

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 20-0256.01 Richard Sweetman x4333

SENATE BILL 20-026

SENATE SPONSORSHIP

Fields and Cooke, Rodriguez

HOUSE SPONSORSHIP

Singer,

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING ELIGIBILITY FOR WORKERS' COMPENSATION BENEFITS**
102 **FOR WORKERS WHO ARE EXPOSED TO PSYCHOLOGICALLY**
103 **TRAUMATIC EVENTS, AND, IN CONNECTION THEREWITH,**
104 **ESTABLISHING THAT A WORKER'S VISUAL OR AUDIBLE EXPOSURE**
105 **TO THE SERIOUS BODILY INJURY OR DEATH, OR THE IMMEDIATE**
106 **AFTERMATH OF THE SERIOUS BODILY INJURY OR DEATH, OF ONE**
107 **OR MORE PEOPLE AS THE RESULT OF A VIOLENT EVENT, THE**
108 **INTENTIONAL ACT OF ANOTHER PERSON, OR AN ACCIDENT IS A**
109 **PSYCHOLOGICALLY TRAUMATIC EVENT FOR THE PURPOSES OF**
110 **DETERMINING THE WORKER'S ELIGIBILITY FOR WORKERS'**
111 **COMPENSATION BENEFITS.**

Bill Summary

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.

SENATE
Amended 2nd Reading
February 3, 2020

(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/>.)

The Legislative Oversight Committee Concerning the Treatment of Persons with Mental Health Disorders in the Criminal and Juvenile Justice Systems. The bill states that, for the purpose of determining eligibility for workers' compensation benefits, a "psychologically traumatic event" includes an event that is within a worker's usual experience when the worker is diagnosed with post-traumatic stress disorder by a licensed psychiatrist or psychologist after:

- ! The worker is subjected to visual or audible exposure to the death, or the immediate aftermath of the death, of one or more people as the result of a violent event; or
- ! The worker repeatedly is subjected to visual or audible exposure to the serious bodily injury, or the immediate aftermath of the serious bodily injury, of one or more people as the result of the intentional act of another person or an accident.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-41-301, **amend**
3 (3)(b)(II)(B) and (3)(b)(II)(C) as follows:

4 **8-41-301. Conditions of recovery - definitions.** (3) For the
5 purposes of this section:

6 (b) (II) "Psychologically traumatic event" also includes an event
7 that is within a worker's usual experience only when the worker is
8 diagnosed with post-traumatic stress disorder by a licensed psychiatrist
9 or psychologist after the worker experienced exposure to one or more of
10 the following events:

11 (B) The worker visually OR AUDIBLY, OR BOTH VISUALLY AND
12 AUDIBLY, witnesses a death, or the immediate aftermath of the death, of
13 one or more people as the result of a violent event; or

1 (C) The worker repeatedly AND EITHER visually OR AUDIBLY, OR
2 BOTH VISUALLY AND AUDIBLY, witnesses the serious bodily injury, or the
3 immediate aftermath of the serious bodily injury, of one or more people
4 as the result of the intentional act of another person or an accident.

5 **SECTION 2. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2020 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.