

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 26-1109

BY REPRESENTATIVE(S) Stewart K. and Joseph, Boesenecker, Brown, Clifford, Duran, Froelich, Hamrick, Lindsay, Marshall, Nguyen, Rutinel, Sirota, Stewart R., Titone, Zokaie, Camacho, Goldstein, Jackson, Lieder, McCormick, Paschal, Phillips, Rydin, Smith, Story, Woodrow;
also SENATOR(S) Danielson, Amabile, Benavidez, Cutter, Exum, Gonzales J., Jodeh, Kipp, Lindstedt, Marchman, Mullica, Roberts, Snyder, Sullivan, Wallace, Weissman, Coleman.

CONCERNING THE COMMISSION OF A STUDY TO DETERMINE IF ADDITIONAL CONSUMER PROTECTIONS ARE NEEDED FOR THE DEAF, HARD OF HEARING, AND DEAFBLIND COMMUNITY WITH RESPECT TO SIGN LANGUAGE INTERPRETATION SERVICES PROVIDED IN THE STATE.

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

SECTION 1. In Colorado Revised Statutes, 26-21-106, **amend** (1)(f) and (1)(g); and **add** (1)(h) and (10) as follows:

26-21-106. Division for the deaf, hard of hearing, and deafblind - creation - powers, functions, and duties - programs - report - rules - definitions - repeal.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(1) The division for the deaf, hard of hearing, and deafblind is created in the communication services for people with disabilities enterprise. The powers, functions, and duties of the division include:

(f) Approving a sign language interpreter's certifications as valid and reliable in accordance with section 6-1-707 (1)(e)(I)(B); and

(g) Coordinating the provision of a telecommunications relay service program for individuals in the state who are deaf, hard of hearing, or deafblind or speech-disabled. In doing so, this service shall:

(I) Conform with section 401 of the federal "Americans with Disabilities Act of 1990", 47 U.S.C. sec. 225, including the provision for state application to the federal communications commission for certification; AND

(II) Meet or exceed all operational, technical, and functional minimum standards in federal communications commission regulations governing telecommunication relay services under 47 CFR 64 subpart F and 47 CFR 9 subpart E; AND

(h) COORDINATING WITH ANY THIRD-PARTY RESEARCHER CONTRACTED BY THE BOARD PURSUANT TO SUBSECTION (10) OF THIS SECTION TO STUDY THE DEAF, HARD OF HEARING, AND DEAFBLIND COMMUNITY WITH RESPECT TO USING SIGN LANGUAGE INTERPRETER SERVICES.

(10) (a) ON OR BEFORE JULY 1, 2027, THE BOARD, IN CONSULTATION WITH THE DIVISION, MAY ENTER INTO A CONTRACT WITH A THIRD-PARTY RESEARCHER TO CONDUCT A STUDY FOR THE DEAF, HARD OF HEARING, AND DEAFBLIND COMMUNITY WITH RESPECT TO USING SIGN LANGUAGE INTERPRETERS IN THE STATE, WHICH STUDY MAY INCLUDE CONSIDERATION OF CONSUMER PROTECTIONS REGARDING SIGN LANGUAGE INTERPRETER SERVICES. IF THE BOARD ENTERS INTO A CONTRACT WITH A THIRD-PARTY RESEARCHER TO CONDUCT A STUDY, THE THIRD-PARTY RESEARCHER SHALL COORDINATE WITH THE DIVISION REGARDING THE REQUIRED PARAMETERS OF THE STUDY, WHICH REQUIRED PARAMETERS MUST INCLUDE:

(I) INTERVIEWS:

(A) WITH SIGN LANGUAGE INTERPRETERS IN THE STATE;

(B) WITH MEMBERS OF THE DEAF, HARD OF HEARING, AND DEAFBLIND COMMUNITY WHO HAVE WORKED WITH SIGN LANGUAGE INTERPRETERS REGARDING THEIR EXPERIENCE AS CONSUMERS OF SIGN LANGUAGE INTERPRETATION;

(C) WITH LANGUAGE SERVICE COMPANIES;

(D) THAT ARE MADE FULLY ACCESSIBLE TO THE INTERVIEWEES, INCLUDING ACCESS TO CERTIFIED AMERICAN SIGN LANGUAGE INTERPRETERS. INTERVIEWERS SHALL HAVE PROFICIENT KNOWLEDGE OF DEAF CULTURE AND EFFECTIVE COMMUNICATIONS WITH MEMBERS OF THE DEAF, HARD OF HEARING, AND DEAFBLIND COMMUNITY.

(E) TO THE EXTENT POSSIBLE, WITH INTERVIEWEES WHO ARE REPRESENTATIVE OF A RANGE OF AGES, RACIAL AND ETHNIC BACKGROUNDS, SOCIOECONOMIC BACKGROUNDS, RURAL AND URBAN AREAS, CULTURALLY DEAF AND LATE-DEAFENED INDIVIDUALS, AND CONSUMERS WHO HAVE EXPERIENCE RECEIVING BOTH CERTIFIED AND UNCERTIFIED IN-PERSON AND REMOTE VIDEO SIGN LANGUAGE INTERPRETATION SERVICES;

(II) COLLECTION OF QUALITATIVE AND QUANTITATIVE DATA:

(A) ABOUT WHETHER THE UNREGULATED PRACTICE OF SIGN LANGUAGE INTERPRETATION CLEARLY HARMS OR ENDANGERS THE HEALTH, SAFETY, OR WELFARE OF THE PUBLIC; AND

(B) THAT MAY BE RELEVANT TO OTHER FACTORS THAT COULD BE INCLUDED IN A FUTURE SUNSET REQUEST THAT THE DEPARTMENT OF REGULATORY AGENCIES CONSIDERS PURSUANT TO SECTION 24-34-104.1 (4) WHEN ENGAGING IN ITS SUNRISE REVIEW PROCESS;

(III) INFORMATION ABOUT THE CURRENT STATE OF THE PROFESSION, INCLUDING ANY CHANGES IN THE PROFESSION OVER THE LAST DECADE; AND

(IV) COMPARATIVE RESEARCH REGARDING OTHER STATES' REGULATION OF THE SIGN LANGUAGE INTERPRETATION PROFESSION, INCLUDING A REVIEW OF REGULATION BY AT LEAST ONE STATE WITH:

(A) LONG-STANDING REGULATION OF THE PROFESSION;

(B) RECENTLY ENACTED REGULATION OF THE PROFESSION; AND

(C) RECENTLY MODIFIED REGULATION OF THE PROFESSION.

(b) ON OR BEFORE JULY 1, 2028, ANY THIRD-PARTY RESEARCHER CONTRACTED TO CONDUCT THE STUDY SHALL PREPARE A FINAL REPORT OF THEIR FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS AND SUBMIT THE REPORT TO THE BOARD AND THE DIVISION.

(c) THIS SUBSECTION (10) AND SUBSECTION (1)(h) OF THIS SECTION ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2029.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO