the bill repeal reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

**Sections 8 and 30** of the bill add repeal dates in the organic statute that coincide with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

**Sections 11, 16, and 19** of the bill amend the organic statute to remove requirements to send a report to the education committees and the joint budget committee of the general assembly after the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

*<{Section 22-2-109(7)(b) requires a report to the GA to be discussed at a required legislative joint committee hearing. A higher education required report is also the subject of the same hearing under Section 23-1-121(6). For purposes of this draft, both reports and the hearing that is convened to hear the reports are repealed. However, the committee may wish to consider preserving the required hearing, with or without receiving these two specific reports.}*>

**SECTION 1.** In Colorado Revised Statutes, 22-2-109, **amend** (7)(b) as follows:

**22-2-109. State board of education - additional duties - teacher standards - principal standards.** (7) (b) The state board shall submit ~~MUST annually to the education committees of the house of representatives and the senate, or any successor committees,~~ PREPARE a written summary report of the results of the survey conducted pursuant to paragraph (a) of this subsection (7). ~~In submitting the report, the state board shall ensure that the report for the current year and the preceding year's report, if one exists, are available to the education committees for~~

1 ~~consideration at the biennial joint meeting held pursuant to section~~  
2 ~~22-60.5-116.5.~~ The state board shall also submit the report annually to the  
3 governor, the Colorado commission on higher education, and the  
4 institutions of higher education that operate principal preparation  
5 programs.

6 **SECTION 2.** In Colorado Revised Statutes, 23-1-121, **amend** (6)  
7 as follows:

8 **23-1-121. Commission directive - approval of educator**  
9 **preparation programs - review.** (6) The department shall annually  
10 prepare a report concerning the enrollment in, graduation rates from, and  
11 effectiveness of the review of educator preparation programs authorized  
12 by the commission. In addition the report shall include data on the  
13 outcomes of graduates of educator preparation programs pursuant to  
14 section 22-2-112 (1)(q). ~~C.R.S.~~ The report shall also state the percentage  
15 of educator candidates graduating from each program during the  
16 preceding twelve months that applied for and received an initial license  
17 pursuant to section 22-60.5-201, ~~C.R.S.~~, and the percentage of the  
18 graduates who passed the assessments administered pursuant to section  
19 22-60.5-203. ~~C.R.S.~~ For purposes of completing the report required  
20 pursuant to this subsection (6), the department of higher education and the  
21 department of education shall share any relevant data that complies with  
22 state and federal regulations with the other agency. ~~The department shall~~  
23 ~~provide notice to the education committees of the senate and the house of~~  
24 ~~representatives, or any successor committees, that the report is available~~  
25 ~~to the members of the committees upon request.~~

26 <{*The section repealed below is the required joint legislative*  
27 *hearing referenced on page 2 above.*>

1           **SECTION 3.** In Colorado Revised Statutes, **repeal** 22-60.5-116.5  
2 as follows:

3           **22-60.5-116.5. Education committees - evaluation of educator**  
4 **preparation programs - biennial joint meeting.** ~~(1)(a) The committees~~  
5 ~~on education of the house of representatives and the senate, or any~~  
6 ~~successor committees, shall biennially hold a joint meeting to assess the~~  
7 ~~reports received concerning the effectiveness of the approved educator~~  
8 ~~preparation programs offered by accepted institutions of higher education~~  
9 ~~in the state and the reports of the survey of superintendents conducted by~~  
10 ~~the department of education and submitted by the state board of education~~  
11 ~~pursuant to section 22-2-109 (7).~~

12           ~~(b) At the meeting, the committees shall consider the reports on~~  
13 ~~the review of approved educator preparation programs received from the~~  
14 ~~Colorado commission on higher education pursuant to section 23-1-121~~  
15 ~~(6), C.R.S. The committees shall take testimony from representatives of~~  
16 ~~the institutions of higher education that provide the educator preparation~~  
17 ~~programs, the state board of education, the Colorado commission on~~  
18 ~~higher education, and from any other interested persons. Based on the~~  
19 ~~review of said reports and any testimony received, the committees shall~~  
20 ~~assess whether the approved educator preparation programs are~~  
21 ~~adequately preparing candidates to meet the performance-based educator~~  
22 ~~licensure standards adopted by rule of the state board of education~~  
23 ~~pursuant to section 22-2-109 (3).~~

24           ~~(c) At the meeting, the committees shall consider the reports of~~  
25 ~~the survey of superintendents conducted by the department of education~~  
26 ~~and submitted by the state board of education pursuant to section~~  
27 ~~22-2-109 (7). The committees shall take testimony from representatives~~

1 of the institutions of higher education that provide the principal  
2 preparation programs, the state board of education, the Colorado  
3 commission on higher education, and from any other interested persons.  
4 Based on the review of said reports and any testimony received, the  
5 committees shall assess whether the approved principal preparation  
6 programs and alternative forms of principal preparation are adequately  
7 preparing principal candidates to meet the performance-based principal  
8 licensure standards adopted by rule of the state board of education  
9 pursuant to section 22-2-109 (6).

10 (2) If the committees, based on the reports received from the  
11 Colorado commission on higher education and the state board of  
12 education, determine that an approved educator preparation program is  
13 not adequately preparing licensure candidates, the committees shall  
14 instruct the Colorado commission on higher education to reduce the  
15 funding received by the institution of higher education that provides the  
16 approved educator preparation program during the next fiscal year. The  
17 commission shall notify the committees of the amount of said reduction  
18 prior to introduction of the annual general appropriation bill.

19 **SECTION 4.** In Colorado Revised Statutes, 22-2-110, **repeal** (5)  
20 as follows:

21 **22-2-110. Commissioner of education - oath - qualifications -**  
22 **tenure.** (5) The state board shall annually review and evaluate the job  
23 performance of the commissioner, as provided in section 22-2-106 (1)  
24 (b.5), and report the results of its evaluation to the public and the  
25 education committees of the house of representatives and senate, or any  
26 successor committees.

27 **SECTION 5.** In Colorado Revised Statutes, 22-2-106, **amend**

1 (1)(b.5) as follows:

2 **22-2-106. State board - duties - rules.** (1) It is the duty of the  
3 state board:

4 (b.5) To review and evaluate annually the job performance of the  
5 commissioner of education using procedures and criteria determined by  
6 the state board. The procedures and criteria shall include, at a minimum,  
7 consideration of the comments and opinions of school district  
8 superintendents and school board members regarding the commissioner's  
9 job performance. ~~The state board shall report the results of its evaluation~~  
10 ~~to the education committees of the house of representatives and senate,~~  
11 ~~or any successor committees.~~

12 **SECTION 6.** In Colorado Revised Statutes, 22-2-133, **amend** (3)  
13 as follows:

14 **22-2-133. Assessment and identification of students with**  
15 **literacy challenges including dyslexia - training and technical**  
16 **assistance - collaboration with higher education - report.** (3) On or  
17 before January 30, 2009, and on or before January 30 each year thereafter,  
18 the department shall report to the state board of education ~~and to the~~  
19 ~~education committees of the house of representatives and the senate, or~~  
20 ~~any successor committees,~~ concerning the activities and status of any  
21 technical assistance and training made available pursuant to this section.

22 <{*The section below is a variation on a requirement to report to*  
23 *GA. It only requires notice to GA that a report is available upon*  
24 *request. The committee may wish to consider if this notice requirement*  
25 *falls squarely under 24-1-136(11)(a)(I)*>

26 **SECTION 7.** In Colorado Revised Statutes, 22-7-707, **amend** (3)  
27 introductory portion as follows:

1           **22-7-707. Reporting requirements - progress reports - final**  
2 **reports - state report.** (3) On or before January 15, 2002, and on or  
3 before January 15 each year thereafter, the department shall submit to the  
4 governor and the board of education in each school district in which a  
5 grant recipient is located a state report on the teacher development grant  
6 program. ~~At such times as the report is submitted to the governor, the~~  
7 ~~department shall provide notice to the education committees of the senate~~  
8 ~~and the house of representatives that the state report is available to the~~  
9 ~~members of the committees upon request.~~ The state report shall include  
10 the following information:

11           <{*The section below has several potential repeal dates. Pursuant*  
12 *to 24-1-136(11)(a)(I), Subsection (1) should be repealed as of 2012, but*  
13 *subsection (2) contemplates a report continuing until at least 2017.*  
14 *There is also an additional requirement for the 2016 report and beyond.*  
15 *The committee may wish to consider repealing subsection (1) and*  
16 *setting a future repeal of (2), (3), and (4) at the three-year anniversary*  
17 *from 2016. Please also note that in reviewing 22-7-1019(1) and (2),*  
18 *there is a reference to section 22-7-1006.5(4)(c). That section is not*  
19 *included in this bill because it is only a notice to the GA and not a*  
20 *report.*>

21           **SECTION 8.** In Colorado Revised Statutes, 22-7-1019, **repeal**  
22 (1); and **add** (5) as follows:

23           **22-7-1019. Preschool to postsecondary and workforce**  
24 **readiness - progress reports - effectiveness reports - repeal.** (1) ~~On or~~  
25 ~~before February 15, 2009, and on or before February 15 each year~~  
26 ~~thereafter through 2012, the department of education shall submit to the~~  
27 ~~education committees of the senate and the house of representatives, or~~

1 ~~any successor committees, a report summarizing the actions taken by the~~  
2 ~~state board, the commission, and local education providers in~~  
3 ~~implementing the requirements specified in this part 10. The department~~  
4 ~~may include in the report recommendations, as may be necessary, for~~  
5 ~~legislative changes in the time line for implementation of this part 10.~~

6 (2) On or before February 15, 2014, and on or before February 15  
7 each year thereafter, the department of education shall submit to the  
8 education committees of the senate and the house of representatives, or  
9 any successor committees, a report concerning the results achieved  
10 through implementation of school readiness, the preschool through  
11 elementary and secondary education standards, and postsecondary and  
12 workforce readiness.

13 (3) (a) At a minimum, the report shall include the following  
14 information for the preceding academic year:

15 (I) The levels of school readiness demonstrated by students  
16 enrolled in kindergarten;

17 (II) The number of students enrolling in the postsecondary and  
18 workforce readiness programs and the number of students making  
19 adequate longitudinal progress through and completing the postsecondary  
20 and workforce readiness programs;

21 (III) The levels of postsecondary and workforce readiness  
22 demonstrated by high school students; and

23 (IV) Beginning with the report submitted in 2016, the number of  
24 students receiving a high school diploma that includes an endorsement,  
25 identified by type of endorsement.

26 (b) The department of education shall present the information in  
27 the report on a statewide basis and shall disaggregate the information by



1 school district, school, grade level, free or reduced-cost lunch eligibility  
2 status, gender, and ethnicity, and by any other characteristic deemed by  
3 the department to be meaningful.

4 (4) Each local education provider shall cooperate with the  
5 department of education in providing the information necessary for the  
6 reports prepared pursuant to this section.

7 (5) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SECTION IS  
8 REPEALED, EFFECTIVE FEBRUARY 16, 2019.

9 **SECTION 9.** In Colorado Revised Statutes, 22-7-1213, **amend**  
10 (3)(b) introductory portion as follows:

11 **22-7-1213. Reporting requirements.** (3) (b) The department  
12 shall annually submit to the state board AND the governor ~~the president of~~  
13 ~~the senate, the speaker of the house of representatives, and the education~~  
14 ~~committees of the house of representatives and the senate, or any~~  
15 ~~successor committees,~~ and shall post on the department website a report  
16 that summarizes:

17 **SECTION 10.** In Colorado Revised Statutes, 22-10-105, **amend**  
18 (2)(b) as follows:

19 **22-10-105. Evaluation of grants - report.** (2) (b) The office  
20 shall submit the report to the governor's office AND the state board. ~~the~~  
21 ~~joint budget committee of the general assembly, the education committees~~  
22 ~~of the senate and the house of representatives, or any successor~~  
23 ~~committees, the business, labor, and technology committee of the senate,~~  
24 ~~or any successor committee, and the business, labor, economic, and~~  
25 ~~workforce development committee of the house of representatives, or any~~  
26 ~~successor committee.~~ The office shall also post the report on the  
27 department's website for public viewing.

1           **SECTION 11.** In Colorado Revised Statutes, 22-13-105, **amend**  
2       (4) as follows:

3           **22-13-105. School turnaround leader grants - application -**  
4       **awards - report.** (4) During the term of the grant, each grant recipient  
5       shall annually report to the department the information requested by the  
6       department to monitor the effectiveness of the school turnaround leader  
7       grants. The department shall analyze and summarize the reports received  
8       from grant recipients and annually submit to the state board AND the  
9       governor ~~and the education committees of the senate and the house of~~  
10      ~~representatives, or any successor committees,~~ a report of the effectiveness  
11      of the school turnaround leader grants awarded pursuant to this section.  
12      The department shall also post the annual report on its website.

13          **SECTION 12.** In Colorado Revised Statutes, **repeal** 22-28-112  
14      as follows:

15          **22-28-112. Reports to legislative committees.** ~~By January 15,~~  
16      ~~2007, and by January 15 of each year thereafter, the department shall~~  
17      ~~report to the education committees of the senate and house of~~  
18      ~~representatives, or any successor committees, on the effectiveness of the~~  
19      ~~Colorado preschool program. The department is authorized to request~~  
20      ~~from any participating school district such information and data as may~~  
21      ~~be necessary to make such reports.~~

22          **SECTION 13.** In Colorado Revised Statutes, 22-30.5-113,  
23      **amend** (1) as follows:

24          **22-30.5-113. State board - department of education - duties -**  
25      **charter schools - evaluation - report.** (1) Beginning in the 2004-05  
26      budget year, and at least every three years thereafter, the department shall  
27      prepare a report and evaluation for the governor ~~and the house and senate~~

1 ~~committees on education~~ on the success or failure of charter schools and  
2 of institute charter schools authorized pursuant to part 5 of this article,  
3 their relationship to other school reform efforts, and suggested changes  
4 in state law necessary to strengthen or change the charter school program  
5 described in this article.

