

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0424.01 Nicole Myers x4326

SENATE BILL 22-162

SENATE SPONSORSHIP

Zenzinger and Kirkmeyer, Moreno, Woodward

HOUSE SPONSORSHIP

Woodrow and Lynch, Pico, Valdez D.

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING THE MODERNIZATION OF THE TERMINOLOGY USED IN
102 THE COLORADO REVISED STATUTES RELATING TO THE
103 ORGANIZATION OF COLORADO STATE GOVERNMENTAL
104 AGENCIES WITHOUT ALTERING THE STATUS OF THE POWERS
105 ASSIGNED TO THOSE AGENCIES PURSUANT TO THE
106 "ADMINISTRATIVE ORGANIZATION ACT OF 1968".

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/>.)

Statutory Revision Committee. Under current law, 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.

"Administrative Organization Act of 1968" (AOA) sets forth the organizational structure of the principal departments of the executive branch of Colorado state government based on a series of transfers and allocations of authority, powers, duties, and functions to units of government, referred to as "entities", that occurred in 1968, and as amended since that time as entities were created, transferred, or abolished. The AOA defines 3 types of transfers that determine the relationship between an entity and the principal department in the executive branch. The designation of an entity as a **type 1** or **type 2** entity, and the transfer of the entity's powers, duties, and functions to another entity by a **type 1** or **type 2** transfer, affects the authority of the entity and defines the relationship between the entity and the principal department to which the entity is assigned. Historically, a **type 3** transfer involved the transfer of all functions of an entity to another entity and the abolition of the original entity from which the functions had been transferred.

The bill modernizes and simplifies the terminology used in creating and transferring entities among principal departments under the AOA and throughout the Colorado Revised Statutes while preserving the status and the powers assigned in current law to entities in the AOA.

The bill defines "**type 1** entity" and "**type 2** entity" and states that when a new entity is created as a **type 1** entity or a **type 2** entity and allocated to a principal department under the AOA, or when an existing entity is transferred from one principal department to another, the entity has all of the powers, duties, and functions of a **type 1** or **type 2** entity, as applicable. The bill eliminates language regarding **type 1** and **type 2** transfers and specifies that when an existing entity is transferred from one principal department to another, the transferred entity exercises its powers and performs its duties and functions in the principal department to which it was transferred as a **type 1** or **type 2** entity, as specified in law.

The bill amends organic statutes for the principal departments to specify the **type 1** or **type 2** status of the entities within those principal departments where the **type 1** or **type 2** status is not stated. The bill also amends the AOA to specify the **type 1** or **type 2** status of the entities where the **type 1** or **type 2** status is found in the organic statute but is missing in the AOA.

Currently, when an entity is abolished by a **type 3** transfer, the original entity and its powers, duties, and functions are transferred to another principal department and the original entity is abolished. The bill eliminates references to **type 3** transfers and specifies that the powers, duties, and functions of the abolished entity are included in powers, duties, and functions of the entity to which it was transferred.

The bill also corrects errors in the names of entities to make the references consistent throughout the statutes.

To aid the reader, the bill is organized to group all the amendments

to each principal department, including conforming amendments, together.

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

2 **SECTION 1. Short title.** The short title of this act is the "Debbie
3 Haskins 'Administrative Organization Act of 1968' Modernization Act".

4 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-1-101 as
5 follows:

6 **24-1-101. Legislative declaration.** (1) The general assembly
7 declares that this ~~article~~ ARTICLE 1 is necessary to create a structure of
8 state government ~~which will be~~ THAT IS responsive to the needs of the
9 people of this state and sufficiently flexible to meet changing conditions;
10 to strengthen the powers of the governor and provide a reasonable span
11 of administrative and budgetary controls within an orderly organizational
12 structure of state government; to strengthen the role of the general
13 assembly in state government; to encourage greater participation of the
14 public in state government; to effect the grouping of state agencies into
15 a limited number of principal departments primarily according to
16 function; and to eliminate overlapping and duplication of effort. ~~It is the~~
17 ~~intent of the general assembly to provide for an orderly transfer of~~
18 ~~powers, duties, and functions of the various state agencies to such~~
19 ~~principal departments with a minimum of disruption of governmental~~
20 ~~services and functions and with a minimum of expense.~~ To the ends
21 stated in this section, this ~~article~~ ARTICLE 1 shall be liberally construed.

22 (2) SINCE THE GENERAL ASSEMBLY ENACTED THE
23 "ADMINISTRATIVE ORGANIZATION ACT OF 1968", WHICH LAID OUT THE
24 STRUCTURE OF THE PRINCIPAL DEPARTMENTS, ASSIGNED AND
25 TRANSFERRED EVERY ENTITY INTO A PRINCIPAL DEPARTMENT, AND

1 SPECIFIED WHETHER THE ENTITY WAS TRANSFERRED BY A **TYPE 1** OR **TYPE**
2 **2** TRANSFER OR ABOLISHED BY A **TYPE 3** TRANSFER, THE GENERAL
3 ASSEMBLY HAS DETERMINED THAT:

4 (a) THE TRANSFER LANGUAGE USED IN THIS ARTICLE 1 IS OVERLY
5 COMPLICATED, AND THE CONCEPT THAT A NEW ENTITY OBTAINS OR
6 RETAINS ITS POWERS "AS IF IT WERE TRANSFERRED", BASED ON A
7 REORGANIZATION THAT OCCURRED IN 1968, IS AN AWKWARD WAY OF
8 EXPRESSING THE ENTITY'S STATUS;

9 (b) WHILE THE STATUS OF AN ENTITY IS EXPRESSED IN THIS
10 ARTICLE 1, THE **TYPE 1** OR **TYPE 2** STATUS OF THE ENTITY OFTEN IS NOT
11 SPECIFIED IN THE ORGANIC STATUTE THAT GOVERNS THE ENTITY, WHICH
12 IS WHERE A READER WOULD TYPICALLY LOOK FOR THIS INFORMATION;

13 (c) WHILE THERE WERE MANY REFERENCES TO **TYPE 3** TRANSFERS
14 BY WHICH ENTITIES WERE HISTORICALLY ABOLISHED, IN 2022 THE
15 TERMINOLOGY USED IN THE STATUTES WAS MODERNIZED TO SIMPLY
16 IDENTIFY THE NEW ENTITY RESPONSIBLE FOR THE POWERS, DUTIES, AND
17 FUNCTIONS OF THE ABOLISHED ENTITY WITHOUT THE USE OF THE ARCHAIC
18 **TYPE 3** TRANSFER LANGUAGE; AND

19 (d) THE COLORADO REVISED STATUTES WOULD BE IMPROVED BY
20 MODERNIZING THE MEANS BY WHICH AN ENTITY'S STATUS IS DESIGNATED
21 AND THE WAY IN WHICH AN ENTITY'S POWERS, DUTIES, AND FUNCTIONS
22 ARE EXPRESSED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968"
23 AND IN THE ORGANIC STATUTE WHERE THE ENTITY IS CREATED.

24 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**
25 **with amendments,** 24-1-105 as follows:

26 **24-1-105. Types of entities defined - creation of new entities -**
27 **transfers of existing entities.** (1) THE FOLLOWING DEFINITIONS APPLY TO

1 EVERY STATUTE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

2 (a) "ENTITY" MEANS A PRINCIPAL DEPARTMENT OF THE STATE OR
3 ANY DIVISION, INSTITUTION, OR PART OF A PRINCIPAL DEPARTMENT, OR
4 ANY AGENCY, BOARD, COMMISSION, OR UNIT OF STATE GOVERNMENT THAT
5 IS CREATED IN OR ASSIGNED TO A PRINCIPAL DEPARTMENT OF THE STATE.
6 "ENTITY" INCLUDES AN INDIVIDUAL CARRYING OUT POWERS OR
7 EXERCISING DUTIES OR FUNCTIONS.

8 (b) "**TYPE 1 ENTITY**" MEANS AN ENTITY THAT IS ADMINISTERED
9 UNDER THE DIRECTION AND SUPERVISION OF A PRINCIPAL DEPARTMENT
10 ESTABLISHED IN THIS ARTICLE 1, BUT EXERCISES ITS PRESCRIBED
11 STATUTORY POWERS AND PERFORMS ITS PRESCRIBED DUTIES AND
12 FUNCTIONS, INCLUDING RULE-MAKING, REGULATION, LICENSING, AND
13 REGISTRATION; THE PROMULGATION OF RULES, RATES, REGULATIONS, AND
14 STANDARDS; AND THE RENDERING OF FINDINGS, ORDERS, AND
15 ADJUDICATIONS, INDEPENDENTLY OF THE HEAD OF THE PRINCIPAL
16 DEPARTMENT. UNDER A **TYPE 1 ENTITY**, ANY POWERS, DUTIES, AND
17 FUNCTIONS NOT SPECIFICALLY VESTED BY STATUTE IN THE ENTITY,
18 INCLUDING, BUT NOT LIMITED TO, ALL BUDGETING, PURCHASING,
19 PLANNING, AND RELATED MANAGEMENT FUNCTIONS OF THE ENTITY, ARE
20 PERFORMED UNDER THE DIRECTION AND SUPERVISION OF THE HEAD OF THE
21 PRINCIPAL DEPARTMENT.

22 (c) "**TYPE 2 ENTITY**" MEANS AN ENTITY WHOSE STATUTORY
23 AUTHORITY, POWERS, DUTIES, AND FUNCTIONS, INCLUDING THE FUNCTIONS
24 OF BUDGETING, PURCHASING, AND PLANNING, ARE UNDER THE DIRECTION
25 AND SUPERVISION OF THE HEAD OF THE PRINCIPAL DEPARTMENT.

26 (2) WHEN A NEW ENTITY IS CREATED, THE ENTITY EXERCISES ITS
27 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS IN THE PRINCIPAL

1 DEPARTMENT IN WHICH IT IS CREATED AS A **TYPE 1** OR **TYPE 2** ENTITY, AS
2 SPECIFIED IN LAW. WHEN AN EXISTING ENTITY IS TRANSFERRED FROM ONE
3 PRINCIPAL DEPARTMENT TO ANOTHER PRINCIPAL DEPARTMENT, THE
4 ENTITY EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS
5 IN THE PRINCIPAL DEPARTMENT TO WHICH IT WAS TRANSFERRED AS A **TYPE**
6 **1** OR **TYPE 2** ENTITY, AS SPECIFIED IN LAW. WHEN AN EXISTING ENTITY IS
7 ABOLISHED, ALL OR PART OF THE POWERS, DUTIES, AND FUNCTIONS OF THE
8 ABOLISHED ENTITY AS WELL AS ITS RECORDS, PERSONNEL, PROPERTY, AND
9 UNEXPENDED BALANCES OF APPROPRIATIONS, ALLOCATIONS, OR OTHER
10 MONEY, MAY BE TRANSFERRED TO ANOTHER ENTITY AS SPECIFIED IN LAW.

11 **SECTION 4.** In Colorado Revised Statutes, **repeal** 24-1-129 as
12 follows:

13 **24-1-129. Effect of transfer of powers, duties, and functions.**
14 ~~Any principal department to which powers, duties, and functions of any~~
15 ~~existing department, institution, or other agency are transferred or any~~
16 ~~division, section, or unit of any principal department to which such~~
17 ~~powers, duties, and functions are allocated shall be the successor in every~~
18 ~~way with respect to such powers, duties, and functions of the department,~~
19 ~~institution, or other agency in which such powers, duties, and functions~~
20 ~~were vested prior to July 1, 1968, except as otherwise provided by this~~
21 ~~article. Every act performed in the exercise of such powers, duties, and~~
22 ~~functions by or under the authority of the principal department or any~~
23 ~~division, section, or unit thereof to which such powers, duties, and~~
24 ~~functions are transferred or allocated by this article shall be deemed to~~
25 ~~have the same force and effect as if performed by the department,~~
26 ~~institution, or other agency in which such functions were vested prior to~~
27 ~~July 1, 1968. When any such department, institution, or other agency is~~

1 referred to or designated by any law, contract, or other document, such
2 reference or designation shall be deemed to apply to the principal
3 department or the division, section, or unit thereof in which the powers,
4 duties, and functions of such department, institution, or other agency so
5 referred to or designated are vested by the provisions of this article.

6 **SECTION 5.** In Colorado Revised Statutes, 24-1-111, **amend** (2)
7 and (3) as follows:

8 **24-1-111. Department of state - creation.** (2) The department
9 of state and the office of secretary of state, created by IN article IV of the
10 state constitution, ~~and the powers, duties, and functions vested by law in~~
11 ~~said department and said office are transferred by a type 2 transfer to the~~
12 ~~department of state,~~ ARE **TYPE 2** ENTITIES AS DEFINED IN SECTION
13 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND
14 FUNCTIONS AS VESTED BY LAW IN THE DEPARTMENT AND OFFICE, subject
15 to the state constitution.

16 (3) The department of state includes the electronic recording
17 technology board established in section 24-21-402 (1). ~~and its powers,~~
18 ~~duties, and functions, as if the board were transferred by a type 1 transfer,~~
19 ~~as such transfer is defined in section 24-1-105~~ THE ELECTRONIC
20 RECORDING TECHNOLOGY BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN
21 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
22 AND FUNCTIONS AS SPECIFIED BY LAW UNDER THE DEPARTMENT OF STATE.

23 **SECTION 6.** In Colorado Revised Statutes, 24-21-402, **amend**
24 (1)(a) introductory portion as follows:

25 **24-21-402. Electronic recording technology board - creation**
26 **- enterprise status.** (1) (a) The electronic recording technology board is
27 created in the department of state. THE BOARD IS A **TYPE 1** ENTITY, AS

1 DEFINED IN SECTION 24-1-105. The board consists of the secretary of state,
2 or ~~his or her~~ THE SECRETARY OF STATE'S designee, and eight other
3 members appointed as follows:

4 **SECTION 7.** In Colorado Revised Statutes, 24-1-112, **amend** (2)
5 as follows:

6 **24-1-112. Department of the treasury - creation.** (2) (a) ~~The~~
7 ~~powers, duties, and functions of the department of the treasury, created~~
8 ~~by article 36 of this title, and the powers, duties, and functions vested by~~
9 ~~law or the state constitution in the office of state treasurer are transferred~~
10 ~~by a **type 2** transfer to the department of the treasury, subject to the state~~
11 ~~constitution.~~ THE DEPARTMENT OF THE TREASURY, CREATED IN ARTICLE
12 36 OF THIS TITLE 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105,
13 AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS
14 SPECIFIED BY LAW AND SUBJECT TO THE STATE CONSTITUTION.

15 (b) THE OFFICE OF THE STATE TREASURER IS A **TYPE 2** ENTITY, AS
16 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
17 ITS DUTIES AND FUNCTIONS AS VESTED BY LAW OR THE STATE
18 CONSTITUTION IN THE OFFICE OF THE STATE TREASURER, SUBJECT TO THE
19 STATE CONSTITUTION.

20 **SECTION 8.** In Colorado Revised Statutes, 24-1-113, **amend** (2)
21 as follows:

22 **24-1-113. Department of law - creation.** (2) Except as otherwise
23 provided in this ~~article~~ ARTICLE 1 or by law: ~~the powers, duties, and~~
24 ~~functions of the department of law, created by article 31 of this title, and~~
25 ~~all other powers, duties, and functions vested by law or the state~~
26 ~~constitution in the office of attorney general are transferred by a **type 2**~~
27 ~~transfer to the department of law, subject to the state constitution.~~

1 (a) THE DEPARTMENT OF LAW, CREATED IN ARTICLE 31 OF THIS
2 TITLE 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
3 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS
4 SPECIFIED BY LAW AND SUBJECT TO THE STATE CONSTITUTION.

5 (b) THE OFFICE OF THE ATTORNEY GENERAL IS A **TYPE 2** ENTITY,
6 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
7 PERFORMS ITS DUTIES AND FUNCTIONS AS VESTED IN THE OFFICE OF THE
8 ATTORNEY GENERAL BY LAW OR THE STATE CONSTITUTION.

9 **SECTION 9.** In Colorado Revised Statutes, 24-31-302, **amend**
10 (2) as follows:

11 **24-31-302. Creation of board.** (2) The P.O.S.T. board ~~shall~~
12 ~~exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
13 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
14 under the department of law. ~~as if transferred to the department by a type~~
15 ~~2 transfer, as such transfer is defined in the "Administrative Organization~~
16 ~~Act of 1968", article 1 of this title.~~

17 **SECTION 10.** In Colorado Revised Statutes, 24-1-114, **amend**
18 (2), (3) introductory portion, (3)(b), (3)(c), (3)(d), and (6) as follows:

19 **24-1-114. Department of higher education - creation.** (2) The
20 Colorado commission on higher education and the office of executive
21 director ~~thereof~~ OF THE COMMISSION, created ~~by~~ IN article 1 of title 23,
22 ~~C.R.S., and their powers, duties, and functions are transferred by a type~~
23 ~~1 transfer to the department of higher education~~ ARE **TYPE 1** ENTITIES, AS
24 DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND
25 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
26 HIGHER EDUCATION.

27 (3) The department of higher education ~~shall include~~ INCLUDES

1 the following divisions:

2 (b) THE state historical society, created ~~by~~ IN part 2 of article 80
3 of this title. ~~Its powers, duties, and functions, are transferred by a type 1~~
4 ~~transfer to the department of higher education as a division thereof~~ TITLE
5 24. THE STATE HISTORICAL SOCIETY IS A **TYPE 1** ENTITY, AS DEFINED IN
6 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
7 AND FUNCTIONS AS A DIVISION OF THE DEPARTMENT OF HIGHER
8 EDUCATION.

9 (c) The student loan division, created ~~by~~ IN article 3.1 of title 23.
10 ~~C.R.S.~~ The division and the ~~director thereof shall exercise their powers~~
11 ~~and perform their duties and functions as if transferred to the department~~
12 ~~by a type 2 transfer~~ OFFICE OF THE DIRECTOR OF THE DIVISION ARE **TYPE**
13 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR
14 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
15 DEPARTMENT OF HIGHER EDUCATION.

16 (d) The private occupational school division, created ~~by~~ IN article
17 64 of title 23. The private occupational school board, created by section
18 23-64-107, ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
19 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
20 functions ~~as if transferred to the department by a type 1 transfer~~ UNDER
21 THE DEPARTMENT OF HIGHER EDUCATION. The division, except for the
22 private occupational school board, and the OFFICE OF THE director ~~thereof~~
23 ~~shall~~ OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
24 24-1-105, AND exercise their powers and perform their duties and
25 functions ~~as if transferred to the department by a type 2 transfer~~ UNDER
26 THE DEPARTMENT OF HIGHER EDUCATION AND THE EXECUTIVE DIRECTOR
27 OF THE DEPARTMENT.

1 (6) The office of state archaeologist, created by IN part 4 of article
2 80 of this title, and its powers, duties, and functions are transferred by a
3 **type 2** transfer to the state historical society, as a section thereof. TITLE
4 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES
5 ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS A SECTION
6 WITHIN THE STATE HISTORICAL SOCIETY.

7 **SECTION 11.** In Colorado Revised Statutes, 23-1-102, **amend**
8 (2) as follows:

9 **23-1-102. Commission established - terms of office.** (2) There
10 is hereby established a central policy and coordinating board for higher
11 education in the state of Colorado, to be known as the Colorado
12 commission on higher education, referred to in this ~~article~~ ARTICLE 1 as
13 the "commission". The duties and powers delegated to the commission by
14 this ~~article~~ ARTICLE 1 apply to all state-supported institutions of higher
15 education, including, but not limited to, all postsecondary institutions in
16 the state supported in whole or part by state funds, and including
17 community colleges, extension programs of the state-supported
18 universities and colleges, local district colleges, area technical colleges,
19 the Auraria higher education center established in article 70 of this ~~title~~
20 TITLE 23, and specifically the regents of the university of Colorado and
21 the institutions it governs. The governing boards and institutions of the
22 public system of higher education in Colorado, including the university
23 of Colorado, are obligated to conform to the policies set by the
24 commission within the authorities delegated to it in this ~~article~~ ARTICLE
25 1. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

26 **SECTION 12.** In Colorado Revised Statutes, 23-3.1-103, **amend**
27 (1) as follows:

1 **23-3.1-103. Division created - director - staff.** (1) ~~There is~~
2 ~~hereby created~~ The student loan division AND THE OFFICE OF THE
3 DIRECTOR OF THE DIVISION ARE CREATED in the department of higher
4 education. ~~and the office of director of the division.~~ The division and the
5 OFFICE OF THE director ~~shall~~ OF THE DIVISION ARE **TYPE 2** ENTITIES, AS
6 DEFINED IN SECTION 24-1-105, AND exercise their powers and perform
7 their DUTIES AND functions ~~under this article as if the same were~~
8 ~~transferred to the department by a type 2 transfer~~ UNDER THE
9 DEPARTMENT. The director of collegeinvest ~~shall be~~ IS the director of the
10 division. The director, with the approval of the executive director of the
11 commission, shall employ such professional and clerical personnel as
12 deemed necessary to carry out the duties and functions of the division.
13 The director and professional personnel ~~are declared to~~ hold educational
14 offices and ~~to be~~ ARE exempt from the state personnel system.

15 **SECTION 13.** In Colorado Revised Statutes, 23-41-201, **amend**
16 (1) as follows:

17 **23-41-201. Transfer of geological survey - memorandum of**
18 **understanding - report.** (1) With the exception of the Colorado
19 avalanche information center created pursuant to section 24-33-116,
20 ~~C.R.S.~~, on January 31, 2013, the Colorado geological survey and the
21 office of the state geologist and their powers, duties, and functions are
22 transferred from the department of natural resources to the Colorado
23 school of mines. ~~The Colorado school of mines shall exercise its powers~~
24 ~~and perform its functions and duties as if the geological survey and the~~
25 ~~office of the state geologist were transferred to the Colorado school of~~
26 ~~mines by a type 2 transfer.~~ THE COLORADO GEOLOGICAL SURVEY AND
27 THE OFFICE OF THE STATE GEOLOGIST ARE **TYPE 2** ENTITIES, AS DEFINED IN

1 SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR
2 DUTIES AND FUNCTIONS UNDER THE COLORADO SCHOOL OF MINES.

3 **SECTION 14.** In Colorado Revised Statutes, **amend** 23-64-105
4 as follows:

5 **23-64-105. Private occupational school division - creation.**

6 ~~There is hereby created~~ The private occupational school division AND THE
7 OFFICE OF THE DIRECTOR OF THE DIVISION ARE CREATED in the department
8 of higher education. ~~and the office of director of the division.~~ The
9 division and the OFFICE OF THE director ~~shall~~ OF THE DIVISION ARE **TYPE**
10 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers
11 and perform their duties and functions specified in this article 64 under
12 the department of higher education and the executive director ~~thereof as~~
13 ~~if the same were transferred to the department by a type 2 transfer as such~~
14 ~~transfer is defined in the "Administrative Organization Act of 1968",~~
15 ~~article 1 of title 24~~ OF THE DEPARTMENT. The director ~~shall be~~ IS
16 appointed by the executive director. The director, with the approval of the
17 executive director, shall employ such professional and clerical personnel
18 as deemed necessary to carry out the duties and functions of the division.
19 The director and professional personnel ~~are declared to~~ hold educational
20 offices and ~~to be~~ ARE exempt from the state personnel system.

21 **SECTION 15.** In Colorado Revised Statutes, 23-64-107, **amend**
22 (2) as follows:

23 **23-64-107. Private occupational school board - established -**

24 **membership.** (2) Effective July 1, 1998, there is established, in the
25 private occupational school division, the private occupational school
26 board that shall advise the director on the administration of this article 64
27 and ~~shall have~~ HAS the powers and duties specified in section 23-64-108.

1 The board ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
2 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
3 functions AS specified in this article 64. ~~as if the same were transferred to~~
4 ~~the department of higher education by a type 1 transfer, as such transfer~~
5 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~
6 ~~title 24.~~

7 **SECTION 16.** In Colorado Revised Statutes, **amend** 24-80-201
8 as follows:

9 **24-80-201. Society an educational institution.** The state
10 historical society, an incorporated organization, is ~~hereby declared to be~~
11 one of the educational institutions of the state of Colorado. The state
12 historical society ~~exercises~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
13 24-1-105, AND EXERCISES its powers AND PERFORMS ITS duties and
14 functions under the department of higher education. ~~as if it were~~
15 ~~transferred to the department by a type 1 transfer under the provisions of~~
16 ~~the "Administrative Organization Act of 1968", article 1 of this title.~~

17 **SECTION 17.** In Colorado Revised Statutes, **amend** 24-80-403
18 as follows:

19 **24-80-403. Office of state archaeologist - purpose.** ~~There is~~
20 ~~hereby established~~ The office of state archaeologist ~~which shall be~~ IS
21 ESTABLISHED AS a section within the society in the department of higher
22 education. THE OFFICE OF STATE ARCHAEOLOGIST IS A **TYPE 2** ENTITY, AS
23 DEFINED IN SECTION 24-1-105. The purpose of the office of state
24 archaeologist ~~shall be~~ IS to coordinate, encourage, and preserve by the use
25 of appropriate means the full understanding of this state's archaeological
26 resources as the same pertain to ~~man's~~ HUMANKIND'S cultural heritage, the
27 study and understanding of which within the state of Colorado will result

1 in an ultimate benefit to the citizens of this state.

2 **SECTION 18.** In Colorado Revised Statutes, 24-1-115, **amend**
3 (2), (3), (4), (5), (8), (9), (10), (11), (12), (13), (14), (15), and (16) as
4 follows:

5 **24-1-115. Department of education - creation.** (2) The state
6 board of education, created ~~by~~ IN part 1 of article 2 of title 22, ~~C.R.S., and~~
7 ~~its powers, duties, and functions are transferred by a type 1 transfer to the~~
8 ~~department of education~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
9 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
10 FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, SUBJECT TO THE
11 STATE CONSTITUTION.

12 (3) The state department of education and the office of the
13 commissioner of education, created ~~by~~ IN part 1 of article 2 of title 22,
14 ~~C.R.S., and their powers, duties, and functions are transferred by a type~~
15 ~~2 transfer to the department of education, subject to the state constitution,~~
16 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE
17 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
18 DEPARTMENT OF EDUCATION, SUBJECT TO THE STATE CONSTITUTION.

19 (4) The department of education ~~shall include~~ INCLUDES the state
20 library, the ex officio head of which ~~shall be~~ IS the commissioner of
21 education. The state library, created ~~by~~ IN article 90 of this ~~title and its~~
22 ~~powers, duties, and functions are transferred by a type 2 transfer to the~~
23 ~~department of education as a division thereof~~ TITLE 24, IS A **TYPE 2**
24 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
25 AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
26 EDUCATION AS A DIVISION THEREOF, AND THE COMMISSIONER OF
27 EDUCATION, AND THE STATE BOARD OF EDUCATION.

1 (5) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF
2 EDUCATION AND THE STATE BOARD OF EDUCATION INCLUDE THE POWERS,
3 DUTIES, AND FUNCTIONS OF THE state board of teacher certification,
4 created by IN article 1 of chapter 123, C.R.S. 1963, ~~and its powers, duties,~~
5 ~~and functions are transferred by a type 3 transfer to the department of~~
6 ~~education as additional powers, duties, and functions of the state board of~~
7 ~~education,~~ and the state board of teacher certification is abolished.

8 (8) The DEPARTMENT OF EDUCATION INCLUDES THE Colorado
9 school for the deaf and the blind, as provided for in article 80 of title 22,
10 ~~C.R.S., and its powers, duties, and functions are transferred by a type 1~~
11 ~~transfer to the department of education~~ AND THE BOARD OF TRUSTEES OF
12 THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND, CREATED IN
13 SECTION 22-80-103. THE COLORADO SCHOOL FOR THE DEAF AND THE
14 BLIND AND THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL FOR THE
15 DEAF AND THE BLIND ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION
16 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND
17 FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION.

18 (9) The department of education ~~shall include~~ INCLUDES the state
19 charter school institute established in section 22-30.5-503. ~~C.R.S., and its~~
20 ~~powers, duties, and functions, as if the institute were transferred by a type~~
21 ~~1 transfer to the department of education~~ THE STATE CHARTER SCHOOL
22 INSTITUTE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
23 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
24 THE DEPARTMENT OF EDUCATION.

25 (10) The department of education ~~shall include~~ INCLUDES the
26 division of online learning AND THE OFFICE OF THE DIRECTOR OF THE
27 DIVISION established in section 22-30.7-103. ~~C.R.S., and its powers,~~

1 ~~duties, and functions, as if the division were transferred by~~ IS A **type 2**
2 ~~transfer to the department of education~~ THE DIVISION OF ONLINE
3 LEARNING AND THE OFFICE OF THE DIRECTOR OF THE DIVISION ARE **TYPE**
4 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR
5 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
6 DEPARTMENT, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD
7 OF EDUCATION.

8 (11) (a) The department of education ~~shall include~~ INCLUDES the
9 division of public school capital construction assistance AND THE
10 DIRECTOR OF THE DIVISION established in section 22-43.7-105. ~~C.R.S., and~~
11 ~~its powers, duties, and functions, as if the division were transferred by~~ IS
12 ~~a type 2 transfer to the department of education~~ THE DIVISION OF PUBLIC
13 SCHOOL CAPITAL CONSTRUCTION AND THE DIRECTOR OF THE DIVISION ARE
14 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR
15 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
16 DEPARTMENT OF EDUCATION.

17 (b) The department of education ~~shall include~~ INCLUDES the public
18 school capital construction assistance board established in section
19 22-43.7-106. ~~C.R.S., and its powers, duties, and functions, as if the board~~
20 ~~were transferred by a type 1 transfer to the department of education~~ THE
21 PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD IS A **TYPE 1**
22 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
23 AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
24 EDUCATION.

25 (12) The department of education ~~shall include~~ INCLUDES the
26 facility schools unit AND THE OFFICE OF THE DIRECTOR OF THE FACILITY
27 SCHOOLS UNIT established in section 22-2-403. ~~C.R.S., and its powers,~~

1 ~~duties, and functions, as if the unit were transferred by a type 2 transfer~~
2 ~~to the department of education~~ THE FACILITY SCHOOLS UNIT AND THE
3 OFFICE OF THE DIRECTOR OF THE FACILITY SCHOOLS UNIT ARE **TYPE 2**
4 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS
5 AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT,
6 THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF
7 EDUCATION.

8 (13) The department of education ~~shall include~~ INCLUDES the
9 facility schools board established in section 22-2-404. ~~C.R.S., and its~~
10 ~~powers, duties, and functions, as if the board were transferred by a type~~
11 ~~1 transfer to entity the department of education~~ THE FACILITY SCHOOLS
12 BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
13 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
14 THE DEPARTMENT OF EDUCATION.

15 (14) The department of education ~~shall include~~ INCLUDES the
16 Colorado state advisory council for parent involvement in education
17 created in section 22-7-303. ~~C.R.S., and its powers, duties, and functions,~~
18 ~~as if the council were transferred by a type 2 transfer to the department~~
19 ~~of education~~ THE COLORADO STATE ADVISORY COUNCIL FOR PARENT
20 INVOLVEMENT IN EDUCATION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
21 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
22 FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, THE COMMISSIONER
23 OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

24 (15) The department of education ~~shall include~~ INCLUDES the
25 office of dropout prevention and student re-engagement AND THE
26 DIRECTOR OF THE OFFICE, established in section 22-14-103. ~~C.R.S., and~~
27 ~~its powers, duties, and functions, as if the office were transferred by a~~

1 ~~type 2 transfer to the department of education~~ THE OFFICE OF DROPOUT
2 PREVENTION AND STUDENT RE-ENGAGEMENT AND THE DIRECTOR OF THE
3 OFFICE ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
4 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS
5 UNDER THE DEPARTMENT OF EDUCATION, THE COMMISSIONER OF
6 EDUCATION, AND THE STATE BOARD OF EDUCATION.

7 (16) The department of education ~~shall include~~ INCLUDES the
8 concurrent enrollment advisory board created in section 22-35-107.
9 ~~C.R.S., and its powers, duties, and functions, as if the board were~~
10 ~~transferred by a type 2 transfer to the department of education~~ THE
11 CONCURRENT ENROLLMENT ADVISORY BOARD IS A **TYPE 2** ENTITY, AS
12 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
13 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, THE
14 COMMISSIONER OF EDUCATION, AND THE STATE BOARD.

15 **SECTION 19.** In Colorado Revised Statutes, 22-2-106, **amend**
16 (1) introductory portion as follows:

17 **22-2-106. State board - duties - rules.** (1) THE STATE BOARD IS
18 A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. It is the duty of the
19 state board:

20 **SECTION 20.** In Colorado Revised Statutes, 22-2-110, **amend**
21 (2) as follows:

22 **22-2-110. Commissioner of education - oath - qualifications -**
23 **tenure.** (2) THE STATE BOARD SHALL APPOINT THE commissioner ~~shall be~~
24 ~~appointed by the state board, serve~~ WHO SHALL SERVE at the pleasure of
25 the board, and receive such compensation as may be determined by the
26 board. THE COMMISSIONER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
27 24-1-105.

1 **SECTION 21.** In Colorado Revised Statutes, 22-2-403, **amend**
2 (2) as follows:

3 **22-2-403. Facility schools unit - created.** (2) The facility
4 schools unit and the office of the director of facility schools ~~shall~~ exercise
5 their powers and perform their duties and functions under the department,
6 the commissioner of education, and the state board of education. ~~as if the~~
7 ~~same were transferred to the department by a type 2 transfer as defined~~
8 ~~in the "Administrative Organization Act of 1968", article 1 of title 24,~~
9 ~~C.R.S. THE FACILITY SCHOOLS UNIT AND THE OFFICE OF THE DIRECTOR OF~~
10 ~~FACILITY SCHOOLS ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION~~
11 ~~24-1-105.~~

12 **SECTION 22.** In Colorado Revised Statutes, 22-2-404, **amend**
13 (1) as follows:

14 **22-2-404. Facility schools board - created - membership.**
15 (1) There is ~~hereby~~ created the facility schools board to adopt curriculum
16 standards and set graduation requirements for facility schools and to
17 collaborate with and advise the unit. The facility schools board ~~shall~~
18 ~~consist~~ CONSISTS of seven members appointed by the state board as
19 provided in this section. The state board shall appoint the initial members
20 of the facility schools board on or before November 1, 2008. The facility
21 schools board ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
22 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
23 functions ~~as if the same were transferred to the department by a type 1~~
24 ~~transfer as defined in the "Administrative Organization Act of 1968",~~
25 ~~article 1 of title 24, C.R.S. UNDER THE DEPARTMENT OF EDUCATION.~~

26 **SECTION 23.** In Colorado Revised Statutes, 22-7-303, **amend**
27 (1) as follows:

1 **22-7-303. Colorado state advisory council for parent**
2 **involvement in education - created - membership.** (1) There is hereby
3 created ~~within~~ IN the department of education the Colorado state advisory
4 council for parent involvement in education. The council ~~shall consist~~
5 CONSISTS of members appointed as provided in this section and ~~shall have~~
6 HAS the powers and duties specified in this part 3. The council ~~shall~~
7 ~~exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
8 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
9 under the department, the commissioner of education, and the state board
10 of education. ~~as if the same were transferred to the department by a type~~
11 ~~2 transfer as defined in the "Administrative Organization Act of 1968",~~
12 ~~article 1 of title 24, C.R.S.~~

13 **SECTION 24.** In Colorado Revised Statutes, 22-14-103, **amend**
14 (1)(b) as follows:

15 **22-14-103. Office of dropout prevention and student**
16 **re-engagement - created - purpose - duties.** (1) (b) The office of
17 dropout prevention and student re-engagement and the director of the
18 office ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
19 exercise their powers and perform their duties and functions under the
20 department of education, the commissioner of education, and the state
21 board of education. ~~as if the same were transferred to the department of~~
22 ~~education by a type 2 transfer as defined in the "Administrative~~
23 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

24 **SECTION 25.** In Colorado Revised Statutes, 22-30.5-503,
25 **amend** (1)(a) as follows:

26 **22-30.5-503. State charter school institute - establishment -**
27 **rules.** (1) (a) There is established, as an independent agency in the

1 department of education, the state charter school institute. The institute
2 ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
3 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions as
4 if it were transferred to the department by a ~~type 1~~ transfer under the
5 provisions of the "~~Administrative Organization Act of 1968~~", article 1 of
6 title ~~24~~, C.R.S. UNDER THE DEPARTMENT OF EDUCATION.

7 **SECTION 26.** In Colorado Revised Statutes, 22-30.7-103,
8 **amend** (1)(b) as follows:

9 **22-30.7-103. Division of online learning - created - duties -**
10 **report.** (1) **Creation.** (b) The division of online learning and the office
11 of the director ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
12 24-1-105, AND exercise their powers and perform their duties and
13 functions under the department, the commissioner of education, and the
14 state board of education. ~~as if the same were transferred to the department~~
15 ~~by a type 2 transfer, as such transfer is defined in the "Administrative~~
16 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

17 **SECTION 27.** In Colorado Revised Statutes, 22-35-107, **amend**
18 (1) as follows:

19 **22-35-107. Concurrent enrollment advisory board - created -**
20 **membership - duties - reports - repeal.** (1) There is ~~hereby~~ created
21 ~~within~~ IN the department the concurrent enrollment advisory board. The
22 board ~~shall consist~~ CONSISTS of members appointed as provided in this
23 section and ~~shall have~~ HAS the powers and duties specified in this section.
24 The board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
25 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties
26 and functions under the department, the commissioner of education, and
27 the state board. ~~as if the same were transferred to the department by a~~

1 ~~type 2 transfer as defined in the "Administrative Organization Act of~~
2 ~~1968", article 1 of title 24, C.R.S.~~

3 **SECTION 28.** In Colorado Revised Statutes, 22-43.7-105,
4 **amend** (1)(b) as follows:

5 **22-43.7-105. Division of public school capital construction**
6 **assistance - creation - director - function - powers and duties.**

7 (1) (b) The division and the director of the division ~~shall~~ ARE TYPE 2
8 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and
9 perform their duties and functions under the department. ~~as if the same~~
10 ~~were transferred to the department by a type 2 transfer, as such transfer~~
11 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~
12 ~~title 24, C.R.S.~~

13 **SECTION 29.** In Colorado Revised Statutes, 22-43.7-106,
14 **amend** (1)(a) introductory portion as follows:

15 **22-43.7-106. Public school capital construction assistance**
16 **board - creation - general powers and duties - rules.** (1) (a) There is

17 ~~hereby~~ created ~~within~~ IN the department the public school capital
18 construction assistance board. ~~which shall exercise~~ THE BOARD IS A TYPE
19 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers
20 and ~~perform~~ PERFORMS its duties and functions under the department. ~~as~~
21 ~~if the same were transferred to the department by a type 1 transfer, as~~
22 ~~such transfer is defined in the "Administrative Organization Act of 1968",~~
23 ~~article 1 of title 24, C.R.S.~~ The board ~~shall consist~~ CONSISTS of nine
24 appointed members, none of whom shall hold any state elective office.
25 Five voting members of the board ~~shall~~ constitute a quorum. Board
26 members ~~shall be~~ ARE appointed as follows:

27 **SECTION 30.** In Colorado Revised Statutes, 22-80-103, **amend**

1 (1)(a) as follows:

2 **22-80-103. Board of trustees - appointments - powers - duties**

3 **- fund created.** (1) (a) There is ~~hereby~~ created by a ~~type 1~~ transfer in the

4 department of education a board of trustees for the Colorado school for

5 the deaf and the blind. THE BOARD OF TRUSTEES IS A **TYPE 1** ENTITY, AS

6 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS

7 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION. The

8 board of trustees ~~shall consist~~ CONSISTS of seven members who are

9 residents of Colorado, appointed by the governor with the consent of the

10 senate. Of these seven members, at least one appointee ~~shall~~ MUST be a

11 blind person and at least one appointee ~~shall~~ MUST be a deaf person.

12 Beginning with the first appointment made on or after August 5, 2009, the

13 governor shall ensure that, of the seven members of the board of trustees,

14 at least one appointee is the parent of a child who is deaf or blind or both.

15 **SECTION 31.** In Colorado Revised Statutes, 24-90-104, **amend**

16 (1) as follows:

17 **24-90-104. State library created - administration.** (1) The state

18 library is ~~hereby~~ created as a division of the department of education, and

19 its operation is declared to be an essential administrative function of the

20 state government. THE STATE LIBRARY IS A **TYPE 2** ENTITY, AS DEFINED IN

21 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES

22 AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, THE

23 COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

24 **SECTION 32.** In Colorado Revised Statutes, 24-1-117, **amend**

25 (2), (3), (4)(a) introductory portion, (4)(a)(IV), (4)(a)(V), (4)(a)(VI),

26 (4)(a)(VII), and (4)(a)(X); and **add** (4)(a)(XI) as follows:

27 **24-1-117. Department of revenue - creation.** (2) The

1 department of revenue and the office of THE EXECUTIVE director of THE
2 DEPARTMENT OF revenue ARE created by IN article 35 of this title, and
3 ~~their powers, duties, and functions are transferred by a type 2 transfer to~~
4 ~~the department of revenue~~ TITLE 24. THE EXECUTIVE DIRECTOR OF THE
5 DEPARTMENT OF REVENUE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
6 24-1-105, AND EXERCISES THE DIRECTOR'S POWERS AND PERFORMS THE
7 DIRECTOR'S DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
8 REVENUE.

9 (3) The powers, duties, and functions of the ~~secretary of state~~
10 DEPARTMENT OF REVENUE AND THE LIQUOR ENFORCEMENT DIVISION,
11 WHICH IS CREATED IN SUBSECTION (4)(a) OF THIS SECTION, INCLUDE THE
12 POWERS, DUTIES, AND FUNCTIONS with respect to fermented malt
13 beverages and malt, vinous, and spirituous liquors ~~under~~ PURSUANT TO
14 the provisions of articles 3, 4, and 5 of title 44 ~~are transferred by a type~~
15 ~~2 transfer to the department of revenue~~ THAT WERE FORMERLY VESTED IN
16 THE SECRETARY OF STATE.

17 (4) (a) The department of revenue ~~shall consist~~ CONSISTS of the
18 following divisions:

19 (IV) THE liquor enforcement division, WHICH IS A **TYPE 2** ENTITY,
20 AS DEFINED IN SECTION 24-1-105;

21 (V) THE state lottery division, INCLUDING THE COLORADO
22 LOTTERY COMMISSION CREATED IN SECTION 44-40-108, AND THE
23 DIRECTOR OF THE STATE LOTTERY DIVISION, CREATED IN SECTION
24 44-40-102, WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105;

25 (VI) THE division of racing events ~~including~~ CREATED IN SECTION
26 44-32-201 (1), THE DIRECTOR OF THE DIVISION OF RACING EVENTS, AND
27 the Colorado racing commission, CREATED IN SECTION 44-32-301 (1),

1 WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105;

2 (VII) THE division of gaming ~~including~~ CREATED IN SECTION
3 44-30-201, THE DIRECTOR OF THE DIVISION OF GAMING, AND the Colorado
4 limited gaming control commission, CREATED IN SECTION 44-30-301,
5 WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

6 (X) The auto industry division, created in ~~section 12-6-105~~
7 SECTION 44-20-105. The division ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS
8 DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
9 PERFORMS its duties and functions under the department of revenue; ~~as if~~
10 ~~the division were transferred to the department by a type 2 transfer as~~
11 ~~described in section 24-1-105;~~ AND

12 (XI) THE STATE LICENSING AUTHORITY CREATED IN SECTION
13 44-10-201.

14 **SECTION 33.** In Colorado Revised Statutes, 24-35-102, **amend**
15 (1) as follows:

16 **24-35-102. Executive director - annual report.** (1) There is
17 ~~hereby~~ created the office of the executive director of the department of
18 revenue, who ~~shall be~~ IS the head of the department. The executive
19 director shall be appointed by the governor, with the consent of the
20 senate, and shall serve at the pleasure of the governor. The reappointment
21 of an executive director after initial election of a governor shall be subject
22 to ~~the provisions of~~ section 24-20-109. Whenever any law of this state
23 refers to the director of revenue, such law shall be deemed to refer to the
24 executive director of the department of revenue. THE EXECUTIVE
25 DIRECTOR OF THE DEPARTMENT OF REVENUE IS A **TYPE 2** ENTITY, AS
26 DEFINED IN SECTION 24-1-105.

27 **SECTION 34.** In Colorado Revised Statutes, 44-20-105, **amend**

1 (1) as follows:

2 **44-20-105. Auto industry division - creation - powers and**
3 **duties of executive director and director.** (1) There is hereby created
4 in the department the auto industry division, the head of which is the
5 director of the division. The director is appointed by the executive
6 director and serves at the pleasure of the executive director. The division
7 ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
8 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
9 under the department. ~~as if the division were transferred to the department~~
10 ~~by a type 2 transfer as described in section 24-1-105.~~

11 **SECTION 35.** In Colorado Revised Statutes, 44-30-201, **amend**
12 (1) as follows:

13 **44-30-201. Division of gaming - creation.** (1) There is hereby
14 created ~~within~~ IN the department the division of gaming, the head of
15 which is the director of the division of gaming. The director is appointed
16 by, and is ~~subject to removal~~ MAY BE REMOVED by, the executive director.
17 The division of gaming, the Colorado limited gaming control commission
18 created in section 44-30-301, and the director of the division of gaming
19 ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise
20 their respective powers and perform their respective duties and functions
21 as specified in this article 30 under the department; ~~as if they were~~
22 ~~transferred to the department by a type 2 transfer, as the transfer is~~
23 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~
24 ~~24;~~ except that the commission has full and exclusive authority to
25 promulgate rules related to limited gaming and sports betting without any
26 approval by, or delegation of authority from, the department.
27 Notwithstanding any provision of this subsection (1) to the contrary,

1 sports betting is not authorized unless the voters at the November 2019
2 statewide election approve the ballot question submitted pursuant to
3 section 44-30-1514, enacted in 2019 in House Bill 19-1327.

4 **SECTION 36.** In Colorado Revised Statutes, 44-32-201, **amend**
5 (1) as follows:

6 **44-32-201. Division of racing events - creation - representation**
7 **- rules.** (1) ~~There~~ THE DIVISION OF RACING EVENTS is ~~hereby~~ created
8 ~~within~~ IN the department, ~~the division of racing events~~, the head of which
9 ~~shall be~~ IS the director of the division of racing events. The director ~~shall~~
10 ~~be~~ IS appointed by, and ~~shall be subject to removal~~ MAY BE REMOVED by,
11 the executive director. The division of racing events, the Colorado racing
12 commission created in section 44-32-301, and the director of the division
13 of racing events ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
14 24-1-105, AND exercise their respective powers and perform their
15 respective duties and functions as specified in this article 32 under the
16 department; ~~as if the same were transferred to the department by a type~~
17 ~~2 transfer, as such transfer is defined in the "Administrative Organization~~
18 ~~Act of 1968", article 1 of title 24~~; except that the commission ~~shall have~~
19 HAS full and exclusive authority to promulgate rules related to racing
20 without any approval by, or delegation of authority from, the department.

21 **SECTION 37.** In Colorado Revised Statutes, 44-40-102, **amend**
22 (2) as follows:

23 **44-40-102. State lottery division - creation - location -**
24 **enterprise status.** (2) The state lottery division, including the Colorado
25 lottery commission created in section 44-40-108, and the director of the
26 state lottery division ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
27 24-1-105, AND exercise their powers and perform their duties and

1 functions specified in this article 40 under the department; ~~as if the same~~
2 ~~were transferred to the department by a type 2 transfer, as that transfer is~~
3 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~
4 ~~24;~~ except that the commission ~~shall have~~ HAS full and exclusive
5 authority to promulgate rules related to the lottery without any approval
6 by, or delegation of authority from, the department.

7 **SECTION 38.** In Colorado Revised Statutes, 44-40-109, **amend**
8 (1) introductory portion and (1)(a) as follows:

9 **44-40-109. Commission - powers and duties - rules.** (1) In
10 addition to any other powers and duties set forth in this article 40, the
11 commission ~~shall have~~ HAS the following powers and duties:

12 (a) To promulgate rules governing the establishment and
13 operation of the lottery as it deems necessary to carry out the purposes of
14 this article 40. The director shall prepare and submit to the commission
15 written recommendations concerning proposed rules for this purpose.

16 ALTHOUGH THE COMMISSION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
17 24-1-105, THE COMMISSION HAS FULL AND EXCLUSIVE AUTHORITY TO
18 PROMULGATE RULES RELATED TO THE LOTTERY WITHOUT ANY APPROVAL
19 BY, OR DELEGATION OF AUTHORITY FROM, THE DEPARTMENT.

20 **SECTION 39.** In Colorado Revised Statutes, 24-1-119, **amend**
21 (2), (3), (5) introductory portion, (5)(a), (5)(c), (6) introductory portion,
22 (6)(a), (6)(b), (6)(d), (7)(a), (7)(c), (8), (11), (12), (13), and (14); and **add**
23 (15) and (16) as follows:

24 **24-1-119. Department of public health and environment -**
25 **creation.** (2) The state board of health, created ~~by~~ IN part 1 of article 1
26 of title 25, C.R.S., and its powers, duties, and functions are transferred by
27 a **type 1** transfer to the department of public health and environment as

1 ~~the state board of health.~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
2 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
3 FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND
4 ENVIRONMENT.

5 (3) The ~~state~~ water quality control commission, created ~~by~~ IN part
6 2 of article 8 of title 25, ~~C.R.S.~~, and its powers, duties, and functions are
7 transferred by a **type 1** transfer to the department of public health and
8 environment as the state water quality control commission IS A **TYPE 1**
9 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
10 AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
11 PUBLIC HEALTH AND ENVIRONMENT. Anything in this ~~article~~ ARTICLE 1 to
12 the contrary notwithstanding, the state board of health ~~shall have~~ HAS no
13 powers, duties, or functions with respect to water pollution control.

14 (5) The department of public health and environment ~~shall consist~~
15 CONSISTS of the following divisions:

16 (a) THE division of administration. The division of administration,
17 created ~~by~~ IN part 1 of article 1 of title 25, ~~C.R.S.~~, except for the office of
18 the executive director of the state department of public health, and its
19 powers, duties, and functions are transferred by a **type 2** transfer to the
20 department of public health and environment as the division of
21 administration IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
22 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
23 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

24 (c) The prevention services division, created in article 20.5 of title
25 25, ~~C.R.S.~~ WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

26 (6) The division of administration ~~shall include~~ INCLUDES the
27 following:

1 (a) The office of state chemist, created by IN part 4 of article 1 of
2 title 25. ~~C.R.S. Said office and its powers, duties, and functions are~~
3 ~~transferred by a type 2 transfer to the department of public health and~~
4 ~~environment and allocated to the division of administration as a section~~
5 ~~thereof~~ THE OFFICE OF THE STATE CHEMIST IS A **TYPE 2** ENTITY, AS
6 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
7 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH
8 AND ENVIRONMENT AS A SECTION OF THE DIVISION OF ADMINISTRATION.

9 (b) The office of state registrar of vital statistics, created by IN
10 article 2 of title 25. ~~C.R.S. Said office and its powers, duties, and~~
11 ~~functions are transferred by a type 2 transfer to the department of public~~
12 ~~health and environment and allocated to the division of administration as~~
13 ~~a section thereof~~ THE OFFICE OF STATE REGISTRAR OF VITAL STATISTICS
14 IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS
15 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE
16 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AS A SECTION OF THE
17 DIVISION OF ADMINISTRATION.

18 (d) The ~~plant~~ WATER AND WASTEWATER FACILITY operators
19 certification board, created by ~~article 9 of title 25, C.R.S.~~ IN SECTION
20 25-9-103. THE WATER AND WASTEWATER FACILITY OPERATORS
21 CERTIFICATION BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
22 24-1-105.

23 (7) (a) The air quality control commission, created by IN part 1 of
24 article 7 of title 25, ~~C.R.S., shall exercise its powers and perform its~~
25 ~~duties and functions as if the same were transferred by a type 1 transfer~~
26 ~~to the department of public health and environment~~ IS A **TYPE 1** ENTITY,
27 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND

1 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC
2 HEALTH AND ENVIRONMENT. Anything in this ~~article~~ ARTICLE 1 to the
3 contrary notwithstanding, the state board of health ~~shall have~~ HAS no
4 powers, duties, or functions with respect to air pollution other than as
5 provided in section 25-7-111 (1). ~~C.R.S.~~

6 (c) The ~~office of~~ technical secretary OF THE AIR QUALITY CONTROL
7 COMMISSION, created by IN part 1 of article 7 of title 25, ~~C.R.S.~~, shall
8 ~~exercise its powers and perform its duties and functions as if the same~~
9 ~~were transferred by a type 1 transfer to the department of public health~~
10 ~~and environment and allocated to the air quality control commission~~ IS A
11 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE TECHNICAL
12 SECRETARY OF THE AIR QUALITY CONTROL COMMISSION EXERCISES ITS
13 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE
14 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND IS ALLOCATED
15 TO THE AIR QUALITY CONTROL COMMISSION.

16 (8) The solid and hazardous waste commission, created in part 3
17 of article 15 of title 25, ~~C.R.S.~~, shall ~~exercise its powers and perform its~~
18 ~~duties and functions as if the same were transferred by a type 1 transfer~~
19 ~~to the department of public health and environment~~ IS A **TYPE 1** ENTITY,
20 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
21 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC
22 HEALTH AND ENVIRONMENT.

23 (11) The office of health equity AND THE DIRECTOR OF THE OFFICE,
24 created by IN section 25-4-2204, ~~C.R.S.~~, shall ~~exercise its powers and~~
25 ~~perform its duties and functions as if the same were transferred by a type~~
26 **2** transfer to the department of public health and environment ARE **TYPE**
27 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR

1 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
2 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

3 (12) The primary care office AND THE DIRECTOR OF THE OFFICE,
4 created by IN part 4 of article 1.5 of title 25, C.R.S., ~~shall exercise its~~
5 ~~powers and perform its duties and functions as if it were transferred by a~~
6 ~~type 2 transfer to the department of public health and environment~~ ARE
7 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR
8 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
9 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

10 (13) The clean fleet enterprise, created in section 25-7.5-103, ~~shall~~
11 ~~exercise its powers and perform its duties as if the same were transferred~~
12 ~~by a type 1 transfer, as defined in section 24-1-105, to the department of~~
13 ~~public health and environment~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
14 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
15 FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND
16 ENVIRONMENT.

17 (14) The nursing home innovations grant board, created in section
18 25-1-107.5 (6)(a), ~~shall exercise its powers and perform its duties and~~
19 ~~functions as if it were transferred by a type 2 transfer to the department~~
20 ~~of public health and environment~~ IS A **TYPE 2** ENTITY, AS DEFINED IN
21 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
22 AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND
23 ENVIRONMENT.

24 (15) THE COLORADO CORONERS STANDARDS AND TRAINING
25 BOARD, CREATED IN SECTION 30-10-601.6, IS A **TYPE 2** ENTITY, AS
26 DEFINED IN SECTION 24-1-105.

27 (16) THE EMERGENCY MEDICAL PRACTICE ADVISORY COUNCIL,

1 CREATED IN SECTION 25-3.5-206, IS A **TYPE 2** ENTITY, AS DEFINED IN
2 SECTION 24-1-105.

3 **SECTION 40.** In Colorado Revised Statutes, 25-1-102, **amend**
4 (2) introductory portion and (2)(a) as follows:

5 **25-1-102. Department created - executive director - divisions.**

6 (2) The department ~~shall consist~~ CONSISTS of the following divisions:

7 (a) The division of administration, and such sections and units
8 established as provided by law. THE DIVISION IS A **TYPE 2** ENTITY, AS
9 DEFINED IN SECTION 24-1-105.

10 **SECTION 41.** In Colorado Revised Statutes, 25-1-103, **amend**
11 (1) as follows:

12 **25-1-103. State board of health created.** (1) There is created a
13 state board of health, referred to in this part 1 as the "board". THE BOARD
14 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board consists
15 of nine members, of which one member must be appointed by the
16 governor, with the consent of the senate, from each congressional district
17 and the remainder from the state at large. A vacancy on the board occurs
18 whenever any member moves out of the congressional district from which
19 he or she was appointed. A member who moves out of such congressional
20 district shall promptly notify the governor of the date of his or her move,
21 but the notice is not a condition precedent to the occurrence of the
22 vacancy. The governor shall fill the vacancy by appointment for the
23 unexpired term. No more than five members of the board shall be
24 members of the same major political party. Appointments made to take
25 effect on January 1, 1983, shall be made in accordance with section
26 24-1-135. Appointments thereafter are made, with the consent of the
27 senate, for terms of four years each and made so that no business or

1 professional group constitutes a majority of the board. In making
2 appointments to the board, the governor is encouraged to include
3 representation by at least one member who is a person with a disability,
4 as defined in section 24-34-301 (2.5), a family member of a person with
5 a disability, or a member of an advocacy group for persons with
6 disabilities if the other requirements of this subsection (1) are met.

