

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military, & Veterans Affairs.

HB26-1252 be amended as follows:

1 Amend printed bill, page 6, strike lines 6 through 27.

2 Page 7, strike lines 1 through 27.

3 Page 8, strike lines 1 through 5 and substitute:

4 **"SECTION 5.** In Colorado Revised Statutes, **add with amended**
5 **and relocated provisions** 24-33.5-2502.5 as follows:

6 **24-33.5-2502.5. [Formerly 24-33.5-705.5] Auxiliary**
7 **communications unit - powers and duties of unit and office of public**
8 **safety communications regarding auxiliary communications -**
9 **definitions.**

10 (1) As used in this section, UNLESS THE CONTEXT OTHERWISE
11 REQUIRES:

12 (a) "Auxiliary emergency communicator" means an amateur radio
13 operator licensed by the United States federal communications
14 commission pursuant to 47 CFR 97 who meets the training requirements
15 and is credentialed by the office. An auxiliary emergency communicator
16 meeting the requirements of this paragraph (a) SUBSECTION (1)(a) serves
17 as ~~an authorized~~ A QUALIFIED volunteer of the ~~office~~ DIVISION for
18 purposes of article 10 of this ~~title~~ TITLE 24.

19 ~~(b) "Division" means the division of homeland security and~~
20 ~~emergency management created in section 24-33.5-1603.~~

21 ~~(c) "Office" means the office of emergency management created~~
22 ~~in section 24-33.5-705 (1).~~

23 ~~(d)~~ (b) "Unit" means the auxiliary ~~emergency~~ communications
24 unit of the office.

25 (c) "UNIT MEMBER" MEANS AN AUXILIARY EMERGENCY
26 COMMUNICATOR OR OTHER UNIT LEADERSHIP OR SUPPORT STAFF.

27 (2) The auxiliary ~~emergency~~ communications unit is ~~hereby~~
28 ~~established~~ CREATED within the office. The unit is in the charge of the
29 director of the office.

30 (3) The unit has the following powers, ~~and~~ duties, AND
31 PROTECTIONS:

32 (a) Establish programs for the training and credentialing of
33 auxiliary emergency communicators across the state, which training and
34 credentialing is declared to be a matter of statewide concern. In
35 connection with such training and credentialing, the use of the term
36 "auxiliary emergency communications" within the state is limited to
37 individuals, entities, associations, and units of local government that have
38 been certified by the director of the office as meeting the training and

1 credentialing requirements established by the department for auxiliary
2 emergency communicators.

3 (b) Assume all of the duties and possess all of the authority and
4 responsibilities of the radio amateur civil emergency service, referred to
5 in this section as "RACES", 47 CFR 97.407, within the state. Any
6 reference to RACES in any federal law or regulation, and any federal,
7 state, or local government emergency or disaster plans is to be interpreted
8 as referring to the unit, and the unit is the successor entity to any state
9 RACES organization referenced in any such law, regulation, or plan. No
10 other individual, entity, association, or government agency may represent
11 that it is a state RACES organization.

12 ~~(c) Ensure that auxiliary emergency communicators are authorized~~
13 ~~volunteers~~ AUTHORIZE UNIT MEMBERS AS QUALIFIED VOLUNTEERS.
14 QUALIFIED VOLUNTEERS ARE entitled to the protections and benefits of
15 part 8 of this article 33.5 when ~~assisting with the installation,~~
16 ~~maintenance, or demolition of communication facilities of any county~~
17 ~~sheriff, local government, local emergency planning committee, local~~
18 ~~emergency management agency, or state agency~~ PARTICIPATING IN
19 DIVISION ACTIVITIES, whether or not ~~such~~ THE activities occur during a
20 disaster; except that sections 24-33.5-825 and 24-33.5-826 do not apply
21 to a training exercise, drill, or class without the express prior consent and
22 approval of the volunteer's employer. THE UNIT MAY USE OR OPERATE
23 STATE VEHICLES WHILE PARTICIPATING IN DIVISION ACTIVITIES.

24 (4) In connection with the powers and duties of the unit as
25 specified in this section, the director of the office may:

26 (a) Develop and issue a credential that is recognized throughout
27 the state for the purpose of granting access to government facilities,
28 emergency operations centers, incident command posts, and disaster
29 scenes;

30 (b) Conduct criminal background investigations on candidates for
31 credentialing as ~~auxiliary emergency communicators~~ UNIT MEMBERS in
32 accordance with the security needs of the department. When the results
33 of a fingerprint-based criminal history record check of an applicant
34 performed pursuant to this section reveal a record of arrest without a
35 disposition, the DIVISION director shall require that applicant to submit to
36 a name-based judicial record check, as defined in section 22-2-119.3
37 (6)(d). The ~~unit~~ DIVISION DIRECTOR may deny credentialing to any
38 candidate based upon the results of a background check.

39 (c) Reimburse ~~auxiliary emergency communicators~~ UNIT
40 MEMBERS for necessary travel and other reasonable expenses incurred in
41 the performance of their duties; ~~including projects, training, drills,~~
42 ~~exercises, and disaster response activities;~~

43 (d) Expend state ~~moneys~~ MONEY, including, but not limited to,

1 grant ~~moneys~~ MONEY or ~~moneys~~ MONEY otherwise budgeted to the office,
2 to enhance the communication infrastructure as necessary to supplement
3 or reinforce the existing amateur radio systems and networks within the
4 state for the purposes of maximizing disaster preparedness and response.

5 **SECTION 6. Repeal of relocated provisions in this act.** In
6 Colorado Revised Statutes, repeal 24-33.5-705.5."

7 Renumber succeeding sections accordingly.

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