6 **SECTION 14.** In Colorado Revised Statutes, 22-30.5-409,  
7 **amend** (2) as follows:

8 **22-30.5-409. Annual reports on bonds issued on behalf of**  
9 **charter schools - review by state auditor.** (2) No later than March 1,  
10 2002, and no later than March 1 each year thereafter, the state auditor  
11 shall examine the report submitted in accordance with subsection (1) of  
12 this section and, upon completion of such review, shall report any  
13 findings regarding said submitted report to ~~the education committees of~~  
14 ~~the senate and the house of representatives, the legislative audit~~  
15 ~~committee, the capital development committee, the joint budget~~  
16 ~~committee, and the department of education.~~

17 **SECTION 15.** In Colorado Revised Statutes, 22-30.5-513, **repeal**  
18 (10)(b) as follows:

19 **22-30.5-513. Institute charter schools - definitions - funding -**  
20 **at-risk supplemental aid - legislative declaration - repeal.** (10) (b) ~~On~~  
21 ~~or before January 15, 2010, and on or before January 15 each year~~  
22 ~~thereafter, the institute board shall submit to the education committees of~~  
23 ~~the senate and the house of representatives, or any successor committees,~~  
24 ~~the findings of the review described in paragraph (a) of this subsection~~  
25 ~~(10) and any recommendations for legislative changes regarding the~~  
26 ~~operations of the institute.~~

27 **SECTION 16.** In Colorado Revised Statutes, 22-30.7-103,

1     **amend** (3)(h) and (3)(h.5) as follows:

2             **22-30.7-103. Division of online learning - created - duties -**

3     **repeal.** (3) **Duties.** The online division shall have the following duties:

4             (h) To prepare a summary report to be submitted on or before  
5     February 1, 2009, and on or before June 1, 2014, and on or before June  
6     1 every five years thereafter, to the state board; ~~and the education~~  
7     ~~committees of the house of representatives and the senate, or any~~  
8     ~~successor committees;~~

9             (h.5) On or before June 1, 2015, and on or before June 1 every  
10     year thereafter, to prepare a summary report of data related to students  
11     who participated in a supplemental online course offered by a nonprofit  
12     provider selected pursuant to section 22-5-119 and submit the report to  
13     said nonprofit provider and to the department; ~~and the education~~  
14     ~~committees of the house of representatives and the senate, or any~~  
15     ~~successor committees;~~

16             **SECTION 17.** In Colorado Revised Statutes, 22-32.5-111,  
17     **amend** (1) introductory portion and (1)(f) as follows:

18             **22-32.5-111. Reporting.** (1) On or before March 1, 2010, and on  
19     or before March 1 each year thereafter, the commissioner and the state  
20     board shall submit to the governor ~~and to the education committees of the~~  
21     ~~senate and the house of representatives, or any successor committees,~~ a  
22     report concerning the districts of innovation. At a minimum, the report  
23     shall include:

24             (f) Any additional information requested by the governor. ~~or a~~  
25     ~~member of the general assembly.~~

26             **SECTION 18.** In Colorado Revised Statutes, 22-33-205, **amend**  
27     (4) as follows:

**22-33-205. Services for expelled and at-risk students - grants**

**- criteria.** (4) The department of education is authorized to retain up to one percent of any moneys appropriated for the program for the purpose of annually evaluating the program. The department of education is authorized and encouraged to retain up to an additional two percent of any moneys appropriated for the program for the purpose of partnering with organizations or agencies that provide services and supports that are designed to reduce the number of truancy cases requiring court involvement and that also reflect the best interests of students and families. The services and supports shall include, but need not be limited to, alternatives to guardian ad litem representation in truancy proceedings.

~~On or before January 1, 2006, and on or before January 1 each year thereafter, the department of education shall report to the education committees of the house of representatives and the senate, or any successor committees, the evaluation findings on the outcomes and the effectiveness of the program related to school attendance, attachment, and achievement. The report shall also include specific information on the efficacy of services and supports that provide alternatives to court involvement and guardian ad litem representation in truancy proceedings.~~

**SECTION 19.** In Colorado Revised Statutes, **amend** 22-41-107 as follows:

**22-41-107. Reports.** The public school fund investment board shall submit financial statements on November 1 of each fiscal year to the state treasurer, the state board of land commissioners, AND the office of state planning and budgeting. ~~the joint budget committee, and the education and finance committees of the senate and house of representatives, or any successor committees.~~

1           **SECTION 20.** In Colorado Revised Statutes, 22-43.7-111,  
2   **amend** (1) introductory portion; and **repeal** (3) as follows:

3           **22-43.7-111. Reporting requirements.** (1) No later than  
4   February 15, 2010, and no later than each February 15 thereafter, the  
5   board shall ~~present~~ PREPARE a written report ~~to the education and finance~~  
6   ~~committees of the house of representatives and the senate and the capital~~  
7   ~~development committee, or any successor committees,~~ regarding the  
8   provision of financial assistance to applicants pursuant to this article. The  
9   report must include, at a minimum:

10           (3) ~~The state auditor shall conduct or cause to be conducted a~~  
11   ~~performance audit of the financial assistance grant and lease-purchase~~  
12   ~~programs authorized by this article. The state auditor shall submit~~  
13   ~~findings, conclusions, and recommendations resulting from the~~  
14   ~~performance audit to the members of the legislative audit committee of~~  
15   ~~the general assembly and to the members of the education and finance~~  
16   ~~committees of the house of representatives and the senate, or any~~  
17   ~~successor committees, no later than February 15, 2014.~~

18           **SECTION 21.** In Colorado Revised Statutes, 22-54-124, **repeal**  
19   (3)(b) as follows:

20           **22-54-124. State aid for charter schools - use of state education**  
21   **fund money - definitions.** (3) (b) ~~No later than February 1 of each~~  
22   ~~budget year, the department of education shall certify to the education~~  
23   ~~committees of the senate and the house of representatives and the joint~~  
24   ~~budget committee of the general assembly the total number of pupils~~  
25   ~~expected to be enrolled in all qualified charter schools in the state during~~  
26   ~~the next budget year, as derived from reports provided to the department~~  
27   ~~by districts pursuant to section 22-30.5-112 (1) and by institute charter~~

1 ~~schools pursuant to section 22-30.5-513 (3) (a). For the purposes of any~~  
2 ~~certification made during the 2003-04 budget year and budget years~~  
3 ~~thereafter, a pupil expected to be enrolled in a qualified charter school as~~  
4 ~~defined in sub-subparagraph (B) of subparagraph (I) of paragraph (f.6) of~~  
5 ~~subsection (1) of this section shall be counted as one-half of one pupil.~~

6 **SECTION 22.** In Colorado Revised Statutes, 22-69-106, **amend**  
7 (1) introductory portion as follows:

8 **22-69-106. Alternative teacher compensation plan grant**  
9 **program - report.** (1) On or before January 15, 2010, and on or before  
10 January 15 each year thereafter, so long as grant moneys were awarded  
11 to at least one school district pursuant to the grant program during the  
12 preceding calendar year, the department shall report to the ~~education~~  
13 ~~committees of the house of representatives and the senate, or any~~  
14 ~~successor committees, and to the~~ governor the following information  
15 from the preceding calendar year:

16 **SECTION 23.** In Colorado Revised Statutes, 22-80-103, **repeal**  
17 (7) as follows:

18 **22-80-103. Board of trustees - appointments - powers - duties**  
19 **- fund created.** (7) ~~The board of trustees shall transmit, on or before~~  
20 ~~January 1, 2005, and on or before January 1 of each year thereafter, a~~  
21 ~~report to the education committees of the senate and house of~~  
22 ~~representatives that contains the following:~~

23 ~~(a) All school performance report data for the school, as specified~~  
24 ~~by the department of education;~~

25 ~~(b) All training, mentoring, and professional development~~  
26 ~~activities arranged for the school's teachers; and~~

27 ~~(c) Any parental education and parental involvement components~~

1 in the school's program.

2 **SECTION 24.** In Colorado Revised Statutes, 22-91-105, **repeal**  
3 (2) and (3) as follows:

4 **22-91-105. Reporting.** (2) ~~On or before May 15, 2009, and on or~~  
5 ~~before May 15 each year thereafter, the department shall submit to the~~  
6 ~~education committees of the senate and the house of representatives, or~~  
7 ~~any successor committees, a report that, at a minimum, summarizes the~~  
8 ~~information received by the department pursuant to subsection (1) of this~~  
9 ~~section. The department shall also post the report to its website.~~

10 (3) ~~The department of higher education shall cooperate with the~~  
11 ~~department in providing information necessary for the report submitted~~  
12 ~~by the department pursuant to subsection (2) of this section.~~

13 **SECTION 25.** In Colorado Revised Statutes, 22-93-103, **amend**  
14 (4) introductory portion as follows:

15 **22-93-103. School bullying prevention and education grant**  
16 **program - grant process - reports by grant recipients.** (4) On or  
17 before a date specified by rule of the state board pursuant to section  
18 22-93-104 (1) (d), the department shall submit annually to the state board  
19 ~~and to the education committees of the senate and house of~~  
20 ~~representatives, or any successor committees,~~ the following information  
21 regarding the administration of the program in the preceding year:

22 **SECTION 26.** In Colorado Revised Statutes, 22-93-104, **amend**  
23 (1)(d) as follows:

24 **22-93-104. Rules.** (1) On or before April 1, 2012, or not more  
25 than ninety days after the department receives sufficient moneys to  
26 implement this article as described in section 22-93-102 (2), whichever  
27 is later, the state board shall promulgate rules for the administration of



1 this article, including but not limited to:

2 (d) The designation of a date by which the department shall  
3 annually submit to the state board ~~and to the education committees of the~~  
4 ~~senate and house of representatives, or any successor committees,~~ the  
5 information described in section 22-93-103 (4).

6 **SECTION 27.** In Colorado Revised Statutes, 22-94-103, **amend**  
7 (4) as follows:

8 **22-94-103. Annual reports.** (4) The department shall submit an  
9 annual report to the office of the governor AND the state board of  
10 education ~~and the members of the education committees of the house of~~  
11 ~~representatives and the senate, or any successor committees,~~ summarizing  
12 the findings from the two reports submitted to the department pursuant to  
13 this section.

14 **SECTION 28.** In Colorado Revised Statutes, 23-1-105.5, **repeal**  
15 (2) as follows:

16 **23-1-105.5. Duties and powers of the commission with respect**  
17 **to student fees.** (2) ~~On or before January 15, 2012, and on or before~~  
18 ~~January 15 each year thereafter, the department shall report to the~~  
19 ~~education committees of the house of representatives and the senate, or~~  
20 ~~any successor committees, concerning the governing boards' fee policies~~  
21 ~~and the collection and use of student fees.~~

22 **SECTION 29.** In Colorado Revised Statutes, 23-1-106, **amend**  
23 (7)(a) and (11)(b) as follows:

24 **23-1-106. Duties and powers of the commission with respect**  
25 **to capital construction and long-range planning - legislative**  
26 **declaration - definitions.** (7) (a) The commission annually shall prepare  
27 a unified, five-year capital improvements report of projects to be

1 constructed, but not including those capital construction or capital  
2 renewal projects to be undertaken pursuant to subsection (9) of this  
3 section, coordinated with education plans. The commission shall transmit  
4 the report to the office of state planning and budgeting AND the office of  
5 the state architect, ~~the capital development committee, and the joint~~  
6 ~~budget committee~~, consistent with the executive budget timetable,  
7 together with a recommended priority of funding of capital construction  
8 or capital renewal projects for the system of public higher education. The  
9 commission shall annually transmit the recommended priority of funding  
10 of capital construction or capital renewal projects to the capital  
11 development committee no later than November 1 of each year.

12 (b) The commission shall submit a compilation of the projects to  
13 the office of the state architect ~~and the capital development committee~~ on  
14 or before December 1 of each year.

15 <{Subsection (1)(g) below requires a report "not less than every  
16 four years." This draft repeals that provision, but the committee may  
17 wish to consider a repeal date based on when the last report was  
18 actually submitted. Subsection (1.9)(b) below creates a reporting  
19 requirement based on fiscal year 2016-17, but does not state a specific  
20 first report date. This provision is drafted to repeal three years after  
21 fiscal year 2016-17.}>

22 **SECTION 30.** In Colorado Revised Statutes, 23-1-108, **amend**  
23 (1.9)(b); and **repeal** (1)(g) as follows:

24 **23-1-108. Duties and powers of the commission with regard to**  
25 **systemwide planning - repeal.** (1) The commission, after consultation  
26 with the governing boards of institutions and as a part of the master  
27 planning process, shall have the authority to:

1           (g) ~~Report not less than every four years to the education~~  
2 ~~committees of the general assembly on the need for, advisability of, or~~  
3 ~~progress toward reorganizing the structure of public higher education in~~  
4 ~~Colorado;~~

5           (1.9) (b) (I) After the 2016-17 state fiscal year, in each state fiscal  
6 year in which the general assembly appropriates the restored level of  
7 general fund appropriations for the state system of higher education, the  
8 commission, based on the performance-based funding plan adopted in the  
9 master plan, shall recommend to the joint budget committee the portion  
10 of the performance funding amount to be appropriated to each governing  
11 board, including the governing boards for the junior colleges and the area  
12 technical colleges, based on the demonstrated performance of the  
13 institutions that are under the governing board's control in meeting the  
14 institutions' goals and expectations specified in the institutions' respective  
15 performance contracts.

16           (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
17 (1.9)(b) IS REPEALED, EFFECTIVE JULY 1, 2019.

18           **SECTION 31.** In Colorado Revised Statutes, 23-1-113, **amend**  
19 (9) as follows:

20           **23-1-113. Commission directive - admission standards for**  
21 **baccalaureate and graduate institutions of higher education - policy**  
22 **- definitions.** (9) On or before February 15, 2012, and on or before  
23 February 15 each year thereafter, the department of higher education shall  
24 submit to the state board of education AND the department of education  
25 ~~and the education committees of the house of representatives and the~~  
26 ~~senate, or any successor committees,~~ a report, subject to available data,  
27 concerning the enrollment, placement and completion of basic skills

1 courses, first-year college grades, and types of academic certificates and  
2 degrees attained at all postsecondary institutions in Colorado and the  
3 United States for the high school graduating classes of the preceding six  
4 academic years. The department of higher education shall report the  
5 information disaggregated by high school and school district of  
6 graduation, to the extent practicable, and by ethnicity, gender, financial  
7 aid status, and any other characteristic deemed relevant by the  
8 commission. The department of higher education and the department of  
9 education shall also make the report available on their respective  
10 websites.

11 **SECTION 32.** In Colorado Revised Statutes, 23-1-113.3, **amend**  
12 (4)(a) introductory portion as follows:

13 **23-1-113.3. Commission directive - basic skills courses.**

14 (4) (a) The department shall transmit annually to the ~~education~~  
15 ~~committees of the senate and the house of representatives, or any~~  
16 ~~successor committees, the joint budget committee, the commission and~~  
17 the department of education an analysis of the data:

18 **SECTION 33.** In Colorado Revised Statutes, 23-3.1-206.9,  
19 **repeal** (4) as follows:

20 **23-3.1-206.9. Colorado collegeinvest scholarship program -**

21 **administration - fund - policies.** (4) ~~On or before February 1 of each~~  
22 ~~year, the board shall report to the education committees of the senate and~~  
23 ~~the house of representatives, or any successor committees, on the status~~  
24 ~~of the Colorado collegeinvest scholarship program. The report shall~~  
25 ~~include, but need not be limited to, the financial status of the Colorado~~  
26 ~~collegeinvest scholarship trust fund, the amount of money annually spent~~  
27 ~~on administration, the average scholarship award amount, and the number~~

1 of students participating in the Colorado collegeinvest scholarship  
2 program.

3 **SECTION 34.** In Colorado Revised Statutes, 23-5-129, **amend**  
4 (5)(a) and (5)(b) as follows:

5 **23-5-129. Governing boards - performance contract -**  
6 **authorization - operations - definitions.** (5) (a) ~~Beginning January~~  
7 ~~2006, and each January thereafter, the department of higher education~~  
8 ~~shall report to the members of the education committees of the senate and~~  
9 ~~the house of representatives and the members of the joint budget~~  
10 ~~committee of the general assembly the financial effect of the provisions~~  
11 ~~of each performance contract with regard to funding for the affected~~  
12 ~~governing board of a state institution of higher education and overall~~  
13 ~~funding for the statewide system of higher education and a review of each~~  
14 ~~state or private institution's operations under the institution's performance~~  
15 ~~contract.~~ The term of a performance contract may be up to ten years. The  
16 department of higher education may renew a performance contract at its  
17 discretion, with the agreement of the governing board.

18 (b) Beginning January 2006, and each January thereafter, data  
19 collected and used to measure a state or private institution of higher  
20 education's progress towards the goals set forth in the institution's  
21 performance contract with the department of higher education shall be  
22 made available to ~~the members of the education committees of the house~~  
23 ~~of representatives and the senate, members of the joint budget committee,~~  
24 each governing board and each institution of higher education covered by  
25 a performance contract. The department of higher education shall also  
26 provide copies of the data to other members of the general assembly and  
27 members of the public on request.

1           **SECTION 35.** In Colorado Revised Statutes, **repeal** 23-8-104 as  
2 follows:

3           **23-8-104. Reports.**

4           ~~(1) (Deleted by amendment, L. 2008, p. 311, § 1, effective August~~  
5 ~~5, 2008.)~~

6           ~~(2) On or before February 28, 2009, and on or before February 28~~  
7 ~~each year thereafter, the board shall submit a report to the joint budget~~  
8 ~~committee and to the education committees of the house of~~  
9 ~~representatives and the senate, or any successor committees, on the~~  
10 ~~implementation and results of programs funded pursuant to this article,~~  
11 ~~including:~~

12           ~~(a) The types of programs funded;~~

13           ~~(b) The numbers of students and full-time equivalent students~~  
14 ~~served;~~

15           ~~(c) The total cost and the full-time equivalent student cost;~~

16           ~~(d) The placement of those students who completed the programs,~~  
17 ~~including job placement and continuing education; and~~

18           ~~(e) Other aspects of the programs that will enable the general~~  
19 ~~assembly to evaluate the results, cost effectiveness, and viability of the~~  
20 ~~approved programs and to determine whether or not this article should be~~  
21 ~~extended.~~

22           **SECTION 36.** In Colorado Revised Statutes, 23-18-202, **amend**  
23 **(2)(c) and (2)(d) as follows:**

24           **23-18-202. College opportunity fund - appropriations -**  
25 **payment of stipends - reimbursement.** (2) (c) The commission shall  
26 forward to the ~~general assembly and~~ governor, by November 1 of each  
27 year, a list of institutions eligible to receive stipends on behalf of eligible

1 undergraduate students under the program. The commission shall  
2 annually request that the general assembly adjust the amount appropriated  
3 to the Colorado student loan program for the stipends, which amount may  
4 reflect inflation and enrollment growth in the state institutions of higher  
5 education. <{*Does this subsection fall under 24-1-136? Does the last*  
6 *sentence need to be deleted too?*>

7 (d) Beginning with the state fiscal year commencing July 1, 2006,  
8 the commission, in consultation with the governing boards and any  
9 participating private institutions of higher education, shall review  
10 annually the amount of the stipend per credit hour established pursuant to  
11 paragraph (b) of this subsection (2). Following the review, the  
12 commission, in consultation with the governing boards and participating  
13 private institutions, shall annually make recommendations regarding  
14 possible adjustments to the amount of the stipend per credit hour to the  
15 governor. ~~and the joint budget committee of the general assembly for~~  
16 ~~consideration in preparing the annual general appropriations act.~~ <{*Does*  
17 *this subsection fall under 24-1-136?*>

18 **SECTION 37.** In Colorado Revised Statutes, 23-20-119, **repeal**  
19 (2) as follows:

20 **23-20-119. Corporate stock in name of nominee authorized.**

21 ~~(2) A report shall be made by the regents of the university of Colorado,~~  
22 ~~to the general assembly at each regular session, of the investments made~~  
23 ~~and the interest derived therefrom under the provisions of this section and~~  
24 ~~section 23-20-118.~~

25 **SECTION 38.** In Colorado Revised Statutes, **amend** 23-21-521  
26 as follows:

27 **23-21-521. Annual report.** The authority shall submit to the

1 governor ~~and the joint budget committee~~ within six months after the end  
2 of the fiscal year a report which shall set forth a complete and detailed  
3 operating and financial statement of the authority during such year. Also  
4 included in the report shall be any recommendations with reference to  
5 additional legislation or other action that may be necessary to carry out  
6 the purposes of the authority. <{*Delete the last sentence? If the report*  
7 *isn't going to the JBC then why recommend legislation?*>

8 **SECTION 39.** In Colorado Revised Statutes, 23-30-123, **amend**  
9 (3) as follows:

10 **23-30-123. Investment policy - fiduciary responsibility.** (3) If  
11 the board of governors votes to invest assets of the Colorado state  
12 university system pursuant to sections 23-30-121 and 23-30-122, the  
13 board shall require annual financial statements to be submitted to the  
14 board of governors, the state treasurer, AND the state auditor. ~~and the joint~~  
15 ~~budget committee of the general assembly.~~ The financial statements shall  
16 include, at a minimum, information concerning investment income, gains,  
17 and losses, if any, of the Colorado state university system. The financial  
18 statements shall report the performance of investments on both a  
19 gross-of-fee and a net-of-fee basis.

20 **SECTION 40.** In Colorado Revised Statutes, 23-40-106, **repeal**  
21 (4) as follows:

22 **23-40-106. Education innovation institute established -**  
23 **purposes - appropriations.** (4) ~~On or before January 10, 2011, and on~~  
24 ~~or before January 10 each year thereafter, the institute shall prepare and~~  
25 ~~submit a report to the education committees of the house of~~  
26 ~~representatives and the senate, or any successor committees, concerning~~  
27 ~~the activities of the institute in the previous calendar year. The report~~



1 ~~shall include, at a minimum, information concerning the efforts of the~~  
2 ~~institute to fulfill its purposes as described in subsection (2) of this~~  
3 ~~section.~~

4 **SECTION 41.** In Colorado Revised Statutes, 23-60-306, **repeal**  
5 **(3)(m)** as follows:

6 **23-60-306. Colorado customized training program - creation**  
7 **- policy - functions of the state board for community colleges and**  
8 **occupational education. (3) (m)** ~~Beginning January 1, 1985, and each~~  
9 ~~January 1 thereafter, the state board for community colleges and~~  
10 ~~occupational education shall report to the joint budget committee and the~~  
11 ~~legislative audit committee on the cost-effectiveness of the Colorado~~  
12 ~~customized training program in assisting economic development in~~  
13 ~~Colorado.~~

14 *<{The subsection below requires a report to the GA, but the*  
15 *statute also states that the preparation of the report is for the purpose*  
16 *of complying with another subsection in Section 24-77-103. This draft*  
17 *preserves the requirement to prepare the report, but repeals the*  
18 *requirement to provide the report to the GA.}>*

19 **SECTION 42.** In Colorado Revised Statutes, 24-77-103, **amend**  
20 **(7)** as follows:

21 **24-77-103. Limitation on state fiscal year spending - legislative**  
22 **declaration. (7)** For purposes of complying with the limitation on state  
23 fiscal year spending set forth in subsection (1) of this section, each state  
24 institution of higher education shall prepare a written report for each  
25 quarter of the fiscal year which shall include the total amount of net  
26 revenues generated during such period from any facility, activity, or  
27 operation managed by such state institution of higher education which is

1 an enterprise and the total amount of such net revenues and any other  
2 thing of value received by such state institution of higher education from  
3 such enterprises. ~~Such report shall be filed with the president of the~~  
4 ~~senate, the speaker of the house of representatives, and the chairman of~~  
5 ~~the joint budget committee no later than thirty days after the close of such~~  
6 ~~period.~~

7 **SECTION 43.** In Colorado Revised Statutes, 26-6.5-106, **repeal**  
8 (9)(b) as follows:

9 **26-6.5-106. School-readiness quality improvement program.**

10 (9) **Evaluation - report.** (b) ~~On or before April 1, 2009, and on or~~  
11 ~~before April 1 every three years thereafter, the state department, or any~~  
12 ~~private entity with which the state department is hereby authorized to~~  
13 ~~contract for this purpose, shall submit a consolidated statewide report,~~  
14 ~~based upon the reports prepared and submitted by the early childhood~~  
15 ~~care and education councils, addressing the items set forth in paragraph~~  
16 ~~(a) of this subsection (9) to the early childhood and school-readiness~~  
17 ~~legislative commission and to the members of the education committees~~  
18 ~~of the house of representatives and the senate of the general assembly.~~

19 **SECTION 44. Effective date.** (1) Except as otherwise provided  
20 in this section, this act takes effect upon passage.

21 (2) (a) Section 11 of this act takes effect March 14, 2018.

22 (b) As amended in section 16 of this act, section 22-30.7-103  
23 (3)(h.5) takes effect June 2, 2018.

24 (c) Section 19 of this act takes effect November 2, 2019.

25 **SECTION 45. Safety clause.** The general assembly hereby finds,  
26 determines, and declares that this act is necessary for the immediate  
27 preservation of the public peace, health, and safety.

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
12.22.16

Bill (2)(b)(ii)

LLS NO. 17-0282.01 Kate Meyer x4348

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Reqmnts By SOS To GA"

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**  
102 **SECRETARY OF STATE TO THE GENERAL ASSEMBLY.**

**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/>.)*

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. For the report required under the

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

"Uniform Commercial Code - Secured Transactions" regarding certain filing-office rules that must be submitted annually to the legislature and the governor by the secretary of state, the bill repeals the report with respect to the legislature on a date that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 4-9-527 as  
3 follows:

4 **4-9-527. Duty to report.** The secretary of state shall report  
5 annually on or before June 30 to the governor ~~and legislature~~ on the  
6 operation of the filing office. The report must contain a statement of the  
7 extent to which:

8 (1) The filing-office rules are not in harmony with the rules of  
9 filing offices in other jurisdictions that enact substantially this part 5 and  
10 the reasons for these variations; and

11 (2) The filing-office rules are not in harmony with the most recent  
12 version of the model rules promulgated by the international association  
13 of commercial administrators, or any successor organization, and the  
14 reasons for these variations.

15 **SECTION 2. Act subject to petition - effective date.** This act  
16 takes effect July 1, 2019; except that, if a referendum petition is filed  
17 pursuant to section 1 (3) of article V of the state constitution against this  
18 act or an item, section, or part of this act within the ninety-day period  
19 after final adjournment of the general assembly, then the act, item,  
20 section, or part will not take effect unless approved by the people at the  
21 general election to be held in November 2012 and, in such case, will take  
22 effect on July 1, 2019.

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.15.16

Bill (2)(b)(iii)

LLS NO. 17-0270.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Reqmnts By Dept Human Services To GA"

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**  
102 **DEPARTMENT OF HUMAN SERVICES TO THE GENERAL ASSEMBLY.**

**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/>.)*

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

requirements of the department of human services.

**Sections 1 through 6, 8, 11 through 13, 15, 16, and 18** of the bill repeal reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

**Sections 7, 9, 10, 14, 15, and 17** of the bill add repeal dates in the organic statute that coincide with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

**Sections 19 and 20** make conforming amendments.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 14-10-115, **amend**  
3 (16)(a) as follows:

4 **14-10-115. Child support guidelines - purpose - definitions -**  
5 **determination of income - schedule of basic child support obligations**  
6 **- adjustments to basic child support - additional guidelines - child**  
7 **support commission. (16) Child support commission.** (a) The child  
8 support guidelines, including the schedule of basic child support  
9 obligations, and general child support issues shall be reviewed, and the  
10 results of the review and any recommended changes shall be reported to  
11 the governor ~~and to the general assembly~~ on or before December 1, 1991,  
12 and at least every four years thereafter by a child support commission,  
13 which commission is hereby created.

14 **SECTION 2.** In Colorado Revised Statutes, 18-18-309, **amend**  
15 (4) as follows:

16 **18-18-309. Diversion prevention and control.** (4) The  
17 department shall annually report to the governor ~~and to the president of~~  
18 ~~the senate and the speaker of the house of representatives~~ on the outcome  
19 of this program with respect to its effects on distribution and abuse of  
20 controlled substances, including recommendations for improving control  
21 and prevention of the diversion of controlled substances in this state.

1           **SECTION 3.** In Colorado Revised Statutes, 19-2-411.5, **repeal**  
2           (5) as follows:

3           **19-2-411.5. Juvenile facility - contract for operation.** (5) ~~On~~  
4           ~~an annual basis, the department of human services shall calculate the~~  
5           ~~recidivism rate for committed juveniles in the custody of the department~~  
6           ~~of human services who complete the program offered by the facility. In~~  
7           ~~calculating the recidivism rate, the department of human services shall~~  
8           ~~include any juvenile who commits a criminal offense, either as a juvenile~~  
9           ~~or as an adult, within three years after leaving the facility. The department~~  
10          ~~of human services shall report the recidivism rate to the general assembly.~~

11          **SECTION 4.** In Colorado Revised Statutes, 19-3-214, **repeal** (2)  
12          as follows:

13          **19-3-214. Placement reporting.** (2) ~~The state department shall~~  
14          ~~submit an annual report to the joint budget committee of the general~~  
15          ~~assembly no later than December 1 of each year that compiles the~~  
16          ~~monthly reports of the number of children who have been placed out of~~  
17          ~~the home in each county or city and county for the preceding year as~~  
18          ~~required pursuant to subsection (1) of this section.~~

19          **SECTION 5.** In Colorado Revised Statutes, 19-3-304.5, **repeal**  
20          (6) as follows:

21          **19-3-304.5. Emergency possession of certain abandoned**  
22          **children.** (6) ~~The state department of human services shall submit an~~  
23          ~~annual report to the general assembly, beginning January 1, 2001, that~~  
24          ~~compiles the monthly reports, required pursuant to subsection (5) of this~~  
25          ~~section, of the number of children abandoned pursuant to this section.~~

26          **SECTION 6.** In Colorado Revised Statutes, 19-3.3-108, **amend**  
27          (2) and (3) as follows:

1           **19-3.3-108. Office of the child protection ombudsman - annual**  
2 **report.** (2) The ombudsman shall distribute the written report to the  
3 governor, the chief justice, AND the board. ~~and the general assembly. The~~  
4 ~~ombudsman shall present the report to the health and human services~~  
5 ~~committees of the house of representatives and of the senate, or any~~  
6 ~~successor committees.~~

7           (3) The ombudsman shall post the annual report on the office of  
8 the child protection ombudsman's website. ~~and the general assembly's~~  
9 ~~website.~~

10           **SECTION 7.** In Colorado Revised Statutes, 26-1-132, **amend**  
11 (4)(a) as follows:

12           **26-1-132. Department of human services - rate setting -**  
13 **residential treatment service providers - monitoring and auditing -**  
14 **report - repeal.** (4) (a) (I) The state department, in conjunction with the  
15 counties and providers, shall submit an initial report to the joint budget  
16 committee of the general assembly on or before January 1, 2017, and  
17 every January 1 thereafter. The report must include the rate-setting  
18 process and the implementation timeline developed pursuant to this  
19 section.

