

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

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 and Zenzinger,

House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

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, AND MAKING AN APPROPRIATION.**

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.

HOUSE
3rd Reading Unamended
April 30, 2018

HOUSE
Amended 2nd Reading
April 27, 2018

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, **add** article 24 to title
5 26 as follows:

6 **ARTICLE 24**

7 **Colorado Advisory Council**

8 **for Persons with Disabilities**

9 **26-24-101. Legislative declaration.** (1) THE GENERAL
10 ASSEMBLY FINDS AND DECLARES THAT:

11 (a) NEARLY A HALF MILLION COLORADANS HAVE ONE OR MORE
12 PHYSICAL, MENTAL, OR DEVELOPMENTAL DISABILITIES;

13 (b) PERSONS WITH DISABILITIES ARE OFTEN SUBJECT TO
14 DISCRIMINATION IN THE AREAS OF TELECOMMUNICATIONS, PUBLIC
15 SERVICES, PUBLIC ACCOMMODATIONS OPERATED BY PRIVATE ENTITIES,
16 AND EMPLOYMENT; AND

17 (c) THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990",
18 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED, ESTABLISHED PRINCIPLES AND
19 GUIDELINES REGARDING PERSONS WITH DISABILITIES.

20 (2) THEREFORE, IT IS IN THE BEST INTERESTS OF THE STATE OF
21 COLORADO TO STRIVE TO ENSURE EQUALITY OF OPPORTUNITY,
22 INDEPENDENT LIVING, AND ECONOMIC SELF-SUFFICIENCY FOR ALL OF THE
23 STATE'S CITIZENS, INCLUDING PERSONS WITH DISABILITIES.

24 **26-24-102. Definitions.** AS USED IN THIS ARTICLE 24 UNLESS THE
25 CONTEXT OTHERWISE REQUIRES:

1 (1) "COUNCIL" MEANS THE COLORADO ADVISORY COUNCIL FOR
2 PERSONS WITH DISABILITIES CREATED IN SECTION 26-24-103.

3 (2) "PERSON WITH A DISABILITY" MEANS A PERSON WHO:

4 (a) HAS A PHYSICAL OR MENTAL IMPAIRMENT OR CHRONIC
5 MEDICAL CONDITION THAT SUBSTANTIALLY LIMITS ONE OR MORE OF HIS OR
6 HER MAJOR LIFE ACTIVITIES;

7 (b) HAS A RECORD OF SUCH AN IMPAIRMENT; OR

8 (c) IS REGARDED AS HAVING SUCH AN IMPAIRMENT.

9 **26-24-103. Colorado advisory council for persons with**
10 **disabilities - creation - appointments - meetings.** (1) THE COLORADO
11 ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES IS CREATED IN THE
12 STATE DEPARTMENT.

13 (2) THE COUNCIL CONSISTS OF SEVEN VOTING MEMBERS AND
14 THREE NONVOTING MEMBERS AND MUST REFLECT STATEWIDE
15 PARTICIPATION AND A COMMITMENT TO THE INCLUSION OF PERSONS WITH
16 DISABILITIES AS FOLLOWS:

17 (a) VOTING MEMBERS INCLUDE:

18 (I) TWO MEMBERS SELECTED BY THE GOVERNOR; AND

19 (II) FIVE MEMBERS SELECTED BY THE EXECUTIVE DIRECTOR
20 FOLLOWING A PUBLIC APPLICATION PROCESS FOR CANDIDATES. OF THE
21 FIVE MEMBERS SELECTED PURSUANT TO THIS SUBSECTION (2)(a)(II), AT
22 LEAST THREE MUST BE EITHER A PERSON WITH A DISABILITY OR A FAMILY
23 MEMBER OF A PERSON WITH A DISABILITY; AND

24 (b) THREE NONVOTING MEMBERS, AS APPOINTED BY THE
25 EXECUTIVE DIRECTOR EXECUTIVE DIRECTOR, WHO MUST REPRESENT THREE
26 SEPARATE TYPES OF ORGANIZATIONS THAT PROVIDE SERVICES TO THE
27 DISABILITY COMMUNITY.

1 (3) COUNCIL MEMBERS APPOINTED PURSUANT TO SUBSECTION
2 (2)(a)(I) OF THIS SECTION SHALL SERVE THREE-YEAR TERMS, AND COUNCIL
3 MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (2)(a)(II) AND (2)(b) OF
4 THIS SECTION SHALL SERVE TWO-YEAR TERMS. SUBSEQUENTLY APPOINTED
5 MEMBERS SHALL SERVE TWO-YEAR TERMS.

6 (4) THE ORIGINAL APPOINTING ENTITY SHALL APPOINT A QUALIFIED
7 PERSON TO FILL A VACANCY ON THE COUNCIL FOR THE REMAINDER OF ANY
8 UNEXPIRED TERM. IF THE ORIGINAL APPOINTING ENTITY DOES NOT APPOINT
9 A PERSON TO FILL THE VACANCY WITHIN SIXTY DAYS AFTER THE DATE THE
10 VACANCY ARISES, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND
11 THE PRESIDENT OF THE SENATE, WITHIN NINETY DAYS AFTER THE DATE
12 THE VACANCY ARISES, SHALL JOINTLY APPOINT A QUALIFIED PERSON TO
13 FILL THE VACANCY. IF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
14 AND THE PRESIDENT OF THE SENATE DO NOT APPOINT A PERSON TO FILL
15 THE VACANCY WITHIN THE NINETY-DAY PERIOD, THE COUNCIL, BY A
16 MAJORITY VOTE, SHALL APPOINT A QUALIFIED PERSON TO FILL THE
17 VACANCY.

18 (5) THE COUNCIL SHALL CONVENE ITS FIRST MEETING ON OR
19 BEFORE AUGUST 1, 2018, AND MEET AT LEAST QUARTERLY THEREAFTER.
20 THE MEETINGS OF THE COUNCIL SHALL ALSO BE HELD ON CALL OF THE
21 CHAIR OR AT THE REQUEST OF AT LEAST THREE MEMBERS OF THE COUNCIL.
22 THE MEMBERS OF THE COUNCIL SHALL SELECT THE COUNCIL CHAIR AT THE
23 FIRST MEETING. THE COUNCIL SHALL PROVIDE SUFFICIENT ADVANCE
24 NOTICE OF EACH QUARTERLY MEETING TO THE INDIVIDUAL EMPLOYED BY
25 EACH STATE DEPARTMENT WHO IS RESPONSIBLE FOR COORDINATING
26 DEPARTMENTAL ACTIONS RELATED TO THE FEDERAL "AMERICANS WITH
27 DISABILITIES ACT OF 1990", 42 U.S.C. 12101 ET SEQ., AS AMENDED, SO

1 THAT SUCH INDIVIDUALS CAN ATTEND THE QUARTERLY MEETINGS AND
2 PROVIDE UPDATES TO THE COUNCIL ON INDIVIDUAL DEPARTMENTS'
3 PROGRAMS AND ACCESSIBILITY ISSUES.

4 (6) EXCEPT AS PROVIDED FOR IN SECTION 2-2-326, COUNCIL
5 MEMBERS SHALL NOT RECEIVE COMPENSATION FOR THEIR TIME BUT MAY
6 BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES, INCLUDING AN
7 ALLOWANCE FOR MILEAGE AS PROVIDED IN SECTION 24-9-104 (2) AND ANY
8 REASONABLE AND NECESSARY EXPENSES ASSOCIATED WITH PROVIDING
9 ACCOMMODATIONS FOR A COUNCIL MEMBER'S DISABILITY.

10 (7) THE STATE DEPARTMENT SHALL PROVIDE STAFF SUPPORT TO
11 THE COUNCIL AS NECESSARY.

12 **26-24-104. Powers and duties of the council.** (1) THE COUNCIL
13 HAS THE FOLLOWING POWERS, FUNCTIONS, AND DUTIES:

14 (a) RECOMMENDING AND REVIEWING LEGISLATION, THROUGH THE
15 STATE DEPARTMENT, RELATED TO ACCESSIBILITY, SERVICES AND
16 SUPPORTS, AND OTHER ISSUES CONCERNING THE DISABILITY COMMUNITY;

17 (b) CONDUCTING INFORMAL REVIEWS OF VARIOUS STATE
18 DEPARTMENTS RELATED TO ACCESSIBILITY ISSUES RELATED TO PERSONS
19 WITH DISABILITIES;