7 **SECTION 42.** In Colorado Revised Statutes, 25-1-107.5, **amend**
8 (6)(a) introductory portion as follows:

9 **25-1-107.5. Additional authority of department - rules -**
10 **remedies against nursing facilities - criteria for recommending**
11 **assessments for civil penalties - cooperation with department of**
12 **health care policy and financing - nursing home penalty cash fund -**
13 **nursing home innovations grant board - reports - transfer of**
14 **contracts to the department.** (6) (a) No later than September 1, 2014,
15 the department of health care policy and financing shall establish the
16 nursing home innovations grant board under the department of health care
17 policy and financing either directly or by contract with or grant to any
18 public agency or appropriate private nonprofit organization. On and after
19 July 1, 2021, ~~the powers, duties, and functions related to the board are~~
20 ~~transferred from the department of health care policy and financing to the~~
21 ~~department by a **type 2** transfer as such transfer is defined in the~~
22 ~~"Administrative Organization Act of 1968", article 1 of title 24. THE~~
23 ~~BOARD IS TRANSFERRED FROM THE DEPARTMENT OF HEALTH CARE POLICY~~
24 ~~AND FINANCING TO THE DEPARTMENT. THE BOARD IS A **TYPE 2** ENTITY AS~~
25 ~~DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS~~
26 ~~ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT. The department, in~~
27 consultation with stakeholders, shall determine the appropriate entity to

1 administer the board. The board consists of ten members as follows:

2 **SECTION 43.** In Colorado Revised Statutes, **amend** 25-1-401 as
3 follows:

4 **25-1-401. Office of state chemist created.** The professor of food
5 and drug chemistry in the department of chemistry at the university of
6 Colorado ~~shall be~~ IS the state chemist of Colorado. The office and
7 laboratory of the state chemist ~~shall be~~ IS in the department of chemistry
8 at the university of Colorado. The office of state chemist ~~shall be~~ IS a
9 section of the division of administration of the department of public
10 health and environment. THE OFFICE OF STATE CHEMIST IS A **TYPE 2**
11 ENTITY, AS DEFINED IN SECTION 24-1-105.

12 **SECTION 44.** In Colorado Revised Statutes, 25-1.5-403, **amend**
13 (2) as follows:

14 **25-1.5-403. Primary care office - creation.** (2) The primary care
15 office and the director of the office ~~shall~~ ARE **TYPE 2** ENTITIES, AS
16 DEFINED IN SECTION 24-1-105, AND exercise their powers and perform
17 their duties and functions specified in this part 4 under the department. ~~as~~
18 ~~if the same were transferred to the department by a type 2 transfer, as~~
19 ~~such transfer is defined in the "Administrative Organization Act of 1968",~~
20 ~~article 1 of title 24, C.R.S.~~

21 **SECTION 45.** In Colorado Revised Statutes, 25-2-103, **amend**
22 (1) as follows:

23 **25-2-103. Centralized registration system for all vital statistics**
24 **- appointment of registrar - rules.** (1) In order to provide for the
25 maintenance of a centralized registry of the vital statistics of this state, the
26 office of state registrar of vital statistics, referred to in this ~~article~~ ARTICLE
27 2 as the "state registrar", is ~~hereby~~ created in THE DIVISION OF

1 ADMINISTRATION IN the department of public health and environment. The
2 state registrar ~~shall be~~ IS appointed by the state board of health and ~~shall~~
3 ~~have~~ HAS such staff and clerical help as IS reasonably ~~may be~~ required in
4 the performance of the state registrar's duties. The state registrar and the
5 staff and clerical help of the state registrar ~~shall be~~ ARE subject to the
6 state constitution and state personnel system laws. THE OFFICE OF THE
7 STATE REGISTRAR IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

8 **SECTION 46.** In Colorado Revised Statutes, 25-3.5-206, **amend**
9 (1) as follows:

10 **25-3.5-206. Emergency medical practice advisory council -**
11 **creation - powers and duties - emergency medical service provider**
12 **scope of practice - definitions - rules.** (1) There is ~~hereby~~ created ~~within~~
13 IN the department, ~~as a type 2 entity~~ under the direction of the EXECUTIVE
14 director OF THE DEPARTMENT, the emergency medical practice advisory
15 council, referred to in this part 2 as the "advisory council". The advisory
16 council is responsible for advising the department regarding the
17 appropriate scope of practice for emergency medical service providers
18 certified or licensed under section 25-3.5-203. THE ADVISORY COUNCIL
19 IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

20 **SECTION 47.** In Colorado Revised Statutes, 25-4-2204, **amend**
21 (2) as follows:

22 **25-4-2204. Office of health equity - creation.** (2) The office and
23 the director of the office ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN
24 SECTION 24-1-105, AND exercise their powers and perform their duties
25 and functions specified in this part 22 under the department. ~~as if the~~
26 ~~same were transferred to the department by a type 2 transfer, as such~~
27 ~~transfer is defined in the "Administrative Organization Act of 1968",~~

1 ~~article 1 of title 24, C.R.S.~~

2 **SECTION 48.** In Colorado Revised Statutes, 25-7-104, **amend**
3 (1) as follows:

4 **25-7-104. Air quality control commission created.** (1) There is
5 ~~hereby~~ created in the department of public health and environment the air
6 quality control commission, which ~~shall consist~~ CONSISTS of nine citizens
7 of this state ~~who shall be~~ appointed by the governor with the consent of
8 the senate. THE AIR QUALITY CONTROL COMMISSION IS A **TYPE 1** ENTITY,
9 AS DEFINED IN SECTION 24-1-105.

10 **SECTION 49.** In Colorado Revised Statutes, 25-7-105, **amend**
11 (3) as follows:

12 **25-7-105. Duties of commission - rules - legislative declaration**
13 **- definitions.** (3) The commission shall employ a technical secretary and
14 shall delegate to ~~such~~ THE secretary ~~such~~ THE duties and responsibilities
15 as it may deem necessary; except that, NOTWITHSTANDING SECTION
16 24-1-105, no authority shall be delegated to ~~such~~ THE secretary to adopt,
17 promulgate, amend, or repeal standards or ~~regulations~~ RULES, or to make
18 determinations, or to issue or countermand orders of the commission.
19 ~~Such~~ THE secretary ~~shall~~ MUST have appropriate practical, educational,
20 and administrative experience related to air pollution control and ~~shall~~
21 MUST be employed pursuant to the state personnel system laws. THE
22 TECHNICAL SECRETARY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
23 24-1-105.

24 **SECTION 50.** In Colorado Revised Statutes, 25-7.5-103, **amend**
25 (1)(b) as follows:

26 **25-7.5-103. Clean fleet enterprise - creation - board - powers**
27 **and duties - fees - fund.** (1) (b) The enterprise ~~exercises its powers and~~

1 ~~performs its duties and functions under the department as if the same~~
2 ~~were transferred to the department by a type 1 transfer, as defined in~~
3 ~~section 24-1-105~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105,
4 AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS
5 UNDER THE DEPARTMENT.

6 **SECTION 51.** In Colorado Revised Statutes, 25-8-201, **amend**
7 (1)(a) as follows:

8 **25-8-201. Water quality control commission created.**

9 (1) (a) There is ~~hereby~~ created in the department of public health and
10 environment a water quality control commission, which ~~shall exercise~~ IS
11 A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND WHICH
12 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions ~~as~~
13 ~~if it were transferred to said department by a type 1 transfer~~ UNDER THE
14 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. The commission
15 ~~shall consist~~ CONSISTS of nine citizens of the state ~~who shall be~~ appointed
16 by the governor, with the consent of the senate, for terms of three years
17 each; except that, of the members appointed to take office in 1984, one
18 ~~shall be~~ IS appointed for a one-year term, one ~~shall be~~ IS appointed for a
19 two-year term, and three ~~shall be~~ ARE appointed for three-year terms.
20 Members of the commission ~~shall~~ MUST be appointed so as to achieve
21 geographical representation and to reflect the various interests in water
22 in the state. At least two members ~~shall~~ MUST reside in that portion of the
23 state ~~which~~ THAT is west of the continental divide.

24 **SECTION 52.** In Colorado Revised Statutes, 25-9-104, **amend**
25 (8) as follows:

26 **25-9-104. Duties of board - rules.** (8) The board ~~may exercise~~
27 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its

1 powers and ~~perform~~ PERFORMS its duties and functions as if it were
2 transferred to UNDER the department. by a ~~type 1~~ transfer under the
3 "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

4 **SECTION 53.** In Colorado Revised Statutes, 25-15-302, **amend**
5 (1)(a) as follows:

6 **25-15-302. Solid and hazardous waste commission - creation**
7 **- membership - rules - fees - administration - definition.** (1) (a) There
8 is hereby created in the department of public health and environment a
9 solid and hazardous waste commission, referred to in this part 3 as the
10 "commission", which ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN
11 SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its
12 duties and functions as if it were transferred to said department by a ~~type~~
13 ~~1~~ transfer UNDER THE DEPARTMENT OF PUBLIC HEALTH AND
14 ENVIRONMENT. The commission ~~shall consist~~ CONSISTS of nine citizens
15 of the state who shall be appointed by the governor, with the consent of
16 the senate, for terms of three years each; except that, of the members
17 appointed to take office initially, three ~~shall be~~ ARE appointed for
18 one-year terms, three ~~shall be~~ ARE appointed for two-year terms, and three
19 ~~shall be~~ ARE appointed for three-year terms. Members of the commission
20 shall MUST be appointed so as to achieve geographical representation and
21 to reflect the various interests in waste management in the state.

22 **SECTION 54.** In Colorado Revised Statutes, 25-20.5-103,
23 **amend** (2) as follows:

24 **25-20.5-103. Prevention services division - creation.** (2) The
25 division ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
26 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
27 functions specified in this ~~article~~ ARTICLE 20.5 under the department of

1 public health and environment. ~~as if it were transferred to the department~~
2 ~~by a type 2 transfer as such transfer is defined in the "Administrative~~
3 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

4 **SECTION 55.** In Colorado Revised Statutes, 30-10-601.6,
5 **amend** (2) as follows:

6 **30-10-601.6. Coroners standards and training board.** (2) The
7 C.C.S.T. board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
8 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
9 functions under the department of public health and environment. ~~as if~~
10 ~~transferred to the department by a type 2 transfer, as such transfer is~~
11 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~
12 ~~24, C.R.S.~~

13 **SECTION 56.** In Colorado Revised Statutes, 24-1-119.5, **amend**
14 (2), (4), (4.5), (5), (8), and (9) as follows:

15 **24-1-119.5. Department of health care policy and financing -**
16 **creation.** (2) The powers, duties, and functions OF THE DEPARTMENT OF
17 HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND
18 FUNCTIONS relating to the "Colorado Medical Assistance Act", as
19 specified in articles 4, 5, and 6 of title 25.5. C.R.S., ~~are transferred by a~~
20 ~~type 2 transfer to the department of health care policy and financing.~~

21 (4) The powers, duties, and functions OF THE DEPARTMENT OF
22 HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND
23 FUNCTIONS relating to the "Colorado Indigent Care Program", as specified
24 in part 1 of article 3 of title 25.5. C.R.S., ~~are transferred by a type 2~~
25 ~~transfer to the department of health care policy and financing.~~

26 (4.5) The powers, duties, and functions OF THE DEPARTMENT OF
27 HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND

1 FUNCTIONS relating to the old age pension health and medical care
2 program, as specified in section 25.5-2-101. ~~C.R.S., are transferred by a~~
3 ~~type 2 transfer to the department of health care policy and financing.~~

4 (5) The medical services board, created in part 3 of article 1 of
5 title 25.5, ~~C.R.S., and its powers, duties, and functions are transferred by~~
6 ~~a type 1 transfer to in the department of health care policy and financing~~
7 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS
8 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE
9 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

10 (8) The powers, duties, and functions OF THE DEPARTMENT OF
11 HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND
12 FUNCTIONS relating to programs, services, and supports for persons with
13 intellectual and developmental disabilities, as specified in article 10 of
14 title 25.5. ~~C.R.S., are transferred by a type 2 transfer to the department of~~
15 ~~health care policy and financing~~ SUCH POWERS, DUTIES, AND FUNCTIONS
16 ARE ALLOCATED TO THE DIVISION OF INTELLECTUAL AND DEVELOPMENTAL
17 DISABILITIES, CREATED IN SECTION 25.5-10-203 (2), WHICH DIVISION IS
18 PART OF THE OFFICE OF COMMUNITY LIVING, CREATED IN SECTION
19 25.5-10-101. THE OFFICE OF COMMUNITY LIVING AND THE DIVISION OF
20 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ARE **TYPE 2** ENTITIES,
21 AS DEFINED IN SECTION 24-1-105.

22 (9) The Colorado healthcare affordability and sustainability
23 enterprise created in section 25.5-4-402.4 (3) ~~shall exercise its powers and~~
24 ~~perform its duties and functions as if the same were transferred by a type~~
25 ~~2 transfer as defined in section 24-1-105, to the department of health care~~
26 ~~policy and financing~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
27 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND

1 FUNCTIONS UNDER THE DEPARTMENT OF HEALTH CARE POLICY AND
2 FINANCING.

3 **SECTION 57.** In Colorado Revised Statutes, 25.5-1-301, **add** (5)
4 as follows:

5 **25.5-1-301. Medical services board - creation.** (5) THE BOARD
6 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

7 **SECTION 58.** In Colorado Revised Statutes, 25.5-4-402.4,
8 **amend** (3)(e) and (7)(a)(II) as follows:

9 **25.5-4-402.4. Hospitals - healthcare affordability and**
10 **sustainability fee - legislative declaration - Colorado healthcare**
11 **affordability and sustainability enterprise - federal waiver - fund**
12 **created - rules - reports - repeal.** (3) **Colorado healthcare**
13 **affordability and sustainability enterprise.** (e) The enterprise ~~shall~~
14 ~~exercise its powers and perform its duties as if the same were transferred~~
15 ~~to the state department by a **type 2** transfer, as defined in section~~
16 ~~24-1-105.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
17 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
18 THE DEPARTMENT.

19 (7) **Colorado healthcare affordability and sustainability**
20 **enterprise board.** (a) (II) The initial members of the enterprise board are
21 the members of the hospital provider fee oversight and advisory board
22 that was created and existed pursuant to section 25.5-4-402.3 (6), prior to
23 July 1, 2017, and such members shall serve on and after July 1, 2017, for
24 the remainder of the terms for which they were appointed as members of
25 the advisory board. The powers, duties, and functions of the ENTERPRISE
26 BOARD INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE FORMER
27 hospital provider fee oversight and advisory board, ~~are transferred by a~~

1 ~~type 3~~ transfer, as defined in section 24-1-105, to the enterprise; and the
2 hospital provider fee oversight and advisory board is abolished.

3 **SECTION 59.** In Colorado Revised Statutes, 25.5-10-101,
4 **amend** (1) and (2)(a) as follows:

5 **25.5-10-101. Office of community living - creation - transfer**
6 **of duties and functions - rules - legislative declaration.** (1) There is
7 ~~hereby~~ created in the state department the office of community living,
8 referred to in this ~~article~~ ARTICLE 10 as the "office". THE OFFICE IS A **TYPE**
9 **2** ENTITY, AS DEFINED IN SECTION 24-1-105. The head of the office is the
10 director of community living appointed by the executive director in
11 accordance with section 13 of article XII of the state constitution. The
12 director of community living reports directly to the executive director.

13 (2) (a) On and after March 1, 2014, the powers, duties, and
14 functions OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
15 INCLUDE THE POWERS, DUTIES, AND FUNCTIONS relating to the programs,
16 services, and supports contained in this ~~article~~ are transferred from
17 ARTICLE 10 THAT WERE FORMERLY VESTED IN the department of human
18 services. ~~to the department of health care policy and financing by a type~~
19 **2** transfer as such transfer is defined in the "~~Administrative Organization~~
20 ~~Act of 1968~~", ~~article 1 of title 24, C.R.S. and~~ SUCH POWERS, DUTIES, AND
21 FUNCTIONS ARE allocated to the division of intellectual and developmental
22 disabilities of the office, which division is created in part 2 of this ~~article~~
23 ARTICLE 10.

24 **SECTION 60.** In Colorado Revised Statutes, 25.5-10-203,
25 **amend** (2) as follows:

26 **25.5-10-203. Division of intellectual and developmental**
27 **disabilities - creation - functions - reporting - legislative declaration.**

1 (2) There is hereby created within IN the office the division of intellectual
2 and developmental disabilities. THE DIVISION IS A **TYPE 2** ENTITY, AS
3 DEFINED IN SECTION 24-1-105.

4 **SECTION 61.** In Colorado Revised Statutes, 24-1-120, **amend**
5 (2), (3), (4) introductory portion, (4)(a), (5) introductory portion, (5)(a),
6 (5)(b), (5)(c), (5)(e), (5)(f), (5)(g), (5)(h), (5)(k), (6) introductory portion,
7 (6)(c), (6)(d), (6)(e), (7) introductory portion, (8), (9), (10), (11), and (12);
8 and **repeal** (5)(d) and (5)(i) as follows:

9 **24-1-120. Department of human services - creation.** (2) Except
10 as otherwise provided in title 26, ~~C.R.S.~~, THE POWERS, DUTIES, AND
11 FUNCTIONS OF THE DEPARTMENT OF HUMAN SERVICES INCLUDE the
12 powers, duties, and functions of the FORMER department of social services
13 and the FORMER department of institutions, ~~are transferred by a type 3~~
14 ~~transfer to the department of human services~~, and the department of social
15 services and the department of institutions are abolished.

16 (3) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF
17 HUMAN SERVICES INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE
18 FORMER state board of social services, created by IN article 1 of title 26,
19 ~~C.R.S.~~, and its powers, duties, and functions are transferred by a **type 1**
20 ~~transfer to the department of human services~~ WHICH IS RENAMED as the
21 state board of human services. THE STATE BOARD OF HUMAN SERVICES IS
22 A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

23 (4) Unless otherwise transferred to the department of health care
24 policy and financing or the department of public health and environment,
25 the department of human services shall exercise EXERCISES the following
26 powers and perform PERFORMS the following duties AND FUNCTIONS:

27 (a) THE powers, duties, and functions relating to public assistance

1 and welfare; ~~which are transferred by a type 2 transfer to the department~~
2 ~~of human services;~~

3 (5) The department of human services ~~shall include~~ INCLUDES the
4 following:

5 (a) The Colorado commission on the aging, CREATED PURSUANT
6 TO SECTION 26-11-101, and the office of the director ~~thereof. Said office~~
7 ~~and director and their powers, duties, and functions are transferred by a~~
8 ~~type 2 transfer to the department of human services~~ OF THE COMMISSION,
9 CREATED PURSUANT TO SECTION 26-11-104, WHICH ARE **TYPE 2** ENTITIES,
10 AS DEFINED IN SECTION 24-1-105, AND WHICH EXERCISE THEIR POWERS
11 AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
12 HUMAN SERVICES.

13 (b) The Colorado veterans community living center at Homelake,
14 CREATED PURSUANT TO SECTION 26-12-203, which is ~~transferred by a~~
15 ~~type 2 transfer to the department of human services~~ A **TYPE 2** ENTITY, AS
16 DEFINED IN SECTION 24-1-105.

17 (c) The Colorado veterans community living centers, created by
18 IN part 2 of article 12 of title 26, C.R.S., ~~which are transferred by a type~~
19 ~~2 transfer to the department of human services~~ WHICH ARE **TYPE 2**
20 ENTITIES, AS DEFINED IN SECTION 24-1-105.

21 (d) ~~The merit system council, created by article 1 of title 26,~~
22 ~~C.R.S. Said council and its powers, duties, and functions are transferred~~
23 ~~by a type 2 transfer to the department of human services.~~

24 (e) The powers, duties, and functions regarding the state
25 information agency ~~under~~ PURSUANT TO the "Uniform Interstate Family
26 Support Act", created by IN article 5 of title 14. C.R.S. ~~Said powers,~~
27 ~~duties, and functions are transferred by a type 2 transfer to the department~~

1 ~~of human services;~~

2 (f) The state office on aging, created by IN part 2 of article 11 of
3 title 26. ~~C.R.S. Said state office and its powers, duties, and functions are~~
4 ~~transferred by a type 2 transfer to the department of human services~~ THE
5 STATE OFFICE ON AGING IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
6 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
7 FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

8 (g) The adoption intermediary commission, created by IN part 3
9 of article 5 of title 19. ~~C.R.S. Said commission and its powers, duties, and~~
10 ~~functions are transferred by a type 1 transfer to the department of human~~
11 ~~services~~ THE ADOPTION INTERMEDIARY COMMISSION IS A **TYPE 1** ENTITY,
12 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
13 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
14 HUMAN SERVICES.

15 (h) The Colorado commission for the deaf, hard of hearing, and
16 deafblind, created by IN article 21 of title 26. ~~The commission shall~~
17 ~~exercise its powers, duties, and functions under the department as if~~
18 ~~transferred by a type 2 transfer~~ THE COLORADO COMMISSION FOR THE
19 DEAF, HARD OF HEARING, AND DEAFBLIND IS A **TYPE 2** ENTITY, AS DEFINED
20 IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS
21 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

22 (i) ~~The office of homeless youth services, created in section~~
23 ~~24-32-723. Said office and its powers, duties, and functions are~~
24 ~~transferred by a type 2 transfer to the department of human services.~~

25 (k) The board of commissioners of veterans community living
26 centers, created in section 26-12-402. ~~C.R.S. Said board and its powers,~~
27 ~~duties, and functions are transferred by a type 2 transfer to the department~~

1 ~~of human services~~ THE BOARD OF COMMISSIONERS OF VETERANS
2 COMMUNITY LIVING CENTERS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
3 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
4 FUNCTIONS UNDER THE DEPARTMENT.

5 (6) The department consists of the following divisions, units, ~~and~~
6 offices, AND BOARDS:

7 (c) The juvenile parole board, created pursuant to section
8 19-2.5-1201. ~~The juvenile parole board and its powers, duties, and~~
9 ~~functions are transferred by a type 1 transfer to the department of human~~
10 ~~services as a division.~~ THE JUVENILE PAROLE BOARD IS A **TYPE 1** ENTITY,
11 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
12 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
13 HUMAN SERVICES AS A DIVISION THEREOF.

14 (d) The office of behavioral health in the department of human
15 services, created pursuant to article 80 of title 27. THE OFFICE OF
16 BEHAVIORAL HEALTH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
17 24-1-105. The POWERS, DUTIES, AND FUNCTIONS OF THE office of
18 behavioral health ~~and its powers, duties, and functions, including~~
19 INCLUDE the powers, duties, and functions relating to the alcohol and drug
20 driving safety program specified in section 42-4-1301.3. ~~are transferred~~
21 ~~by a type 2 transfer to the department of human services.~~

22 (e) The division of youth services, created pursuant to section
23 19-2.5-1501, ~~The division of youth services and the office of the director~~
24 ~~of the division of youth services and their powers, duties, and functions~~
25 ~~are transferred by a type 2 transfer to the department of human services~~
26 ~~as a division.~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
27 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS

1 UNDER THE DEPARTMENT OF HUMAN SERVICES.

2 (7) The department of human services shall supervise and control
3 the following institutions, ~~which are transferred by a type 2 transfer to the~~
4 ~~department of human services~~ ALL OF WHICH ARE **TYPE 2** ENTITIES, AS
5 DEFINED IN SECTION 24-1-105:

6 (8) The ~~state council on~~ COLORADO developmental disabilities
7 COUNCIL, created by IN part 2 of article 10.5 of title 27, ~~C.R.S., and its~~
8 ~~powers, duties, and functions are transferred by a type 1 transfer to the~~
9 ~~department of human services~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
10 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
11 FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

12 (9) ~~The powers, duties, and functions of~~ The Colorado brain
13 injury trust fund board, created in section 26-1-302, ~~C.R.S., are~~
14 ~~transferred by a type 2 transfer to the department of human services~~ IS A
15 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS
16 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE
17 DEPARTMENT OF HUMAN SERVICES.

18 (10) ~~The powers, duties, and functions of the~~ Colorado child
19 abuse prevention board, created in section 19-3.5-103, ~~are transferred by~~
20 ~~a type 2 transfer to the department of human services.~~ IS A **TYPE 2** ENTITY,
21 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
22 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
23 HUMAN SERVICES.

24 (11) ~~The powers, duties, and functions of~~ The Tony Grampas
25 youth services board, created in section 26-6.8-103, ~~C.R.S., are~~
26 ~~transferred by a type 2 transfer to the department of human services~~ IS A
27 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS

1 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE
2 DEPARTMENT OF HUMAN SERVICES.

3 (12) The office of the ombudsman for behavioral health access to
4 care, created in section 27-80-303, ~~shall exercise its powers and perform~~
5 ~~its duties and functions as if the office were transferred by a type 1~~
6 ~~transfer, as defined in section 24-1-105, to the department of human~~
7 ~~services~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
8 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
9 THE DEPARTMENT OF HUMAN SERVICES.

10 **SECTION 62.** In Colorado Revised Statutes, 19-2.5-1201,
11 **amend** (1) as follows:

12 **19-2.5-1201. Juvenile parole board - creation - membership -**
13 **authority - rules.** (1) There is created a juvenile parole board, referred
14 to in this part 12 as the "board". The board consists of nine members
15 appointed by the governor and confirmed by the senate. Any vacancy that
16 occurs when the general assembly is not in session may be filled by the
17 governor, and such member serves temporarily until confirmed at the next
18 regular session of the general assembly. THE BOARD IS A **TYPE 1** ENTITY,
19 AS DEFINED IN SECTION 24-1-105.

20 **SECTION 63.** In Colorado Revised Statutes, 19-2.5-1501,
21 **amend** (1)(a) as follows:

22 **19-2.5-1501. Division of youth services - created - interagency**
23 **agreements - duties of administrators of facilities in connection with**
24 **voter registration and casting of ballots - reports - definitions.**
25 (1) (a) There is created within the department of human services the
26 division of youth services, referred to within this section as the "division",
27 the head of which is the director of the division. The executive director

1 of the department of human services shall appoint the director of the
2 division pursuant to section 13 of article XII of the state constitution and
3 the laws and rules governing the state personnel system. The director
4 ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, WHO
5 EXERCISES THE DIRECTOR'S powers and ~~perform~~ PERFORMS THE
6 DIRECTOR'S duties and functions within the office of the executive
7 director of the department of human services in accordance with ~~the~~
8 ~~provisions of this article 2.5. and as if transferred by a type 2 transfer as~~
9 ~~such transfer is defined in the "Administrative Organization Act of 1968",~~
10 ~~article 1 of title 24.~~

11 **SECTION 64.** In Colorado Revised Statutes, 19-3.5-103, **amend**
12 (1) as follows:

13 **19-3.5-103. Colorado child abuse prevention board - creation**
14 **- members - terms - vacancies.** (1) The Colorado child abuse prevention
15 board, referred to in this article 3.5 as the "board", is transferred to the
16 department of human services from the department of public health and
17 environment. The board ~~shall exercise its powers and duties as if~~
18 ~~transferred by a type 2 transfer.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN
19 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
20 AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES. Persons
21 appointed to the board continue serving until completion of their terms
22 and may be reappointed as provided in this section.

23 **SECTION 65.** In Colorado Revised Statutes, 19-5-303, **amend**
24 (1) introductory portion as follows:

25 **19-5-303. Commission created - duties.** (1) There is ~~hereby~~
26 created in the department the adoption intermediary commission, referred
27 to in this section as the "commission", ~~that shall consist~~ WHICH CONSISTS

1 of thirteen members. The commission ~~shall exercise~~ IS A **TYPE 1** ENTITY,
2 AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
3 PERFORMS the duties and functions specified by this part 3 ~~as if the same~~
4 ~~were transferred to~~ UNDER the department; ~~by a type 1 transfer, as such~~
5 ~~transfer is defined in article 1 of title 24, C.R.S. Representation and~~
6 ~~appointment of such members shall be as follows:~~

7 **SECTION 66.** In Colorado Revised Statutes, 26-1-107, **amend**
8 (1)(a) as follows:

9 **26-1-107. State board of human services - rules.** (1) (a) There
10 is created IN THE DEPARTMENT OF HUMAN SERVICES the state board of
11 human services, referred to in this section as the "state board". THE STATE
12 BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The state
13 board consists of nine members appointed by the governor, with the
14 consent of the senate, for terms of four years. ~~each.~~ In making
15 appointments to the board, the governor shall include representation by
16 at least one member who is a person with a disability, as defined in
17 section 24-34-301 (2.5), a family member of a person with a disability, or
18 a member of an advocacy group for persons with disabilities.

19 **SECTION 67.** In Colorado Revised Statutes, 26-1-302, **amend**
20 (1) as follows:

21 **26-1-302. Colorado brain injury trust fund board - creation**
22 **- powers and duties.** (1) There is ~~hereby~~ created the Colorado brain
23 injury trust fund board ~~within~~ IN the state department of human services.
24 ~~The board shall exercise its powers and duties as if transferred by a type~~
25 ~~2 transfer~~ THE BRAIN INJURY TRUST FUND BOARD IS A **TYPE 2** ENTITY, AS
26 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
27 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

1 **SECTION 68.** In Colorado Revised Statutes, 26-6.8-103, **amend**
2 (1)(a) as follows:

3 **26-6.8-103. Tony Grampsas youth services board - members**
4 **- duties.** (1) (a) There is ~~hereby~~ created the Tony Grampsas youth
5 services board, ~~consisting~~ WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN
6 SECTION 24-1-105. THE BOARD CONSISTS of four adult members appointed
7 by the governor, two youth members appointed by the governor, three
8 adult members appointed by the speaker of the house of representatives,
9 two adult members appointed by the president of the senate, and one adult
10 member appointed by the minority leader of the senate. For the initial
11 appointments, the governor shall appoint members to the board after the
12 speaker of the house of representatives and the president and the minority
13 leader of the senate have made appointments. No more than seven of the
14 members appointed to the board shall be members of the same political
15 party.

16 **SECTION 69.** In Colorado Revised Statutes, 26-11-101, **amend**
17 (1) as follows:

18 **26-11-101. Commission on the aging created.** (1) There is
19 ~~hereby~~ created in the state department the Colorado commission on the
20 aging, referred to in this ~~article~~ ARTICLE 11 as the "commission". ~~which~~
21 ~~shall consist~~ THE COMMISSION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
22 24-1-105, AND CONSISTS of seventeen members appointed by the
23 governor, with the consent of the senate. Two members ~~shall~~ MUST be
24 appointed from each congressional district of the state, one of whom ~~shall~~
25 MUST be from each major political party, and, after July 1, 1976, and
26 thereafter when a vacancy occurs, one of ~~such~~ THE members ~~shall~~ MUST
27 be from west of the continental divide. A vacancy on the commission

1 occurs whenever any member moves out of the congressional district
2 from which ~~he or she~~ THE MEMBER was appointed. Any member who
3 moves out of ~~such~~ THE congressional district shall promptly notify the
4 governor of the date of such move, but ~~such~~ notice is not a condition
5 precedent to the occurrence of the vacancy. The governor shall fill the
6 vacancy as provided in subsection (2) of this section. Appointments made
7 to take effect on January 1, 1983, ~~shall~~ MUST be made in accordance with
8 section 24-1-135. ~~C.R.S.~~ No more than nine members of the commission
9 ~~shall~~ MAY be members of the same major political party. One member
10 ~~shall~~ MUST be appointed from the state at large, one member ~~shall~~ MUST
11 be appointed from among the membership of the senate, and one member
12 ~~shall~~ MUST be appointed from among the membership of the house of
13 representatives. Appointments to the commission ~~shall~~ MUST comply with
14 the requirements of the rules and regulations of the United States
15 department of health and human services promulgated pursuant to Public
16 Law 93-29, known as the "Older Americans Comprehensive Services
17 Amendments of 1973", as such rules and regulations appear in section
18 903.50 (c) of title 45 of the code of federal regulations. In making
19 appointments to the commission, the governor is encouraged to include
20 representation by at least one member who is a person with a disability,
21 a family member of a person with a disability, or a member of an
22 advocacy group for persons with disabilities, provided that the other
23 requirements of this subsection (1) are met.

24 **SECTION 70.** In Colorado Revised Statutes, **amend** 26-11-202
25 as follows:

26 **26-11-202. State office on aging.** The executive director shall
27 create ~~within~~ IN the state department a state office on aging, the head of

1 which ~~shall be~~ IS the director of the state office, who ~~shall be~~ IS appointed
2 by the executive director. The state office and the director of the state
3 office ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
4 exercise their powers and perform their duties and functions under the
5 state department. ~~as if the same were transferred to the state department~~
6 ~~by a type 2 transfer, as such transfer is defined in the "Administrative~~
7 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

8 **SECTION 71.** In Colorado Revised Statutes, 26-12-201, **amend**
9 (2)(a) as follows:

10 **26-12-201. Veterans community living centers authorized.**

11 (2) (a) Subject to available appropriations, there is ~~hereby~~ authorized the
12 establishment and construction of veterans centers for veterans of service
13 in the armed forces of the United States and their spouses, surviving
14 spouses, or dependent parents. Each ~~such~~ veterans center ~~shall be~~ IS
15 known as a Colorado veterans community living center, collectively
16 referred to in this ~~article~~ ARTICLE 12 as "veterans centers". THE VETERANS
17 CENTERS ARE **TYPE 2** ENTITIES, AS DEFINED BY SECTION 24-1-105.

18 **SECTION 72.** In Colorado Revised Statutes, 26-12-203, **amend**
19 (1)(a) as follows:

20 **26-12-203. The Colorado veterans community living center at**
21 **Homelake - jurisdiction - definitions.** (1) (a) The Colorado veterans
22 community living center at Homelake, consisting of a veterans center, a
23 domiciliary care unit, and the Homelake military veterans cemetery,
24 referred to in this part 2 as the "veterans center", ~~as transferred to the state~~
25 ~~department by the "Administrative Organization Act of 1968", is hereby~~
26 IS declared to be a veterans center for veterans of service in the armed
27 forces of the United States and their spouses, surviving spouses, and

1 dependent parents. THE COLORADO VETERANS COMMUNITY LIVING
2 CENTER AT HOMELAKE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
3 24-1-105.

4 **SECTION 73.** In Colorado Revised Statutes, 26-12-402, **amend**
5 (1) as follows:

6 **26-12-402. Board of commissioners of veterans community**
7 **living centers - creation - powers and duties.** (1) There is hereby
8 created the board of commissioners of veterans community living centers
9 ~~within~~ IN the state department. The board of commissioners ~~shall exercise~~
10 ~~its powers, duties, and functions under the state department as if it were~~
11 ~~transferred to the state department by a type 2 transfer under the~~
12 ~~provisions of the "Administrative Organization Act of 1968", article 1 of~~
13 ~~title 24, C.R.S.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
14 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
15 THE STATE DEPARTMENT.

16 **SECTION 74.** In Colorado Revised Statutes, 26-21-104, **amend**
17 (1) as follows:

18 **26-21-104. Commission created - appointments.** (1) The
19 Colorado commission for the deaf, hard of hearing, and deafblind is
20 created in the department of human services. The commission ~~shall~~
21 ~~exercise its powers, duties, and functions under the department of human~~
22 ~~services as if it were transferred to the department by a type 2 transfer~~
23 ~~under the provisions of the "Administrative Organization Act of 1968",~~
24 ~~article 1 of title 24~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105,
25 AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS
26 UNDER THE DEPARTMENT OF HUMAN SERVICES.

27 **SECTION 75.** In Colorado Revised Statutes, 27-10.5-203,

1 **amend** (1) as follows:

2 **27-10.5-203. Establishment of state council.** (1) There is hereby
3 created ~~within~~ IN the office of the executive director of the department of
4 human services, the Colorado developmental disabilities council. ~~The~~
5 ~~powers, duties, and functions of the state council are transferred by a type~~
6 ~~1 transfer, as such transfer is defined by the "Administrative Organization~~
7 ~~Act of 1968", article 1 of title 24, C.R.S., to the department of human~~
8 ~~services~~ THE STATE COUNCIL IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
9 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
10 FUNCTIONS UNDER THE DEPARTMENT. The state council shall operate in
11 accordance with the federal "Developmental Disabilities Assistance and
12 Bill of Rights Act of 2000", 42 U.S.C. sec. 15001 et seq.

13 **SECTION 76.** In Colorado Revised Statutes, 27-80-102, **amend**
14 (1) introductory portion as follows:

15 **27-80-102. Duties of the office of behavioral health.** (1) The
16 office of behavioral health IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
17 24-1-105, AND IS RESPONSIBLE FOR THE POWERS, DUTIES, AND FUNCTIONS
18 RELATING TO THE ALCOHOL AND DRUG DRIVING SAFETY PROGRAM
19 SPECIFIED IN SECTION 42-4-1301.3. THE OFFICE OF BEHAVIORAL HEALTH
20 shall formulate a comprehensive state plan for substance use disorder
21 treatment programs. The office of behavioral health shall submit the state
22 plan to the governor and, upon ~~his or her~~ THE GOVERNOR'S approval,
23 submit it to the appropriate United States agency for review and approval.
24 The state plan must include, but not be limited to:

25 **SECTION 77.** In Colorado Revised Statutes, 27-80-303, **amend**
26 (1)(a) as follows:

27 **27-80-303. Office of ombudsman for behavioral health access**

1 **to care - creation - appointment of ombudsman - duties.** (1) (a) There
2 is ~~hereby~~ created in the office of the executive director the office of the
3 ombudsman for behavioral health access to care for the purpose of
4 assisting Coloradans in accessing behavioral health care. THE OFFICE OF
5 THE OMBUDSMAN FOR BEHAVIORAL HEALTH ACCESS TO CARE IS A **TYPE 1**
6 ENTITY, AS DEFINED IN SECTION 24-1-105.

7 **SECTION 78.** In Colorado Revised Statutes, 24-1-120.5, **amend**
8 **as it will become effective July 1, 2022,** (2) as follows:

9 **24-1-120.5. Department of early childhood - creation.** (2) The
10 early childhood leadership commission created in part 3 of article 1 of
11 title 26.5 ~~and its powers, duties, and functions are transferred by a type~~
12 ~~2 transfer~~ IS TRANSFERRED to the department of early childhood. THE
13 EARLY CHILDHOOD LEADERSHIP COMMISSION IS A **TYPE 2** ENTITY, AS
14 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
15 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EARLY
16 CHILDHOOD.

17 **SECTION 79.** In Colorado Revised Statutes, 26.5-1-302, **amend**
18 **as it will become effective on July 1, 2022,** (1) as follows:

19 **26.5-1-302. Early childhood leadership commission - created**
20 **- mission - funding.** (1) There is created in the department the early
21 childhood leadership commission, referred to in this part 3 as the
22 "commission". THE COMMISSION IS A **TYPE 2** ENTITY, AS DEFINED IN
23 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
24 AND FUNCTIONS UNDER THE DEPARTMENT OF EARLY CHILDHOOD. The
25 purpose of the commission is to ensure and advance a comprehensive
26 service delivery system for pregnant women and children from birth to
27 eight years of age using data to improve decision-making, alignment, and

1 coordination among federally funded and state-funded services and
2 programs for pregnant women and young children and their families. At
3 a minimum, the comprehensive service delivery system for pregnant
4 women and children and their families must include services in the areas
5 of prenatal health, child health, child mental health, early care and
6 education, and family support and parent education.

7 **SECTION 80.** In Colorado Revised Statutes, 24-1-121, **amend**
8 (1.5), (3)(a)(I), (3)(b), (3)(d)(I), (3)(e), (3)(f), (3)(g), (3)(h), (3)(i), (3)(j),
9 (3)(k), (3)(l), (4) introductory portion, (4)(b), and (5); and **add** (6) and (7)
10 as follows:

11 **24-1-121. Department of labor and employment - creation.**
12 (1.5) The department of labor and employment ~~shall include~~ INCLUDES,
13 as part of the office of the executive director, the industrial claim appeals
14 office, created by IN section 8-1-102. ~~C.R.S. Said~~ THE industrial claim
15 appeals office ~~shall exercise its powers and perform its duties and~~
16 ~~functions under the department as if transferred thereto by a type 2~~
17 ~~transfer~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
18 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
19 THE DEPARTMENT.

20 (3) The department of labor and employment consists of the
21 following divisions and programs:

22 (a) (I) The division of labor standards and statistics, the head of
23 which is the director of the division of labor standards and statistics,
24 ~~which division and office are hereby~~ created IN SECTION 8-1-103. The
25 division and the DIVISION'S director ~~shall~~ ARE **TYPE 2** ENTITIES, AS
26 DEFINED IN SECTION 24-1-105, AND exercise their powers and perform
27 their duties and functions specified by law under the department of labor

1 and employment. ~~as if they were transferred to the department by a type~~
2 ~~2 transfer.~~

3 (b) The division of employment and training, the head of which
4 is the director of the division of employment and training, CREATED IN
5 SECTION 8-83-102. The division ~~created by article 83 of title 8, C.R.S.,~~
6 and the DIVISION'S director ~~of the division shall exercise their powers,~~
7 ~~duties, and functions under the department of labor and employment as~~
8 ~~if transferred by a type 2 transfer~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN
9 SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR
10 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND
11 EMPLOYMENT.

12 (d) (I) The division of workers' compensation, the head of which
13 ~~shall be~~ IS the director of the division of workers' compensation, ~~Said~~
14 ~~division,~~ created by IN section 8-47-101. ~~C.R.S., and the director thereof,~~
15 ~~shall exercise their powers, duties, and functions under the department of~~
16 ~~labor and employment as if transferred thereto by a type 2 transfer~~ THE
17 DIVISION AND THE DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED
18 IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR
19 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND
20 EMPLOYMENT.

21 (e) The division of oil and public safety, the head of which ~~shall~~
22 ~~be~~ IS the director of the division of oil and public safety, which division
23 and office are created pursuant to section 8-20-101. ~~C.R.S.~~ The division
24 and the DIVISION'S director ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN
25 SECTION 24-1-105, AND exercise their powers and perform their duties
26 and functions specified by law under the department of labor and
27 employment. ~~as if the same were transferred to the department by a type~~

1 ~~2 transfer.~~

2 (f) The state work force development council, created by IN article
3 46.3 of this title, ~~which shall exercise~~ TITLE 24. THE COUNCIL IS A **TYPE**
4 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers
5 and ~~perform~~ PERFORMS its duties and functions under the department of
6 labor and employment. ~~as if the same were transferred to the department~~
7 ~~by a type 2 transfer.~~

8 (g) The division of unemployment insurance, the head of which
9 is the director of the division of unemployment insurance, ~~The division,~~
10 created in article 71 of title 8. C.R.S., ~~and the director of the division shall~~
11 ~~exercise their powers, duties, and functions under the department of labor~~
12 ~~and employment as if transferred by a type 2 transfer~~ THE DIVISION AND
13 THE DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
14 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND
15 FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

16 (h) The powers, duties, and functions relating to vocational
17 rehabilitation programs, including the business enterprise program, ~~which~~
18 ~~are transferred by a type 2 transfer to the department of labor and~~
19 ~~employment~~ AS DESCRIBED IN ARTICLE 84 OF TITLE 8.

20 (i) The powers, duties, and functions relating to the oversight of
21 independent living services pursuant to article 85 of title 8. C.R.S., ~~are~~
22 ~~transferred by a type 2 transfer.~~

23 (j) The underground damage prevention safety commission,
24 created by IN section 9-1.5-104.2. The commission ~~and its powers, duties,~~
25 ~~and functions are transferred by a type 2 transfer to the department of~~
26 ~~labor and employment~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
27 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND

1 FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

2 (k) The office of new Americans, or "ONA", created in article 3.7
3 of title 8, the head of which is the director of the ONA. The ONA and the
4 director ~~shall exercise their powers, duties, and functions under the~~
5 ~~department of labor and employment as if transferred by a type 1 transfer~~
6 ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE
7 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
8 DEPARTMENT OF LABOR AND EMPLOYMENT.

9 (l) The state apprenticeship agency created in section 8-15.7-102.
10 ~~which shall exercise~~ THE STATE APPRENTICESHIP AGENCY IS A **TYPE 1**
11 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and
12 ~~perform~~ PERFORMS the duties and functions specified by article 15.7 of
13 title 8 under the department of labor and employment and the executive
14 director of the department. ~~as if the same were transferred to the~~
15 ~~department by a type 1 transfer.~~

16 (4) The division of oil and public safety ~~shall include~~ INCLUDES
17 the following:

18 (b) The division of boiler inspection, created ~~by~~ IN article 4 of title
19 9. C.R.S. ~~Said division and its powers, duties, and functions are~~
20 ~~transferred by a type 2 transfer to the department of labor and~~
21 ~~employment, and allocated to the division of oil and public safety as a~~
22 ~~section thereof~~ THE DIVISION OF BOILER INSPECTION IS A **TYPE 2** ENTITY,
23 AS DEFINED IN SECTION 24-1-105. THE DIVISION EXERCISES ITS POWERS
24 AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
25 LABOR AND EMPLOYMENT AND IS ALLOCATED TO THE DIVISION OF OIL AND
26 PUBLIC SAFETY AS A SECTION THEREOF.

27 (5) The petroleum storage tank committee ~~shall exercise~~ IS A **TYPE**

1 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers
2 and ~~perform~~ PERFORMS the duties and functions specified by article 20.5
3 of title 8 ~~C.R.S.~~, under the department of labor and employment and the
4 executive director thereof. ~~as if the same were transferred to the~~
5 ~~department by a type 1 transfer.~~

6 (6) THE SPECIAL FUNDS BOARD, CREATED IN SECTION 8-44-206, IS
7 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

8 (7) THE WORKERS' COMPENSATION COST CONTAINMENT BOARD,
9 CREATED IN THE DIVISION OF WORKERS' COMPENSATION IN SECTION
10 8-14.5-104, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

11 **SECTION 81.** In Colorado Revised Statutes, 8-1-102, **amend** (1)
12 as follows:

13 **8-1-102. Industrial claim appeals office - creation - powers and**
14 **duties.** (1) There is ~~hereby~~ created in the office of the executive director
15 of the department of labor and employment the industrial claim appeals
16 office, which ~~may consist~~ CONSISTS of five industrial claim appeals
17 examiners who ~~shall be~~ ARE appointed to serve on the industrial claim
18 appeals panel by the executive director pursuant to section 13 of article
19 XII of the state constitution and the laws and rules governing the state
20 personnel system. ~~Each industrial claim appeals examiner shall exercise~~
21 ~~such examiner's powers and perform such examiner's duties and functions~~
22 ~~in the industrial claim appeals office within the office of the executive~~
23 ~~director of the department as if transferred thereto by a type 2 transfer as~~
24 ~~such transfer is defined in the "Administrative Organization Act of 1968",~~
25 ~~article 1 of title 24, C.R.S.~~ THE INDUSTRIAL CLAIM APPEALS OFFICE IS A
26 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS
27 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE OFFICE OF

1 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT. Decisions and orders of
2 the industrial claim appeals panel may be made by two appeals
3 examiners. In the event of a disagreement between ~~such~~ THE two appeals
4 examiners, a third appeals examiner shall review the case, and the
5 decision and final order of the appeals panel shall reflect the collective
6 decision of all three appeals examiners.

7 **SECTION 82.** In Colorado Revised Statutes, 8-1-103, **amend** (3)
8 as follows:

9 **8-1-103. Division of labor standards and statistics - director -**
10 **employees - qualifications - compensation - expenses.** (3) The
11 DIRECTOR EXERCISES THE DIRECTOR'S powers AND PERFORMS THE
12 DIRECTOR'S duties and functions ~~of the director~~ AS prescribed under this
13 ~~article~~ ARTICLE 1, including rule-making, ~~regulation~~, licensing,
14 promulgation of rules, rates, ~~regulations~~, and standards, and the rendering
15 of findings, orders, and adjudications, ~~shall be performed~~ under the
16 direction and supervision of the executive director of the department of
17 labor and employment. ~~as prescribed by section 24-1-105 (4), C.R.S.~~ THE
18 DIRECTOR IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

19 **SECTION 83.** In Colorado Revised Statutes, 8-3.7-103, **amend**
20 (1)(a) as follows:

21 **8-3.7-103. Colorado office of new Americans - creation - duties**
22 **- report.** (1) (a) There is hereby created, initially in the department of
23 labor and employment, the Colorado office of new Americans, the head
24 of which shall be the director of the Colorado office of new Americans,
25 who shall be appointed by the executive director of the department. THE
26 COLORADO OFFICE OF NEW AMERICANS AND THE DIRECTOR OF THE OFFICE
27 ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE

1 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
2 DEPARTMENT OF LABOR AND EMPLOYMENT. The director of the ONA has
3 regular access to the office of the governor and has the power to convene
4 other state agencies.

5 **SECTION 84.** In Colorado Revised Statutes, 8-14.5-104, **amend**
6 (2) as follows:

7 **8-14.5-104. Creation of board.** (2) The board ~~shall exercise~~ IS
8 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its
9 powers and ~~perform~~ PERFORMS its DUTIES AND functions under the
10 department and the director of the division. ~~as if the same were~~
11 ~~transferred to the department by a **type 2** transfer, as such transfer is~~
12 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~
13 ~~24, C.R.S.~~

14 **SECTION 85.** In Colorado Revised Statutes, 8-15.7-102, **amend**
15 (2) as follows:

16 **8-15.7-102. State apprenticeship agency - created - director -**
17 **powers and duties - rules.** (2) The SAA ~~shall exercise~~ IS A **TYPE 1**
18 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and
19 ~~perform~~ PERFORMS its duties and functions under the department. ~~as if it~~
20 ~~were transferred to the department by a **type 1** transfer, as described in~~
21 ~~section 24-1-105.~~

22 **SECTION 86.** In Colorado Revised Statutes, 8-20-101, **amend**
23 (1) as follows:

24 **8-20-101. Division of oil and public safety - creation -**
25 **appointment of director - transfer of duties.** (1) There is ~~hereby~~
26 created ~~within~~ IN the department of labor and employment the division of
27 oil and public safety, the head of which ~~shall be~~ IS the director of the

1 division of oil and public safety. The director of the division of oil and
2 public safety ~~shall be~~ IS appointed by the executive director of the
3 department of labor and employment and shall not have an interest in the
4 manufacture, sale, or distribution of oils. THE DIVISION AND THE
5 DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
6 24-1-105.

7 **SECTION 87.** In Colorado Revised Statutes, 8-20.5-104, **amend**
8 (9) as follows:

9 **8-20.5-104. Rules - petroleum storage tank committee.** (9) The
10 petroleum storage tank committee ~~shall exercise~~ IS A **TYPE 1** ENTITY AS
11 DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
12 PERFORMS its duties and functions specified by this section under the
13 department of labor and employment and the executive director. ~~thereof~~
14 ~~as if the same were transferred to the department by a type 1 transfer, as~~
15 ~~such transfer is defined in section 24-1-105, C.R.S.~~

16 **SECTION 88.** In Colorado Revised Statutes, 8-44-206, **amend**
17 (2)(a) as follows:

18 **8-44-206. Guaranty fund - immediate payment fund - special**
19 **funds board - creation.** (2) **Creation of special funds board - duties.**
20 (a) For the purposes of carrying out this section, there is ~~hereby~~ created
21 a special funds board, which ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS
22 DEFINED IN SECTION 24-1-105, AND WHICH EXERCISES its powers and
23 ~~perform~~ PERFORMS its duties and functions as specified in this subsection
24 (2) under the department of labor and employment. ~~as if the same were~~
25 ~~transferred to the department by a type 2 transfer as such transfer is~~
26 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~
27 ~~24, C.R.S. Said~~ THE board ~~shall be~~ IS composed of five members: Four

1 members who are managers or employees of self-insured employers in
2 good standing, two of whom shall demonstrate knowledge of risk
3 management and finance, and the executive director.

4 **SECTION 89.** In Colorado Revised Statutes, 8-47-101, **amend**
5 (3)(a) as follows:

6 **8-47-101. Division of workers' compensation - creation -**
7 **powers, duties, and functions - transfer of functions - change of**
8 **statutory references.** (3) (a) The division of workers' compensation
9 shall, on and after July 1, 1991, execute, administer, perform, and enforce
10 the rights, powers, duties, functions, and obligations vested in the division
11 of labor prior to July 1, 1991, concerning the duties and functions
12 transferred to the division of workers' compensation. On July 1, 1991, all
13 employees of the division of labor whose principal duties are concerned
14 with the duties and functions transferred to the division of workers'
15 compensation and whose employment in the division of workers'
16 compensation is deemed necessary by the executive director of the
17 department of labor and employment to carry out the purposes of this
18 article 47 shall be transferred to the division of workers' compensation
19 and shall become employees thereof. The employees shall retain all rights
20 to the state personnel system and retirement benefits under the laws of
21 this state, and their services shall be deemed to have been continuous. All
22 transfers and any abolishment of positions in the state personnel system
23 shall be made and processed in accordance with state personnel system
24 laws and rules. THE DIVISION OF WORKERS' COMPENSATION AND THE
25 DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
26 24-1-105.

27 **SECTION 90.** In Colorado Revised Statutes, 8-71-102, **amend**

1 (1) as follows:

2 **8-71-102. Powers, duties, and functions - acceptance of money.**

3 (1) The functions of the division comprise all administrative functions of
4 the state in relation to the administration of articles 70 to 82 of this title.
5 ~~The director of the division shall exercise the powers, duties, and~~
6 ~~functions prescribed under articles 70 to 82 of this title under the~~
7 ~~direction and supervision of the executive director of the department of~~
8 ~~labor and employment, as prescribed by section 24-1-105 (4), C.R.S.~~
9 TITLE 8. THE DIVISION AND THE OFFICE OF DIRECTOR OF THE DIVISION ARE
10 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THE
11 POWERS AND PERFORM THE DUTIES AND FUNCTIONS PRESCRIBED UNDER
12 ARTICLES 70 TO 82 OF THIS TITLE 8 UNDER THE DIRECTION AND
13 SUPERVISION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR
14 AND EMPLOYMENT. Any vacancy in the office of director of the division
15 ~~shall be~~ IS filled in the manner provided by law.

16 **SECTION 91.** In Colorado Revised Statutes, 8-83-103, **amend**
17 (1) as follows:

18 **8-83-103. Powers, duties, and functions - acceptance of money.**

19 (1) The functions of the division comprise all administrative functions of
20 the state in relation to the administration of this article. ~~The director shall~~
21 ~~exercise his or her powers, duties, and functions prescribed under this~~
22 ~~article under the direction and supervision of the executive director of the~~
23 ~~department, as prescribed by section 24-1-105 (4), C.R.S.~~ ARTICLE 83.
24 THE DIVISION AND THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES,
25 AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND
26 PERFORM THEIR DUTIES AND FUNCTIONS AS PRESCRIBED UNDER THIS
27 ARTICLE 83 UNDER THE DIRECTION AND SUPERVISION OF THE EXECUTIVE

1 DIRECTOR OF THE DEPARTMENT. Any vacancy in the office of director
2 ~~shall be~~ IS filled in the manner provided by law.

3 **SECTION 92.** In Colorado Revised Statutes, 8-84-108, **amend**
4 (1)(a) as follows:

5 **8-84-108. Transfer of functions - transition plan - report.**

6 (1) (a) On and after July 1, 2016, the ~~rights,~~ powers, duties, and functions
7 OF THE DEPARTMENT OF LABOR AND EMPLOYMENT INCLUDE THE POWERS,
8 DUTIES, AND FUNCTIONS regarding vocational rehabilitation programs,
9 including the business enterprise program, THAT WERE FORMERLY vested
10 in the department of human services prior to that date. ~~are transferred~~
11 ~~from the department of human services to the department of labor and~~
12 ~~employment by a type 2 transfer, as such transfer is defined in the~~
13 ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

14 **SECTION 93.** In Colorado Revised Statutes, 8-85-109, **amend**
15 (1) as follows:

16 **8-85-109. Transfer of functions - transition plan - report.**

17 (1) On and after July 1, 2016, the ~~rights,~~ powers, duties, and functions OF
18 THE DEPARTMENT OF LABOR AND EMPLOYMENT INCLUDE THE POWERS,
19 DUTIES, AND FUNCTIONS regarding independent living services THAT
20 WERE FORMERLY vested in the department of human services prior to that
21 date. ~~are transferred from the department of human services to the~~
22 ~~department of labor and employment by a type 2 transfer, as such transfer~~
23 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~
24 ~~title 24, C.R.S.~~

25 **SECTION 94.** In Colorado Revised Statutes, 9-1.5-104.2, **amend**
26 (1)(a) introductory portion as follows:

27 **9-1.5-104.2. Underground damage prevention safety**

1 **commission - creation - review of violations - enforcement - rules.**

2 (1)(a) There is hereby created the underground damage prevention safety
3 commission in the department of labor and employment. The safety
4 commission is transferred to the department by a **type 2** transfer as that
5 ~~term is~~ A **TYPE 2** ENTITY, AS defined in section 24-1-105. The safety
6 commission shall:

7 **SECTION 95.** In Colorado Revised Statutes, 9-4-102, **amend** (1)
8 as follows:

9 **9-4-102. Boiler inspection section - created - director - chief**
10 **boiler inspector - inspectors - qualifications.** (1) The director shall
11 carry out the provisions of this ~~article~~ ARTICLE 4. The director may
12 appoint a chief boiler inspector to oversee the boiler inspection section,
13 which is hereby created in the division of oil and public safety. THE
14 BOILER INSPECTION SECTION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
15 24-1-105. The chief boiler inspector and each state boiler inspector must
16 be qualified from practical experience in the construction, maintenance,
17 repair, or operation of boilers as a mechanical or safety engineer, steam
18 engineer, boilermaker, or boiler inspector of not less than five years'
19 actual experience to enable him or her to judge the safety of boilers for
20 use as such. Neither the chief boiler inspector nor any state boiler
21 inspector shall be interested directly or indirectly in the manufacture,
22 ownership, or sale of boilers or boiler supplies.

23 **SECTION 96.** In Colorado Revised Statutes, 24-46.3-101,
24 **amend** (1) as follows:

25 **24-46.3-101. State work force development council - creation**
26 **- membership - funding through gifts, grants, and donations.**

27 (1) There is hereby created ~~within~~ IN the department of labor and

1 employment, ~~also~~ referred to in this ~~article~~ ARTICLE 46.3 as the
2 "department", the state work force development council, ~~also~~ referred to
3 in this ~~article~~ ARTICLE 46.3 as the "state council". THE STATE COUNCIL IS
4 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The state council ~~shall~~
5 ~~be~~ IS established as a state work force development board in accordance
6 with the federal "Workforce Innovation and Opportunity Act", 29 U.S.C.
7 sec. 3101 et seq., as amended, ~~also~~ referred to in this ~~article~~ ARTICLE 46.3
8 as the "federal act".

9 **SECTION 97.** In Colorado Revised Statutes, 24-1-122, **amend**
10 (2)(a), (2)(a.5), (2)(b), (2)(c), (2)(d), (2)(e), (2)(g), (2)(h), (2)(k), (2)(l),
11 (3) introductory portion, (4) introductory portion, and (6); and **add** (3)(nn)
12 and (4)(f) as follows:

13 **24-1-122. Department of regulatory agencies - creation.**

14 (2) The department of regulatory agencies consists of the following
15 divisions:

16 (a) The public utilities commission, created ~~by~~ IN article 2 of title
17 40. C.R.S. ~~Its powers, duties, and functions are transferred by a type 1~~
18 ~~transfer to the department of regulatory agencies as a division thereof~~ THE
19 PUBLIC UTILITIES COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
20 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
21 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AS A
22 DIVISION THEREOF. The director of the commission ~~shall serve~~ SERVES as
23 the division director.

24 (a.5) The office of the utility consumer advocate and the utility
25 consumers' board, created in article 6.5 of title 40. The office of the utility
26 consumer advocate ~~and its powers, duties, and functions are transferred~~
27 ~~by a type 1 transfer to~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION

1 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
2 FUNCTIONS UNDER the department of regulatory agencies as a division of
3 the department. The utility consumers' board ~~shall exercise~~ IS A **TYPE 2**
4 ENTITY, AS DEFINED IN SECTION 24-1-105. THE UTILITY CONSUMERS'
5 BOARD EXERCISES its powers and ~~perform~~ PERFORMS its duties and
6 functions under the department ~~as if the same were transferred to the~~
7 ~~department by a type 2 transfer~~ and IS allocated to the office of the utility
8 consumer advocate.

9 (b) (I) THE division of insurance, CREATED IN SECTION 10-1-103,
10 the head of which ~~shall be~~ IS the commissioner of insurance. The division
11 of insurance ~~of the state of Colorado, created by section 10-1-103, C.R.S.,~~
12 ~~and its powers, duties, and functions are transferred by a type 1 transfer~~
13 ~~to the department of regulatory agencies as the division of insurance~~ IS A
14 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS
15 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE
16 DEPARTMENT OF REGULATORY AGENCIES.

17 (II) The workers' compensation classification appeals board,
18 ~~created by~~ IN section 8-55-101 (1). ~~C.R.S., shall exercise its powers and~~
19 ~~perform duties and functions under the division of insurance as if such~~
20 ~~workers' compensation classification appeals board were transferred to~~
21 ~~the division of insurance by a type 1 transfer~~ THE WORKERS'
22 COMPENSATION CLASSIFICATION APPEALS BOARD IS A **TYPE 1** ENTITY, AS
23 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
24 ITS DUTIES AND FUNCTIONS UNDER THE DIVISION OF INSURANCE.

25 (c) THE division of financial services, the head of which ~~shall be~~
26 IS the state commissioner of financial services. The financial services
27 board, ~~created by~~ IN section 11-44-101.6, ~~C.R.S., and its powers, duties,~~

1 ~~and functions are transferred as if by a **type 1** transfer to the department~~
2 ~~of regulatory agencies, and allocated to the division of financial services.~~
3 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE FINANCIAL
4 SERVICES BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
5 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS
6 ALLOCATED TO THE DIVISION OF FINANCIAL SERVICES. The office of state
7 commissioner of financial services and the DIVISION OF financial services,
8 ~~division of the state of Colorado, created by~~ IN article 44 of title 11,
9 ~~C.R.S., are transferred by a **type 2** transfer to the department of regulatory~~
10 ~~agencies, and allocated to the division of financial services~~ ARE **TYPE 2**
11 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS
12 AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
13 REGULATORY AGENCIES.

14 (d) THE division of banking, the head of which ~~shall be~~ IS the state
15 bank commissioner. The banking board, created ~~by~~ IN article 102 of title
16 11 ~~C.R.S., and its powers, duties, and functions are transferred by a **type**~~
17 ~~**1** transfer to the department of regulatory agencies and allocated to the~~
18 ~~division of banking~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.
19 THE BANKING BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
20 AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND
21 IS ALLOCATED TO THE DIVISION OF BANKING.

22 (e) THE division of securities, the head of which ~~shall be~~ IS the
23 commissioner of securities. The securities board, created in section
24 11-51-702.5, ~~C.R.S., and its powers, duties, and functions are transferred~~
25 ~~by a **type 1** transfer to the department of regulatory agencies and~~
26 ~~allocated to the division of securities~~ IS A **TYPE 1** ENTITY, AS DEFINED IN
27 SECTION 24-1-105. THE SECURITIES BOARD EXERCISES ITS POWERS AND

1 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
2 REGULATORY AGENCIES AND IS ALLOCATED TO THE DIVISION OF
3 SECURITIES. The division of securities, and the office of commissioner of
4 securities, created by IN article 51 of title 11, C.R.S., and their powers,
5 duties, and functions are transferred by a **type 1** transfer to the department
6 of regulatory agencies as the division of securities ARE **TYPE 1** ENTITIES,
7 AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND
8 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
9 REGULATORY AGENCIES.

10 (g) THE division of professions and occupations, the head of
11 which shall be IS the director of professions and occupations, which
12 office is hereby created. The division of professions and occupations is
13 transferred by a **type 2** transfer to the department of regulatory agencies
14 as the division of professions and occupations THE DIVISION OF
15 PROFESSIONS AND OCCUPATIONS IS A **TYPE 2** ENTITY, AS DEFINED IN
16 SECTION 24-1-105.

17 (h) THE Colorado civil rights division, the head of which shall be
18 IS the director of the Colorado civil rights division, AND THE COLORADO
19 CIVIL RIGHTS COMMISSION. The Colorado civil rights commission, the
20 Colorado civil rights division, and the office of director of the Colorado
21 civil rights division, created by IN part 3 of article 34 of this title, and
22 their powers, duties, and functions are transferred by a **type 1** transfer to
23 the department of regulatory agencies as the Colorado civil rights division
24 TITLE 24, ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
25 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS
26 UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

27 (k) (I) THE division of real estate, the head of which shall be IS the

1 director of the division, AND THE REAL ESTATE COMMISSION. The division
2 of real estate and the director of the division, created by IN part 2 of
3 article 10 of title 12, ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN
4 SECTION 24-1-105, AND EXERCISE their powers and perform their duties
5 and functions under the department of regulatory agencies. ~~as if they were~~
6 ~~transferred to the department by a type 2 transfer.~~ The real estate
7 commission, created by IN part 2 of article 10 of title 12, ~~and its powers,~~
8 ~~duties, and functions are transferred by a type 1 transfer to the department~~
9 ~~of regulatory agencies~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
10 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
11 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

12 (II) The division ~~shall include~~ OF REAL ESTATE INCLUDES the
13 board of real estate appraisers, created by IN part 6 of article 10 of title 12.
14 ~~which shall exercise~~ THE BOARD OF REAL ESTATE APPRAISERS IS A **TYPE**
15 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers
16 and ~~perform~~ PERFORMS its duties and functions under the department of
17 regulatory agencies. ~~as if the same were transferred thereto by a type 1~~
18 ~~transfer.~~ The division ~~shall~~ OF REAL ESTATE also ~~include~~ INCLUDES the
19 board of mortgage loan originators, created by IN section 12-10-703. The
20 board of mortgage loan originators ~~shall exercise its powers and perform~~
21 ~~its duties and functions under the department of regulatory agencies as if~~
22 ~~transferred thereto by a type 1 transfer~~ IS A **TYPE 1** ENTITY, AS DEFINED IN
23 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
24 AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

25 (I) THE division of conservation, the head of which is the director
26 of the division, AND THE CONSERVATION EASEMENT OVERSIGHT
27 COMMISSION. The division of conservation and the director of the

1 division, created by IN article 15 of title 12, ~~shall exercise~~ ARE **TYPE 2**
2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers
3 and perform their duties and functions under the department of regulatory
4 agencies. ~~as if they were transferred to the department by a type 2~~
5 ~~transfer.~~ The conservation easement oversight commission, created by IN
6 section 12-15-103, ~~and its powers, duties, and functions are transferred~~
7 ~~by a type 2 transfer to the department of regulatory agencies and~~
8 ~~allocated to the division of conservation~~ IS A **TYPE 2** ENTITY, AS DEFINED
9 IN SECTION 24-1-105. THE CONSERVATION EASEMENT OVERSIGHT
10 COMMISSION EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
11 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS
12 ALLOCATED TO THE DIVISION OF CONSERVATION.

13 (3) The following boards and agencies ~~are transferred by a type~~
14 ~~1 transfer to~~ IN the department of regulatory agencies ~~and~~ ARE allocated
15 to the division of professions and occupations AND ARE **TYPE 1** ENTITIES,
16 AS DEFINED IN SECTION 24-1-105:

17 (m) THE STATE PHYSICAL THERAPY BOARD, CREATED IN PART 1 OF
18 ARTICLE 285 OF TITLE 12.

19 (4) The following boards and agencies ~~are transferred by a type~~
20 ~~2 transfer to~~ IN the department of regulatory agencies ~~and~~ ARE allocated
21 to the division of professions and occupations AND ARE **TYPE 2** ENTITIES,
22 AS DEFINED IN SECTION 24-1-105:

23 (f) THE OFFICE OF COMBATIVE SPORTS, CREATED IN SECTION
24 12-110-105, AND THE COLORADO COMBATIVE SPORTS COMMISSION,
25 CREATED IN SECTION 12-110-106.

26 (6) (a) The Colorado prescription drug affordability review board
27 created in section 10-16-1402 is ~~transferred by a type 1 transfer to~~ A **TYPE**

1 **1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE COLORADO
2 PRESCRIPTION DRUG AFFORDABILITY REVIEW BOARD EXERCISES ITS
3 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER the department
4 of regulatory agencies and IS allocated to the division of insurance.

5 (b) The Colorado prescription drug affordability advisory council
6 created in section 10-16-1409 is ~~transferred by a type 2 transfer to~~ A **TYPE**
7 **2** ENTITY AS DEFINED IN SECTION 24-1-105. THE COLORADO PRESCRIPTION
8 DRUG AFFORDABILITY ADVISORY COUNCIL EXERCISES ITS POWERS AND
9 PERFORMS ITS DUTIES AND FUNCTIONS UNDER the department of
10 regulatory agencies and IS allocated to the division of insurance.

11 **SECTION 98.** In Colorado Revised Statutes, 8-55-101, **amend**
12 (1) introductory portion as follows:

13 **8-55-101. Workers' compensation classification appeals board**
14 **- creation.** (1) There is ~~hereby~~ created, in the division of insurance in the
15 department of regulatory agencies, the workers' compensation
16 classification appeals board. THE WORKERS' COMPENSATION
17 CLASSIFICATION APPEALS BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN
18 SECTION 24-1-105. The board shall hear grievances brought by employers
19 against insurers and Pinnacol Assurance concerning the calculation of
20 experience modification factors and classification assignment decisions.
21 The board ~~shall consist~~ CONSISTS of five voting members, each of whom
22 ~~shall~~ MUST be knowledgeable about workers' compensation classification
23 and experience modification factors, and one nonvoting member, as
24 follows:

25 **SECTION 99.** In Colorado Revised Statutes, 10-1-103, **amend**
26 (1) as follows:

27 **10-1-103. Division of insurance - subject to repeal - repeal of**

1 **functions.** (1) There is established a division of insurance ~~within~~ IN the
2 department of regulatory agencies. THE DIVISION OF INSURANCE IS A **TYPE**
3 **1** ENTITY, AS DEFINED IN SECTION 24-1-105. This division is charged with
4 the execution of the laws relating to insurance and has a supervising
5 authority over the business of insurance in this state. Offices of the
6 division of insurance ~~shall~~ MUST be provided in the capitol buildings
7 group at Denver, Colorado. Whenever any law of this state refers to the
8 insurance department of the state of Colorado, ~~said~~ THE law shall be
9 construed as referring to the division of insurance.

10 **SECTION 100.** In Colorado Revised Statutes, 10-16-1402,
11 **amend** (1) as follows:

12 **10-16-1402. Colorado prescription drug affordability review**
13 **board - created - membership - terms - conflicts of interest.** (1) The
14 Colorado prescription drug affordability review board is created in the
15 division. THE BOARD IS A **TYPE 1** ENTITY AS DEFINED IN SECTION 24-1-105.
16 THE BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
17 FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS
18 ALLOCATED TO THE DIVISION OF INSURANCE. The board is a body politic
19 and corporate and is an instrumentality of the state. The board is an
20 independent unit of state government, and the exercise by the board of its
21 authority under this part 14 is an essential public function.

22 **SECTION 101.** In Colorado Revised Statutes, 10-16-1409,
23 **amend** (1)(a) introductory portion as follows:

24 **10-16-1409. Colorado prescription drug affordability advisory**
25 **council - created - membership - powers and duties.** (1) (a) The
26 Colorado prescription drug affordability advisory council is created in the
27 division to provide stakeholder input to the board regarding the

1 affordability of prescription drugs. THE ADVISORY COUNCIL IS A **TYPE 2**
2 ENTITY, AS DEFINED IN SECTION 24-1-105. THE ADVISORY COUNCIL
3 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
4 THE DEPARTMENT OF REGULATORY AGENCIES AND IS ALLOCATED TO THE
5 DIVISION OF INSURANCE. The advisory council includes fifteen members
6 as follows:

7 **SECTION 102.** In Colorado Revised Statutes, **amend** 11-44-101
8 as follows:

9 **11-44-101. Division of financial services created.** There is
10 ~~hereby~~ created a division of financial services ~~within~~ IN the department
11 of regulatory agencies, which shall be administered by the state
12 commissioner of financial services. When any law of this state refers to
13 the savings and loan department of the state of Colorado, said law shall
14 be construed as referring to the division of financial services. THE
15 DIVISION OF FINANCIAL SERVICES AND THE OFFICE OF THE STATE
16 COMMISSIONER OF FINANCIAL SERVICES ARE **TYPE 2** ENTITIES, AS DEFINED
17 IN SECTION 24-1-105.

18 **SECTION 103.** In Colorado Revised Statutes, 11-44-101.6,
19 **amend** (1) as follows:

20 **11-44-101.6. Financial services board - creation.** (1) There is
21 ~~hereby~~ established in the division OF FINANCIAL SERVICES the financial
22 services board, which ~~shall consist~~ CONSISTS of five members. THE
23 FINANCIAL SERVICES BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
24 24-1-105.

25 **SECTION 104.** In Colorado Revised Statutes, **amend** 11-51-701
26 as follows:

27 **11-51-701. Division of securities - creation - powers and duties.**

1 There is hereby created the division of securities within IN the department
2 of regulatory agencies, the head of which shall be IS the commissioner of
3 securities, who shall be appointed by the executive director of the
4 department of regulatory agencies, pursuant to the provisions of section
5 13 of article XII of the state constitution, and the securities board. THE
6 DIVISION OF SECURITIES AND THE OFFICE OF COMMISSIONER OF SECURITIES
7 ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. The division shall
8 be IS responsible for the administration of the provisions of articles 51,
9 53, and 59 of this title TITLE 11 and part 7 of article 75 of title 24, ~~C.R.S.~~,
10 and shall perform such other duties as are imposed upon it by law.

11 **SECTION 105.** In Colorado Revised Statutes, 11-51-702.5, **add**
12 (2.5) as follows:

13 **11-51-702.5. Securities board - creation - duties - repeal.**
14 (2.5) THE SECURITIES BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
15 24-1-105.

16 **SECTION 106.** In Colorado Revised Statutes, 11-102-104, **add**
17 (1.5) as follows:

18 **11-102-104. Powers and duties of banking board.** (1.5) THE
19 BANKING BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

20 **SECTION 107.** In Colorado Revised Statutes, 12-10-206, **amend**
21 (1) as follows:

22 **12-10-206. Real estate commission - created - compensation -**
23 **immunity.** (1) There is hereby created a commission of five members,
24 appointed by the governor, which shall administer parts 2 and 5 of this
25 article 10. This commission is known as the real estate commission. THE
26 COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, and
27 consists of three real estate brokers who have had not less than five years'

1 experience in the real estate business in Colorado, one of whom has
2 substantial experience in property management, and two representatives
3 of the public at large. Members of the commission ~~hold office for a~~
4 ~~period of three years~~ SERVE THREE-YEAR TERMS. Upon the death,
5 resignation, removal, or otherwise of any member of the commission, the
6 governor shall appoint a member to fill out the unexpired term. The
7 governor may remove any member for misconduct, neglect of duty, or
8 incompetence.

9 **SECTION 108.** In Colorado Revised Statutes, 12-10-207, **amend**
10 (1) as follows:

11 **12-10-207. Division of real estate - creation - director, clerks,**
12 **and assistants.** (1) There is ~~hereby~~ created ~~within~~ IN the department the
13 division of real estate. The executive director is authorized by this section
14 to employ, subject to the provisions of the state personnel system laws of
15 the state, a director of the division, who in turn shall employ such
16 attorneys, deputies, investigators, clerks, and assistants as are necessary
17 to discharge the duties imposed by parts 2 and 5 of this article 10. The
18 division and the director ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED
19 IN SECTION 24-1-105, AND EXERCISE their powers and perform their duties
20 and functions under the department. ~~as if they were transferred to the~~
21 ~~department by a type 2 transfer.~~

22 **SECTION 109.** In Colorado Revised Statutes, 12-10-603, **amend**
23 (2)(a) as follows:

24 **12-10-603. Board of real estate appraisers - creation -**
25 **compensation - immunity - legislative declaration - subject to review**
26 **- repeal of part.** (2) (a) The board ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS
27 DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and **perform**

1 PERFORMS its duties and functions under the division of real estate. ~~as if~~
2 ~~transferred to the division by a type 1 transfer, as defined in the~~
3 ~~"Administrative Organization Act of 1968", article 1 of title 24.~~

4 **SECTION 110.** In Colorado Revised Statutes, 12-10-703, **amend**
5 (2)(a) as follows:

6 **12-10-703. Board of mortgage loan originators - creation -**
7 **compensation - enforcement of part after board creation - immunity.**

8 (2) (a) The board ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN
9 SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its
10 duties and functions under the department. ~~as if transferred to the~~
11 ~~department by a type 1 transfer, as such transfer is defined in the~~
12 ~~"Administrative Organization Act of 1968", article 1 of title 24.~~

13 **SECTION 111.** In Colorado Revised Statutes, 12-15-102, **amend**
14 (1) as follows:

15 **12-15-102. Division of conservation - creation - director.**

16 (1) There is ~~hereby~~ created ~~within~~ IN the department the division of
17 conservation, referred to in this article 15 as the "division". The executive
18 director is authorized by this section to employ, subject to the provisions
19 of the state personnel system laws of the state, a director of the division,
20 who in turn shall employ such deputies, clerks, and assistants as are
21 necessary to discharge the duties imposed by this article 15. The division
22 and the director of the division ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS
23 DEFINED IN SECTION 24-1-105, AND EXERCISE their powers and perform
24 their duties and functions under the department. ~~as if they were~~
25 ~~transferred to the department by a type 2 transfer.~~

26 **SECTION 112.** In Colorado Revised Statutes, 12-15-103, **amend**
27 (1) introductory portion as follows:

1 **12-15-103. Conservation easement oversight commission -**
2 **created - repeal.** (1) There is ~~hereby~~ created in the division a
3 conservation easement oversight commission, referred to in this article 15
4 as the "commission". The commission ~~shall exercise~~ IS A **TYPE 2** ENTITY,
5 AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
6 PERFORMS its duties and functions under the division. ~~as if transferred~~
7 ~~thereto by a type 2 transfer, as defined in the "Administrative~~
8 ~~Organization Act of 1968", article 1 of title 24.~~ The commission consists
9 of eight members as follows:

10 **SECTION 113.** In Colorado Revised Statutes, 12-20-103, **amend**
11 (1)(a) as follows:

12 **12-20-103. Division of professions and occupations - creation**
13 **- duties of division and department head - office space - per diem for**
14 **board or commission members - review of functions.** (1) **Division**
15 **created.** (a) There is ~~hereby~~ created a division of professions and
16 occupations in the department of regulatory agencies, the head of which
17 is the director of professions and occupations. THE DIVISION OF
18 PROFESSIONS AND OCCUPATIONS IS A **TYPE 2** ENTITY, AS DEFINED IN
19 SECTION 24-1-105. The executive director of the department shall appoint
20 the director in accordance with section 13 of article XII of the state
21 constitution. Except as provided in subsection (1)(b) of this section, the
22 director shall appoint other personnel as necessary for the efficient
23 operation of the division.

24 **SECTION 114.** In Colorado Revised Statutes, 12-100-104, **add**
25 (1.5) as follows:

26 **12-100-104. State board of accountancy - subject to**
27 **termination.** (1.5) THE STATE BOARD OF ACCOUNTANCY IS A **TYPE 1**

1 ENTITY, AS DEFINED IN SECTION 24-1-105.

2 **SECTION 115.** In Colorado Revised Statutes, **amend**
3 12-110-105 as follows:

4 **12-110-105. Office of combative sports - creation.** There is
5 ~~hereby created within~~ IN the division the office of combative sports. The
6 office of combative sports and the Colorado combative sports
7 commission, created in section 12-110-106, ~~shall exercise~~ ARE TYPE 2
8 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their respective
9 powers and perform their respective duties and functions as specified in
10 this article 110 under the department. ~~as if the powers, duties, and~~
11 ~~functions were transferred to the department by a type 2 transfer, as such~~
12 ~~transfer is defined in the "Administrative Organization Act of 1968",~~
13 ~~article 1 of title 24.~~

14 **SECTION 116.** In Colorado Revised Statutes, **amend**
15 12-115-106 as follows:

16 **12-115-106. Board under department of regulatory agencies.**
17 The state electrical board ~~and its powers, duties, and functions are~~
18 ~~transferred, effective July 1, 1978, by a type 1 transfer, as such transfer~~
19 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~
20 ~~title 24, to the department and allocated to the division~~ IS A TYPE 1
21 ENTITY, AS DEFINED IN SECTION 24-1-105. THE STATE ELECTRICAL BOARD
22 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
23 THE DEPARTMENT AND IS ALLOCATED TO THE DIVISION.

24 **SECTION 117.** In Colorado Revised Statutes, 12-120-103,
25 **amend** (1) as follows:

26 **12-120-103. State board of licensure for architects,**
27 **professional engineers, and professional land surveyors - creation -**

1 **composition - appointment of members - terms - meetings - program**
2 **director and staff - subject to review - repeal of article. (1) Board**
3 **creation.** A state board of licensure for architects, professional engineers,
4 and professional land surveyors is hereby created, the duty of which shall
5 be IS to administer the provisions of this article 120, including the duties
6 and powers specified in section 12-120-104. THE STATE BOARD OF
7 LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND
8 PROFESSIONAL LAND SURVEYORS IS A **TYPE 1** ENTITY, AS DEFINED IN
9 SECTION 24-1-105.

10 **SECTION 118.** In Colorado Revised Statutes, 12-150-104,
11 **amend** (1) as follows:

12 **12-150-104. Passenger tramway safety board - composition.**

13 (1) There is hereby created IN THE DEPARTMENT OF REGULATORY
14 AGENCIES AND ALLOCATED TO THE DIVISION OF PROFESSIONS AND
15 OCCUPATIONS PURSUANT TO SECTION 24-1-122 (3)(q) a passenger
16 tramway safety board of six appointive members and one member
17 designated by the United States forest service. THE PASSENGER TRAMWAY
18 SAFETY BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The
19 appointive members shall be ARE appointed by the governor from persons
20 representing the following interests: Two members to represent the
21 industry or area operators; two members to represent the public at large;
22 one member who is a licensed professional engineer not employed by a
23 ski area or related industry; and one member familiar with or experienced
24 in the tramway industry who may represent the passenger tramway
25 manufacturing or design industry or an area operator. No person shall be
26 so appointed or designated except those THE GOVERNOR AND THE UNITED
27 STATES FOREST SERVICE SHALL ONLY APPOINT OR DESIGNATE MEMBERS

1 who, by reason of knowledge or experience, ~~shall be~~ ARE deemed to be
2 qualified. The knowledge or experience ~~shall~~ MUST be either from active
3 and relevant involvement in the design, manufacture, or operation of
4 passenger tramways or as a result of extensive and relevant involvement
5 in related activities. The governor, in making appointments, shall consider
6 recommendations made to ~~him or her~~ THE GOVERNOR by the membership
7 of the particular interest from which the appointments are to be made.

8 **SECTION 119.** In Colorado Revised Statutes, 12-155-104,
9 **amend** (1) as follows:

10 **12-155-104. State plumbing board - subject to review - repeal**
11 **of article.** (1) There is ~~hereby~~ established ~~within~~ IN the division the state
12 plumbing board. The board ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED
13 IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS
14 its duties and functions ~~in~~ UNDER the department of regulatory agencies.
15 ~~as if it were transferred to the department by a type 1 transfer, as such~~
16 ~~transfer is defined in the "Administrative Organization Act of 1968",~~
17 ~~article 1 of title 24.~~

18 **SECTION 120.** In Colorado Revised Statutes, 12-215-104, **add**
19 (1.5) as follows:

20 **12-215-104. State board of chiropractic examiners - board**
21 **meetings - election of officers - subject to review - repeal of article.**
22 (1.5) THE COLORADO STATE BOARD OF CHIROPRACTIC EXAMINERS IS A
23 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

24 **SECTION 121.** In Colorado Revised Statutes, 12-220-105,
25 **amend** (1)(a) as follows:

26 **12-220-105. Colorado dental board - qualifications of board**
27 **members - quorum - panel - rules - review of functions - repeal of**

1 **article.** (1) (a) The Colorado dental board is hereby created as the agency
2 of this state for the regulation of the practice of dentistry in this state and
3 to carry out the purposes of this article 220. The board IS A **TYPE 1**
4 **ENTITY, AS DEFINED IN SECTION 24-1-105, AND** is subject to the
5 supervision and control of the division as provided by section 12-20-103
6 (2).

7 **SECTION 122.** In Colorado Revised Statutes, 12-240-105,
8 **amend** (1)(a) introductory portion as follows:

9 **12-240-105. Colorado medical board - immunity - subject to**
10 **review - repeal of article.** (1) (a) There is hereby created the Colorado
11 medical board, referred to in this article 240 as the "board". THE BOARD
12 IS A **TYPE 1 ENTITY, AS DEFINED IN SECTION 24-1-105.** The board ~~shall~~
13 ~~consist~~ **CONSISTS** of seventeen members appointed by the governor and
14 possessing the qualifications specified in this article 240 and as follows:

15 **SECTION 123.** In Colorado Revised Statutes, 12-245-302,
16 **amend** (1) as follows:

17 **12-245-302. State board of psychologist examiners - created -**
18 **members - terms.** (1) There is hereby created a state board of
19 psychologist examiners under the supervision and control of the division.
20 THE STATE BOARD OF PSYCHOLOGIST EXAMINERS IS A **TYPE 1 ENTITY, AS**
21 **DEFINED IN SECTION 24-1-105.**

22 **SECTION 124.** In Colorado Revised Statutes, 12-245-402,
23 **amend** (1) as follows:

24 **12-245-402. State board of social work examiners - created -**
25 **members - terms.** (1) There is hereby created under the supervision and
26 control of the division the state board of social work examiners, which
27 consists of seven members who are residents of the state of Colorado.

1 THE STATE BOARD OF SOCIAL WORK EXAMINERS IS A **TYPE 1** ENTITY, AS
2 DEFINED IN SECTION 24-1-105.

3 **SECTION 125.** In Colorado Revised Statutes, 12-245-502,
4 **amend** (1) as follows:

5 **12-245-502. State board of marriage and family therapist**
6 **examiners - created - members - terms.** (1) There is hereby created
7 under the supervision and control of the division the state board of
8 marriage and family therapist examiners, which consists of seven
9 members who are residents of the state of Colorado. THE STATE BOARD
10 OF MARRIAGE AND FAMILY THERAPIST EXAMINERS IS A **TYPE 1** ENTITY, AS
11 DEFINED IN SECTION 24-1-105.

12 **SECTION 126.** In Colorado Revised Statutes, 12-245-602,
13 **amend** (1) as follows:

14 **12-245-602. State board of licensed professional counselor**
15 **examiners - created - members - fines.** (1) There is hereby created the
16 state board of licensed professional counselor examiners under the
17 supervision and control of the division. The board IS A **TYPE 1** ENTITY, AS
18 DEFINED IN SECTION 24-1-105, AND consists of seven members who are
19 residents of the state of Colorado.

20 **SECTION 127.** In Colorado Revised Statutes, 12-245-702,
21 **amend** (1) as follows:

22 **12-245-702. State board of unlicensed psychotherapists -**
23 **creation - membership.** (1) There is hereby created the state board of
24 unlicensed psychotherapists, which is under the supervision and control
25 of the division as provided in section 12-20-103 (2). The board IS A **TYPE**
26 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND consists of seven
27 members who are residents of the state of Colorado.

1 **SECTION 128.** In Colorado Revised Statutes, 12-245-802,
2 **amend** (1) as follows:

3 **12-245-802. State board of addiction counselor examiners -**
4 **created - members - terms.** (1) There is ~~hereby~~ created a state board of
5 addiction counselor examiners under the supervision and control of the
6 division. THE STATE BOARD OF ADDICTION COUNSELOR EXAMINERS IS A
7 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. Once the governor
8 appoints the board members and the board adopts necessary rules, the
9 board is responsible for regulating addiction counselors pursuant to this
10 part 8 and this article 245.

11 **SECTION 129.** In Colorado Revised Statutes, 12-255-105,
12 **amend** (1)(a) introductory portion as follows:

13 **12-255-105. State board of nursing created - removal of board**
14 **members - meetings of board.** (1) (a) There is ~~hereby~~ created the state
15 board of nursing in the division, which IS A **TYPE 1** ENTITY, AS DEFINED
16 IN SECTION 24-1-105. THE board consists of eleven members who are
17 residents of this state, appointed by the governor as follows:

18 **SECTION 130.** In Colorado Revised Statutes, 12-265-106,
19 **amend** (5) as follows:

20 **12-265-106. Board of examiners of nursing home**
21 **administrators - creation - subject to termination.** (5) The board ~~shall~~
22 ~~exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
23 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
24 specified by this article 265 under the department, the executive director,
25 and the division. ~~as if the same were transferred to the department by a~~
26 ~~type 1 transfer, as such transfer is defined in the "Administrative~~
27 ~~Organization Act of 1968", article 1 of title 24.~~

1 **SECTION 131.** In Colorado Revised Statutes, 12-275-107,
2 **amend** (1)(a) as follows:

3 **12-275-107. State board of optometry - created - members.**

4 (1) (a) The state board of optometry, referred to in this article 275 as the
5 "board", is ~~hereby~~ created and is under the supervision and control of the
6 division as provided by section 12-20-103 (2). THE BOARD IS A **TYPE 1**
7 ENTITY, AS DEFINED IN SECTION 24-1-105. The board consists of five
8 optometrists and two members-at-large, to be appointed by the governor
9 to serve for terms of four years; except that no person shall be appointed
10 to serve more than two consecutive terms. Each member of the board,
11 except for the members-at-large, must have been actually engaged and
12 licensed in the practice of optometry in Colorado for the five years
13 preceding the member's appointment. At least one of the two
14 members-at-large must not be a member or representative of, nor have
15 any direct interest in, any profession, agency, or institution providing
16 health services.

17 **SECTION 132.** In Colorado Revised Statutes, 12-280-104,
18 **amend** (2) as follows:

19 **12-280-104. State board of pharmacy - creation - subject to**

20 **review - repeal of parts.** (2) The board ~~shall exercise~~ IS A **TYPE 1**
21 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and
22 ~~perform~~ PERFORMS its duties and functions specified by this article 280
23 under the department and the executive director. ~~as if the same were~~
24 ~~transferred to the department by a type 1 transfer, as defined in the~~
25 ~~"Administrative Organization Act of 1968", article 1 of title 24.~~

26 **SECTION 133.** In Colorado Revised Statutes, 12-285-104,
27 **amend** (3) as follows:

1 **12-285-104. Definitions.** As used in this article 285, unless the
2 context otherwise requires:

3 (3) "Board" means the STATE physical therapy board created in
4 section 12-285-105.

5 **SECTION 134.** In Colorado Revised Statutes, 12-285-105,
6 **amend** (1)(b) as follows:

7 **12-285-105. State physical therapy board - created.** (1) (b) The
8 board ~~exercises its powers and performs its duties and functions under the~~
9 ~~division as if the powers, duties, and functions were transferred to the~~
10 ~~division by a **type 1** transfer, as defined in the "Administrative~~
11 ~~Organization Act of 1968", article 1 of title 24 IS A **TYPE 1** ENTITY, AS~~
12 ~~DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS~~
13 ~~ITS DUTIES AND FUNCTIONS UNDER THE DIVISION.~~ The division shall
14 provide necessary management support to the board under section
15 12-20-103 (2).

16 **SECTION 135.** In Colorado Revised Statutes, 12-290-106,
17 **amend** (1) introductory portion as follows:

18 **12-290-106. Powers and duties of board - limitation on**
19 **authority - rules.** (1) The board shall regulate the practice of podiatry
20 AND IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board
21 ~~shall exercise~~ EXERCISES, subject to ~~the provisions of~~ this article 290, the
22 following powers, ~~and~~ duties, AND FUNCTIONS:

23 **SECTION 136.** In Colorado Revised Statutes, 12-315-106, **add**
24 (1.5) as follows:

25 **12-315-106. Board of veterinary medicine - creation - powers**
26 **- rules.** (1.5) THE STATE BOARD OF VETERINARY MEDICINE IS A **TYPE 1**
27 ENTITY, AS DEFINED IN SECTION 24-1-105.

1 **SECTION 137.** In Colorado Revised Statutes, 24-34-302, **amend**
2 (1) as follows:

3 **24-34-302. Civil rights division - director - powers and duties.**

4 (1) There is ~~hereby~~ created ~~within~~ IN the department of regulatory
5 agencies a division of state government ~~to be known and~~ designated as
6 the Colorado civil rights division, the head of which ~~shall be~~ IS the
7 director of the Colorado civil rights division. The director ~~shall be~~ IS
8 appointed by the executive director of the department of regulatory
9 agencies pursuant to section 13 of article XII of the state constitution, and
10 the executive director shall give good faith consideration to the
11 recommendations of the commission prior to making the appointment.
12 THE COLORADO CIVIL RIGHTS DIVISION AND THE DIRECTOR OF THE
13 COLORADO CIVIL RIGHTS DIVISION ARE **TYPE 1** ENTITIES, AS DEFINED IN
14 SECTION 24-1-105.

15 **SECTION 138.** In Colorado Revised Statutes, 24-34-303, **amend**
16 (1)(a) as follows:

17 **24-34-303. Civil rights commission - membership.**

18 (1) (a) There is ~~hereby~~ created ~~within~~ IN the division the Colorado civil
19 rights commission. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN
20 SECTION 24-1-105.

21 **SECTION 139.** In Colorado Revised Statutes, 40-2-101, **amend**
22 (1) as follows:

23 **40-2-101. Creation - appointment - term - subject to**
24 **termination - repeal of part.** (1) (a) A public utilities commission is
25 ~~hereby~~ created IN THE DEPARTMENT OF REGULATORY AGENCIES, which
26 ~~shall be~~ IS known as the public utilities commission of the state of
27 Colorado. ~~to consist~~ THE PUBLIC UTILITIES COMMISSION IS A **TYPE 1**

1 ENTITY, AS DEFINED IN SECTION 24-1-105.

2 (b) THE PUBLIC UTILITIES COMMISSION CONSISTS of three members
3 ~~who shall be~~ appointed by the governor with the consent of the senate.
4 Persons holding office on July 1, 1993, shall continue to serve in such
5 office, but the term of one of these persons shall expire on the Monday
6 preceding the second Tuesday of January, 1995, of another, the Monday
7 preceding the second Tuesday of January, 1996, and of the third, the
8 Monday preceding the second Tuesday of January, 1997, all as the
9 governor shall designate; except that such designation shall not result in
10 the extension of the term of any member to more than four years'
11 duration. Thereafter, appointments shall be made for terms of four years.

12 **SECTION 140.** In Colorado Revised Statutes, 40-2-103, **amend**
13 (1) as follows:

14 **40-2-103. Director - duties.** (1) The executive director of the
15 department of regulatory agencies, pursuant to section 13 of article XII
16 of the state constitution, and with the approval of the commission, shall
17 appoint a director of the commission. The director shall manage the
18 operations of the agency in order to carry out the public utilities law, to
19 carry out and implement policies, procedures, and decisions made by the
20 commission, and to meet the requirements of the commission concerning
21 any matters within the authority of ~~an agency transferred by a type 1~~
22 ~~transfer~~ ENTITY, as defined in section 24-1-105, ~~C.R.S.~~, and which
23 requirements are under the jurisdiction of the commission. The director
24 has all the powers and responsibilities of the division director for this
25 purpose, including the power to issue all necessary process, writs,
26 warrants, and notices. The director has the requisite power to serve
27 warrants and other process in any county or city and county of this state

1 and to delegate such actions to duly authorized employees or agents of the
2 agency as appropriate.

3 **SECTION 141.** In Colorado Revised Statutes, 40-6.5-102,
4 **amend** (2) and (3)(a) as follows:

5 **40-6.5-102. Office of the utility consumer advocate and utility**
6 **consumers' board - creation - appointment - attorney general to**
7 **represent.** (2) The office ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED
8 IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS
9 its duties and functions specified in this article 6.5 under the department
10 of regulatory agencies. ~~as if the same were transferred to the department~~
11 ~~by a **type 1** transfer, as such transfer is defined in the "Administrative~~
12 ~~Organization Act of 1968", article 1 of title 24.~~

13 (3) (a) The utility consumers' board ~~which is hereby~~ created AND
14 shall guide the policy of the office. The board ~~shall exercise~~ IS A **TYPE 2**
15 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and
16 perform its duties and functions specified in this article 6.5 under the
17 department of regulatory agencies and the executive director. ~~as if the~~
18 ~~same were transferred to the department by a **type 2** transfer, as such~~
19 ~~transfer is defined in the "Administrative Organization Act of 1968",~~
20 ~~article 1 of title 24.~~

21 **SECTION 142.** In Colorado Revised Statutes, 24-1-123, **amend**
22 (2), (3), (4) introductory portion, (4)(a), (4)(b), (4)(c), (4)(d), (4)(e),
23 (4)(g)(I), (4)(h), (4)(i), (5), (6), and (7) as follows:

24 **24-1-123. Department of agriculture - creation.** (2) The state
25 agricultural commission, created by IN article 1 of title 35, ~~C.R.S., and its~~
26 ~~powers, duties, and functions are transferred by a **type 1** transfer to the~~
27 ~~department of agriculture~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION

1 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
2 FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

3 (3) The state department of agriculture and the office of
4 commissioner of agriculture, created ~~by~~ IN article 1 of title 35, ~~C.R.S.~~, and
5 ~~their powers, duties, and functions are transferred by a type 2 transfer to~~
6 ~~the department of agriculture~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN
7 SECTION 24-1-105.

8 (4) The department of agriculture ~~shall consist~~ CONSISTS of the
9 following divisions:

10 (a) THE division of markets, the head of which ~~shall be~~ IS the
11 director of the division of markets. The division of markets and the office
12 of ~~chief~~ THE DIRECTOR thereof, created ~~by~~ IN article 1 of title 35, ~~C.R.S.~~,
13 ~~and their powers, duties, and functions are transferred by a type 2 transfer~~
14 ~~to the department of agriculture as the division of markets~~ ARE **TYPE 2**
15 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS
16 AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
17 AGRICULTURE.

18 (b) THE division of plant industry, the head of which ~~shall be~~ IS
19 the director of the division of plant industry. The division of plant
20 industry and the office of ~~chief~~ THE DIRECTOR thereof, created ~~by~~ IN
21 article 1 of title 35, ~~C.R.S.~~, and ~~their powers, duties, and functions are~~
22 ~~transferred by a type 2 transfer to the department of agriculture as the~~
23 ~~division of plant industry~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
24 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND
25 FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

26 (c) (I) THE division of animal ~~industry~~ HEALTH, the head of which
27 ~~shall be~~ IS the director of the division of animal ~~industry~~ HEALTH. The

1 division of animal industry HEALTH and the office of chief THE DIRECTOR
2 thereof, created by IN article 1 of title 35, C.R.S., and their powers, duties,
3 and functions are transferred by a **type 2** transfer to the department of
4 agriculture as the division of animal industry ARE **TYPE 2** ENTITIES, AS
5 DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND
6 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
7 AGRICULTURE.

8 (II) The state bureau of animal protection, created by IN article 42
9 of title 35, C.R.S., and its powers, duties, and functions are transferred by
10 a **type 2** transfer to the department of agriculture and allocated to the
11 division of animal industry as a section thereof THE STATE BUREAU OF
12 ANIMAL PROTECTION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
13 24-1-105. THE STATE BUREAU OF ANIMAL PROTECTION EXERCISES ITS
14 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE
15 DEPARTMENT OF AGRICULTURE AND IS ALLOCATED TO THE DIVISION OF
16 ANIMAL INDUSTRY AS A SECTION THEREOF.

17 (d) ~~Division of~~ THE administrative services DIVISION, the head of
18 which shall be IS the director of THE administrative services division. The
19 division of administrative services and the office of chief THE DIRECTOR
20 thereof, created by IN article 1 of title 35, C.R.S., and their powers, duties,
21 and functions are transferred by a **type 2** transfer to the department of
22 agriculture as the division of administrative services ARE **TYPE 2** ENTITIES,
23 AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND
24 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
25 AGRICULTURE.

26 (e) THE division of inspection and consumer services, the head of
27 which shall be IS the director of THE DIVISION OF inspection and consumer

1 services. ~~division~~. The division of inspection and consumer services and
2 the office of ~~chief~~ THE DIRECTOR thereof, created ~~by~~ IN article 1 of title
3 35, C.R.S., and their powers, duties, and functions are transferred by a
4 ~~type 2~~ transfer to the department of agriculture as the division of
5 ~~inspection and consumer services~~. ARE **TYPE 2** ENTITIES, AS DEFINED IN
6 SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR
7 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

8 (g) (I) THE division of brand inspection, the head of which ~~shall~~
9 ~~be~~ IS the brand commissioner. The state board of stock inspection
10 commissioners and the office of brand commissioner, created ~~by~~ IN article
11 41 of title 35, C.R.S., and their powers, duties, and functions are
12 transferred by a ~~type 1~~ transfer to the department of agriculture as a part
13 of the ~~division of brand inspection~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN
14 SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR
15 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE AS A
16 PART OF THE DIVISION OF BRAND INSPECTION.

17 (h) (I) The Colorado state fair authority, the head of which ~~shall~~
18 ~~be~~ IS the manager of the Colorado state fair and industrial exposition. The
19 Colorado state fair authority and the office of THE manager of the
20 Colorado state fair and industrial exposition, created ~~by~~ IN part 4 of article
21 65 of title 35, C.R.S., ~~shall exercise their powers duties and functions as~~
22 ~~a division of the department of agriculture as if the same were transferred~~
23 ~~by a type 1 transfer to the department of agriculture~~ ARE **TYPE 1** ENTITIES,
24 AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND
25 PERFORM THEIR DUTIES AND FUNCTIONS AS A DIVISION OF THE
26 DEPARTMENT OF AGRICULTURE.

27 (II) The Colorado state fair authority ~~shall include~~ INCLUDES the

1 board of commissioners of the Colorado state fair authority, created by IN
2 part 4 of article 65 of title 35, ~~C.R.S., which shall exercise~~ THE BOARD OF
3 COMMISSIONERS OF THE COLORADO STATE FAIR AUTHORITY IS A **TYPE 1**
4 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and
5 ~~perform~~ PERFORMS its duties and functions as specified by law under the
6 department of agriculture as a part of the Colorado state fair authority. as
7 if the same were transferred by a **type 1** transfer.

8 (i) The state conservation board, created in article 70 of title 35.
9 ~~C.R.S. All its powers, duties, and functions are transferred by a type 1~~
10 ~~transfer to the department of agriculture as a division thereof~~ THE STATE
11 CONSERVATION BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
12 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
13 FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE AS A DIVISION
14 THEREOF. The employees of the state conservation board appointed
15 pursuant to section 35-70-103 ~~(5)(g), C.R.S.,~~ are transferred to the
16 department of agriculture. by a **type 2** transfer.

17 (5) The Colorado wine industry development board, created by IN
18 article 29.5 of title 35, ~~C.R.S., and its powers, duties, and functions are~~
19 ~~transferred as if by a type 1 transfer to the department of agriculture~~ IS A
20 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS
21 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE
22 DEPARTMENT OF AGRICULTURE.

23 (6) The aquaculture board, created by IN article 24.5 of title 35,
24 ~~C.R.S., shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
25 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
26 functions as specified by law under the department of agriculture and the
27 ~~executive director~~ COMMISSIONER thereof. as if the same were transferred

1 to the department by a ~~type 2~~ transfer.

2 (7) The Colorado agricultural value-added development board,
3 created in section 35-75-203, ~~C.R.S., shall exercise~~ IS A **TYPE 1** ENTITY,
4 AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
5 PERFORMS its duties and functions as specified by law under the
6 department. ~~as if the same were transferred to the department by a type~~
7 ~~1~~ transfer.

8 **SECTION 143.** In Colorado Revised Statutes, 35-1-105, **amend**
9 (1)(a) as follows:

10 **35-1-105. State agricultural commission - creation -**
11 **composition.** (1) (a) There is ~~hereby~~ created the state agricultural
12 commission, referred to in this ~~article~~ ARTICLE 35 as the "commission",
13 which ~~shall consist~~ CONSISTS of nine members ~~each of whom shall be~~
14 appointed by the governor, with the consent of the senate, for terms of
15 four years each. Of such members, one member ~~shall~~ MUST be appointed
16 from each of the four agricultural districts, as defined in ~~paragraph (c) of~~
17 ~~this subsection (1)~~ SUBSECTION (1)(c) OF THIS SECTION, and five members
18 ~~shall~~ MUST be appointed from the state at large; except that no more than
19 three members ~~shall~~ MAY be appointed from any one agricultural district.
20 No more than five of the nine members ~~shall~~ MAY be members of the
21 same political party. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN
22 SECTION 24-1-105.

23 **SECTION 144.** In Colorado Revised Statutes, **amend** 35-1-108
24 as follows:

25 **35-1-108. Divisions created.** There is ~~hereby~~ created in the
26 department an administrative services division, a division of plant
27 industry, a division of animal ~~industry~~ HEALTH, a division of markets, and

1 a division of inspection and consumer services. THESE DIVISIONS ARE
2 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

3 **SECTION 145.** In Colorado Revised Statutes, 35-24.5-104,
4 **amend** (6) as follows:

5 **35-24.5-104. Aquaculture board.** (6) The board ~~shall exercise~~
6 IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its
7 powers and ~~perform~~ PERFORMS its duties and functions specified in this
8 ~~article~~ ARTICLE 24.5 under the department and the executive director
9 thereof. ~~as if the same were transferred to the department by a type 2~~
10 ~~transfer, as such transfer is defined in the "Administrative Organization~~
11 ~~Act of 1968", article 1 of title 24, C.R.S.~~

12 **SECTION 146.** In Colorado Revised Statutes, 35-29.5-103,
13 **amend** (1) as follows:

14 **35-29.5-103. Colorado wine industry development board -**
15 **creation - members.** (1) There is ~~hereby~~ established a Colorado wine
16 industry development board in the department of agriculture for the
17 purpose of encouraging and promoting viticultural and enological
18 research and experimentation to develop maximum yields and quality
19 from Colorado lands suitable to the production of grapes for commercial
20 wine production, to promote the marketing of wines and wine grapes
21 produced in Colorado, to promote the responsible consumption of all
22 wines, to promote the integration of the Colorado wine industry as a
23 component of the state's tourism program, and to serve as a resource for
24 the entire wine industry of Colorado. The board ~~shall exercise~~ IS A **TYPE**
25 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers
26 and ~~perform~~ PERFORMS its duties and functions specified by this ~~article~~
27 ARTICLE 29.5 under the department of agriculture. ~~as if the same were~~

1 transferred to the department by a ~~type 1~~ transfer, as such transfer is
2 defined in the "Administrative Organization Act of 1968", article 1 of title
3 24, C.R.S.

4 **SECTION 147.** In Colorado Revised Statutes, 35-41-101, **amend**
5 (4) as follows:

6 **35-41-101. State board of stock inspection commissioners -**
7 **creation - brand commissioner - enterprise - bonds.** (4) The state
8 board of stock inspection commissioners and the office of brand
9 commissioner created by IN this section ~~shall comprise a part of~~ ARE PART
10 OF the division of brand inspection in the department of agriculture. THE
11 STATE BOARD OF STOCK INSPECTION COMMISSIONERS AND THE OFFICE OF
12 BRAND COMMISSIONER ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION
13 24-1-105.

14 **SECTION 148.** In Colorado Revised Statutes, **amend** 35-42-105
15 as follows:

16 **35-42-105. State bureau of animal protection - creation.** There
17 is ~~hereby~~ created IN THE DEPARTMENT OF AGRICULTURE the state bureau
18 of animal protection, referred to in this ~~article~~ ARTICLE 42 as the "bureau".
19 THE BUREAU IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

20 **SECTION 149.** In Colorado Revised Statutes, 35-65-401, **amend**
21 (1)(a) and (2)(b) as follows:

22 **35-65-401. Colorado state fair authority - creation - board -**
23 **powers and duties.** (1) (a) The Colorado state fair authority, as it existed
24 prior to June 30, 1997, is abolished. There is ~~hereby~~ created the Colorado
25 state fair authority ~~which is created within~~ IN the department of
26 agriculture as a division thereof. The Colorado state fair authority ~~shall~~
27 ~~exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND

1 EXERCISES its powers AND PERFORMS ITS duties and functions under the
2 department of agriculture. ~~as if it were transferred to said department by~~
3 ~~a type 1 transfer under the provisions of the "Administrative Organization~~
4 ~~Act of 1968".~~

5 (2) (b) There is ~~hereby~~ created the board of commissioners of the
6 Colorado state fair authority, which ~~shall have~~ CONSISTS OF eleven
7 members, ten of whom ~~shall be~~ ARE appointed by the governor with the
8 consent of the senate and one who ~~shall be~~ IS the commissioner of
9 agriculture or his or her designee. At no time ~~shall~~ MAY more than six
10 members of the board be affiliated with the same political party as the
11 governor. ~~Within thirty days after June 30, 1997, the governor shall~~
12 ~~appoint the initial members of the board. The governor may appoint, as~~
13 ~~a member of the board, any person who was a member of the board prior~~
14 ~~to its termination.~~ THE BOARD OF COMMISSIONERS OF THE COLORADO
15 STATE FAIR AUTHORITY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
16 24-1-105.

17 **SECTION 150.** In Colorado Revised Statutes, 35-65-403, **amend**
18 (2) as follows:

19 **35-65-403. Office of manager of the Colorado state fair**
20 **authority - creation.** (2) The manager ~~shall be~~ IS the chief
21 administrative head of the Colorado state fair authority under the
22 direction and supervision of the board; ~~and shall have~~ HAS general
23 supervision and control of all activities, functions, and employees of the
24 Colorado state fair authority; and shall exercise all necessary powers
25 incident thereto. The manager shall exercise all the powers and functions
26 of the board in the interim of its meetings and shall perform such other
27 duties as ~~may be~~ prescribed by the board or by law. THE OFFICE OF

1 MANAGER IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

2 **SECTION 151.** In Colorado Revised Statutes, 35-70-103, **amend**
3 (1)(a) introductory portion as follows:

4 **35-70-103. State conservation board - composition - powers.**

5 (1) (a) There is ~~hereby~~ created in the department of agriculture the state
6 conservation board, referred to in this ~~article~~ ARTICLE 70 as the "state
7 board", which ~~shall consist~~ CONSISTS of nine members. THE STATE BOARD
8 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. One member ~~shall~~
9 OF THE STATE BOARD MUST be a qualified elector of the state appointed
10 by the governor from the state at large for a term commencing January 1,
11 1974. The remaining eight positions on the state board shall be filled by
12 elections held within the areas described in this section. The boards of
13 supervisors of local conservation districts within each such area shall
14 elect the number of members specified in this subsection (1) between
15 November 1 and December 31 in 1973 for terms commencing January 1,
16 1974, and within such dates in succeeding years as necessary to fill
17 expiring terms. A candidate ~~shall~~ MUST be or ~~shall~~ have been an elected
18 supervisor of a local conservation district. The number of members to be
19 elected and the areas from which they are to be elected are as follows:

20 **SECTION 152.** In Colorado Revised Statutes, 35-75-203, **amend**
21 (1) as follows:

22 **35-75-203. Colorado agricultural value-added development**
23 **board - creation - members.** (1) There is ~~hereby~~ created ~~within~~ IN the
24 department the Colorado agricultural value-added development board for
25 the purpose of encouraging and promoting agricultural business projects
26 that add value to agricultural products and aid the economies of rural
27 communities. THE COLORADO AGRICULTURAL VALUE-ADDED

1 DEVELOPMENT BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
2 24-1-105.

3 **SECTION 153.** In Colorado Revised Statutes, 24-1-124, **amend**
4 (2), (2.1) introductory portion, (2.1)(a), (2.1)(c), (3)(a), (3)(b), (3)(d),
5 (3)(e) introductory portion, (3)(e)(I), (3)(e)(II), (3)(e)(III), (3)(f), (3)(j),
6 (3)(k), (4) introductory portion, (4)(a), (4)(b), (4)(c), and (4)(d) as
7 follows:

8 **24-1-124. Department of natural resources - creation -**
9 **divisions.** (2) The office of ~~natural resources coordinator~~ THE EXECUTIVE
10 DIRECTOR, created by IN article 33 of this title, and its powers, duties, and
11 functions are transferred by a **type 2** transfer to the department of natural
12 resources TITLE 24, IS A **TYPE 2** ENTITY AS DEFINED IN SECTION 24-1-105,
13 AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS
14 UNDER THE DEPARTMENT OF NATURAL RESOURCES.

15 (2.1) The department of natural resources ~~shall include~~ INCLUDES,
16 as a part of the office of the executive director:

17 (a) The office of commissioner of mines, created by IN section 1
18 of article XVI of the state constitution. ~~Its powers, duties, and functions~~
19 ~~are transferred by a type 2 transfer to the office of the executive director~~
20 ~~of the department of natural resources.~~ THE OFFICE OF COMMISSIONER OF
21 MINES IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
22 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
23 THE DEPARTMENT OF NATURAL RESOURCES.

24 (c) The Colorado avalanche information center, created pursuant
25 to section 24-33-116. The ~~powers, duties, and functions are transferred by~~
26 ~~a type 2 transfer to the department of natural resources, and allocated to~~
27 ~~the office of the executive director~~ COLORADO AVALANCHE INFORMATION

1 CENTER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
2 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
3 THE DEPARTMENT OF NATURAL RESOURCES.

4 (3) The department of natural resources consists of the following
5 divisions:

6 (a) THE division of water resources, the head of which ~~shall be~~ IS
7 the state engineer, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION;

8 (b) The Colorado water conservation board and the office of
9 director thereof, created by IN article 60 of title 37. ~~C.R.S. Their powers,~~
10 ~~duties, and functions are transferred by a type 1 transfer to the department~~
11 ~~of natural resources as a division thereof.~~ THE COLORADO WATER
12 CONSERVATION BOARD AND THE OFFICE OF THE DIRECTOR ARE **TYPE 1**
13 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS
14 AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
15 NATURAL RESOURCES AS A DIVISION THEREOF.

16 (d) The state board of land commissioners, created by IN section
17 9 of article IX of the state constitution. ~~Its powers, duties, and functions~~
18 ~~are transferred by a type 1 transfer to the department of natural resources~~
19 ~~as a division thereof, subject to the state constitution.~~ THE STATE BOARD
20 OF LAND COMMISSIONERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
21 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
22 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AS A
23 DIVISION THEREOF, SUBJECT TO THE STATE CONSTITUTION.

24 (e) The division of reclamation, mining, and safety, created by IN
25 section 34-20-103, ~~C.R.S.~~, the head of which ~~shall be~~ IS the director of the
26 division of reclamation, mining, and safety, under the supervision of the
27 executive director of the department of natural resources. ~~Said~~ THE

1 division and director ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN
2 SECTION 24-1-105, AND EXERCISE their powers AND PERFORM THEIR duties
3 and functions as prescribed by law under the department of natural
4 resources and the executive director thereof. ~~as if the same were~~
5 ~~transferred to the department by a type 2 transfer.~~ The division of
6 reclamation, mining, and safety ~~shall include~~ INCLUDES the following:

7 (I) The coal mine board of examiners, created ~~by~~ IN article 22 of
8 title 34. C.R.S. Its ~~powers, duties, and functions are transferred by a type~~
9 ~~2 transfer to the department of natural resources as a section of the~~
10 ~~division of reclamation, mining, and safety.~~ THE COAL MINE BOARD OF
11 EXAMINERS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
12 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
13 THE DEPARTMENT OF NATURAL RESOURCES AS A SECTION OF THE DIVISION
14 OF RECLAMATION, MINING, AND SAFETY.

15 (II) The mined land reclamation board and the office of mined
16 land reclamation, created ~~by~~ IN article 32 of title 34. C.R.S. The mined
17 land reclamation board ~~and its powers, duties, and functions are~~
18 ~~transferred by a type 1 transfer to the department of natural resources,~~
19 ~~and allocated to the division of reclamation, mining, and safety~~ IS A **TYPE**
20 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
21 AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
22 NATURAL RESOURCES AND IS ALLOCATED TO THE DIVISION OF
23 RECLAMATION, MINING, AND SAFETY. The office of mined land
24 reclamation ~~shall exercise its powers, duties, and functions as if the same~~
25 ~~were transferred to the department of natural resources and allocated to~~
26 ~~the division of reclamation, mining, and safety as a section thereof. by a~~
27 ~~type 2 transfer~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND

1 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
2 THE DEPARTMENT OF NATURAL RESOURCES AND IS ALLOCATED TO THE
3 DIVISION OF RECLAMATION, MINING, AND SAFETY AS A SECTION THEREOF.

4 (III) The office of active and inactive mines, created by IN article
5 21 of title 34. C.R.S. ~~Said office shall exercise its powers duties and~~
6 ~~functions as prescribed by law under the division of reclamation, mining,~~
7 ~~and safety as if the same were transferred to the department of natural~~
8 ~~resources and allocated to the division of reclamation, mining, and safety~~
9 ~~as a section thereof by a **type 2** transfer~~ THE OFFICE OF ACTIVE AND
10 INACTIVE MINES IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105,
11 ANDEXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS
12 PRESCRIBED BY LAW UNDER THE DEPARTMENT OF NATURAL RESOURCES
13 AND IS ALLOCATED TO THE DIVISION OF RECLAMATION, MINING, AND
14 SAFETY AS A SECTION THEREOF.

15 (f) The oil and gas conservation commission of the state of
16 Colorado and the office of the director thereof, created by IN article 60 of
17 title 34. C.R.S. ~~Said commission and office and the powers, duties, and~~
18 ~~functions thereof are transferred by a **type 1** transfer to the department of~~
19 ~~natural resources as a division thereof~~ THE OIL AND GAS CONSERVATION
20 COMMISSION OF THE STATE OF COLORADO AND THE OFFICE OF THE
21 DIRECTOR ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
22 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS
23 UNDER THE DEPARTMENT OF NATURAL RESOURCES AS A DIVISION
24 THEREOF.

25 (j) The division of forestry, created in section 24-33-201 (1), the
26 head of which ~~shall be~~ IS the state forester, appointed pursuant to section
27 23-31-207. C.R.S. The division of forestry and the state forester ~~shall~~

1 ~~exercise their powers, duties, and functions as prescribed by law under~~
2 ~~the department of natural resources and the executive director thereof as~~
3 ~~if the same were transferred to the department by a **type 2** transfer~~ ARE
4 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR
5 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS AS PRESCRIBED BY
6 LAW UNDER THE DEPARTMENT OF NATURAL RESOURCES AND THE
7 EXECUTIVE DIRECTOR THEREOF.

8 (k) (I) (A) The parks and wildlife commission, created in article
9 9 of title 33. ~~C.R.S.~~ The powers, duties, and functions of the PARKS AND
10 WILDLIFE COMMISSION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF
11 THE wildlife commission and the board of parks and outdoor recreation.
12 ~~are transferred by a **type 1** transfer to the parks and wildlife commission~~
13 ~~as powers, duties, and functions of the parks and wildlife commission.~~
14 THE PARKS AND WILDLIFE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED
15 IN SECTION 24-1-105.

16 (B) The parks and wildlife commission includes, as an advisory
17 council, the Colorado natural areas council created ~~by~~ IN article 33 of title
18 33. ~~C.R.S.~~

19 (II) (A) The division of parks and wildlife, the head of which is
20 the director of the division of parks and wildlife, CREATED IN SECTION
21 33-9-104. The division of parks and wildlife and the office of the director
22 of the division of parks and wildlife ~~are transferred by a **type 1** transfer~~
23 ~~to the department of natural resources~~ ARE **TYPE 1** ENTITIES, AS DEFINED
24 IN SECTION 24-1-105.

25 (B) The division of parks and wildlife includes the fish health
26 board created ~~by~~ IN article 5.5 of title 33. ~~C.R.S.~~ The fish health board
27 ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND

1 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions as
2 specified by law under the department of natural resources and the
3 executive director of the department of natural resources. ~~as if the same~~
4 ~~were transferred to the department by a type 2 transfer.~~

5 (4) The division of water resources ~~shall include~~ INCLUDES the
6 following:

7 (a) The office of THE state engineer, created ~~by~~ IN article 80 of
8 title 37. ~~C.R.S. Said office and its powers, duties, and functions are~~
9 ~~transferred by a type 1 transfer to the department of natural resources and~~
10 ~~allocated to the division of water resources as a section thereof~~ THE
11 OFFICE OF THE STATE ENGINEER IS A **TYPE 1** ENTITY, AS DEFINED IN
12 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
13 AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND
14 IS ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION
15 THEREOF.

16 (b) The division engineers, created ~~by~~ IN part 2 of article 92 of
17 title 37. ~~C.R.S. Said engineers and their powers, duties, and functions are~~
18 ~~transferred by a type 1 transfer to the department of natural resources and~~
19 ~~allocated to the division of water resources as a section thereof~~ THE
20 DIVISION ENGINEERS ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION
21 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND
22 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND ARE
23 ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION
24 THEREOF.

25 (c) The ground water commission, created ~~by~~ IN article 90 of title
26 37. ~~C.R.S. Said commission and its powers, duties, and functions are~~
27 ~~transferred by a type 1 transfer to the department of natural resources,~~

1 ~~and allocated to the division of water resources as a section thereof~~ THE
2 GROUND WATER COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
3 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
4 FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND IS
5 ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION
6 THEREOF.

7 (d) The state board of examiners of water well construction and
8 pump installation contractors, created by IN article 91 of title 37. ~~C.R.S.~~
9 ~~Said board and its powers, duties, and functions are transferred by a type~~
10 ~~1 transfer to the department of natural resources and allocated to the~~
11 ~~division of water resources as a section thereof~~ THE STATE BOARD OF
12 EXAMINERS OF WATER WELL CONSTRUCTION AND PUMP INSTALLATION
13 CONTRACTORS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
14 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
15 THE DEPARTMENT OF NATURAL RESOURCES AND IS ALLOCATED TO THE
16 DIVISION OF WATER RESOURCES AS A SECTION THEREOF.

17 **SECTION 154.** In Colorado Revised Statutes, 24-33-116, **amend**
18 (1) as follows:

19 **24-33-116. Colorado avalanche information center - creation**
20 **- duties - fund - repeal.** (1) There is hereby created in the department of
21 natural resources IN THE OFFICE OF THE EXECUTIVE DIRECTOR OF THE
22 DEPARTMENT, the Colorado avalanche information center to promote
23 safety by reducing the impact of avalanches on recreation, industry, and
24 transportation in the state through a program of avalanche forecasting and
25 education. THE COLORADO AVALANCHE INFORMATION CENTER IS A **TYPE**
26 **2** ENTITY, AS DEFINED IN SECTION 24-1-105.

27 **SECTION 155.** In Colorado Revised Statutes, 24-33-201, **amend**

1 (1) as follows:

2 **24-33-201. Division of forestry - creation - state forest service**
3 **agreement.** (1) There is ~~hereby~~ created the division of forestry in the
4 department of natural resources. THE DIVISION OF FORESTRY IS A **TYPE 2**
5 ENTITY, AS DEFINED IN SECTION 24-1-105. The executive director of the
6 department of natural resources shall enter into an agreement with
7 Colorado state university, through the board of governors of the Colorado
8 state university system, to cooperate in the state's efforts to improve the
9 management and health of Colorado's forests and to provide staff for the
10 division of forestry.

11 **SECTION 156.** In Colorado Revised Statutes, 33-5.5-101,
12 **amend** (6) as follows:

13 **33-5.5-101. Fish health board - created.** (6) The fish health
14 board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105,
15 AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
16 specified in this ~~article~~ ARTICLE 5.5 under the department and the
17 executive director thereof. ~~as if the same were transferred to the~~
18 ~~department by a type 2 transfer, as such transfer is defined in the~~
19 ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

20 **SECTION 157.** In Colorado Revised Statutes, 33-9-101, **amend**
21 (9) as follows:

22 **33-9-101. Commission - creation - composition - terms -**
23 **vacancies - removal - meetings - strategic plan - legislative**
24 **declaration.** (9) The commission ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS
25 DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
26 PERFORMS its duties and functions under the department and the executive
27 director of the department. ~~as if the same were transferred to the~~

1 department by a ~~type 1 transfer~~, as defined in the "Administrative
2 Organization Act of 1968", article 1 of title 24, C.R.S.

3 **SECTION 158.** In Colorado Revised Statutes, 33-9-104, **amend**
4 (2) as follows:

5 **33-9-104. Division of parks and wildlife - creation - duties.**

6 (2) The division ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN
7 SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its
8 duties and functions specified in this ~~title~~ TITLE 33 under the department
9 of natural resources and the executive director thereof. ~~as if the same~~
10 ~~were transferred to the department by a type 1 transfer as defined in the~~
11 ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

12 The division has all the powers, duties, obligations, and functions
13 previously exercised by the division of wildlife or the division of parks
14 and outdoor recreation, as those divisions existed on June 30, 2011.

15 **SECTION 159.** In Colorado Revised Statutes, 34-20-103, **amend**
16 (1) as follows:

17 **34-20-103. Division of reclamation, mining, and safety -**
18 **creation - powers and duties - transfer of functions and property -**
19 **change of statutory references.** (1) There is ~~hereby~~ created the division

20 of reclamation, mining, and safety in the department of natural resources.
21 Pursuant to section 13 of article XII of the state constitution, the
22 executive director of the department of natural resources shall appoint the
23 director of the division of reclamation, mining, and safety, and the
24 director shall appoint such employees as are necessary to carry out the
25 duties and exercise the powers conferred by law upon the division and the
26 director. Appointing authority for such employees may be delegated by
27 the director to the heads of the offices in the division as appropriate. THE

1 DIVISION OF RECLAMATION, MINING, AND SAFETY AND THE DIRECTOR OF
2 THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
3 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS
4 UNDER THE DEPARTMENT OF NATURAL RESOURCES.

5 **SECTION 160.** In Colorado Revised Statutes, 34-21-101, **amend**
6 (1) introductory portion as follows:

7 **34-21-101. Office of active and inactive mines - creation -**
8 **duties.** (1) There is ~~hereby~~ created in the division of reclamation, mining,
9 and safety in the department of natural resources the office of active and
10 inactive mines, the head of which ~~shall be~~ IS appointed by the director of
11 the division. THE OFFICE OF ACTIVE AND INACTIVE MINES IS A **TYPE 2**
12 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
13 AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
14 NATURAL RESOURCES. The office ~~shall have~~ HAS the following duties:

15 **SECTION 161.** In Colorado Revised Statutes, 34-22-102, **add** (5)
16 as follows:

17 **34-22-102. Board of examiners - created - duties - members.**
18 (5) THE COAL MINE BOARD OF EXAMINERS IS A **TYPE 2** ENTITY, AS
19 DEFINED IN SECTION 24-1-105.

20 **SECTION 162.** In Colorado Revised Statutes, 34-32-105, **amend**
21 (1) and (3) as follows:

22 **34-32-105. Office of mined land reclamation - mined land**
23 **reclamation board - created.** (1) There is ~~hereby~~ created, in the division
24 of reclamation, mining, and safety in the department of natural resources,
25 the office of mined land reclamation and, in the department of natural
26 resources, the mined land reclamation board. The head of the office of
27 mined land reclamation ~~shall be~~ IS appointed by the director. The head of

1 the office of mined land reclamation ~~shall~~ MUST have professional and
2 supervisory experience in mined land reclamation, mining, or natural
3 resource planning and management. THE OFFICE OF MINED LAND
4 RECLAMATION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

5 (3) The MINED LAND RECLAMATION board ~~shall exercise~~ IS A **TYPE**
6 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers
7 and ~~perform~~ PERFORMS its duties and functions specified in this ~~article~~
8 ARTICLE 32 under the department. ~~as if the same were transferred to the~~
9 ~~department by a type 1 transfer as such transfer is defined in the~~
10 ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

11 **SECTION 163.** In Colorado Revised Statutes, 34-60-104.3,
12 **amend** (1) as follows:

13 **34-60-104.3. Oil and gas conservation commission - report -**
14 **publication.** (1) There is ~~hereby~~ created, in the department of natural
15 resources, the oil and gas conservation commission. THE OIL AND GAS
16 CONSERVATION COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
17 24-1-105.

18 **SECTION 164.** In Colorado Revised Statutes, 34-60-104.5,
19 **amend** (1) as follows:

20 **34-60-104.5. Director of commission - duties.** (1) Pursuant to
21 section 13 of article XII of the state constitution, the executive director of
22 the department of natural resources shall appoint a director of the
23 commission who ~~shall~~ MUST possess such qualifications as may be
24 established by the executive director, the commission, and the state
25 personnel board. THE DIRECTOR OF THE COMMISSION IS A **TYPE 1** ENTITY,
26 AS DEFINED IN SECTION 24-1-105.

27 **SECTION 165.** In Colorado Revised Statutes, **amend** 37-60-102

1 as follows:

2 **37-60-102. Colorado water conservation board - creation.** For
3 the purpose of aiding in the protection and development of the waters of
4 the state AND for the benefit of the present and future inhabitants of the
5 state, there is created a Colorado water conservation board with the
6 powers and duties set out in this ~~article. Said~~ ARTICLE 60. THE board is
7 ~~declared to be~~ an agency of the state, and the functions it is to perform,
8 as set out in this ~~article~~ ARTICLE 60, are ~~declared to be~~ governmental
9 functions for the welfare and benefit of the state and its inhabitants. THE
10 COLORADO WATER CONSERVATION BOARD IS A DIVISION OF THE
11 DEPARTMENT OF NATURAL RESOURCES AND IS A **TYPE 1** ENTITY, AS
12 DEFINED IN SECTION 24-1-105.

13 **SECTION 166.** In Colorado Revised Statutes, **add** 37-80-101.5
14 as follows:

15 **37-80-101.5. Office of the state engineer.** THE OFFICE OF THE
16 STATE ENGINEER IS CREATED IN THE DIVISION OF WATER RESOURCES IN
17 THE DEPARTMENT OF NATURAL RESOURCES AND IS A **TYPE 1** ENTITY, AS
18 DEFINED IN SECTION 24-1-105.

19 **SECTION 167.** In Colorado Revised Statutes, 37-90-104, **amend**
20 (1) as follows:

21 **37-90-104. Commission - organization - expenses.** (1) There is
22 created a ground water commission to consist of twelve members, nine
23 of whom shall be appointed by the governor and confirmed by the senate.
24 THE GROUND WATER COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN
25 SECTION 24-1-105.

26 **SECTION 168.** In Colorado Revised Statutes, 37-91-103, **amend**
27 (1) as follows:

1 **37-91-103. State board of examiners of water well**
2 **construction and pump installation contractors.** (1) There is created,
3 ~~under~~ IN the division of water resources in the department of natural
4 resources, a state board of examiners of water well construction and pump
5 installation contractors, consisting of five members and comprised of the
6 following persons: The state engineer or a representative designated by
7 ~~him~~ THE STATE ENGINEER; a representative of the department of PUBLIC
8 health AND ENVIRONMENT designated by the executive director of the
9 department; and three members appointed by the governor, two of whom
10 ~~shall~~ MUST be well construction contractors or pump installation
11 contractors, each with a minimum of ten years' experience in the well
12 construction or pump installation business preceding ~~his~~ THE
13 INDIVIDUAL'S appointment, and one of whom ~~shall~~ MUST be an engineer
14 or geologist with a minimum of ten years' experience in water supply and
15 well construction preceding ~~his~~ THE INDIVIDUAL'S appointment. THE
16 STATE BOARD OF EXAMINERS OF WATER WELL CONSTRUCTION AND PUMP
17 INSTALLATION CONTRACTORS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
18 24-1-105.

19 **SECTION 169.** In Colorado Revised Statutes, 37-92-202, **amend**
20 (1)(a) as follows:

21 **37-92-202. Division engineers.** (1) (a) The state engineer, with
22 the approval of the executive director of the department of natural
23 resources, shall appoint one division engineer for each division. THE
24 DIVISION ENGINEERS ARE ALLOCATED TO THE DIVISION OF WATER
25 RESOURCES AS A SECTION OF THE DIVISION. THE DIVISION ENGINEERS ARE
26 **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. Each division
27 engineer ~~shall~~ MUST be a licensed professional engineer and ~~shall~~ MUST

1 have such additional qualifications as may be specified from time to time
2 by the state engineer. The state engineer, with the approval of said
3 executive director, may employ such assistants and staff members as are
4 necessary to enable each division engineer to carry out ~~his or her~~ THE
5 DIVISION ENGINEER'S duties.

6 **SECTION 170.** In Colorado Revised Statutes, 24-1-125, **amend**
7 (2) introductory portion, (2)(a), (2)(b), (2)(c)(I), (2)(f), (2)(g), (2)(i),
8 (2)(k), (3), and (4); and **add** (10) and (11) as follows:

9 **24-1-125. Department of local affairs - creation.** (2) The
10 department of local affairs ~~shall consist~~ CONSISTS of the following
11 divisions:

12 (a) (I) THE division of local government, the head of which ~~shall~~
13 ~~be~~ IS the director of local government. The division of local government
14 and the office of the director ~~thereof~~ OF LOCAL GOVERNMENT, created by
15 IN part 1 of article 32 of this title 24, ~~and their powers, duties, and~~
16 ~~functions are transferred by a type 2 transfer to the department of local~~
17 ~~affairs as the division of local government~~ ARE **TYPE 2** ENTITIES, AS
18 DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND
19 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
20 LOCAL AFFAIRS.

21 (II) The division of local government includes the Colorado
22 resiliency office, the head of which is the director of the Colorado
23 resiliency office. The Colorado resiliency office ~~exercises its powers,~~
24 ~~duties, and functions under the division and the department as~~ IS a **type**
25 **2** entity, as defined in section 24-1-105, AND EXERCISES ITS POWERS AND
26 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DIVISION OF LOCAL
27 GOVERNMENT AND THE DEPARTMENT OF LOCAL AFFAIRS.

1 (b) THE division of property taxation, the head of which ~~shall be~~
2 IS the property tax administrator, ~~The rule-making, administrative, and~~
3 ~~enforcement powers, duties, and functions, except as provided in~~
4 ~~subsection (3) of this section, of the Colorado tax commission are~~
5 ~~transferred by a **type 1** transfer to the department of local affairs, and said~~
6 ~~powers, duties, and functions shall be exercised or performed by the~~
7 ~~property tax administrator or the division of property taxation as is~~
8 ~~otherwise provided by law~~ CREATED IN SECTION 39-2-101. THE DIVISION
9 OF PROPERTY TAXATION AND THE PROPERTY TAX ADMINISTRATOR ARE
10 **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. EXCEPT FOR THE
11 POWERS, DUTIES, AND FUNCTIONS OF THE FORMER COLORADO TAX
12 COMMISSION THAT ARE VESTED WITH THE BOARD OF ASSESSMENT APPEALS
13 PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE POWERS, DUTIES, AND
14 FUNCTIONS OF THE PROPERTY TAX ADMINISTRATOR AND THE DIVISION OF
15 PROPERTY TAXATION, AS IS OTHERWISE PROVIDED IN LAW, INCLUDE THE
16 RULE-MAKING, ADMINISTRATIVE, AND ENFORCEMENT POWERS, DUTIES,
17 AND FUNCTIONS OF THE FORMER COLORADO TAX COMMISSION.

18 (c) (I) THE division of commerce and development, the head of
19 which ~~shall be~~ IS the director of commerce and development. The division
20 of commerce and development and the office of THE director thereof,
21 ~~created by~~ IN part 3 of article 32 of this title, ~~and their powers, duties, and~~
22 ~~functions are transferred by a **type 2** transfer to the department of local~~
23 ~~affairs as the division of commerce and development~~ TITLE 24, ARE **TYPE**
24 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR
25 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
26 DEPARTMENT OF LOCAL AFFAIRS.

27 (f) The division of housing, created ~~by~~ IN the "Colorado Housing

1 Act of 1970", part 7 of article 32 of this ~~title. Its powers, duties, and~~
2 ~~functions are transferred by a type 1 transfer to the department of local~~
3 ~~affairs as a division thereof~~ TITLE 24. THE DIVISION OF HOUSING IS A **TYPE**
4 **1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
5 AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
6 LOCAL AFFAIRS.

7 (g) THE division of planning, the head of which ~~shall be~~ IS the
8 director of the division of planning. The division of planning and the
9 office of THE director, ~~thereof~~, created by IN part 2 of article 32 of this
10 ~~title, and their powers, duties, and functions are transferred by a type 2~~
11 ~~transfer to the department of local affairs as a division thereof~~ TITLE 24,
12 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE
13 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
14 DEPARTMENT OF LOCAL AFFAIRS.

15 (i) THE office of rural development, the head of which ~~shall be~~ IS
16 the coordinator of rural development. The office of rural development and
17 the position of coordinator of rural development, created by IN part 8 of
18 article 32 of this ~~title and their powers, duties, and functions are~~
19 ~~transferred by a type 2 transfer to the department of local affairs~~ TITLE 24,
20 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE
21 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
22 DEPARTMENT OF LOCAL AFFAIRS.

23 (k) The office of the Colorado youth service corps, created by IN
24 part 20 of article 32 of this ~~title, shall exercise~~ TITLE 24. THE OFFICE OF
25 THE COLORADO YOUTH SERVICE CORPS IS A **TYPE 2** ENTITY, AS DEFINED IN
26 SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its
27 duties and functions under the department of local affairs. ~~as if the same~~

1 ~~were transferred to said department by a type 2 transfer.~~

2 (3) The board of assessment appeals, created by IN article 2 of title
3 39, C.R.S., ~~shall be~~ IS vested with the quasi-judicial powers, duties, and
4 functions of the FORMER Colorado tax commission, ~~which board shall~~
5 ~~constitute~~ AND CONSTITUTES a part of the department of local affairs. ~~and~~
6 ~~said board is transferred by a type 1 transfer to the department of local~~
7 ~~affairs~~ THE BOARD OF ASSESSMENT APPEALS IS A **TYPE 1** ENTITY, AS
8 DEFINED IN SECTION 24-1-105.

9 (4) The advisory committee to the property tax administrator,
10 created by IN article 2 of title 39, C.R.S., ~~shall constitute~~ CONSTITUTES a
11 part of the department of local affairs ~~and shall exercise~~. THE ADVISORY
12 COMMITTEE TO THE PROPERTY TAX ADMINISTRATOR IS A **TYPE 1** ENTITY,
13 AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
14 PERFORMS its duties and functions under the department. ~~as if it were~~
15 ~~transferred to said department by a type 1 transfer.~~

16 (10) THE OFFICE OF SMART GROWTH, CREATED IN SECTION
17 24-32-3203, IN THE DEPARTMENT OF LOCAL AFFAIRS IS A **TYPE 2** ENTITY,
18 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
19 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

20 (11) THE OFFICE OF HOMELESS YOUTH SERVICES IS CREATED IN THE
21 DEPARTMENT PURSUANT TO SECTION 24-32-723.

22 **SECTION 171.** In Colorado Revised Statutes, **amend** 24-32-103
23 as follows:

24 **24-32-103. Division of local government - created.** There is
25 ~~hereby~~ created, as a division of the department of local affairs, the
26 division of local government. ~~The division shall be in the charge of a~~
27 ~~director who shall be appointed by the~~ executive director of the

1 department SHALL APPOINT A DIRECTOR TO BE THE HEAD OF THE DIVISION.
2 The director, and any assistants and employees of the division, ~~shall be~~
3 ARE appointed pursuant to section 13 of article XII of the state
4 constitution. THE DIVISION AND THE OFFICE OF THE DIRECTOR ARE **TYPE**
5 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

6 **SECTION 172.** In Colorado Revised Statutes, 24-32-121, **amend**
7 (1) as follows:

8 **24-32-121. Colorado resiliency office - creation - director -**
9 **repeal.** (1) The Colorado resiliency office is created in the division of
10 local government within the department of local affairs. The head of the
11 office is the director of the Colorado resiliency office. The director of the
12 division of local government shall appoint the director of the office in
13 accordance with section 13 of article XII of the state constitution. The
14 office ~~exercises its powers~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
15 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS duties and
16 functions under the division and the department. ~~as a type 2 entity, as~~
17 ~~defined in section 24-1-105.~~

18 **SECTION 173.** In Colorado Revised Statutes, 24-32-202, **amend**
19 (2) as follows:

20 **24-32-202. Division of planning - creation.** (2) The division of
21 planning and the office of the director ~~thereof shall exercise~~ OF THE
22 DIVISION OF PLANNING ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
23 24-1-105, AND EXERCISE their powers and perform their duties and
24 functions specified by this part 2 under the department of local affairs and
25 the executive director thereof. ~~as if the same were transferred to the~~
26 ~~department by a type 2 transfer, as such transfer is defined in the~~
27 ~~"Administrative Organization Act of 1968", being article 1 of this title.~~

1 **SECTION 174.** In Colorado Revised Statutes, **amend** 24-32-301
2 as follows:

3 **24-32-301. Division of commerce and development - creation**
4 **- director - assistants.** There is ~~hereby~~ created a division in the
5 department of local affairs to be known as the division of commerce and
6 development, referred to in this part 3 as the "division". ~~The division shall~~
7 ~~be in the charge of a director, who shall be appointed by the~~ executive
8 director of the department SHALL APPOINT A DIRECTOR OF THE DIVISION.
9 The director shall appoint ~~such~~ assistants and clerical employees as ~~may~~
10 ~~be deemed~~ necessary to effectively administer this part 3. The director,
11 ~~and such~~ assistants, and employees ~~shall be~~ ARE appointed pursuant to
12 section 13 of article XII of the state constitution. THE DIVISION AND THE
13 OFFICE OF THE DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
14 24-1-105.

15 **SECTION 175.** In Colorado Revised Statutes, 24-32-704, **amend**
16 (2) as follows:

17 **24-32-704. Division of housing - director.** (2) The division of
18 housing ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
19 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
20 functions specified in this part 7 under the department of local affairs. ~~as~~
21 ~~if it were transferred to the department by a~~ **type 1** transfer as such
22 transfer is defined in the "Administrative Organization Act of 1968",
23 being article 1 of this title.

