

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 13, 2024
Date

Committee on Health & Human Services.

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

HB24-1132 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 6, strike lines 4 and 5.
- 2 Renumber succeeding subsections accordingly.
- 3 Page 6, line 16, strike the second "PROGRAM" and substitute "PROGRAM,
4 AS DEFINED BY EACH ORGANIZATION OFFERING A PROGRAM,".
- 5 Page 6, line 18, after "INDIVIDUALS" insert "TO BE VOUCHER HOLDERS".
- 6 Page 6, line 19, strike "DONOR, AS" and substitute "DONOR IF THE
7 VOUCHER HOLDER IS PLACED ON A TRANSPLANT WAITING LIST AND
8 ANOTHER VOUCHER HOLDER HAS NOT ALREADY REDEEMED A VOUCHER.".
- 9 Page 6, strike lines 20 through 27.
- 10 Page 7, strike lines 1 through 3.
- 11 Renumber succeeding subsection accordingly.
- 12 Page 8, strike lines 2 through 6.
- 13 Reletter succeeding paragraphs accordingly.
- 14 Page 8, line 7, strike "25-59-107," and substitute "25-59-106,".
- 15 Page 8, strike lines 11 through 17 and substitute:
16 "(g) PURSUANT TO SECTION 25-59-107, A REQUIREMENT THAT A

- 1 TRANSPLANT CENTER ADVISE A POTENTIAL NONDIRECTED LIVING ORGAN
2 DONOR, PRIOR TO PERFORMING AN ORGAN DONATION RECOVERY
3 OPERATION, THAT AN ORGAN VOUCHER PROGRAM, AS DEFINED BY EACH
4 ORGANIZATION OFFERING A PROGRAM, MAY BE AVAILABLE FOR THE
5 SPECIFIC ORGAN;".
- 6 Page 8, strike lines 18 through 21.
- 7 Reletter succeeding paragraphs accordingly.
- 8 Page 8, line 22, strike "39-22-561," and substitute "39-22-560,".
- 9 Page 8, line 23, strike "WHO INCURS" and substitute "FOR INCURRING".
- 10 Page 8, line 24, strike "39-22-561" and substitute "39-22-560".
- 11 Page 8, line 26, strike "42-3-270," and substitute "42-3-232," and after
12 "DISTINCTIVE" insert "DONATE LIFE".
- 13 Page 9, strike lines 12 through 17.
- 14 Renumber succeeding C.R.S. sections accordingly.
- 15 Page 9, strike lines 25 through 27 and substitute "**required notice to**
16 **nondirected living organ donors. (1) PRIOR TO CONDUCTING AN ORGAN**
17 **DONATION RECOVERY OPERATION ON A NONDIRECTED LIVING ORGAN**
18 **DONOR, A TRANSPLANT CENTER SHALL ADVISE THE POTENTIAL DONOR OF**
19 **THE FOLLOWING INFORMATION:**
- 20 (a) THAT THE TRANSPLANT CENTER OR ANOTHER TRANSPLANT
21 CENTER IN COLORADO HAS OR MAY HAVE AN ORGAN VOUCHER PROGRAM;
22 AND
- 23 (b) THAT A NATIONAL-LEVEL ORGAN VOUCHER PROGRAM EXISTS
24 OR MAY EXIST FOR THE ORGAN BEING DONATED.
- 25 (2) A TRANSPLANT CENTER SHALL ALSO PROVIDE INFORMATION TO
26 A NONDIRECTED LIVING ORGAN DONOR ABOUT THE LIVING ORGAN DONOR
27 TAX CREDIT CREATED IN SECTION 39-22-560.".
- 28 Page 10, strike lines 1 through 25.
- 29 Page 11, line 15, strike "EMPLOYEE." and substitute "EMPLOYEE THAT
30 DOES NOT APPLY TO OTHER SIMILARLY SITUATED EMPLOYEES OR IS
31 APPLIED DIFFERENTLY TO AN EMPLOYEE WHO IS A LIVING ORGAN DONOR.".