20 (c) CREATING AND MAINTAINING A WEBSITE THAT INCLUDES
21 RESOURCES FOR PERSONS WITH DISABILITIES;

22 (d) MAINTAINING A CURRENT LIST OF THE INDIVIDUAL EMPLOYED
23 BY EACH STATE DEPARTMENT WHO IS RESPONSIBLE FOR COORDINATING
24 DEPARTMENTAL ACTIONS RELATED TO THE FEDERAL "AMERICANS WITH
25 DISABILITIES ACT OF 1990", 42 U.S.C. 12101 ET SEQ., AS AMENDED;

26 (e) COORDINATING WITH STATE BOARDS, ADVISORY COUNCILS,
27 AND COMMISSIONS ESTABLISHED FOR OR RELATED TO PERSONS WITH

1 DISABILITIES;

2 (f) ISSUING AN ANNUAL REPORT TO THE GOVERNOR AND GENERAL
3 ASSEMBLY ON THE STATE'S PROGRAMS, SERVICES, AND POLICIES
4 AFFECTING AND ADDRESSING PERSONS WITH DISABILITIES;

5 (g) MONITORING THE STATE'S IMPLEMENTATION OF TITLE II OF THE
6 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. 12101
7 ET SEQ., AS AMENDED;

8 (h) ACTING AS AN ADDITIONAL ENTRY POINT FOR PUBLIC
9 GRIEVANCES REGARDING DISABILITY ISSUES AND REFERRING THOSE
10 GRIEVANCES TO THE APPROPRIATE STATE AGENCY OR PERSONNEL;

11 (i) COORDINATING EFFORTS AND RESPONSIBILITIES RELATED TO
12 THE DISABLED PARKING EDUCATION PROGRAMS PURSUANT TO SECTIONS
13 42-1-227 AND 42-3-204; AND

14 (j) CONDUCTING RESEARCH CONCERNING HOW TO MAKE
15 COLORADO THE BEST STATE FOR PERSONS WITH DISABILITIES, INCLUDING
16 BUT NOT LIMITED TO RESEARCH ON HOUSING, TRANSPORTATION,
17 EMPLOYMENT, EDUCATION, AND HEALTH CARE ISSUES AS THOSE ISSUES
18 RELATE TO PERSONS WITH DISABILITIES.

19 **26-24-105.** **Gifts, grants, and donations.** THE COUNCIL IS
20 AUTHORIZED TO RECEIVE AND EXPEND GIFTS, GRANTS, AND DONATIONS
21 FROM INDIVIDUALS, PRIVATE ORGANIZATIONS, FOUNDATIONS, OR ANY
22 GOVERNMENTAL UNIT; EXCEPT THAT THE COUNCIL MAY NOT ACCEPT A
23 GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS THAT ARE
24 INCONSISTENT WITH THIS ARTICLE 24 OR ANY OTHER LAW OF THIS STATE.

25 **26-24-106.** **Repeal of article.** THIS ARTICLE 24 IS REPEALED,
26 EFFECTIVE SEPTEMBER 1, 2023. PRIOR TO REPEAL, THE COUNCIL MUST BE
27 REVIEWED, AS PROVIDED IN SECTION 2-3-1203.

1 **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **repeal**
2 (6)(a)(III); and **add** (14)(a)(VI) as follows:

3 **2-3-1203. Sunset review of advisory committees - legislative**
4 **declaration - definition - repeal.** (6) (a) The following statutory
5 authorizations for the designated advisory committees will repeal on July
6 1, 2018:

7 (III) ~~The Colorado advisory council for persons with disabilities~~
8 ~~created in section 24-45.5-103, C.R.S.;~~

9 (14) (a) The following statutory authorizations for the designated
10 advisory committees are scheduled for repeal on September 1, 2023:

11 (VI) ~~THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH~~
12 ~~DISABILITIES CREATED IN SECTION 26-24-103.~~

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

15 **19-3.5-104. Colorado children's trust fund board - creation -**
16 **members.** (2) The board ~~shall consist~~ CONSISTS of nine members, as
17 follows:

18 (c) Six persons appointed by the governor and confirmed by the
19 senate, five of whom shall be knowledgeable in the area of child abuse
20 prevention and represent some of the following areas: Law enforcement;
21 medicine; law; business; mental health; domestic relations; child abuse
22 prevention; education; and social work; and one who ~~shall be~~ IS a parent
23 or a representative of a parent organization. In making appointments to
24 the board, the governor is encouraged to include representation by at least
25 one member who is a person with a disability, as defined in ~~section~~
26 ~~24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family member of a
27 person with a disability, or a member of an advocacy group for persons

1 with disabilities, provided that the other requirements of this paragraph
2 ~~(e)~~ SUBSECTION (2)(c) are met.

3 **SECTION 5.** In Colorado Revised Statutes, 24-32-706, **amend**
4 (1) as follows:

5 **24-32-706. State housing board.** (1) There is hereby created,
6 within the division of housing, the state housing board. The board shall
7 ~~consist~~ CONSISTS of seven members ~~who shall be~~ appointed by the
8 governor for terms of four years each, except as provided in subsection
9 (2) of this section. In making appointments to the board, the governor
10 shall include representation by at least one member who is a person with
11 a disability, as defined in ~~section 24-45.5-102 (2)~~ SECTION 24-34-301
12 (2.5), a family member of a person with a disability, or a member of an
13 advocacy group for persons with disabilities.

14 **SECTION 6.** In Colorado Revised Statutes, 25-1-103, **amend** (1)
15 as follows:

16 **25-1-103. State board of health created.** (1) There is hereby
17 created a state board of health, referred to in this part 1 as the "board".
18 ~~which shall consist~~ THE BOARD CONSISTS of nine members, of which one
19 member shall MUST be appointed by the governor, with the consent of the
20 senate, from each congressional district and the remainder from the state
21 at large. A vacancy on the board occurs whenever any member moves out
22 of the congressional district from which he OR SHE was appointed. A
23 member who moves out of such congressional district shall promptly
24 notify the governor of the date of ~~such~~ HIS OR HER move, but ~~such~~ THE
25 notice is not a condition precedent to the occurrence of the vacancy. The
26 governor shall fill the vacancy by appointment for the unexpired term. No
27 more than five members of the board shall be members of the same major

1 political party. Appointments made to take effect on January 1, 1983,
2 shall be made in accordance with section 24-1-135. ~~C.R.S.~~ Appointments
3 thereafter ~~shall be~~ ARE made, with the consent of the senate, for terms of
4 four years each and ~~shall be~~ made so that no business or professional
5 group ~~shall constitute~~ CONSTITUTES a majority of the board. In making
6 appointments to the board, the governor is encouraged to include
7 representation by at least one member who is a person with a disability,
8 as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a
9 family member of a person with a disability, or a member of an advocacy
10 group for persons with disabilities if the other requirements of this
11 subsection (1) are met.

12 **SECTION 7.** In Colorado Revised Statutes, 25.5-1-301, **amend**
13 (1) as follows:

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

1 24-34-301 (2.5), a family member of a person with a disability, or a
2 member of an advocacy group for persons with disabilities, provided that
3 the other requirements of this subsection (1) are met.

4 **SECTION 8.** In Colorado Revised Statutes, 26-1-107, **amend**
5 (1)(a) as follows:

6 **26-1-107. State board of human services - rules.** (1) (a) There
7 is hereby created the state board of human services, REFERRED TO IN THIS
8 SECTION AS THE "STATE BOARD". The state board ~~shall consist~~ CONSISTS
9 of nine members ~~each of whom shall be~~ appointed by the governor, with
10 the consent of the senate, for terms of four years each. In making
11 appointments to the board, the governor shall include representation by
12 at least one member who is a person with a disability, as defined in
13 ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family
14 member of a person with a disability, or a member of an advocacy group
15 for persons with disabilities.

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

18 **27-65-131. Advisory board - service standards and rules.** An
19 advisory board, REFERRED TO AS THE "BOARD" IN THIS SECTION, to the
20 department is established for the purpose of assisting and advising the
21 executive director in accordance with section 27-65-130 in the
22 development of service standards and rules. The board consists of not less
23 than eleven nor more than fifteen members appointed by the governor.
24 The advisory board includes one representative each from the office of
25 behavioral health, the department of human services, the department of
26 public health and environment, the university of Colorado health sciences
27 center, and a leading professional association of psychiatrists in this state;

1 at least one member representing proprietary skilled health care facilities;
2 one member representing nonprofit health care facilities; one member
3 representing the Colorado bar association; one member representing
4 consumers of services for persons with mental health disorders; one
5 member representing families of persons with mental health disorders;
6 one member representing children's health care facilities; and other
7 persons from both the private and the public sectors who are recognized
8 or known to be interested and informed in the area of the board's purpose
9 and function. In making appointments to the board, the governor is
10 encouraged to include representation by at least one member who is a
11 person with a disability, as defined in ~~section 24-45.5-102 (2)~~ SECTION
12 24-34-301 (2.5), a family member of a person with a disability, or a
13 member of an advocacy group for persons with disabilities, provided that
14 the other requirements of this section are met.

15 **SECTION 10.** In Colorado Revised Statutes, 42-1-227, **amend**
16 (1) introductory portion; and **add** (2) as follows:

17 **42-1-227. Disabled parking education program.** (1) Subject to
18 the availability of funds appropriated ~~under~~ TO THE DEPARTMENT OF
19 HUMAN SERVICES PURSUANT TO section 42-1-226, the Colorado advisory
20 council for persons with disabilities, created in ~~section 24-45.5-103,~~
21 C.R.S., SECTION 26-24-103:

22 (2) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF
23 THIS SECTION, BEGINNING JANUARY 1, 2019, AND CONTINUING THROUGH
24 JUNE 30, 2020, UNLESS OTHERWISE PROVIDED FOR IN SUBSECTION (2)(d)
25 OF THIS SECTION, THE DEPARTMENT OF HUMAN SERVICES, REFERRED TO IN
26 THIS SECTION AS THE "DEPARTMENT", SHALL DESIGNATE A COLORADO
27 NONPROFIT ORGANIZATION, REFERRED TO IN THIS SUBSECTION (2) AS

1 "NONPROFIT ORGANIZATION", TO PERFORM THE DUTIES AND
2 RESPONSIBILITIES SET FORTH IN SUBSECTIONS (1)(a) AND (1)(b) OF THIS
3 SECTION CONCERNING THE DISABLED PARKING EDUCATION PROGRAM. THE
4 DEPARTMENT IS AUTHORIZED TO APPROPRIATE ANY MONEY APPROPRIATED
5 PURSUANT TO SECTION 42-1-226 TO THE NONPROFIT ORGANIZATION
6 DESIGNATED PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, AND
7 SHALL DISTRIBUTE SUCH MONEY TO THE DESIGNATED NONPROFIT
8 ORGANIZATION ON OR BEFORE NOVEMBER 1, 2018.

9 (b) ON OR BEFORE SEPTEMBER 1, 2018, AN INTERESTED NONPROFIT
10 ORGANIZATION SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT TO
11 BECOME THE DESIGNATED NONPROFIT ORGANIZATION. ON OR BEFORE
12 OCTOBER 1, 2018, THE DEPARTMENT SHALL DESIGNATE A SINGLE
13 NONPROFIT ORGANIZATION TO ADMINISTER THE DISABLED PARKING
14 EDUCATION PROGRAM, AFTER CONSIDERATION OF THE FOLLOWING
15 CRITERIA:

16 (I) WHETHER MORE THAN FIFTY PERCENT OF THE NONPROFIT
17 ORGANIZATION'S BOARD HAS A DISABILITY;

18 (II) WHETHER MORE THAN THIRTY-THREE PERCENT OF THE
19 NONPROFIT ORGANIZATION'S BOARD QUALIFIES FOR DISABLED PARKING;

20 (III) WHETHER MORE THAN THIRTY-THREE PERCENT OF THE
21 NONPROFIT ORGANIZATION'S BOARD HAS MARKETING OR ADVERTISING
22 EXPERIENCE;

23 (IV) WHETHER THE NONPROFIT ORGANIZATION'S BOARD HAS A
24 DISABLED VETERAN;

