

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0602.01 Pierce Lively x2059

HOUSE BILL 21-1036

HOUSE SPONSORSHIP

Pico,

SENATE SPONSORSHIP

(None),

House Committees

Public & Behavioral Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTROL OF A LOCAL GOVERNMENT OVER A**
102 **HEALTH ORDER THAT APPLIES WITHIN THE TERRITORY OF A**
103 **LOCAL GOVERNMENT.**

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>.)

The bill specifies that a health order issued by a county, district, or municipal public health agency, public health director, or board of health takes effect within the territory of a county, city and county, or municipality, unless the governing body of the county, city and county, or municipality rejects the order by a majority vote.

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.

The bill also allows the governing body of a county, city and county, or municipality to modify a health order issued by a county, district, or municipal public health agency, public health director, or board of health.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add 25-1-509.5** as
3 follows:

4 **25-1-509.5. Health orders local government approval**
5 **requirements.** (1) NOTWITHSTANDING ANY PROVISION OF THIS PART 5,
6 OR ANY OTHER PROVISION OF LAW THAT GRANTS A COUNTY, DISTRICT, OR
7 MUNICIPAL PUBLIC HEALTH AGENCY, PUBLIC HEALTH DIRECTOR, OR BOARD
8 OF HEALTH THE AUTHORITY TO ISSUE A HEALTH ORDER:

9 (a) A HEALTH ORDER ISSUED BY A COUNTY OR DISTRICT PUBLIC
10 HEALTH AGENCY, PUBLIC HEALTH DIRECTOR, OR BOARD OF HEALTH TAKES
11 EFFECT AND APPLIES WITHIN THE TERRITORY OF A COUNTY OR CITY AND
12 COUNTY ONLY IF THE GOVERNING BODY OF THE COUNTY OR CITY AND
13 COUNTY DOES NOT, BY A VOTE OF THE MAJORITY OF ITS MEMBERS,
14 DECLARE THAT THE HEALTH ORDER DOES NOT APPLY;

15 (b) A HEALTH ORDER ISSUED BY A MUNICIPAL PUBLIC HEALTH
16 AGENCY, PUBLIC HEALTH DIRECTOR, OR BOARD OF HEALTH TAKES EFFECT
17 AND APPLIES WITHIN THE TERRITORY OF A MUNICIPALITY ONLY IF THE
18 GOVERNING BODY OF THE MUNICIPALITY DOES NOT, BY A VOTE OF THE
19 MAJORITY OF ITS MEMBERS, DECLARE THAT THE HEALTH ORDER DOES NOT
20 APPLY;

21 (c) A HEALTH ORDER ISSUED BY A COUNTY OR DISTRICT PUBLIC
22 HEALTH AGENCY, PUBLIC HEALTH DIRECTOR, OR BOARD OF HEALTH MAY
23 BE MODIFIED BY A MAJORITY VOTE OF THE GOVERNING BODY OF A COUNTY

1 OR CITY AND COUNTY; AND

2 (d) A HEALTH ORDER ISSUED BY A MUNICIPAL HEALTH AGENCY,
3 PUBLIC HEALTH DIRECTOR, OR BOARD OF HEALTH MAY BE MODIFIED BY A
4 MAJORITY VOTE OF THE GOVERNING BODY OF A MUNICIPALITY.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety.