

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

March 15, 2018  
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB18-1065 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 9, strike "EXPLOITATION, OR NEGLECT"
- 2 and substitute "NEGLECT, OR EXPLOITATION".
  
- 3 Page 2, line 10, strike "PREDOMINANT".
  
- 4 Page 3, line 2, strike ""EXPLOITATION", OR "NEGLECT"" and substitute
- 5 ""NEGLECT", OR "EXPLOITATION"".
  
- 6 Page 3, strike lines 3 through 5 and substitute "DEFINITIONS AS
- 7 CONTAINED IN ARTICLE 22 OF TITLE 16, ARTICLES 3 AND 6.5 OF TITLE 18,
- 8 ARTICLES 1 AND 3 OF TITLE 19, ARTICLE 3.1 OF TITLE 26, AND ARTICLE 90
- 9 OF TITLE 27, C.R.S., AND TITLES 38 AND 42 OF THE CODE OF FEDERAL
- 10 REGULATIONS, AS AMENDED."
  
- 11 Page 3, strike lines 6 through 19 and substitute:  
  
12           "(b) IF THE APPOINTING AUTHORITY FINDS THAT THE EMPLOYEE
- 13 HAS ENGAGED IN MISTREATMENT, ABUSE, NEGLECT, OR EXPLOITATION
- 14 AGAINST A VULNERABLE PERSON, THE APPOINTING AUTHORITY MAY TAKE
- 15 SUCH DISCIPLINARY ACTION AS THE APPOINTING AUTHORITY DEEMS
- 16 APPROPRIATE, UP TO AND INCLUDING TERMINATION, TAKING INTO
- 17 CONSIDERATION THE HARM OR RISK OF HARM TO VULNERABLE PERSONS
- 18 CREATED BY THE EMPLOYEE'S ACTIONS. NOTHING IN THIS SUBSECTION
- 19 (15)(b) AFFECTS THE CONSTITUTIONAL OR STATUTORY DUE PROCESS

- 1 RIGHTS AFFORDED TO AN EMPLOYEE WHO IS CERTIFIED TO ANY CLASS OR
- 2 POSITION IN THE STATE PERSONNEL SYSTEM."
- 3 Reletter succeeding paragraph accordingly.

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