25 (V) THE LEVEL OF THE NONPROFIT ORGANIZATION'S SUBJECT
26 MATTER EXPERTISE; AND

27 (VI) THE NONPROFIT ORGANIZATION'S WILLINGNESS TO PROVIDE

1 IN-KIND OR OTHER CONTRIBUTIONS TO THE DISABLED PARKING EDUCATION
2 PROGRAM.

3 (c) ON OR BEFORE DECEMBER 1, 2019, THE COLORADO ADVISORY
4 COUNCIL FOR PERSONS WITH DISABILITIES, CREATED IN SECTION
5 26-24-103, SHALL MAKE A RECOMMENDATION TO THE DEPARTMENT
6 CONCERNING WHETHER OR NOT THE DESIGNATED NONPROFIT
7 ORGANIZATION MUST CONTINUE TO ADMINISTER THE DISABLED PARKING
8 EDUCATION PROGRAM. ON OR BEFORE DECEMBER 31, 2019, THE
9 DEPARTMENT SHALL DETERMINE WHETHER TO CONTINUE TO DESIGNATE
10 THE NONPROFIT ORGANIZATION AS THE ENTITY TO ADMINISTER THE
11 DISABLED PARKING EDUCATION PROGRAM; HOWEVER, UNDER NO
12 CIRCUMSTANCE MAY THE DESIGNATION CONTINUE AFTER JULY 1, 2020.

13 (d) NOLATER THAN ONE MONTH FOLLOWING THE TERMINATION OF
14 THE CONTRACT WITH THE DESIGNATED NONPROFIT ORGANIZATION
15 PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION, THE DEPARTMENT
16 SHALL DISTRIBUTE THE MONEY APPROPRIATED TO IT FOR THE DISABLED
17 PARKING EDUCATION PROGRAM PURSUANT TO SUBSECTION (2)(a) OF THIS
18 SECTION TO THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH
19 DISABILITIES FOR THE PURPOSES OF THIS SECTION FOR THE CONTINUED
20 IMPLEMENTATION OF THIS SECTION.

21 **SECTION 11.** In Colorado Revised Statutes, 42-3-204, **amend**
22 (2)(d) introductory portion and (5)(d) as follows:

23 **42-3-204. Reserved parking for persons with disabilities -**
24 **applicability - definitions - rules. (2) Administration by the**
25 **department. (d) Department to establish forms - rules.** The
26 department, in consultation with the Colorado advisory council for
27 persons with disabilities, created in ~~section 24-45.5-103, C.R.S.~~ SECTION

1 26-24-103, shall promulgate a rule creating an application and renewal
2 form that:

3 (5) **Issuance of plate or placard - rules. (d) Department to give**
4 **notice of rights and responsibilities.** When a person files an application
5 for issuance or renewal of an identifying plate or placard under this
6 section, the department shall provide to the applicant an informational
7 pamphlet or other informational source, DEVELOPED BY THE DEPARTMENT,
8 that describes reserved parking and the rights and responsibilities of the
9 holders of identifying plates or placards. ~~The pamphlet or other~~
10 ~~informational source shall be developed by the department in consultation~~
11 ~~with the Colorado advisory council for persons with disabilities, created~~
12 ~~in section 24-45.5-103, C.R.S. THE DEPARTMENT, IN CONSULTATION WITH~~
13 ~~THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES,~~
14 ~~CREATED IN SECTION 26-24-103, SHALL DEVELOP THE PAMPHLET OR~~
15 ~~OTHER INFORMATIONAL SOURCE.~~

16 **SECTION 12.** In Colorado Revised Statutes, 43-1-106, **amend**
17 (4)(c) as follows:

18 **43-1-106. Transportation commission - powers and duties -**
19 **repeal.** (4) (c) As the terms of the members of the commission expire,
20 the governor shall consider the appointment to the commission of one or
21 more individuals with knowledge or experience in mass transportation in
22 order to provide for a commission with expertise in different modes of
23 transportation and shall consider the appointment to the commission of
24 at least one individual with knowledge or experience in engineering. In
25 making appointments to the commission, the governor is encouraged to
26 include representation by at least one member who is a person with a
27 disability, as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION

1 24-34-301 (2.5), a family member of a person with a disability, or a
2 member of an advocacy group for persons with disabilities, provided that
3 the other requirements of this ~~paragraph (c)~~ SUBSECTION (4)(c) are met.

4 **SECTION 13. Appropriation.** For the 2018-19 state fiscal year,
5 \$250,000 is appropriated to the department of human services for use by
6 the executive director's office. This appropriation is from the general fund
7 and is based on the assumption that the department will require an
8 additional 1.0 FTE. To implement this act, the office may use this
9 appropriation for the council for persons with disabilities.

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

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