20           (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
21 (4)(a) IS REPEALED, EFFECTIVE JANUARY 2, 2020.

22           **SECTION 8.** In Colorado Revised Statutes, **repeal** 26-1-310 as  
23 follows:

24           **26-1-310. Reports to the general assembly.** ~~On September 1,~~  
25 ~~2009, and each September 1 thereafter, the board shall provide a report~~  
26 ~~to the joint budget committee and the health and human services~~  
27 ~~committees of the house of representatives and the senate, or any~~



1 ~~successor committees, on the operations of the trust fund, the moneys~~  
2 ~~expended, the number of individuals with traumatic brain injuries offered~~  
3 ~~services, the research grants awarded and the progress on such grants, and~~  
4 ~~the educational information provided pursuant to this article.~~

5         **SECTION 9.** In Colorado Revised Statutes, 26-2-104, **amend**  
6 (2)(f) as follows:

7         **26-2-104. Public assistance programs - electronic benefits**  
8 **transfer service - joint reports with department of revenue - signs -**  
9 **rules - repeal.** (2) (f) (I) On or before January 1, 2016, and July 1, 2016,  
10 and on or before each January 1 thereafter, the department of revenue and  
11 the state department shall each submit and present the reports at the same  
12 meeting on electronic benefits transfers to the state, veterans, and military  
13 affairs committees of the senate and house of representatives, the health  
14 and human services committee of the senate, and the public health care  
15 and human services committee of the house of representatives, or any  
16 successor committees. The reports must list the number of instances that  
17 a client accessed cash benefits through the electronic benefits transfer  
18 service through automated teller machines located in each type of  
19 establishment described in paragraph (a) of this subsection (2) or any  
20 other establishment in which a client is prohibited from accessing benefits  
21 by federal law.

22         (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
23 (2)(f) IS REPEALED, EFFECTIVE JANUARY 2, 2019.

24         **SECTION 10.** In Colorado Revised Statutes, 26-2-809, **add** (2)  
25 as follows:

26         **26-2-809. Colorado child care assistance program - reporting**  
27 **requirements - repeal.** (2) PURSUANT TO SECTION 24-1-136 (11)(a)(I),

1 THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 2, 2019.

2 **SECTION 11.** In Colorado Revised Statutes, 26-5-105.4, **repeal**  
3 (8) as follows:

4 **26-5-105.4. Title IV-E waiver demonstration project - county**  
5 **performance agreements - Title IV-E waiver demonstration project**  
6 **cash fund created - rules - repeal.** (8) ~~(a) On or before December 31,~~  
7 ~~2013, and each December 31 thereafter, the state department shall prepare~~  
8 ~~a report concerning the status of the Title IV-E waiver demonstration~~  
9 ~~project, as described in this section. The state department shall deliver the~~  
10 ~~report to the joint budget committee, the health and human services~~  
11 ~~committee of the senate, the health, insurance, and environment~~  
12 ~~committee of the house of representatives, and the public health care and~~  
13 ~~human services committee of the house of representatives, or any~~  
14 ~~successor committees, no later than December 31 of each year.~~

15 ~~(b) To the extent that the state department is able to provide the~~  
16 ~~data, the report must include, but need not be limited to:~~

17 ~~(I) The number of counties participating in the project;~~

18 ~~(II) The interventions implemented by each county participating~~  
19 ~~in the project;~~

20 ~~(III) The outcomes achieved by the project as reported to the~~  
21 ~~federal administration for children and families;~~

22 ~~(IV) The moneys expended for the project; and~~

23 ~~(V) Any need for additional legislation to further the~~  
24 ~~accomplishment of goals of the project related to child safety,~~  
25 ~~permanency, and well-being.~~

26 **SECTION 12.** In Colorado Revised Statutes, 26-5.5-104, **amend**  
27 (6) as follows:

1           **26-5.5-104. Statewide family preservation program - creation**  
2   **- single state agency designated - program criteria established -**  
3   **available services - powers and duties of agencies - local oversight -**  
4   **feasibility report.** (6) On and after July 1, 1994, the executive director  
5   of the state department shall annually evaluate the statewide family  
6   preservation program and shall determine the overall effectiveness and  
7   cost-efficiency of the program. On or before the first day of October of  
8   each year, the executive director of the state department shall report such  
9   findings and shall make recommended changes, including budgetary  
10   changes, to the program to ~~the general assembly~~; the chief justice of the  
11   supreme court and the governor. In evaluating the program, the executive  
12   director of the state department shall consider any recommendations made  
13   by the interagency family preservation commission in accordance with  
14   section 26-5.5-106. To the extent changes to the program may be made  
15   without requiring statutory amendment, the executive director may  
16   implement such changes, including changes recommended by the  
17   commission acting in accordance with subsection (7) of this section.

18           **SECTION 13.** In Colorado Revised Statutes, 26-6-116, **repeal** (2)  
19   as follows:

20           **26-6-116. Child care resource and referral system - created.**  
21   ~~(2) The state department shall report to the members of the health and~~  
22   ~~human services committees of the senate and the house of representatives~~  
23   ~~of the general assembly, or any successor committees, concerning the~~  
24   ~~child care resource and referral system by December 1, 2001, and by each~~  
25   ~~December 1 thereafter. The report shall specify, at a minimum, the entity~~  
26   ~~that the state department has currently designated to administer the system~~  
27   ~~and the qualifications of that entity to serve in such capacity, the types of~~

1 ~~services that are being provided pursuant to the system, the numbers and~~  
2 ~~types of persons receiving such services, and the cost associated with the~~  
3 ~~system.~~

4 **SECTION 14.** In Colorado Revised Statutes, 26-6.7-105, **amend**  
5 (2) as follows:

6 **26-6.7-105. Reporting requirements - repeal.** (2) (a) On or  
7 before December 1, 2014, and each December 1 thereafter, the state  
8 department shall provide a written report on the grant program to the  
9 public health care and human services committee of the house of  
10 representatives and the health and human services committee of the  
11 senate, or any successor committees. The report must include a summary  
12 of the data received pursuant to subsection (1) of this section, the total  
13 amount of grants and grant moneys awarded, and the total increase in the  
14 number of infants and toddlers under three years of age served by the  
15 grant program.

16 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
17 (2) IS REPEALED, EFFECTIVE DECEMBER 2, 2017.

18 **SECTION 15.** In Colorado Revised Statutes, 26-12-108, **amend**  
19 (4)(b); and **repeal** (1)(c) as follows:

20 **26-12-108. Payments for care - funds - report - collections for**  
21 **charges - central fund for veterans centers created - repeal.**

22 (1) (c) ~~The state department shall prepare and submit to the general~~  
23 ~~assembly an annual report detailing the financial status of each veterans~~  
24 ~~center. This report must also identify which of the veterans centers~~  
25 ~~administered pursuant to the provisions of this article are owned by the~~  
26 ~~state but operated under contract by another entity.~~

27 (4) (b) (I) The moneys transferred to the central fund pursuant to

1 this subsection (4) may be used for nonrecurring expenditures that  
2 address the greatest needs of serving veterans.

3 (II) (A) At least sixty days prior to making such expenditures, the  
4 state department shall report its recommended use of the sale proceeds to  
5 the state, veterans, and military affairs committees of the house of  
6 representatives and the senate, the capital development committee, and  
7 the joint budget committee.

8 (B) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
9 (4)(b)(II) IS REPEALED, EFFECTIVE DECEMBER 2, 2020.

10 **SECTION 16.** In Colorado Revised Statutes, **repeal** 27-10.5-710  
11 as follows:

12 **27-10.5-710. Annual report - cooperation from certified early**  
13 **intervention service brokers and qualified providers.** ~~(1) By~~  
14 ~~November 1, 2008, and by November 1 each year thereafter, the~~  
15 ~~department shall submit an annual report to the general assembly~~  
16 ~~regarding the various funding sources used for early intervention services,~~  
17 ~~the number of eligible children served, the average cost of early~~  
18 ~~intervention services, and any other information the department deems~~  
19 ~~appropriate. The department shall submit the report to the joint budget~~  
20 ~~committee as part of the department's annual budget request. The~~  
21 ~~department shall also submit the report to the health and human services~~  
22 ~~committees and the education committees of the senate and house of~~  
23 ~~representatives, or any successor committees.~~

24 ~~(2) The department shall request, and certified early intervention~~  
25 ~~service brokers and qualified early intervention service providers shall~~  
26 ~~provide, information regarding early intervention services that the~~  
27 ~~department needs to prepare the annual report required by this section or~~

1 ~~other required federal or state reports.~~

2       **SECTION 17.** In Colorado Revised Statutes, 27-80-107.5,  
3 **amend** (5)(c) as follows:

4       **27-80-107.5. Increasing access to effective substance use**  
5 **disorder services act - managed service organizations - substance use**  
6 **disorder services - assessment - community action plan - allocations**  
7 **- reporting requirements - evaluation - repeal.** (5) (c) (I) On or before  
8 November 1, 2020, the department, in collaboration with the designated  
9 managed service organizations, shall submit a report to the joint budget  
10 committee and the joint health and human services committee, or any  
11 successor committees. The report must:

12       (Ⓜ) (A) Summarize expenditures made by the designated managed  
13 service organizations using money made available pursuant to this section  
14 for state fiscal years 2016-17, 2017-18, 2018-19, and 2019-20;

15       (Ⓜ) (B) Describe the impact the expenditures have had on  
16 increasing statewide access to effective substance use disorder services;  
17 and

18       (Ⓜ) (C) Include any recommendations to strengthen or improve  
19 the program.

20       (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
21 (5)(c) IS REPEALED, EFFECTIVE NOVEMBER 2, 2023.

22       **SECTION 18.** In Colorado Revised Statutes, **repeal** 27-80-110  
23 as follows:

24       **27-80-110. Reports.** ~~The unit shall submit a report not later than~~  
25 ~~November 1 of each year to the health and human services committees of~~  
26 ~~the senate and house of representatives, or any successor committees, on~~  
27 ~~the costs and effectiveness of alcohol and drug abuse programs in this~~

1 ~~state and on recommended legislation in the field of alcohol and drug~~  
2 ~~abuse.~~

3 **SECTION 19.** In Colorado Revised Statutes, 16-13-701, **amend**  
4 (4) as follows:

5 **16-13-701. Reporting of forfeited property.** (4) The unit in the  
6 department of human services that administers behavioral health  
7 programs and services, including those related to mental health and  
8 substance abuse, shall prepare an annual accounting report of moneys  
9 received by the managed service organization pursuant to section  
10 16-13-311 (3)(a)(VII)(B), including revenues, expenditures, beginning  
11 and ending balances, and services provided. ~~The unit in the department~~  
12 ~~of human services that administers behavioral health programs and~~  
13 ~~services, including those related to mental health and substance abuse,~~  
14 ~~shall provide this information in its annual report pursuant to section~~  
15 ~~27-80-110, C.R.S.~~

16 **SECTION 20.** In Colorado Revised Statutes, 42-4-1701, **amend**  
17 (4)(e) as follows:

18 **42-4-1701. Traffic offenses and infractions classified -**  
19 **penalties - penalty and surcharge schedule - repeal.** (4) (e) (I) An  
20 additional fifteen dollars shall be assessed for speeding violations under  
21 sub-subparagraph (L) of subparagraph (I) of paragraph (a) of this  
22 subsection (4) in addition to the penalties and surcharge stated in said  
23 sub-subparagraph (L). Moneys collected pursuant to this paragraph (e)  
24 shall be transmitted to the state treasurer who shall deposit such moneys  
25 in the Colorado traumatic brain injury trust fund created pursuant to  
26 section 26-1-309, C.R.S., within fourteen days after the end of each  
27 quarter, to be used for the purposes set forth in ~~sections 26-1-301 to~~

1     ~~26-1-310, C.R.S.~~ PART 3 OF ARTICLE 1 OF TITLE 26.

2             (II) If the surcharge is collected by a county or municipal court,  
3     the surcharge shall be seventeen dollars of which two dollars shall be  
4     retained by the county or municipality and the remaining fifteen dollars  
5     shall be transmitted to the state treasurer and credited to the Colorado  
6     traumatic brain injury trust fund created pursuant to section 26-1-309,  
7     C.R.S., within fourteen days after the end of each quarter, to be used for  
8     the purposes set forth in ~~sections 26-1-301 to 26-1-310, C.R.S.~~ PART 3 OF  
9     ARTICLE 1 OF TITLE 26.

10            (III) An additional fifteen dollars shall be assessed for a violation  
11     of a traffic regulation under sub-subparagraph (C) of subparagraph (I) of  
12     paragraph (a) of this subsection (4) for a violation of section 42-4-109  
13     (13)(b), in addition to the penalties stated in said sub-subparagraph (C).  
14     An additional fifteen dollars shall be assessed for a motorcycle violation  
15     under sub-subparagraph (O) of subparagraph (I) of paragraph (a) of this  
16     subsection (4) for a violation of section 42-4-1502 (4.5), in addition to the  
17     penalties stated in said sub-subparagraph (O). Moneys collected pursuant  
18     to this subparagraph (III) shall be transmitted to the state treasurer, who  
19     shall deposit the moneys in the Colorado traumatic brain injury trust fund  
20     created pursuant to section 26-1-309, C.R.S., to be used for the purposes  
21     set forth in ~~sections 26-1-301 to 26-1-310, C.R.S.~~ PART 3 OF ARTICLE 1 OF  
22     TITLE 26.

23            **SECTION 21. Act subject to petition - effective date.** This act  
24     takes effect at 12:01 a.m. on the day following the expiration of the  
25     ninety-day period after final adjournment of the general assembly (August  
26     9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
27     referendum petition is filed pursuant to section 1 (3) of article V of the



1 state constitution against this act or an item, section, or part of this act  
2 within such period, then the act, item, section, or part will not take effect  
3 unless approved by the people at the general election to be held in  
4 November 2018 and, in such case, will take effect on the date of the  
5 official declaration of the vote thereon by the governor.



First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.29.16

Bill (2)(b)(iv)

LLS NO. 17-0271.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Reqmnts By Judicial Dept To GA"

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE JUDICIAL**  
102 **DEPARTMENT TO THE GENERAL ASSEMBLY.**

**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/>.)*

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

requirements of the judiciary department.

**Sections 1, 3, and 5 through 7** of the bill repeal reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates listed in the organic statutes.

**Section 2** of the bill adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

**Section 4** of the bill amends the organic statute to remove a requirement to send a report to the general assembly after the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 13-1-137 as  
3 follows:

4 **13-1-137. Reporting of data concerning juvenile proceedings.**

5 ~~(1) The judicial branch shall report annually to the judiciary committees~~  
6 ~~of the house of representatives and senate, or to any successor~~  
7 ~~committees, information concerning:~~

8 ~~(a) The number of juvenile delinquency cases;~~

9 ~~(b) The number of juvenile delinquency cases that involved an~~  
10 ~~appointment of counsel;~~

11 ~~(c) The number of juvenile cases that involved a waiver of~~  
12 ~~counsel;~~

13 ~~(d) The status of recommended reviews to juvenile court rules,~~  
14 ~~forms, and chief justice directives regarding the representation of children~~  
15 ~~in juvenile delinquency courts; and~~

16 ~~(e) The number of juvenile delinquency cases that involved a~~  
17 ~~detention hearing, the number of juveniles who were released after the~~  
18 ~~detention hearing, and the number of juveniles who remained in detention~~  
19 ~~after the detention hearing.~~

20 **SECTION 2.** In Colorado Revised Statutes, 13-3-115, **amend** (6)

1 as follows:

2 **13-3-115. Diversion funding committee - repeal.** (6) (a) By  
3 January 31, 2015, and each January 31 thereafter, the judicial department  
4 shall provide to the joint budget committee a status report that includes  
5 the information required by subsection (5) of this section.

6 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
7 (6) IS REPEALED, EFFECTIVE FEBRUARY 1, 2018.

8 **SECTION 3.** In Colorado Revised Statutes, 13-91-105, **amend**  
9 (1)(h) and (1)(i) as follows:

10 **13-91-105. Duties of the office of the child's representative -**  
11 **guardian ad litem programs - CASA programs.** (1) In addition to any  
12 responsibilities assigned to it by the chief justice, the office of the child's  
13 representative shall:

14 (h) Cause a program review and outcome-based evaluation of the  
15 performance of the office of the child's representative to be conducted  
16 annually to determine whether the office is effectively and efficiently  
17 meeting the goals of improving child and family well-being and the duties  
18 set forth in this section, ~~the reports for which shall be submitted to the~~  
19 ~~members of the general assembly~~ and THE OFFICE SHALL SUBMIT THE  
20 REPORTS TO the state court administrator's office, together with the reports  
21 specified in paragraph (i) of this subsection (1); and

22 (i) Report the activities of the office of the child's representative  
23 to ~~the members of the general assembly and to~~ the state court  
24 administrator's office, together with the reports specified in paragraph (h)  
25 of this subsection (1), on or before September 1, 2001, and on or before  
26 September 1 of each year thereafter.

27 **SECTION 4.** In Colorado Revised Statutes, 13-92-104, **amend**

1 (1)(e) as follows:

2 **13-92-104. Duties of the office of the respondent parents'**  
3 **counsel.** (1) The office has the following duties, at a minimum:

4 (e) Annually reviewing and evaluating the office's performance  
5 to determine whether the office is effectively and efficiently meeting the  
6 goals of improving child and family well-being and the duties set forth in  
7 this section. The report must be submitted on or before January 1, 2017,  
8 and annually thereafter, to ~~the members of the general assembly and the~~  
9 state court administrator's office.

10 **SECTION 5.** In Colorado Revised Statutes, 16-4-106, **amend** (6)  
11 introductory portion as follows:

12 **16-4-106. Pretrial services programs.** (6) Commencing July 1,  
13 2012, each pretrial services program established pursuant to this section  
14 shall provide an annual report to the judicial department no later than  
15 November 1 of each year, regardless of whether the program existed prior  
16 to May 31, 1991. ~~The judicial department shall present an annual~~  
17 ~~combined report to the house and senate judiciary committees of the~~  
18 ~~house of representatives and the senate, or any successor committees, of~~  
19 ~~the general assembly.~~ The report to the judicial department must include,  
20 but is not limited to, the following information:

21 **SECTION 6.** In Colorado Revised Statutes, **repeal** 18-1.3-1011  
22 as follows:

23 **18-1.3-1011. Annual report.** ~~(1) On or before November 1,~~  
24 ~~2000, and on or before each November 1 thereafter, the department of~~  
25 ~~corrections, the department of public safety, and the judicial department~~  
26 ~~shall submit a report to the judiciary committees of the house of~~  
27 ~~representatives and the senate, or any successor committees, and to the~~

1 joint budget committee of the general assembly specifying, at a minimum:

2 (a) ~~The impact on the prison population, the parole population,~~  
3 ~~and the probation population in the state due to the extended length of~~  
4 ~~incarceration and supervision provided for in sections 18-1.3-1004,~~  
5 ~~18-1.3-1006, and 18-1.3-1008;~~

6 (b) ~~The number of offenders placed in the intensive supervision~~  
7 ~~parole program and the intensive supervision probation program and the~~  
8 ~~length of supervision of offenders in said programs;~~

9 (c) ~~The number of sex offenders sentenced pursuant to this part~~  
10 ~~10 who received parole release hearings and the number released on~~  
11 ~~parole during the preceding twelve months, if any;~~

12 (d) ~~The number of sex offenders sentenced pursuant to this part~~  
13 ~~10 who received parole or probation discharge hearings and the number~~  
14 ~~discharged from parole or probation during the preceding twelve months,~~  
15 ~~if any;~~

16 (e) ~~The number of sex offenders sentenced pursuant to this part~~  
17 ~~10 who received parole or probation revocation hearings and the number~~  
18 ~~whose parole or probation was revoked during the preceding twelve~~  
19 ~~months, if any;~~

20 (f) ~~A summary of the evaluation instruments developed by the~~  
21 ~~management board and use of the evaluation instruments in evaluating~~  
22 ~~sex offenders pursuant to this part 10;~~

23 (g) ~~The availability of sex offender treatment providers~~  
24 ~~throughout the state, including location of the treatment providers, the~~  
25 ~~services provided, and the amount paid by offenders and by the state for~~  
26 ~~the services provided, and the manner of regulation and review of the~~  
27 ~~services provided by sex offender treatment providers;~~

1           ~~(h) The average number of sex offenders sentenced pursuant to~~  
2           ~~this part 10 that participated in phase I and phase II of the department's~~  
3           ~~sex offender treatment and monitoring program during each month of the~~  
4           ~~preceding twelve months;~~

5           ~~(i) The number of sex offenders sentenced pursuant to this part 10~~  
6           ~~who were denied admission to treatment in phase I and phase II of the~~  
7           ~~department's sex offender treatment and monitoring program for reasons~~  
8           ~~other than length of remaining sentence during each month of the~~  
9           ~~preceding twelve months;~~

10           ~~(j) The number of sex offenders sentenced pursuant to this part 10~~  
11           ~~who were terminated from phase I and phase II of the department's sex~~  
12           ~~offender treatment and monitoring program during the preceding twelve~~  
13           ~~months and the reason for termination in each case;~~

14           ~~(k) The average length of participation by sex offenders sentenced~~  
15           ~~pursuant to this part 10 in phase I and phase II of the department's sex~~  
16           ~~offender treatment and monitoring program during the preceding twelve~~  
17           ~~months;~~

18           ~~(l) The number of sex offenders sentenced pursuant to this part 10~~  
19           ~~who were denied readmission to phase I and phase II of the department's~~  
20           ~~sex offender treatment and monitoring program after having previously~~  
21           ~~been terminated from the program during the preceding twelve months;~~

22           ~~(m) The number of sex offenders sentenced pursuant to this part~~  
23           ~~10 who were recommended by the department's sex offender treatment~~  
24           ~~and monitoring program to the parole board for release on parole during~~  
25           ~~the preceding twelve months and whether the recommendation was~~  
26           ~~followed in each case; and~~

27           ~~(n) The number of sex offenders sentenced pursuant to this part~~



1 ~~10 who were recommended by the department's sex offender treatment~~  
2 ~~and monitoring program for placement in community corrections during~~  
3 ~~the preceding twelve months and whether the recommendation was~~  
4 ~~followed in each case.~~

5 **SECTION 7.** In Colorado Revised Statutes, 18-3-414.5, **amend**  
6 (4) introductory portion as follows:

7 **18-3-414.5. Sexually violent predators - assessment - annual**  
8 **report.** (4) On or before January 15, 2008, and on or before January 15  
9 each year thereafter, the judicial department and the department of  
10 corrections shall jointly submit to ~~the judiciary committees of the senate~~  
11 ~~and the house of representatives, or any successor committees,~~ to the  
12 division of criminal justice in the department of public safety and to the  
13 governor a report specifying the following information:

14 **SECTION 8.** In Colorado Revised Statutes, 19-2-907, **amend**  
15 (5)(a) as follows:

16 **19-2-907. Sentencing schedule - options.** (5) (a) Except as  
17 otherwise provided in section 19-2-601 for an aggravated juvenile  
18 offender, if the court finds that placement out of the home is necessary  
19 and is in the best interests of the juvenile and the community, the court  
20 shall place the juvenile, following the criteria established pursuant to  
21 section 19-2-212, in the facility or setting that most appropriately meets  
22 the needs of the juvenile, the juvenile's family, and the community. In  
23 making its decision as to proper placement, the court shall utilize the  
24 evaluation for placement prepared pursuant to section 19-1-107 or the  
25 evaluation for placement required by section 19-1-115 (8)(e). Any  
26 placement recommendation in the evaluation prepared by the county  
27 department of social services shall be accorded great weight as the

1 placement that most appropriately meets the needs of the juvenile, the  
2 juvenile's family, and the community. Such recommendation prepared by  
3 the county department of social services shall set forth specific facts and  
4 reasons for the placement recommendation. If the evaluation for  
5 placement recommends placement in a facility located in Colorado that  
6 can provide appropriate treatment and that will accept the juvenile, then  
7 the court shall not place the juvenile in a facility outside this state. If the  
8 court places the juvenile in a facility located in Colorado other than one  
9 recommended by the evaluation for placement, in a facility located  
10 outside this state in accordance with the evaluation for placement, or in  
11 a facility in which the average monthly cost exceeds the amount  
12 established by the general assembly in the general appropriation bill, it  
13 shall make specific findings of fact, including the monthly cost of the  
14 facility in which such juvenile is placed, relating to its placement  
15 decision. A copy of such findings shall be sent to the chief justice of the  
16 supreme court. ~~who shall report monthly to the joint budget committee~~  
17 ~~and annually to the house and senate committees on health and human~~  
18 ~~services, or any successor committees, on such placements.~~ If the court  
19 commits the juvenile to the department of human services, it shall not  
20 make a specific placement, nor shall the provisions of this subsection (5)  
21 relating to specific findings of fact be applicable.

22 **SECTION 9. Effective date.** (1) Except as otherwise provided  
23 in this section, this act takes effect upon passage.

24 (2) Section 4 of this act takes effect January 2, 2020.

25 **SECTION 10. Safety clause.** The general assembly hereby finds,  
26 determines, and declares that this act is necessary for the immediate  
27 preservation of the public peace, health, and safety.

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.30.16

Bill (2)(b)(v)

LLS NO. 17-0272.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Requirements By CDLE To GA"

**A BILL FOR AN ACT**

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE  
102 DEPARTMENT OF LABOR AND EMPLOYMENT TO THE GENERAL  
103 ASSEMBLY.

**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/>.)*

**Statutory Review Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting requirements of the department of labor and employment.

**Section 1** of the bill repeals a report that was scheduled to repeal according to section 24-1-136. Currently there is no repeal date listed in the organic statute.

**Section 2** of the bill adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 8-72-101  
3 (3)(b) as follows:

4 **8-72-101. Duties and powers of division.** (3) (b) The department  
5 of labor and employment shall update the general assembly annually on  
6 the status of the fund during the hearing conducted pursuant to section  
7 2-7-203, C.R.S. By August 31, 2012, and by each August 31 thereafter,  
8 the division shall report to the joint budget committee, the economic and  
9 business development committee of the house of representatives, and the  
10 business, labor, and technology committee of the senate, or their  
11 successor committees, regarding the status of the fund. The report shall  
12 include at least the following from the prior calendar year:

13 (I) Total fund revenues and expenditures;

14 (H) The highest and lowest trust fund balance from the prior  
15 calendar year and a comparison of those balances to the following three  
16 solvency measures: The reserve ratio, the high-cost multiple, and the  
17 average high-cost multiple;

18 (HH) An analysis of the responsiveness of the funding mechanism  
19 to changes in economic conditions, both positive and negative;

20 (IV) An analysis of any material concerns identified by the

1 ~~division in fund solvency, revenue, and expenditures;~~

2 ~~(V) An analysis of the impact of total premiums assessed to~~  
3 ~~employers by employer size and employer experience;~~

4 ~~(VI) The total amount of overpayments paid to claimants and the~~  
5 ~~total amount of overpayments recovered; and~~

6 ~~(VII) An analysis of measures taken by the division to reduce the~~  
7 ~~total number and amount of overpayments and fraudulent payments.~~

8 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-46.3-205  
9 as follows:

10 **24-46.3-205. Reporting.** (1) On or before December 15, 2016,  
11 and on or before each December 15 thereafter, the department shall  
12 prepare an annual report on the grant program that includes, but is not  
13 limited to, the number and amounts of grants awarded, a list of hospitality  
14 programs that received grants, and the total number of students impacted  
15 through hospitality programs that received grants for the grant cycle most  
16 recently completed. The department shall provide a copy of the report to  
17 members of the business, labor, economic, and workforce development  
18 committee of the house of representatives and the business, labor, and  
19 technology committee of the senate, or any successor committees.

20 (2) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 17, 2019.

21 **SECTION 3. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
25 referendum petition is filed pursuant to section 1 (3) of article V of the  
26 state constitution against this act or an item, section, or part of this act  
27 within such period, then the act, item, section, or part will not take effect

- 1 unless approved by the people at the general election to be held in
- 2 November 2018 and, in such case, will take effect on the date of the
- 3 official declaration of the vote thereon by the governor.

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.30.16

Bill (2)(b)(vi)

LLS NO. 17-0273.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Reqmnts By Dept Of Law To GA"

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**  
102 **DEPARTMENT OF LAW TO THE GENERAL ASSEMBLY.**

**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/>.)*

**Statutory Review Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due, unless the general assembly, acting by bill, continues the requirement. The bill addresses the reporting

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requirements of the department of law.

The bill repeals reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date in the organic statute.

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

**SECTION 1.** In Colorado Revised Statutes, **repeal** 21-1-104 (4) as follows:

**21-1-104. Duties of public defender.** (4) ~~Pursuant to section 2-7-203, C.R.S., the state public defender shall report annually to the judiciary committees of the house of representatives and senate, or to any successor committees, information concerning:~~

~~(a) The number of juvenile delinquency cases for which counsel from the office is appointed;~~

~~(b) The number of juvenile cases that involve a conflict of interest;~~

~~(c) The process of selecting, training, and supporting attorneys who represent children in juvenile delinquency court;~~

~~(d) The average length of time attorneys are assigned to juvenile court; and~~

~~(e) The outcome of efforts to reduce juvenile court rotations and increase opportunities for promotional advancement in salaries for attorneys in juvenile court.~~

**SECTION 2.** In Colorado Revised Statutes, **repeal** 24-31-104.5 (3) as follows:

**24-31-104.5. Funding for insurance fraud investigations and prosecutions - creation of fund.** (3) ~~The attorney general shall provide annual reports to the joint budget committee, the senate business, labor,~~



1 and technology committee, and the house economic and business  
2 development committee, or any successor committees, and shall post on  
3 the attorney general's website a statistical report of the number of  
4 full-time employees dedicated to insurance fraud, referrals, open  
5 investigations, convictions, arrests, and actions initiated, and the number  
6 of restitutions, fines, costs, and forfeitures obtained, from the  
7 investigation and prosecution of insurance fraud as provided in this  
8 section. In the report, the attorney general shall make his or her best effort  
9 to delineate between the types of cases prosecuted by line of insurance.

10 **SECTION 3.** In Colorado Revised Statutes, **repeal** 25.5-4-310 as  
11 follows:

12 **25.5-4-310. Medicaid false claims report.** ~~(1) On or before~~  
13 ~~January 15, 2012, and on or before each January 15 thereafter, the~~  
14 ~~attorney general shall submit a written report to the health and human~~  
15 ~~services committees of the senate and the house of representatives, or any~~  
16 ~~successor committees, and to the joint budget committee of the general~~  
17 ~~assembly concerning claims brought under the "Colorado Medicaid False~~  
18 ~~Claims Act" during the previous fiscal year. The report shall include, but~~  
19 ~~not be limited to:~~

20 (a) ~~The number of actions filed by the attorney general;~~

21 (b) ~~The number of actions filed by the attorney general that were~~  
22 ~~completed;~~

23 (c) ~~The amount that was recovered in actions filed by the attorney~~  
24 ~~general through settlement or through a judgment and, if known, the~~  
25 ~~amount recovered for damages, penalties, and litigation costs;~~

26 (d) ~~The number of actions filed by a person other than the attorney~~  
27 ~~general;~~

1           ~~(e) The number of actions filed by a person other than the attorney~~  
2     ~~general that were completed;~~

3           ~~(f) The amount that was recovered in actions filed by a person~~  
4     ~~other than the attorney general through settlement or through a judgment~~  
5     ~~and, if known, the amount recovered for damages, penalties, and litigation~~  
6     ~~costs, and the amount recovered by the state and the person; and~~

7           ~~(g) The amount expended by the state for investigation, litigation,~~  
8     ~~and all other costs for claims related to the "Colorado Medicaid False~~  
9     ~~Claims Act".~~

10           **SECTION 4.** In Colorado Revised Statutes, **amend** 25.5-4-303.5  
11 as follows:

12           **25.5-4-303.5. Short title.** This section and sections 25.5-4-304 to  
13     ~~25.5-4-310~~ 25.5-4-309 shall be known and may be cited as the "Colorado  
14 Medicaid False Claims Act".

15           **SECTION 5. Act subject to petition - effective date.** This act  
16 takes effect at 12:01 a.m. on the day following the expiration of the  
17 ninety-day period after final adjournment of the general assembly (August  
18 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
19 referendum petition is filed pursuant to section 1 (3) of article V of the  
20 state constitution against this act or an item, section, or part of this act  
21 within such period, then the act, item, section, or part will not take effect  
22 unless approved by the people at the general election to be held in  
23 November 2018 and, in such case, will take effect on the date of the  
24 official declaration of the vote thereon by the governor.

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.4.16

Bill (2)(b)(vii)

LLS NO. 17-0276.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC: "Repeal Reporting Requirement SVMA"**

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF A REPORT BY THE BOARD OF**  
102 **VETERANS AFFAIRS TO THE GENERAL ASSEMBLY.**

**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/>.)*

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), any report that is required to be made to the general assembly or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement.

The bill repeals a reporting requirement of the board of veterans

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affairs.

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

2 **SECTION 1.** In Colorado Revised Statutes, 28-5-703, **repeal**  
3 (3)(b) and (3)(c) as follows:

4 **28-5-703. Rules - duties.** (3) On or before December 31, 2002,  
5 and on or before December 31 each year thereafter, the board, with the  
6 assistance of the division, shall report on the status of all programs  
7 providing services to the state's veterans, including but not limited to any  
8 recommendations for changes to policies, procedures, or law, to:

9 (b) ~~The state, veterans, and military affairs committee of the house~~  
10 ~~of representatives; and~~

11 (c) ~~The state, veterans, and military affairs committee of the~~  
12 ~~senate.~~

13 **SECTION 2. Act subject to petition - effective date.** This act  
14 takes effect at 12:01 a.m. on the day following the expiration of the  
15 ninety-day period after final adjournment of the general assembly (August  
16 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
17 referendum petition is filed pursuant to section 1 (3) of article V of the  
18 state constitution against this act or an item, section, or part of this act  
19 within such period, then the act, item, section, or part will not take effect  
20 unless approved by the people at the general election to be held in  
21 November 2018 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.28.16

Bill (2)(b)(viii)

LLS NO. 17-0277.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Reqmnts By DNR To GA"

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**  
102 **DEPARTMENT OF NATURAL RESOURCES TO THE GENERAL**  
103 **ASSEMBLY.**

**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/>.)*

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

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Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement.

The bill repeals reporting requirements of the department of natural resources that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1303, **amend**  
3 (3)(b)(II) as follows:

4 **24-30-1303. Office of the state architect - responsibilities.**

5 (3) (b) Projects under the supervision of the division of parks and  
6 wildlife that are excluded from paragraph (a) of this subsection (3), shall:

7 (II) Report the current record of balances by capital project on or  
8 before September 15, 2001, not less than one time annually on or before  
9 each September 15 thereafter to the office of state planning and  
10 budgeting, ~~the joint budget committee, and the capital development~~  
11 ~~committee.~~

12 **SECTION 2.** In Colorado Revised Statutes, 24-33-111, **amend**  
13 (3)(a) as follows:

14 **24-33-111. Conservation of native species - fund created.**

15 (3) **Species conservation eligibility list and annual report.** (a) The  
16 executive director of the department of natural resources, after  
17 consultation with the Colorado water conservation board and its director,  
18 the parks and wildlife commission, and the director of the division of  
19 parks and wildlife, shall annually prepare a species conservation  
20 eligibility list describing programs and associated costs that are eligible  
21 to receive funding pursuant to this section. The species conservation  
22 eligibility list is subject to modification and adoption through passage of  
23 a bill. ~~At the same time as the species conservation eligibility list is~~

1 ~~submitted, the director of the department of natural resources, after~~  
2 ~~consultation with the Colorado water conservation board and its director,~~  
3 ~~the parks and wildlife commission, and the director of the division of~~  
4 ~~parks and wildlife, shall also provide a detailed report to the general~~  
5 ~~assembly on the progress and status of activities to date and their~~  
6 ~~effectiveness in the recovery of the species and identify proposed future~~  
7 ~~activities. The report shall include an assessment of habitat benefits, both~~  
8 ~~public and private, attributable to such activities.~~

9 **SECTION 3.** In Colorado Revised Statutes, 33-1-105.5, **repeal**  
10 (9) as follows:

11 **33-1-105.5. Acquisition of property - procedure.** (9) The  
12 ~~commission shall include in its annual report, which report shall be~~  
13 ~~submitted to the capital development committee and to the agriculture,~~  
14 ~~livestock, and natural resources committee of the house of representatives~~  
15 ~~and the agriculture, natural resources, and energy committee of the senate,~~  
16 ~~a listing of all acquisitions of real property or interests in water made~~  
17 ~~pursuant to the provisions of this section. Such report shall describe all~~  
18 ~~property and interests in water acquired since July 1, 1992, the acquisition~~  
19 ~~cost of each such property or interest in water, and the appraised value of~~  
20 ~~each such property or interest in water, and shall contain a description of~~  
21 ~~all pending acquisitions of property and interests in water.~~

22 **SECTION 4.** In Colorado Revised Statutes, 33-1-112, **repeal**  
23 (7)(a)(III) as follows:

24 **33-1-112. Funds - cost accounting - definition - repeal.**  
25 (7) (a) (III) ~~The commission shall submit an annual report of the moneys~~  
26 ~~expended from the fund and matters accomplished by the expenditures~~  
27 ~~from the preceding fiscal year to the senate agriculture, natural resources,~~

1 ~~and energy committee and the house of representatives agriculture,~~  
2 ~~livestock, and natural resources committee, or their successor committees,~~  
3 ~~by the convening date of each regular session of the general assembly in~~  
4 ~~accordance with section 24-1-136 (9), C.R.S. The commission shall also~~  
5 ~~submit to these committees a report on moneys proposed to be expended~~  
6 ~~from the fund and the matters to be accomplished by the expenditures in~~  
7 ~~the upcoming fiscal year.~~

8 **SECTION 5.** In Colorado Revised Statutes, 33-1-112, **amend**  
9 (8)(b) as follows:

10 **33-1-112. Funds - cost accounting - definition - repeal.**

11 (8) (b) The council shall submit an annual report to the commission ~~the~~  
12 ~~senate and house agriculture committees,~~ and the executive director of the  
13 department of natural resources specifically stating the items for which  
14 it has expended ~~moneys~~ MONEY from the fund and the purpose of such  
15 items.

16 **SECTION 6.** In Colorado Revised Statutes, **repeal** 33-3-111 as  
17 follows:

18 **33-3-111. Annual report to the general assembly.**

19 ~~(1) Commencing with the second regular session of the sixty-seventh~~  
20 ~~general assembly, the division shall report at least annually, by January~~  
21 ~~31 of each year, to the senate agriculture and natural resources committee~~  
22 ~~and the house of representatives agriculture, livestock, and natural~~  
23 ~~resources committee, or their successor committees, on game damage and~~  
24 ~~game damage prevention issues. Such report shall include, at a minimum:~~

25 ~~(a) (I) The herd management objectives set by the division and~~  
26 ~~whether those objectives are being met. In providing this information, the~~  
27 ~~division shall supply the actual number of herd animals by game unit.~~



1           ~~(H) If any of the herd management objectives of the division are~~  
2           ~~not being met, the division shall set forth in detail its plans, strategies, and~~  
3           ~~efforts that it is using or intends to use in order to achieve compliance~~  
4           ~~with the objectives.~~

5           ~~(b) The number of requests for game damage prevention~~  
6           ~~materials, the timeliness of the division in responding to such requests,~~  
7           ~~the quantity and types of temporary and permanent materials issued, the~~  
8           ~~number of requests for materials denied, and, to the extent that such~~  
9           ~~information is available, the adequacy of materials in preventing game~~  
10          ~~damage;~~

11          ~~(c) The number of permits to take wildlife requested pursuant to~~  
12          ~~section 33-3-106, the number of permits issued, the amount of wildlife~~  
13          ~~killed under such permits, the number of permits denied, and the reasons~~  
14          ~~for denial;~~

15          ~~(d) The number of claims for damages submitted under this~~  
16          ~~section, how many of those claims were settled and the monetary amounts~~  
17          ~~of the settlements, the number of claims pending at the time of the report,~~  
18          ~~the number of claims denied, and the reasons for denial;~~

19          ~~(e) Any other costs incurred by the division in administering this~~  
20          ~~article.~~

21          **SECTION 7.** In Colorado Revised Statutes, 33-10-111, **repeal**  
22          **(6)(c)** as follows:

23          **33-10-111. Parks and outdoor recreation cash fund - parks for**  
24          **future generations trust fund - created - fees - accounting**  
25          **expenditures for roads and highways - definition - repeal.** (6) (c) The  
26          ~~commission shall submit an annual report of the moneys expended from~~  
27          ~~the fund and matters accomplished by the expenditures from the~~

1 preceding fiscal year to the senate agriculture, natural resources, and  
2 energy committee and the house of representatives agriculture, livestock,  
3 and natural resources committee, or their successor committees, by the  
4 convening date of each regular session of the general assembly in  
5 accordance with section 24-1-136 (9), C.R.S. The commission shall also  
6 submit to these committees a report on moneys proposed to be expended  
7 from the fund and the matters to be accomplished by the expenditures in  
8 the upcoming fiscal year.

9 **SECTION 8.** In Colorado Revised Statutes, 33-10.5-103, **repeal**  
10 (5) as follows:

11 **33-10.5-103. Powers and duties of the division - annual report.**

12 (5) Beginning on January 15, 2009, and on or before January 15 of each  
13 year thereafter, the division and the water conservation board created in  
14 section 37-60-102, C.R.S., shall make an annual report of the efforts in  
15 addressing aquatic nuisance species in Colorado for the preceding  
16 calendar year to the joint house agriculture, livestock, and natural  
17 resources committee and the senate agriculture, natural resources, and  
18 energy committee, or its successor committee. Each such report shall set  
19 forth a complete operating and financial statement covering the aquatic  
20 nuisance species operations of the division during the year.

21 **SECTION 9.** In Colorado Revised Statutes, **repeal** 33-60-106 as  
22 follows:

23 **33-60-106. Report required - general appropriations act.** On

24 or before September 1 of each year beginning with 1993, each state  
25 agency that has received or is scheduled to receive moneys from the great  
26 outdoors Colorado trust fund shall provide the senate agriculture, natural  
27 resources, and energy committee and the house of representatives

1 ~~agriculture, livestock, and natural resources committee with a detailed~~  
2 ~~accounting of all such moneys received or to be received along with a~~  
3 ~~detailed accounting of how such moneys have been or will be expended.~~  
4 ~~For informational purposes, the expenditure of such moneys may be~~  
5 ~~indicated in the annual general appropriation act.~~

6       **SECTION 10.** In Colorado Revised Statutes, 36-1-102, **amend**  
7 (8) as follows:

8       **36-1-102. Employees - director - bonds - report.** (8) The state  
9 board of land commissioners shall deliver a copy of the summary of land  
10 transactions required pursuant to subsection (4) of this section, the  
11 investment and development fund report required pursuant to section  
12 36-1-153 (4), and the income and inventory report required pursuant to  
13 section 36-1-153.5 (1) on or before November 1, 2011, and on or before  
14 November 1 of each year thereafter, to ~~the members of the house and~~  
15 ~~senate education committees, or any successor committees, the members~~  
16 ~~of the house agriculture, livestock, and natural resources committee and~~  
17 ~~the senate agriculture and natural resources committee, or any successor~~  
18 ~~committees, the members of the joint budget committee, the members of~~  
19 the state board of education and the state treasurer. In addition, the state  
20 board of land commissioners shall make the summary of land  
21 transactions, the investment and development fund report, and the income  
22 and inventory report available to the public on the state board of land  
23 commissioners' website on or before November 1, 2011, and on or before  
24 November 1 of each year thereafter.

25       **SECTION 11.** In Colorado Revised Statutes, **repeal** 36-1-153.5  
26 as follows:

27       **36-1-153.5. Annual income and inventory report.** ~~(1) On or~~

1 before November 1, 2011, and on or before each November 1 thereafter,  
2 the state board of land commissioners shall prepare an annual income and  
3 inventory report. The report shall include the following:

4 (a) ~~Data regarding the income earned from lands held in trust by~~  
5 ~~the board, including:~~

6 (I) ~~A summary of the total revenues earned during the previous~~  
7 ~~fiscal year from all lands held in trust by the board;~~

8 (II) ~~A summary of the total revenues earned during the previous~~  
9 ~~fiscal year from lands in each individual trust held by the board;~~

10 (III) ~~A summary of the trends in revenue that have occurred in~~  
11 ~~connection with the lands held in trust by the board; and~~

12 (IV) ~~A summary of the anticipated growth in revenue and revenue~~  
13 ~~trends in connection with the lands held in trust by the board;~~

14 (b) ~~A summary of the state board of land commissioners' land~~  
15 ~~inventory as of the date of the report, including the number of surface~~  
16 ~~acres and subsurface acres in each individual trust held by the board; and~~

17 (c) ~~The amount transferred to the public school capital~~  
18 ~~construction assistance fund on the immediately preceding July 1,~~  
19 ~~pursuant to section 22-43.7-104 (2)(b)(I), C.R.S.~~

20 (2) ~~The state board of land commissioners shall deliver the annual~~  
21 ~~income and inventory report as specified in section 36-1-102 (8).~~

22 **SECTION 12.** In Colorado Revised Statutes, 37-60-121, **repeal**  
23 **(2.5)(d)** as follows:

24 **37-60-121. Colorado water conservation board construction**  
25 **fund - creation of - nature of fund - funds for investigations -**  
26 **contributions - use for augmenting the general fund - funds created**  
27 **- repeal. (2.5) (d) The board, in conjunction with the attorney general,**

1 ~~shall report annually to the senate agriculture, natural resources, and~~  
2 ~~energy committee and the house of representatives agriculture, livestock,~~  
3 ~~and natural resources committee on any litigation that involves the use of~~  
4 ~~any moneys from the litigation fund created in paragraph (a) of this~~  
5 ~~subsection (2.5).~~

6 **SECTION 13.** In Colorado Revised Statutes, 37-60-122, **amend**  
7 (1) introductory portion and (1)(b) as follows:

8 **37-60-122. General assembly approval.** (1) ~~Moneys~~ MONEY in  
9 the Colorado water conservation board construction fund shall be  
10 expended in the following manner and under the following  
11 circumstances:

12 (b) The general assembly may authorize projects as it deems to be  
13 to the advantage of the people of the state of Colorado and shall direct the  
14 board to proceed with the projects in the priorities established by the  
15 general assembly under terms approved by the general assembly. The  
16 board is authorized to make loans without general assembly approval in  
17 amounts not to exceed ten million dollars. The unappropriated balance of  
18 ~~moneys~~ MONEY in the Colorado water conservation board construction  
19 fund and the state severance tax perpetual base fund shall be available  
20 and continuously appropriated for this purpose. ~~The board shall submit a~~  
21 ~~written determination of the basis for the project loans to the general~~  
22 ~~assembly by January 15 of the year following the year in which the loan~~  
23 ~~was made.~~

24 **SECTION 14.** In Colorado Revised Statutes, 37-75-105, **repeal**  
25 (4) as follows:

26 **37-75-105. Interbasin compact committee.** (4) ~~Commencing in~~  
27 ~~2006, the committee shall submit an annual report to the house of~~

1 ~~representatives committee on agriculture, livestock, and natural resources~~  
2 ~~and the senate committee on agriculture, natural resources, and energy,~~  
3 ~~or their successor committees, by October 31 concerning the status of~~  
4 ~~compact negotiations and, in consultation with the Colorado water~~  
5 ~~conservation board created in section 37-60-102, how moneys from the~~  
6 ~~water supply reserve fund created in section 39-29-109 (2) (c), C.R.S.,~~  
7 ~~were allocated during the previous twelve months for water activities~~  
8 ~~approved by basin roundtables.~~

9       **SECTION 15.** In Colorado Revised Statutes, **repeal** 37-87-114.4  
10 as follows:

11       **37-87-114.4. Annual report.** ~~The state engineer shall submit an~~  
12 ~~annual report to the general assembly by November 1 of each year~~  
13 ~~concerning the activities of the state engineer and the division of water~~  
14 ~~resources relating to sections 37-87-105 to 37-87-114 for the preceding~~  
15 ~~fiscal year. The report must include information on the following:~~  
16 ~~Approvals of plans and specifications for construction of dams and~~  
17 ~~reservoirs and for alterations, modifications, repairs, and enlargements;~~  
18 ~~number of safety inspections made and the results thereof; use of~~  
19 ~~appropriated funds; receipts generated for inspections of dams and~~  
20 ~~reservoirs; rules and regulations adopted or amended; enforcement orders~~  
21 ~~and proceedings; dam failures and reasons therefor; and other available~~  
22 ~~data regarding the effectiveness of the state's dam and reservoir safety~~  
23 ~~program.~~

24       **SECTION 16.** In Colorado Revised Statutes, 37-95-116, **amend**  
25 (1) as follows:

26       **37-95-116. Annual report - annual audit - annual budget.**  
27 (1) On or before April 30 of each year, the authority shall make an

1 annual report of its activities for the preceding fiscal year to the governor.  
2 ~~and the joint agriculture and natural resource committee of the house of~~  
3 ~~representatives and the senate.~~ Each such report shall set forth a complete  
4 operating and financial statement covering its operations during the year.  
5 Included within such report shall be detailed financial data setting forth  
6 the manner in which any previously appropriated state funds have been  
7 used. The authority, no later than November 30 of each year, shall report  
8 to the governor any requests for state funds for the upcoming state fiscal  
9 year, detailing the purposes for which said funds are to be utilized.

10 **SECTION 17. Act subject to petition - effective date.** This act  
11 takes effect at 12:01 a.m. on the day following the expiration of the  
12 ninety-day period after final adjournment of the general assembly (August  
13 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
14 referendum petition is filed pursuant to section 1 (3) of article V of the  
15 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.





First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.29.16

Bill (2)(b)(ix)

LLS NO. 17-0281.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Reqmnts By DOR To GA"

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**  
102 **DEPARTMENT OF REVENUE TO THE GENERAL ASSEMBLY.**

**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/>.)*

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

requirements of the department of revenue.

**Sections 1 through 4 and 6** of the bill repeal a report that was scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

**Sections 5 and 7** of the bill add a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

**SECTION 1.** In Colorado Revised Statutes, 12-43.4-104, **repeal** (6) as follows:

**12-43.4-104. Applicability - retail marijuana.** ~~(6) On or before April 1, 2014, and on or before April 1 each year thereafter, the state licensing authority shall submit a report to the joint budget committee and the finance committees of the senate and house of representatives, or any successor committees, on:~~

~~(a) The progress that the state licensing authority is making in processing licenses;~~

~~(b) An overview of the retail marijuana and retail marijuana products markets, including but not limited to actual and anticipated market demand and market supply;~~

~~(c) Detailing the amount of revenue generated by medical and retail marijuana, including applicable excise taxes, sales taxes, application and license fees, and any other fees, and detailing the expenses incurred by the state licensing authority, broken down into categories as determined by the authority;~~

~~(d) The number of applications for conversion from medical marijuana licensees to retail marijuana establishments;~~

~~(e) The number of persons who have filed a notice of intent to apply for licensure pursuant to subparagraph (f) of paragraph (b) of~~

1 subsection (1) of this section; and

2 (f) ~~The enforcement measures taken against persons licensed~~  
3 ~~pursuant to this article for violation of regulations promulgated pursuant~~  
4 ~~to this article.~~

5 **SECTION 2.** In Colorado Revised Statutes, 12-47-601, **repeal** (8)  
6 as follows:

7 **12-47-601. Suspension - revocation - fines.** (8) Each local  
8 ~~licensing authority shall report all actions taken to impose fines,~~  
9 ~~suspensions, and revocations to the state licensing authority in a manner~~  
10 ~~as required by the state licensing authority. No later than January 15 of~~  
11 ~~each year, a report of the preceding year's actions in which fines,~~  
12 ~~suspensions, or revocations were imposed by local licensing authorities~~  
13 ~~and by the state licensing authority shall be compiled by the state~~  
14 ~~licensing authority. One copy of said report shall be filed with the chief~~  
15 ~~clerk of the house of representatives, one copy shall be filed with the~~  
16 ~~secretary of the senate, and six copies shall be filed in the joint legislative~~  
17 ~~library.~~

18 **SECTION 3.** In Colorado Revised Statutes, 24-35-204, **amend**  
19 (3)(k) as follows:

20 **24-35-204. Director - qualifications - powers and duties.**

21 (3) The director, as administrative head of the division, shall direct and  
22 supervise all its administrative and technical activities. In addition to the  
23 duties imposed upon the director elsewhere in this part 2, it shall be the  
24 director's duty:

25 (k) To furnish monthly to the state treasurer and the commission  
26 a full and complete statement of lottery revenues, prize disbursements,  
27 and other expenses for each month. All reports required by this paragraph

1 (k) shall be public, and ~~copies of all~~ A COPY OF EACH OF such reports shall  
2 be sent to the governor. ~~the speaker of the house of representatives, the~~  
3 ~~president of the senate, and the minority leaders of both houses.~~

4 **SECTION 4.** In Colorado Revised Statutes, 24-35-211, **amend**  
5 (2) as follows:

6 **24-35-211. Audits and annual reports.** (2) The commission and  
7 director shall make an annual report by March 1 of each year to the  
8 governor ~~the legislative audit committee, and the joint budget committee~~  
9 that shall include a summary of the division's activities for the previous  
10 year, a detailed statement of lottery revenues, prize disbursements,  
11 expenses of the division, allocation of remaining revenues, and any  
12 recommendations for change in the statutes that the commission or  
13 director deems necessary or desirable. The report shall be public.

14 **SECTION 5.** In Colorado Revised Statutes, 26-2-104, **amend**  
15 (2)(f) as follows:

16 **26-2-104. Public assistance programs - electronic benefits**  
17 **transfer service - joint reports with department of revenue - signs -**  
18 **rules.** (2) (f) (I) On or before January 1, 2016, and July 1, 2016, and on  
19 or before each January 1 thereafter, the department of revenue and the  
20 state department shall each submit and present the reports at the same  
21 meeting on electronic benefits transfers to the state, veterans, and military  
22 affairs committees of the senate and house of representatives, the health  
23 and human services committee of the senate, and the public health care  
24 and human services committee of the house of representatives, or any  
25 successor committees. The reports must list the number of instances that  
26 a client accessed cash benefits through the electronic benefits transfer  
27 service through automated teller machines located in each type of

1 establishment described in paragraph (a) of this subsection (2) or any  
2 other establishment in which a client is prohibited from accessing benefits  
3 by federal law.

4 (II) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
5 (2)(f) IS REPEALED, EFFECTIVE JANUARY 2, 2019.

6 **SECTION 6.** In Colorado Revised Statutes, 39-22-522.5, **repeal**  
7 (12) and (13) as follows:

8 **39-22-522.5. Conservation easement tax credits - dispute**  
9 **resolution - legislative declaration.** (12) ~~(a) On or before July 1, 2011,~~  
10 ~~and on a quarterly basis thereafter, the executive director shall provide a~~  
11 ~~report to the joint budget committee and the finance committees of the~~  
12 ~~general assembly describing:~~

13 ~~(I) The number of tax credits claimed pursuant to section~~  
14 ~~39-22-522 for which the executive director mailed a notice of deficiency,~~  
15 ~~notice of rejection of refund claim, or notice of disallowance pursuant to~~  
16 ~~section 39-21-103;~~

17 ~~(II) The number of such cases sent to the conservation easement~~  
18 ~~oversight commission for review pursuant to section 12-61-725, C.R.S.;~~

19 ~~(III) The number of such cases returned to the executive director~~  
20 ~~with the advice of the conservation easement oversight commission~~  
21 ~~created in section 12-61-725 (1), C.R.S., and the action, if any, taken by~~  
22 ~~the department of revenue on the cases returned by the commission;~~

23 ~~(IV) The number and progress of any cases that are in a mediation~~  
24 ~~process and the status of such mediation;~~

25 ~~(V) The number of cases referred to the attorney general's office~~  
26 ~~for resolution;~~

27 ~~(VI) The number of cases finally resolved by the department of~~

1 revenue;

2 ~~(VII) The amount of deficient taxes, interest, and penalties~~  
3 ~~determined to be owed or waived by the department of revenue in~~  
4 ~~administering the resolution of cases;~~

5 ~~(VIII) The number and total amount of credits that were originally~~  
6 ~~contested but subsequently allowed to be claimed in full; and~~

7 ~~(IX) The amount of moneys expended by the department of~~  
8 ~~revenue in administering the resolution of cases.~~

9 ~~(b) The reporting requirements of subparagraphs (II) and (III) of~~  
10 ~~paragraph (a) of this subsection (12) shall not apply for conservation~~  
11 ~~easements donated on or after January 1, 2014.~~

12 ~~(13) On or before March 15, 2012, and on a quarterly basis~~  
13 ~~thereafter, the state court administrator shall provide a report to the joint~~  
14 ~~budget committee and the finance committees of the general assembly~~  
15 ~~describing:~~

16 ~~(a) The number of taxpayers electing to appeal pursuant to~~  
17 ~~subsection (2) of this section;~~

18 ~~(b) The number of cases pending before the district courts or on~~  
19 ~~appeal before other courts;~~

20 ~~(c) The number of cases finally resolved;~~

21 ~~(d) The amount of moneys estimated to have been expended by~~  
22 ~~the courts in administering the appeals; and~~

23 ~~(e) The amount of deficient taxes, interest, and penalties~~  
24 ~~determined to be owed or waived in connection with the appeals.~~

25 **SECTION 7.** In Colorado Revised Statutes, 42-1-229, **add** (2) as  
26 follows:

27 **42-1-229. Report.** (2) PURSUANT TO SECTION 24-1-136(11)(a)(I),

1 THIS SECTION IS REPEALED, EFFECTIVE JULY 2, 2018.

2 **SECTION 8.** In Colorado Revised Statutes, 42-3-302, **repeal** (2)  
3 as follows:

4 **42-3-302. Special plate fees.** (2) ~~The executive director of the~~  
5 ~~department shall make an annual report by March 1 of each year to the~~  
6 ~~general assembly. Such report shall be open for public inspection and~~  
7 ~~shall include:~~

8 (a) ~~A summary of the department's activities for the previous year;~~

9 (b) ~~A statement of plate revenues;~~

10 (c) ~~Information regarding special plate purchases;~~

11 (d) ~~Expenses of the department;~~

12 (e) ~~Allocation of remaining revenues; and~~

13 (f) ~~Any recommendations for changes in statutes that the~~  
14 ~~executive director deems necessary or desirable.~~

15 **SECTION 9.** In Colorado Revised Statutes, 42-4-305, **repeal** (11)  
16 as follows:

17 **42-4-305. Powers and duties of executive director - automobile**  
18 **inspection and readjustment program - basic emissions program -**  
19 **enhanced emissions program - clean screen program - rules.** (11) ~~The~~  
20 ~~executive director shall report to the transportation legislation review~~  
21 ~~committee annually on the effectiveness of the quality assurance and~~  
22 ~~enforcement measures contained in this section, the overall motorist~~  
23 ~~compliance rates with inspections for registration denial, and the status~~  
24 ~~of state implementation plan compliance pertaining to quality assurance.~~  
25 ~~This annual report shall be submitted to the commission in May of each~~  
26 ~~year for incorporation into appropriate annual and biennial reporting~~  
27 ~~requirements. Reports shall cover the previous calendar year.~~

1           **SECTION 10. Act subject to petition - effective date.** This act  
2   takes effect at 12:01 a.m. on the day following the expiration of the  
3   ninety-day period after final adjournment of the general assembly (August  
4   9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
5   referendum petition is filed pursuant to section 1 (3) of article V of the  
6   state constitution against this act or an item, section, or part of this act  
7   within such period, then the act, item, section, or part will not take effect  
8   unless approved by the people at the general election to be held in  
9   November 2018 and, in such case, will take effect on the date of the  
10   official declaration of the vote thereon by the governor.



First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

DRAFT  
11.29.16

Bill (2)(b)(x)

LLS NO. 17-0283.01 Kristen Forrestal x4217

COMMITTEE BILL

Statutory Revision Committee

**BILL TOPIC:** "Reporting Reqmnts By DOT To GA"

**A BILL FOR AN ACT**

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**  
102 **DEPARTMENT OF TRANSPORTATION TO THE GENERAL**  
103 **ASSEMBLY.**

**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/>.)*

**Statutory Revision Committee.** Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement. The bill addresses reporting requirements of the department of transportation.

**Sections 1 through 3 and 5 through 11** of the bill repeal a report that was scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

**Section 4** of the bill adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1306, **repeal** (4)  
3 as follows:

4 **42-4-1306. Colorado task force on drunk and impaired driving**  
5 **- creation - legislative declaration.** (4) ~~The task force shall report its~~  
6 ~~findings and recommendations to the judiciary committees of the house~~  
7 ~~of representatives and the senate, or any successor committees, on or~~  
8 ~~before January 15, 2007, and on or before each January 15 thereafter.~~

9 **SECTION 2.** In Colorado Revised Statutes, 42-4-1612, **repeal** (1)  
10 as follows:

11 **42-4-1612. Accidents in state highway work areas.** (1) ~~On or~~  
12 ~~before February 15, 2011, and on or before February 15 of each~~  
13 ~~succeeding year, the department of transportation and the Colorado state~~  
14 ~~patrol shall present a joint report to the transportation and energy~~  
15 ~~committee of the house of representatives and the transportation~~  
16 ~~committee of the senate, or any successor committees, regarding fatal~~  
17 ~~accidents in state highway work areas during the preceding year. The~~  
18 ~~report shall include, at a minimum:~~

19 ~~(a) A summary of the total number of fatal accidents and the total~~  
20 ~~number of individuals killed;~~

21 ~~(b) A categorization of the total number of individuals killed that~~

1 ~~identifies the individuals as employees of the department of~~  
2 ~~transportation, employees of contractors or subcontractors working on a~~  
3 ~~project for the department, or other individuals;~~

4 (c) ~~A copy of the accident reporting form for each fatal accident;~~

5 (d) ~~A description of both ongoing and newly implemented~~  
6 ~~measures taken by the department of transportation to prevent fatal~~  
7 ~~accidents in state highway work areas.~~

8 **SECTION 3.** In Colorado Revised Statutes, 43-1-123, **amend** (4)  
9 as follows:

10 **43-1-123. Project closure and project reporting requirements.**

11 (4) (a) On or after July 1, 2016, and on ~~and~~ OR after July 1 of each year  
12 thereafter, the department shall report to the transportation legislation  
13 review committee created in section 43-2-145 (1) regarding all policy  
14 amendments made to the statewide transportation improvement plan that  
15 were adopted during the most recently ended fiscal year and that added  
16 or deleted a project from the plan or modified the funding priority of any  
17 project included in the plan. The report shall include an explanation of the  
18 reasons for each reported policy amendment.

19 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION  
20 (4) IS REPEALED, EFFECTIVE JULY 2, 2019.

21 **SECTION 4.** In Colorado Revised Statutes, **repeal** 43-4-404 as  
22 follows:

23 **43-4-404. Formula for allocation of moneys.** ~~(1) The office of~~  
24 ~~transportation safety shall allocate not less than thirty percent and not~~  
25 ~~more than fifty percent of the moneys allocated to the office pursuant to~~  
26 ~~section 43-4-402 (2) to counties that have established a qualified drunken~~  
27 ~~driving prevention and law enforcement program. The intent of the~~

1 ~~general assembly is that these moneys be expended in a manner that will~~  
2 ~~improve enforcement of drunken driving laws. To this end, rules for the~~  
3 ~~distribution of these moneys shall be developed by the office of~~  
4 ~~transportation safety. The office shall report annually to the transportation~~  
5 ~~legislation review committee on the distribution and expenditure of these~~  
6 ~~funds and the nature and purpose of the programs. All moneys~~  
7 ~~appropriated hereunder shall be used for drunken driving prevention and~~  
8 ~~law enforcement improvement by counties and not for statewide~~  
9 ~~programs.~~

10 (2) ~~The office of transportation safety shall allocate not less than~~  
11 ~~fifty percent and not more than seventy percent of the moneys to~~  
12 ~~municipalities and city and counties that have established a qualified~~  
13 ~~drunken driving prevention and law enforcement program. The intent of~~  
14 ~~the general assembly is that these moneys be expended in a manner that~~  
15 ~~will improve enforcement of drunken driving laws. To this end, rules for~~  
16 ~~the distribution of these moneys shall be developed by the office of~~  
17 ~~transportation safety. The office shall report annually to the transportation~~  
18 ~~legislation review committee on the distribution and expenditure of these~~  
19 ~~funds and the nature and purpose of the programs. All moneys~~  
20 ~~appropriated hereunder shall be used for drunken driving prevention and~~  
21 ~~law enforcement improvement by municipalities and city and counties~~  
22 ~~and not for statewide programs.~~

23 (3) ~~The moneys in the fund appropriated to the unit in the~~  
24 ~~department of human services that administers behavioral health~~  
25 ~~programs and services, including those related to mental health and~~  
26 ~~substance abuse, pursuant to section 43-4-402 (2) shall be used to~~  
27 ~~establish a statewide program for the prevention of driving after drinking,~~

1    ~~which includes educating the public in the problems of driving after~~  
2    ~~drinking, training of teachers, health professionals, and law enforcement~~  
3    ~~in the dangers of driving after drinking, preparing and disseminating~~  
4    ~~educational materials dealing with the effects of alcohol and other drugs~~  
5    ~~on driving behavior, and preparing and disseminating education~~  
6    ~~curriculum materials thereon for use at all levels of school. The unit in the~~  
7    ~~department of human services that administers behavioral health~~  
8    ~~programs and services, including those related to mental health and~~  
9    ~~substance abuse, is authorized to contract with a qualified private~~  
10    ~~corporation to provide all or part of these services and shall promulgate~~  
11    ~~standards for said program.~~

12            **SECTION 5.** In Colorado Revised Statutes, **repeal** 43-4-713 as  
13    follows:

14            **43-4-713. Annual reports.** ~~(1) No later than January 15, 2001,~~  
15    ~~and no later than January 15 of each year thereafter, the executive director~~  
16    ~~shall submit a report to the members of the joint budget committee of the~~  
17    ~~general assembly, the members of the legislative audit committee of the~~  
18    ~~general assembly, the chair of the transportation and energy committee of~~  
19    ~~the house of representatives, and the chair of the transportation committee~~  
20    ~~of the senate that includes, at a minimum, the following information:~~

21            ~~(a) The total amount of revenue anticipation notes issued by the~~  
22    ~~executive director in accordance with this part 7;~~

23            ~~(b) The qualified federal aid transportation projects for which the~~  
24    ~~proceeds from such revenue anticipation notes have been expended, the~~  
25    ~~amount of note proceeds expended on each project, the status of each~~  
26    ~~project, and the estimated date of completion for such projects not yet~~  
27    ~~completed;~~

1           ~~(c) The total amount of federal transportation funds paid to the~~  
2           ~~department since such revenue anticipation notes have been issued; and~~

3           ~~(d) The total amount of proceeds from the issuance of revenue~~  
4           ~~anticipation notes, state matching funds, and federal transportation funds~~  
5           ~~allocated by the commission in each state fiscal year for the payment of~~  
6           ~~such revenue anticipation notes and the costs associated with the issuance~~  
7           ~~and administration of such notes.~~

8           **SECTION 6.** In Colorado Revised Statutes, 43-4-805, **repeal** (6)  
9           as follows:

10           **43-4-805. Statewide bridge enterprise - creation - board -**  
11           **funds - powers and duties - legislative declaration.** (6) No later than  
12           February 15, 2010, and no later than February 15 of each year thereafter,  
13           the bridge enterprise shall present a report to the committees of the house  
14           of representatives and the senate that have jurisdiction over  
15           transportation. The report shall include a summary of the bridge  
16           enterprise's activities for the previous year, a summary of the status of any  
17           current designated bridge projects, a statement of the enterprise's  
18           revenues and expenses, an estimate of the number of jobs created or  
19           preserved as a result of the enterprise's activities, and any  
20           recommendations for statutory changes that the enterprise deems  
21           necessary or desirable. The committees shall review the report and may  
22           recommend legislation. The report shall be public and shall be available  
23           on the website of the department on or before January 15 of the year in  
24           which the report is presented.

25           **SECTION 7.** In Colorado Revised Statutes, 43-4-806, **repeal** (10)  
26           as follows:

27           **43-4-806. High-performance transportation enterprise -**

1 **creation - board - funds - powers and duties - limitations - reporting**  
 2 **requirements - legislative declaration.** (10) ~~No later than February 15,~~  
 3 ~~2010, and no later than February 15 of each year thereafter, the~~  
 4 ~~transportation enterprise shall present a report to the committees of the~~  
 5 ~~house of representatives and the senate that have jurisdiction over~~  
 6 ~~transportation. The report shall include a summary of the transportation~~  
 7 ~~enterprise's activities for the previous year, a summary of the status of any~~  
 8 ~~current surface transportation infrastructure projects, a statement of the~~  
 9 ~~enterprise's revenues and expenses, and any recommendations for~~  
 10 ~~statutory changes that the enterprise deems necessary or desirable. The~~  
 11 ~~committees shall review the report and may recommend legislation. The~~  
 12 ~~report shall be public and shall be available on the website of the~~  
 13 ~~department on or before January 15 of the year in which the report is~~  
 14 ~~presented.~~

15 **SECTION 8.** In Colorado Revised Statutes, **repeal** 43-4-813 as  
 16 follows:

17 **43-4-813. Transportation deficit report - annual reporting**  
 18 **requirement.** ~~No later than June 30, 2009, and no later than March 1 of~~  
 19 ~~any fiscal year in which road or bridge safety surcharges are imposed~~  
 20 ~~pursuant to section 43-4-804 (1) (a) or 43-4-805 (5) (g), the department~~  
 21 ~~shall prepare and present to the transportation and energy committee of~~  
 22 ~~the house of representatives and the transportation committee of the~~  
 23 ~~senate, or any successor committees, a transportation deficit report that~~  
 24 ~~separately addresses the goals of repairing deficient highways and~~  
 25 ~~bridges, as evidenced by a C or D rating, sustaining existing~~  
 26 ~~transportation system performance levels, and achieving the corridor~~  
 27 ~~visions described by regional transportation plans and public preferences.~~

1 ~~For each goal, the report shall include a listing of the annual costs for~~  
 2 ~~each of the next ten fiscal years of achieving the goal; the annual increase~~  
 3 ~~and rate of increase of the costs; the factors contributing to the costs,~~  
 4 ~~including, but not limited to, the rate and geographic distribution of~~  
 5 ~~population growth, vehicle size and weight, land use policies, and work~~  
 6 ~~patterns; methods of reducing the impact of the cost factors, including,~~  
 7 ~~but not limited to, land use policy changes, increased use of transit,~~  
 8 ~~telecommuting, and peak transportation system demand reduction~~  
 9 ~~practices and economic incentives; and a comparison of the costs of~~  
 10 ~~mitigating the cost factors and the costs of achieving the goal by~~  
 11 ~~repairing, upgrading, or expanding the transportation system. The report~~  
 12 ~~shall explain why any cost estimate for a goal differs by more than five~~  
 13 ~~percent from any department estimate of such costs published before~~  
 14 ~~March 2, 2009, and shall separately account for cost overruns other than~~  
 15 ~~overruns attributable to increases in the Colorado construction cost index.~~  
 16 ~~The department shall publish the report on its website in a format that can~~  
 17 ~~be downloaded.~~

18 **SECTION 9.** In Colorado Revised Statutes, 43-10-109, **repeal** (4)  
 19 as follows:

20 **43-10-109. Aviation fund created.** (4) ~~No later than November~~  
 21 ~~1, 2003, and no later than November 1 of each year thereafter, the~~  
 22 ~~department of transportation shall submit a report to the members of the~~  
 23 ~~joint budget committee that includes, at a minimum, the following~~  
 24 ~~information:~~

25 (a) ~~The amounts, recipients, and purposes of moneys transferred~~  
 26 ~~from the fund during the prior state fiscal year:~~

27 (f) ~~(Deleted by amendment, L. 2009, (HB 09-1066), ch. 82, p.~~



1     ~~302, § 4, effective August 5, 2009.)~~

2             ~~(H) To the airport operating fund of the governmental entity~~  
3     ~~operating the FAA-designated public-use airport pursuant to section~~  
4     ~~43-10-110 (2) (a); and~~

5             ~~(HH) For the awarding of state aviation system grants pursuant to~~  
6     ~~section 43-10-108.5;~~

7             ~~(b) The balance remaining in the fund as of June 30 of each state~~  
8     ~~fiscal year and an explanation of any such balance; and~~

9             ~~(c) Any additional information pertaining to the transfer of~~  
10    ~~moneys from the fund as the joint budget committee may request in the~~  
11    ~~exercise of its discretion.~~

12            **SECTION 10. Act subject to petition - effective date.** This act  
13    takes effect at 12:01 a.m. on the day following the expiration of the  
14    ninety-day period after final adjournment of the general assembly (August  
15    9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
16    referendum petition is filed pursuant to section 1 (3) of article V of the  
17    state constitution against this act or an item, section, or part of this act  
18    within such period, then the act, item, section, or part will not take effect  
19    unless approved by the people at the general election to be held in  
20    November 2018 and, in such case, will take effect on the date of the  
21    official declaration of the vote thereon by the governor.