

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Luck

1 Amend printed bill, page 4, after line 17 insert:

2 "SECTION 3. In Colorado Revised Statutes, 24-33.5-704, add
3 (10) as follows:

4 **24-33.5-704. The governor and disaster emergencies - response**
5 **- duties and limitations.** (10) (a) NOTWITHSTANDING ANY OTHER
6 PROVISION OF THIS PART 7, BY APPROVAL OF A RESOLUTION, ORDINANCE,
7 OR ANY OTHER FORM OF LAW OR RULE PASSED BY A MAJORITY OF ITS
8 GOVERNING BODY, ANY COUNTY OR MUNICIPALITY MAY ABROGATE ALL OR
9 ANY PORTION OF AN ORDER APPLYING TO THE COUNTY OR MUNICIPALITY
10 THAT HAS BEEN ISSUED BY THE GOVERNOR PURSUANT TO THE GOVERNOR'S
11 AUTHORITY UNDER THIS PART 7 WHEN THE DISASTER EMERGENCY
12 RELATED TO AN EMERGENCY EPIDEMIC LASTS LONGER THAN THIRTY DAYS.
13 UPON THE ENACTMENT BY THE GOVERNING BODY OF SUCH A RESOLUTION,
14 ORDINANCE, LAW, OR RULE, THE ORDER THAT IS THE SUBJECT OF THE
15 RESOLUTION, ORDINANCE, LAW, OR RULE, OR ANY PORTION OF THE ORDER
16 THAT IS DISCUSSED IN THE RESOLUTION, ORDINANCE, LAW, OR RULE, HAS
17 NO LEGAL FORCE AND EFFECT WITHIN, AS APPLICABLE, THE MUNICIPALITY
18 OR, WHERE THE RESOLUTION, ORDINANCE, LAW, OR RULE HAS BEEN
19 APPROVED BY THE GOVERNING BODY OF A COUNTY, WITHIN THE
20 UNINCORPORATED PORTIONS OF THE COUNTY.

21 (b) NEITHER THE STATE NOR ANY OF ITS DEPARTMENTS,
22 INSTITUTIONS, OR AGENCIES SHALL TAKE ANY ACTION AGAINST A COUNTY
23 OR MUNICIPALITY, INCLUDING WITHOUT LIMITATION ANY ACTION
24 RESULTING IN DENIAL OF A MONETARY PAYMENT OR THE PROVISION OF
25 ANY OTHER FORM OF FINANCIAL ASSISTANCE, IN RETALIATION FOR ACTION
26 BY A MAJORITY OF THE GOVERNING BODY OF THE COUNTY OR
27 MUNICIPALITY IN APPROVING A RESOLUTION, ORDINANCE, OR ANY OTHER
28 FORM OF LAW OR RULE TO ABROGATE ALL OR ANY PORTION OF AN ORDER
29 APPLYING TO THE COUNTY OR MUNICIPALITY THAT HAS BEEN ISSUED BY
30 THE GOVERNOR PURSUANT TO THE GOVERNOR'S AUTHORITY UNDER THIS
31 PART 7 WHEN THE DISASTER EMERGENCY RELATED TO AN EMERGENCY
32 EPIDEMIC LASTS LONGER THAN THIRTY DAYS.

33 **SECTION 4.** In Colorado Revised Statutes, 30-11-107, add
34 (1)(nn) as follows:

35 **30-11-107. Powers of the board.** (1) The board of county
36 commissioners of each county has power at any meeting:

37 (nn) (I) TO ADOPT A RESOLUTION, ORDINANCE, LAW, OR RULE
38 UNDER WHICH THE COUNTY ABROGATES ALL OR ANY PORTION OF A
39 DISASTER EMERGENCY ORDER RELATED TO AN EMERGENCY EPIDEMIC

1 THAT IS ISSUED BY THE GOVERNOR PURSUANT TO THE GOVERNOR'S
2 AUTHORITY UNDER PART 7 OF ARTICLE 33.5 OF TITLE 24 AND APPLIES TO
3 THE COUNTY WHEN THE DISASTER EMERGENCY RELATED TO AN
4 EMERGENCY EPIDEMIC LASTS LONGER THAN THIRTY DAYS.

5 (II) UPON ADOPTION OF A RESOLUTION, ORDINANCE, LAW, OR RULE
6 PURSUANT TO SUBSECTION (1)(nn)(I) OF THIS SECTION, THE BOARD SHALL
7 NOTIFY THE GOVERNOR AND ANY AFFECTED STATE DEPARTMENTS,
8 INSTITUTIONS, OR AGENCIES OF THE ADOPTION OF THE RESOLUTION,
9 ORDINANCE, LAW, OR RULE.

10 **SECTION 5.** In Colorado Revised Statutes, 31-15-401, **add** (1)(r)
11 as follows:

12 **31-15-401. General police powers.** (1) In relation to the general
13 police power, the governing bodies of municipalities have the following
14 powers:

15 (r) (I) TO ADOPT A RESOLUTION, ORDINANCE, LAW, OR RULE UNDER
16 WHICH THE MUNICIPALITY ABROGATES ALL OR ANY PORTION OF A
17 DISASTER EMERGENCY ORDER RELATED TO AN EMERGENCY EPIDEMIC
18 THAT IS ISSUED BY THE GOVERNOR PURSUANT TO THE GOVERNOR'S
19 AUTHORITY UNDER PART 7 OF ARTICLE 33.5 OF TITLE 24 AND APPLIES TO
20 THE MUNICIPALITY WHEN THE DISASTER EMERGENCY RELATED TO AN
21 EMERGENCY EPIDEMIC LASTS LONGER THAN THIRTY DAYS.

22 (II) UPON ADOPTION OF A RESOLUTION, ORDINANCE, LAW, OR RULE
23 PURSUANT TO SUBSECTION (1)(r)(I) OF THIS SECTION, THE GOVERNING
24 BODY SHALL NOTIFY THE GOVERNOR AND ANY AFFECTED STATE
25 DEPARTMENTS, INSTITUTIONS, OR AGENCIES OF THE ADOPTION OF THE
26 RESOLUTION, ORDINANCE, LAW, OR RULE."

27 Renumber succeeding sections accordingly.

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