

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0379.01 Jane Ritter x4342

HOUSE BILL 18-1364

HOUSE SPONSORSHIP

Michaelson Jenet and Landgraf, Danielson, Ginal, Hooton, Lontine, Pettersen, Singer

SENATE SPONSORSHIP

Martinez Humenik,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE COLORADO ADVISORY
102 COUNCIL FOR PERSONS WITH DISABILITIES, AND, IN CONNECTION
103 THEREWITH, IMPLEMENTING THE SUNSET REVIEW
104 RECOMMENDATIONS OF THE DEPARTMENT OF REGULATORY
105 AGENCIES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Sunset Process - House Public Health Care and Human Services Committee. The bill implements the recommendation of the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

department of regulatory agencies to sunset the Colorado advisory council for persons with disabilities. The bill makes conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** article 45.5
3 of title 24.

4 **SECTION 2.** In Colorado Revised Statutes, 19-3.5-104, **amend**
5 (2) introductory portion and (2)(c) as follows:

6 **19-3.5-104. Colorado children's trust fund board - creation -**
7 **members.** (2) The board ~~shall consist~~ CONSISTS of nine members, as
8 follows:

9 (c) Six persons appointed by the governor and confirmed by the
10 senate, five of whom shall be knowledgeable in the area of child abuse
11 prevention and represent some of the following areas: Law enforcement;
12 medicine; law; business; mental health; domestic relations; child abuse
13 prevention; education; and social work; and one who ~~shall be~~ IS a parent
14 or a representative of a parent organization. In making appointments to
15 the board, the governor is encouraged to include representation by at least
16 one member who is a person with a disability, as defined in ~~section~~
17 ~~24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family member of a
18 person with a disability, or a member of an advocacy group for persons
19 with disabilities, provided that the other requirements of this ~~paragraph~~
20 ~~(c)~~ SUBSECTION (2)(c) are met.

21 **SECTION 3.** In Colorado Revised Statutes, 24-32-706, **amend**
22 (1) as follows:

23 **24-32-706. State housing board.** (1) There is hereby created,
24 within the division of housing, the state housing board. The board ~~shall~~
25 ~~consist~~ CONSISTS of seven members ~~who shall be~~ appointed by the

1 governor for terms of four years each, except as provided in subsection
2 (2) of this section. In making appointments to the board, the governor
3 shall include representation by at least one member who is a person with
4 a disability, as defined in ~~section 24-45.5-102 (2)~~ SECTION 24-34-301
5 (2.5), a family member of a person with a disability, or a member of an
6 advocacy group for persons with disabilities.

7 **SECTION 4.** In Colorado Revised Statutes, 25-1-103, **amend** (1)
8 as follows:

9 **25-1-103. State board of health created.** (1) There is hereby
10 created a state board of health, referred to in this part 1 as the "board".
11 ~~which shall consist~~ THE BOARD CONSISTS of nine members, of which one
12 member ~~shall~~ MUST be appointed by the governor, with the consent of the
13 senate, from each congressional district and the remainder from the state
14 at large. A vacancy on the board occurs whenever any member moves out
15 of the congressional district from which he OR SHE was appointed. A
16 member who moves out of such congressional district shall promptly
17 notify the governor of the date of ~~such~~ HIS OR HER move, but ~~such~~ THE
18 notice is not a condition precedent to the occurrence of the vacancy. The
19 governor shall fill the vacancy by appointment for the unexpired term. No
20 more than five members of the board shall be members of the same major
21 political party. Appointments made to take effect on January 1, 1983,
22 shall be made in accordance with section 24-1-135. ~~C.R.S.~~ Appointments
23 thereafter ~~shall be~~ ARE made, with the consent of the senate, for terms of
24 four years each and ~~shall be~~ made so that no business or professional
25 group ~~shall constitute~~ CONSTITUTES a majority of the board. In making
26 appointments to the board, the governor is encouraged to include
27 representation by at least one member who is a person with a disability,

1 as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a
2 family member of a person with a disability, or a member of an advocacy
3 group for persons with disabilities if the other requirements of this
4 subsection (1) are met.

5 **SECTION 5.** In Colorado Revised Statutes, 25.5-1-301, **amend**
6 (1) as follows:

7 **25.5-1-301. Medical services board - creation.** (1) There is
8 ~~hereby~~ created in the state department a medical services board, referred
9 to in this part 3 as the "board". ~~which shall consist~~ THE BOARD CONSISTS
10 of eleven members appointed by the governor with the consent of the
11 senate. The governor shall appoint persons to the board who have
12 knowledge of medical assistance programs, and one or more of the
13 appointments may include a person or persons who have received
14 services through programs administered by the department within two
15 years of the date of appointment. No more than six members of the board
16 shall be members of the same political party. Of the eleven members
17 appointed to the board, at least one ~~shall~~ MUST be appointed from each
18 congressional district. In making appointments to the board, the governor
19 shall include representation by at least one member who is a person with
20 a disability, as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION
21 24-34-301 (2.5), a family member of a person with a disability, or a
22 member of an advocacy group for persons with disabilities, provided that
23 the other requirements of this subsection (1) are met.

24 **SECTION 6.** In Colorado Revised Statutes, 26-1-107, **amend**
25 (1)(a) as follows:

26 **26-1-107. State board of human services - rules.** (1) (a) There
27 is ~~hereby~~ created the state board of human services, REFERRED TO IN THIS

1 SECTION AS THE "STATE BOARD". The state board ~~shall consist~~ CONSISTS
2 of nine members ~~each of whom shall be~~ appointed by the governor, with
3 the consent of the senate, for terms of four years each. In making
4 appointments to the board, the governor shall include representation by
5 at least one member who is a person with a disability, as defined in
6 ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family
7 member of a person with a disability, or a member of an advocacy group
8 for persons with disabilities.

9 **SECTION 7.** In Colorado Revised Statutes, **amend** 27-65-131 as
10 follows:

11 **27-65-131. Advisory board - service standards and rules.** An
12 advisory board, REFERRED TO AS THE "BOARD" IN THIS SECTION, to the
13 department is established for the purpose of assisting and advising the
14 executive director in accordance with section 27-65-130 in the
15 development of service standards and rules. The board consists of not less
16 than eleven nor more than fifteen members appointed by the governor.
17 The ~~advisory~~ board includes one representative each from the office of
18 behavioral health, the department of human services, the department of
19 public health and environment, the university of Colorado health sciences
20 center, and a leading professional association of psychiatrists in this state;
21 at least one member representing proprietary skilled health care facilities;
22 one member representing nonprofit health care facilities; one member
23 representing the Colorado bar association; one member representing
24 consumers of services for persons with mental health disorders; one
25 member representing families of persons with mental health disorders;
26 one member representing children's health care facilities; and other
27 persons from both the private and the public sectors who are recognized

1 or known to be interested and informed in the area of the board's purpose
2 and function. In making appointments to the board, the governor is
3 encouraged to include representation by at least one member who is a
4 person with a disability, as defined in ~~section 24-45.5-102 (2)~~ SECTION
5 24-34-301 (2.5), a family member of a person with a disability, or a
6 member of an advocacy group for persons with disabilities, provided that
7 the other requirements of this section are met.

8 **SECTION 8.** In Colorado Revised Statutes, 42-3-204, **amend**
9 (2)(d) introductory portion and (5)(d) as follows:

10 **42-3-204. Reserved parking for persons with disabilities -**
11 **applicability - definitions - rules. (2) Administration by the**
12 **department. (d) Department to establish forms - rules.** The
13 department ~~in consultation with the Colorado advisory council for persons~~
14 ~~with disabilities, created in section 24-45.5-103, C.R.S.,~~ shall promulgate
15 a rule creating an application and renewal form that:

16 (5) **Issuance of plate or placard - rules. (d) Department to give**
17 **notice of rights and responsibilities.** When a person files an application
18 for issuance or renewal of an identifying plate or placard under this
19 section, the department shall provide to the applicant an informational
20 pamphlet or other informational source, DEVELOPED BY THE DEPARTMENT,
21 that describes reserved parking and the rights and responsibilities of the
22 holders of identifying plates or placards. ~~The pamphlet or other~~
23 ~~informational source shall be developed by the department in consultation~~
24 ~~with the Colorado advisory council for persons with disabilities, created~~
25 ~~in section 24-45.5-103, C.R.S.~~

26 **SECTION 9.** In Colorado Revised Statutes, 43-1-106, **amend**
27 (4)(c) as follows:

1 **43-1-106. Transportation commission - powers and duties -**
2 **repeal.** (4) (c) As the terms of the members of the commission expire,
3 the governor shall consider the appointment to the commission of one or
4 more individuals with knowledge or experience in mass transportation in
5 order to provide for a commission with expertise in different modes of
6 transportation and shall consider the appointment to the commission of
7 at least one individual with knowledge or experience in engineering. In
8 making appointments to the commission, the governor is encouraged to
9 include representation by at least one member who is a person with a
10 disability, as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION
11 24-34-301 (2.5), a family member of a person with a disability, or a
12 member of an advocacy group for persons with disabilities, provided that
13 the other requirements of this ~~paragraph (c)~~ SUBSECTION (4)(c) are met.

14 **SECTION 10. Effective date.** This act takes effect July 1, 2018.

15 **SECTION 11. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.