- 1 Page 12, line 3, strike "(11)" and substitute "(10)".
- 2 Page 12, after line 15, insert:
- 3 "(3) NOTHING IN THIS SECTION REQUIRES AN EMPLOYER TO ALLOW
4 A LIVING ORGAN DONOR TO TAKE ANY UNPAID LEAVE THAT THE LIVING
5 ORGAN DONOR HAS NOT ALREADY ACCRUED UNDER THE EMPLOYER'S
6 EXISTING POLICIES APPLICABLE TO SIMILARLY SITUATED EMPLOYEES OR
7 THAT IS NOT REQUIRED UNDER ANY OTHER APPLICABLE LAW."
- 8 Renumber succeeding sections accordingly.
- 9 Page 14, lines 9 and 10, strike "and 39-22-561".
- 10 Page 14, strike lines 11 through 27.
- 11 Strike pages 15 through 18.
- 12 Page 19, strike lines 1 through 5.
- 13 Page 19, line 6, strike "**39-22-561.**" and substitute "**39-22-560.**".
- 14 Page 20, line 3, strike "(11)" and substitute "(10)".
- 15 Page 20 line 6, strike "OPERATION." and substitute "OPERATION
16 INCLUDING LOST WAGES AND TRAVEL AND LODGING EXPENSES FOR THE
17 DONOR AND INDIVIDUALS ACCOMPANYING THE DONOR."
- 18 Page 20, line 10 strike "SUBSECTIONS" and substitute "SUBSECTION".
- 19 Page 20, line 11, strike "AND (6)".
- 20 Page 20, line 13, after "DONOR" insert "WHO IS A RESIDENT INDIVIDUAL".
- 21 Page 20, line 14, strike "THE AMOUNT OF" and substitute "TEN THOUSAND
22 DOLLARS FOR INCURRING A QUALIFIED EXPENSE."
- 23 Page 20, strike lines 15 through 20 and substitute:
- 24 "(b) A TAXPAYER SHALL NOT CLAIM A CREDIT PURSUANT TO THIS
25 SECTION, IF ANY CHARACTERISTIC OF THE RELEVANT ORGAN DONOR
26 RECOVERY OPERATION, ORGAN DONOR RECIPIENT, OR THE CREDIT ITSELF
27 COULD IMPOSE LEGAL LIABILITY ON ANY PERSON INVOLVED IN THE
28 RELEVANT ORGAN DONATION RECOVERY OPERATION."

1 Page 21, after line 11 add:
2 "(7) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE TAX
3 CREDIT ISSUED PURSUANT TO THIS SECTION IS NOT VALUABLE
4 CONSIDERATION FOR THE PURPOSE OF 42 U.S.C. SEC. 274e, AS AMENDED.
5 LIVING ORGAN DONORS TYPICALLY INCUR EXPENSES REASONABLY
6 ASSOCIATED WITH AN ORGAN DONATION RECOVERY OPERATION IN EXCESS
7 OF TEN THOUSAND DOLLARS, AND THE TAX CREDIT ISSUED PURSUANT TO
8 THIS SECTION ACCORDINGLY COVERS EXPENSES INCURRED BY THE
9 CERTIFIED LIVING ORGAN DONOR.
10 (8) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A TAXPAYER
11 WHO CLAIMS A TAX CREDIT PURSUANT TO THIS SECTION MAY ALSO
12 RECEIVE DIRECT REIMBURSEMENT FOR ANY QUALIFIED EXPENSE."

13 Renumber succeeding subsection accordingly.

14 Page 21, strike lines 20 through 27 and substitute:

15 "SECTION 8. In Colorado Revised Statutes, 42-3-232, **add** (3.5)
16 as follows:
17 **42-3-232. Special plates - donate life.** (3.5) BEGINNING ON
18 JANUARY 1, 2025, OR WHEN THE DEPARTMENT IS ABLE TO ISSUE THE
19 PLATES, A PERSON SHALL BE ISSUED A DONATE LIFE SPECIAL LICENSE
20 PLATE WITH THE DISTINCTIVE SLOGAN "LIVING ORGAN DONOR" IF THE
21 PERSON PROVIDES TO THE DEPARTMENT A CERTIFICATION FROM THE
22 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, ISSUED PURSUANT
23 TO SECTION 25-59-105, CERTIFYING THAT THE INDIVIDUAL IS A CERTIFIED
24 LIVING ORGAN DONOR."

25 Strike pages 22 and 23.

26 Page 24, strike lines 1 through 18.

27 Renumber succeeding section accordingly.

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