24 **SECTION 176.** In Colorado Revised Statutes, 24-32-802, **amend**
25 (2) as follows:

26 **24-32-802. Office of rural development created.** (2) The office
27 and the coordinator of rural development ~~shall exercise~~ ARE **TYPE 2**

1 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers
2 and perform their duties and functions specified in this part 8 under the
3 department of local affairs. ~~as if the same were transferred to the~~
4 ~~department by a type 2 transfer, as such transfer is defined in the~~
5 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

6 **SECTION 177.** In Colorado Revised Statutes, 24-32-2004,
7 **amend** (2) as follows:

8 **24-32-2004. Colorado youth service corps established -**
9 **director's duties.** (2) The youth service corps ~~shall exercise~~ IS A TYPE 2
10 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and
11 ~~perform~~ PERFORMS its duties and functions specified in this part 20 under
12 the department. ~~as if the same were transferred to the department by a~~
13 ~~type 2 transfer as such transfer is defined in the "Administrative~~
14 ~~Organization Act of 1968", article 1 of this title.~~

15 **SECTION 178.** In Colorado Revised Statutes, 24-32-3203,
16 **amend** (2) as follows:

17 **24-32-3203. Office of smart growth - creation - powers and**
18 **duties of executive director.** (2) The office ~~shall exercise~~ OF SMART
19 GROWTH IS A TYPE 2 ENTITY, AS DEFINED IN SECTION 24-1-105, AND
20 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
21 specified by this part 32 under the department of local affairs and the
22 executive director thereof. ~~as if the same were transferred to the~~
23 ~~department by a type 2 transfer, as such transfer is defined in the~~
24 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

25 **SECTION 179.** In Colorado Revised Statutes, **amend** 39-2-103
26 as follows:

27 **39-2-103. Exercise of power.** The division of property taxation

1 and the property tax administrator ~~shall exercise~~ ARE **TYPE 1** ENTITIES, AS
2 DEFINED IN SECTION 24-1-105, AND EXERCISE their powers AND PERFORM
3 THEIR duties and functions under the department of local affairs. ~~as if they~~
4 ~~were transferred to said department by a **type 1** transfer under the~~
5 ~~provisions of the "Administrative Organization Act of 1968".~~

6 **SECTION 180.** In Colorado Revised Statutes, 39-2-123, **amend**
7 (4) as follows:

8 **39-2-123. Board of assessment appeals created - members -**
9 **compensation.** (4) The board of assessment appeals ~~shall exercise~~ IS A
10 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its
11 powers AND PERFORMS ITS duties and functions under the department of
12 local affairs. ~~as if it were transferred to said department by a **type 1**~~
13 ~~transfer under the provisions of the "Administrative Organization Act of~~
14 ~~1968".~~

15 **SECTION 181.** In Colorado Revised Statutes, 39-2-129, **amend**
16 (1) as follows:

17 **39-2-129. Advisory committee to the property tax**
18 **administrator created.** (1) There is ~~hereby~~ created in the department of
19 local affairs the advisory committee to the property tax administrator.
20 ~~Said~~ THE advisory committee ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS
21 DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
22 PERFORMS its duties and functions under the department of local affairs.
23 ~~as if it were transferred to said department by a **type 1** transfer under the~~
24 ~~provisions of the "Administrative Organization Act of 1968", article 1 of~~
25 ~~title 24, C.R.S.~~

26 **SECTION 182.** In Colorado Revised Statutes, 24-1-127, **amend**
27 (2), (3) introductory portion, (3)(a), (3)(b), (3)(d), (3)(f), and (3)(g) as

1 follows:

2 **24-1-127. Department of military and veterans affairs -**
3 **creation.** (2) The office of the adjutant general, created ~~by~~ IN part 1 of
4 article 3 of title 28, ~~C.R.S., and its powers, duties, and functions are~~
5 ~~transferred by a type 2 transfer to the department of military and veterans~~
6 ~~affairs~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
7 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
8 THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

9 (3) The department of military and veterans affairs ~~shall consist~~
10 CONSISTS of the following divisions:

11 (a) The Colorado National Guard, created ~~by~~ IN part 2 of article
12 3 of title 28. ~~C.R.S. Its powers, duties, and functions are transferred by a~~
13 ~~type 2 transfer to the department of military and veterans affairs as a~~
14 ~~division thereof.~~ THE COLORADO NATIONAL GUARD IS A **TYPE 2** ENTITY,
15 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
16 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
17 MILITARY AND VETERANS AFFAIRS.

18 (b) The Colorado ~~department~~ DIVISION of civil air patrol, created
19 ~~by~~ IN article 1 of title 28. ~~C.R.S. Its powers, duties, and functions are~~
20 ~~transferred by a type 1 transfer to the department of military and veterans~~
21 ~~affairs as the Colorado division of the civil air patrol.~~ THE COLORADO
22 DIVISION OF CIVIL AIR PATROL IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
23 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
24 FUNCTIONS UNDER THE DEPARTMENT OF MILITARY AND VETERANS
25 AFFAIRS.

26 (d) The Colorado state defense force, when organized by the
27 governor pursuant to article 4 of title 28. ~~C.R.S. If organized, its powers,~~

1 ~~duties, and functions are transferred by a type 2 transfer to the department~~
2 ~~of military and veterans affairs as a division thereof.~~ IF ORGANIZED, THE
3 COLORADO STATE DEFENSE FORCE IS A **TYPE 2** ENTITY, AS DEFINED IN
4 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
5 AND FUNCTIONS UNDER THE DEPARTMENT OF MILITARY AND VETERANS
6 AFFAIRS.

7 (f) The division of veterans affairs, created ~~by~~ IN part 7 of article
8 5 of title 28. ~~C.R.S. Its powers, duties, and functions are transferred by a~~
9 ~~type 2 transfer to the department of military and veterans affairs as a~~
10 ~~division thereof~~ THE DIVISION OF VETERANS AFFAIRS IS A **TYPE 2** ENTITY,
11 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
12 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
13 MILITARY AND VETERANS AFFAIRS.

14 (g) The Colorado board of veterans affairs, created ~~by~~ IN section
15 28-5-702. ~~C.R.S. Its powers, duties, and functions are transferred by a~~
16 ~~type 2 transfer to the department of military and veterans affairs as a~~
17 ~~division thereof~~ THE COLORADO BOARD OF VETERANS AFFAIRS IS A **TYPE**
18 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
19 AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
20 MILITARY AND VETERANS AFFAIRS.

21 **SECTION 183.** In Colorado Revised Statutes, 28-1-101, **amend**
22 (1)(a) as follows:

23 **28-1-101. Colorado division of civil air patrol - publication -**
24 **benefits.** (1) (a) There is ~~hereby~~ created and established ~~within~~ IN the
25 department of military and veterans affairs the Colorado division of civil
26 air patrol. THE DIVISION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
27 24-1-105. The mission of the division ~~shall be~~ IS to provide support for

1 and facilitate the operation of the civil air patrol, Colorado wing, which
2 ~~shall be~~ IS under the command and control of the duly appointed
3 commanding officer of ~~such~~ THE wing. On and after July 1, 2004, the
4 head of the division ~~shall be~~ IS appointed by the adjutant general acting
5 on behalf of the governor and in consultation with the duly appointed
6 commanding officer of the civil air patrol, Colorado wing. Warrants ~~shall~~
7 ~~be~~ ARE drawn against appropriations made for the division upon vouchers
8 issued and signed by the head of the division.

9 **SECTION 184.** In Colorado Revised Statutes, 28-3-105, **amend**
10 (1) as follows:

11 **28-3-105. Adjutant general - assistants.** (1) There ~~shall be~~ IS an
12 adjutant general of the state who ~~shall be~~ IS appointed by the governor,
13 with the advice and consent of the senate, who ~~shall~~ MUST be a staff
14 officer, who at the time of appointment ~~shall~~ MUST be a commissioned
15 officer of the National Guard of this state with not fewer than ten years'
16 military service in the armed forces of this state or of the United States at
17 least five of which have been commissioned service in the Colorado
18 National Guard, and who has attained the grade of lieutenant colonel or
19 a higher grade with federal recognition in such grade at least one year
20 prior to ~~his or her~~ THE INDIVIDUAL'S appointment as adjutant general. The
21 adjutant general ~~shall serve~~ SERVES at the pleasure of the governor. THE
22 ADJUTANT GENERAL IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

23 **SECTION 185.** In Colorado Revised Statutes, **amend** 28-3-201
24 as follows:

25 **28-3-201. Composition.** The Colorado National Guard consists
26 of the regularly enlisted militia within the ages prescribed by federal law
27 and regulations, organized, armed, and equipped as provided in this

1 ~~article~~ ARTICLE 3, and of commissioned officers and warrant officers
2 within the ages and having the qualifications prescribed by federal law
3 and regulations. "National Guard" applies only to militia organized as
4 provided for in this ~~article~~ ARTICLE 3 and authorized by federal law and
5 regulations relating to the National Guard. The number of officers and
6 enlisted ~~men~~ PERSONNEL of the National Guard ~~shall~~ MUST be fixed from
7 time to time and organized so as to meet the requirements of the federal
8 laws and regulations. THE COLORADO NATIONAL GUARD IS A **TYPE 2**
9 ENTITY, AS DEFINED IN SECTION 24-1-105.

10 **SECTION 186.** In Colorado Revised Statutes, **amend** 28-4-104
11 as follows:

12 **28-4-104. State defense force - composition.** The governor is
13 authorized to organize and maintain within this state such military forces
14 as the governor deems necessary to defend this state. Such forces ~~shall be~~
15 ARE known as the state defense force and ~~shall be~~ ARE composed of such
16 citizens of the state ~~as shall~~ WHO volunteer or ~~be~~ WHO ARE ordered by the
17 governor and qualify for service therein. Such forces ~~shall be~~ ARE
18 additional to and distinct from the National Guard. The Colorado state
19 defense force ~~shall be~~ IS maintained in numbers to be determined by the
20 governor. IF ORGANIZED BY THE GOVERNOR, THE COLORADO STATE
21 DEFENSE FORCE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. No
22 officer or enlisted person of this force ~~shall~~ MAY be a member of the
23 National Guard or other armed force of the United States. Such part of
24 this force as ordered by the governor ~~shall be~~ IS uniformed. Any part or
25 all of this force may be called to state defense force active duty at the
26 pleasure of the governor. All costs and expenses of the state defense force
27 ~~shall be~~ ARE paid from the general fund by separate appropriation to the

1 department of military and veterans affairs.

2 **SECTION 187.** In Colorado Revised Statutes, 28-5-701, **amend**
3 (1) as follows:

4 **28-5-701. Division of veterans affairs - transfer of functions -**
5 **terminology.** (1) There is ~~hereby~~ created the division of veterans affairs
6 ~~within~~ IN the department of military and veterans affairs, the head of
7 which ~~shall be~~ IS the director of the division of veterans affairs who ~~shall~~
8 ~~be~~ IS appointed by the adjutant general acting in ~~his or her~~ THE ADJUTANT
9 GENERAL'S capacity as the administrative head of the department. The
10 director shall appoint such assistants and clerical employees as may be
11 deemed necessary to effectively administer this part 7 and part 8 of this
12 ~~article~~ ARTICLE 5. The director and such assistants and employees ~~shall~~
13 MUST be appointed pursuant to section 13 of article XII of the state
14 constitution. THE DIVISION OF VETERANS AFFAIRS AND THE DIRECTOR OF
15 THE DIVISION OF VETERANS AFFAIRS ARE **TYPE 2** ENTITIES, AS DEFINED IN
16 SECTION 24-1-105.

17 **SECTION 188.** In Colorado Revised Statutes, 28-5-702, **amend**
18 (1) as follows:

19 **28-5-702. Board of veterans affairs.** (1) The Colorado board of
20 veterans affairs and its powers, duties, and functions are ~~hereby~~
21 transferred by a **type 2** transfer from the department of human services to
22 the department of military and veterans affairs. The board shall advise
23 and consult with the division in the administration and enforcement of
24 this ~~article~~ ARTICLE 5. THE COLORADO BOARD OF VETERANS AFFAIRS IS A
25 **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

26 **SECTION 189.** In Colorado Revised Statutes, 24-1-128, **amend**
27 (2), (3), (4), (6), (7) introductory portion, (7)(a), (7)(b), (7)(d), (7)(f),

1 (7)(g), (7)(h), (7)(k), and (7)(l) as follows:

2 **24-1-128. Department of personnel - creation.** (2) The state
3 personnel board, created by IN section 14 of article XII of the state
4 constitution, ~~and its powers, duties, and functions are transferred by a~~
5 ~~type 1 transfer to the department of personnel, subject to the provisions~~
6 ~~of the state constitution~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
7 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
8 FUNCTIONS UNDER THE DEPARTMENT OF PERSONNEL, SUBJECT TO THE
9 PROVISIONS OF THE STATE CONSTITUTION.

10 (3) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF
11 PERSONNEL INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE civil
12 service commission. ~~and its powers, duties, and functions are transferred~~
13 ~~by a type 3 transfer to the department of personnel and~~ THE POWERS,
14 DUTIES, AND FUNCTIONS OF THE CIVIL SERVICE COMMISSION ARE allocated
15 to the state personnel board and the state personnel director, pursuant to
16 the provisions of the state constitution and laws enacted pursuant thereto,
17 and the civil service commission is abolished.

18 (4) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF
19 PERSONNEL INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE state
20 employees' and officials' group insurance board of administration, created
21 by IN part 2 of article 8 of title 10, C.R.S., ~~and its powers, duties, and~~
22 ~~functions are transferred by a type 3 transfer to the department of~~
23 ~~personnel and~~ PRIOR TO ITS REPEAL IN 1994. THE POWERS, DUTIES, AND
24 FUNCTIONS OF THE STATE EMPLOYEES' AND OFFICIALS' GROUP INSURANCE
25 BOARD OF ADMINISTRATION ARE allocated to the state personnel director,
26 pursuant to the provisions of the state constitution and laws enacted
27 pursuant thereto, and the state employees' and officials' group insurance

1 board of administration is abolished.

2 (6) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF
3 PERSONNEL INCLUDE THE powers, duties, and functions of the department
4 of administration, ~~are transferred by a type 3 transfer to the department~~
5 ~~of personnel~~, and the department of administration is hereby abolished.

6 (7) The POWERS, DUTIES, AND FUNCTIONS OF THE department of
7 personnel shall include the following administrative support services:

8 (a) The powers, duties, and functions concerning purchasing,
9 specified in part 2 of article 102 of this title, ~~shall be administered as if~~
10 ~~transferred by a type 2 transfer to the department of personnel~~ TITLE 24.

11 (b) The powers, duties, and functions concerning state archives
12 and public records, specified in part 1 of article 80 of this title, ~~shall be~~
13 ~~administered as if transferred by a type 2 transfer to the department of~~
14 ~~personnel~~ TITLE 24.

15 (d) The powers, duties, and functions concerning accounts and
16 control and the office of THE controller, specified in part 2 of article 30
17 of this title, ~~except those powers, duties, and functions transferred by~~
18 ~~paragraph (c) of this subsection (7), shall be administered as if transferred~~
19 ~~by a type 2 transfer to the department of personnel~~ TITLE 24. THE OFFICE
20 OF THE CONTROLLER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
21 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
22 FUNCTIONS UNDER THE DEPARTMENT OF PERSONNEL.

23 (f) The office of administrative courts, the head of which ~~shall be~~
24 IS the executive director of the department of personnel. The office of
25 administrative courts, created by IN part 10 of article 30 of this title, ~~and~~
26 ~~its powers, duties, and functions are transferred by a type 2 transfer to the~~
27 ~~department of personnel as an office thereof~~ TITLE 24, IS A **TYPE 2** ENTITY,

1 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
2 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
3 PERSONNEL.

4 (g) The powers, duties, and functions concerning central services,
5 specified in part 11 of article 30 of this title, ~~shall be administered as if~~
6 ~~transferred by a type 2 transfer to the department of personnel~~ TITLE 24.

7 (h) The powers, duties, and functions concerning the risk
8 management system, specified in part 15 of article 30 of this title, ~~shall be~~
9 ~~administered as if transferred by a type 2 transfer to the department of~~
10 ~~personnel~~ TITLE 24.

11 (k) The powers, duties, and functions concerning state buildings,
12 ~~Such powers, duties, and functions,~~ specified by part 13 of article 30 of
13 this title TITLE 24 and formerly vested in the office of state planning and
14 budgeting. ~~are transferred by a type 2 transfer to the department of~~
15 ~~personnel.~~

16 (l) The state claims board, created ~~by~~ IN part 15 of article 30 of
17 this title ~~and its powers, duties, and functions are transferred by a type 1~~
18 ~~transfer to the department of personnel~~ TITLE 24. THE STATE CLAIMS
19 BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
20 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
21 THE DEPARTMENT OF PERSONNEL.

22 **SECTION 190.** In Colorado Revised Statutes, 24-30-201, **amend**
23 (2) as follows:

24 **24-30-201. Accounts and control - controller.** (2) The POWERS,
25 DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE
26 powers, duties, and functions concerning accounts and control and the
27 office of the controller. ~~shall be administered as if transferred by a type~~

1 ~~2 transfer to the department of personnel.~~ THE OFFICE OF THE
2 CONTROLLER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

3 **SECTION 191.** In Colorado Revised Statutes, 24-30-1001,
4 **amend** (1) as follows:

5 **24-30-1001. Office of administrative courts - administrative**
6 **courts cash fund - creation.** (1) Effective July 1, 2005, there is hereby
7 created the office of administrative courts in the department of personnel,
8 the head of which ~~shall be~~ IS the executive director of the department of
9 personnel. The office of administrative courts ~~shall exercise its powers,~~
10 ~~duties, and functions as a type 2 agency~~ IS A **TYPE 2** ENTITY, AS DEFINED
11 IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS
12 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PERSONNEL.

13 **SECTION 192.** In Colorado Revised Statutes, 24-30-1103,
14 **amend** (2) as follows:

15 **24-30-1103. Central services.** (2) The POWERS, DUTIES, AND
16 FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers,
17 duties, and functions concerning central services, specified by this part
18 11. ~~shall be administered as if transferred by a type 2 transfer, as such~~
19 ~~transfer is defined by the "Administrative Organization Act of 1968",~~
20 ~~article 1 of this title, to the department of personnel.~~

21 **SECTION 193.** In Colorado Revised Statutes, 24-30-1302,
22 **amend** (1) as follows:

23 **24-30-1302. State buildings - transfer.** (1) The POWERS, DUTIES,
24 AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE
25 powers, duties, and functions ~~of the office of state planning and~~
26 ~~budgeting~~ relating to state buildings ~~are transferred by a type 2 transfer~~
27 ~~to the department of personnel~~ THAT WERE FORMERLY VESTED IN THE

1 OFFICE OF STATE PLANNING AND BUDGETING.

2 **SECTION 194.** In Colorado Revised Statutes, 24-30-1503,
3 **amend** (2) as follows:

4 **24-30-1503. Risk management system.** (2) The POWERS,
5 DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE
6 powers, duties, and functions concerning risk management, specified by
7 this part 15. ~~shall be administered as if transferred to the department of~~
8 ~~personnel by a **type 2** transfer, as such transfer is defined by the~~
9 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

10 **SECTION 195.** In Colorado Revised Statutes, 24-30-1508,
11 **amend** (2) as follows:

12 **24-30-1508. State claims board - creation.** (2) The state claims
13 board ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105,
14 AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
15 as if it were transferred to UNDER the department of personnel. ~~by a **type**~~
16 ~~**1** transfer, as such transfer is defined by the "Administrative Organization~~
17 ~~Act of 1968", article 1 of this title.~~

18 **SECTION 196.** In Colorado Revised Statutes, 24-50-103, **amend**
19 (2) as follows:

20 **24-50-103. State personnel board.** (2) The board ~~shall exercise~~
21 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its
22 powers and ~~perform~~ PERFORMS its duties and functions under the
23 department of personnel and the state personnel director. ~~as if the same~~
24 ~~were transferred to the department by a **type 1** transfer, as such transfer~~
25 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~
26 ~~this title.~~

27 **SECTION 197.** In Colorado Revised Statutes, 24-80-102, **amend**

1 (11) as follows:

2 **24-80-102. State archives and records - personnel - duties -**
3 **cash fund - rules - definition.** (11) ~~The powers, duties, and functions of~~
4 ~~The state archivist and the department of personnel concerning state~~
5 ~~archives and records shall be administered as if transferred by a **type 2**~~
6 ~~transfer to the department of personnel~~ IS A **TYPE 2** ENTITY, AS DEFINED
7 IN SECTION 24-1-105, AND EXERCISES THE ARCHIVIST'S POWERS AND
8 PERFORMS THE ARCHIVIST'S DUTIES AND FUNCTIONS CONCERNING STATE
9 ARCHIVES AND RECORDS UNDER THE DEPARTMENT OF PERSONNEL.

10 **SECTION 198.** In Colorado Revised Statutes, 24-102-201,
11 **amend** (2) as follows:

12 **24-102-201. Purchasing.** (2) The POWERS, DUTIES, AND
13 FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers,
14 duties, and functions concerning purchasing. ~~shall be administered as if~~
15 ~~transferred to the department of personnel by a **type 2** transfer, as such~~
16 ~~transfer is defined by the "Administrative Organization Act of 1968",~~
17 ~~article 1 of this title.~~

18 **SECTION 199.** In Colorado Revised Statutes, 24-1-128.5,
19 **amend** (1.5), (2) introductory portion, (2)(a), (2)(b), (3), and (3.5) as
20 follows:

21 **24-1-128.5. Department of corrections - creation.** (1.5) The
22 department of corrections shall supervise and control each correctional
23 facility, as defined in section 17-1-102. ~~C.R.S.~~ The POWERS, DUTIES, AND
24 FUNCTIONS OF THE DEPARTMENT OF CORRECTIONS INCLUDE THE powers,
25 duties, and functions of the FORMER department of institutions relating to
26 honor camps, work release programs, and other adult correctional
27 programs. ~~are transferred by a **type 2** transfer to the department of~~

1 ~~corrections.~~ The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT
2 OF CORRECTIONS ALSO INCLUDE THE powers, duties, and functions of the
3 FORMER division of parole in the department of institutions, ~~are~~
4 ~~transferred by a type 3 transfer to the department of corrections,~~ and the
5 division of parole in the department of institutions is abolished. The
6 executive director of the department of corrections ~~shall have~~ HAS the
7 powers and duties specified in title 17. ~~C.R.S.~~

8 (2) The department of corrections ~~shall consist~~ CONSISTS of the
9 following divisions:

10 (a) The division of adult parole, the head of which ~~shall be~~ IS the
11 director of the division of adult parole. The division of adult parole ~~shall~~
12 ~~exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
13 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
14 under the department of corrections. ~~as if the same were transferred by a~~
15 ~~type 2 transfer.~~

16 (b) The division of correctional industries, the head of which ~~shall~~
17 ~~be~~ IS the director of the division of correctional industries. The division
18 ~~shall supervise~~ SUPERVISES and ~~control~~ CONTROLS correctional industries
19 programs in this state. The division ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS
20 DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
21 PERFORMS its duties and functions under the department of corrections.
22 ~~as if the same were transferred by a type 2 transfer.~~

23 (3) The state board of parole, created ~~by~~ IN part 2 of article 2 of
24 title 17, ~~C.R.S., is transferred by a type 1 transfer to the department of~~
25 ~~corrections~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

26 (3.5) The division of correctional industries ~~shall include~~
27 INCLUDES, as a section thereof, the Colorado state agency for surplus

1 property, created by IN part 4 of article 82 of this ~~title~~ TITLE 24. The
2 agency and its powers, duties, and functions are transferred by a **type 2**
3 ~~transfer to the department of corrections and allocated to the division of~~
4 ~~correctional industries, as a section thereof~~ IS A **TYPE 2** ENTITY, AS
5 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
6 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF CORRECTIONS.
7 THE AGENCY IS ALLOCATED TO THE DIVISION OF CORRECTIONAL
8 INDUSTRIES AS A SECTION THEREOF.

9 **SECTION 200.** In Colorado Revised Statutes, 17-2-102, **amend**
10 (1) as follows:

11 **17-2-102. Division of adult parole - general powers, duties, and**
12 **functions - definition.** (1) The division of adult parole in the department
13 shall administer the adult parole program. THE DIVISION OF ADULT
14 PAROLE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The
15 division shall keep a complete record in respect to all domestic as well as
16 interstate parolees. The director of the division of adult parole ~~shall~~
17 ~~exercise~~ EXERCISES the power of suspension of paroles in the interim of
18 the meetings of the state board of parole, referred to in this part 1 as the
19 "board", and in connection therewith the director may arrest ~~such~~ A
20 suspended parolee without warrant and return ~~such~~ A suspended parolee
21 to an appropriately secure facility to await the further action of the board.
22 In case of ~~such~~ A suspension of parole, the director shall send to the
23 board, at its first session thereafter, a transcript of all proceedings taken
24 in connection with ~~such~~ THE suspension and the reasons for ~~his or her~~ THE
25 DIRECTOR'S action.

26 **SECTION 201.** In Colorado Revised Statutes, 17-2-201, **amend**
27 (1)(a) as follows:

1 **17-2-201. State board of parole - duties - definitions.**

2 (1) (a) There is hereby created a state board of parole, referred to in this
3 part 2 as the "board", which consists of nine members. THE BOARD IS A
4 **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The members of the
5 board are appointed by the governor and confirmed by the senate, and
6 they shall devote their full time to their duties as members of the board.
7 The members are appointed for three-year terms and may serve
8 consecutive terms. The governor may remove a board member for
9 incompetency, neglect of duty, malfeasance in office, continued failure
10 to use the risk assessment guidelines as required by section 17-22.5-404,
11 or failure to regularly attend meetings as determined by the governor.
12 Final conviction of a felony during the term of office of a board member
13 automatically disqualifies the member from further service on the board.
14 The board is composed of representatives from multidisciplinary areas of
15 expertise. Two members must have experience in law enforcement, and
16 one member must have experience in offender supervision, including
17 parole, probation, or community corrections. Six members must have
18 experience in other relevant fields. Each member of the board must have
19 a minimum of five years of experience in a relevant field and knowledge
20 of parole laws and guidelines, rehabilitation, correctional administration,
21 the functioning of the criminal justice system, issues associated with
22 victims of crime, the duties of board members, and actuarial risk
23 assessment instruments and other offender assessment instruments used
24 by the board and the department of corrections. A person who has been
25 convicted of a felony or of a misdemeanor involving moral turpitude or
26 who has any financial interests that conflict with the duties of a member
27 of the board is ineligible for appointment.

1 **SECTION 202.** In Colorado Revised Statutes, 17-24-104, **amend**
2 (1) as follows:

3 **17-24-104. Creation of division of correctional industries and**
4 **advisory committee - enterprise status of division - duties of**
5 **committee - sunset review of committee - rules.** (1) There is hereby
6 created in the department of corrections the division of correctional
7 industries, which ~~shall be~~ IS under the direction of the director of
8 correctional industries, who ~~shall be~~ IS appointed by the executive
9 director of the department of corrections pursuant to section 13 of article
10 XII of the state constitution. The division ~~shall constitute~~ CONSTITUTES
11 an enterprise for the purposes of section 20 of article X of the state
12 constitution so long as it retains the authority to issue revenue bonds and
13 receives less than ten percent of its total annual revenues in grants, as
14 defined in section 24-77-102 (7), ~~C.R.S.~~, from all Colorado state and
15 local governments combined. So long as it constitutes an enterprise
16 pursuant to the provisions of this section, the division of correctional
17 industries ~~shall~~ IS not be a district for purposes of section 20 of article X
18 of the state constitution. THE DIVISION OF CORRECTIONAL INDUSTRIES IS
19 A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

20 **SECTION 203.** In Colorado Revised Statutes, **amend** 24-82-402
21 as follows:

22 **24-82-402. Director - staff.** The Colorado state agency for
23 surplus property, referred to in this part 4 as the "state agency", ~~shall~~
24 ~~consist~~ IS A SECTION OF THE DIVISION OF CORRECTIONAL INDUSTRIES. THE
25 STATE AGENCY CONSISTS of a director, who ~~shall be~~ IS the executive
26 officer of the state agency, and ~~such~~ THE deputies, assistants, and
27 employees as in the opinion of the director and the governor are necessary

1 to carry out the provisions of this part 4. The director ~~shall be~~ IS the
2 director of the division of correctional industries. All deputies, assistants,
3 and employees ~~shall be~~ ARE appointed by the director pursuant to section
4 13 of article XII of the state constitution and ~~shall~~ receive such
5 compensation and reimbursement of expenses incurred in the
6 performance of their duties as other employees of the state government
7 are paid. All employees of the state agency on July 1, 1987, ~~shall~~ remain
8 employees of ~~such~~ THE agency without the need for further appointment
9 due to the transfer of the state agency from the department of personnel.
10 The employees of the state agency ~~shall~~ MUST not exceed ten employees.
11 THE STATE AGENCY IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

12 **SECTION 204.** In Colorado Revised Statutes, 24-1-128.6,
13 **amend** (2)(a), (2)(c), (2)(d), (2)(h), (2)(i), (4)(a) introductory portion, (5),
14 (6), (7), (8)(a), and (9) as follows:

15 **24-1-128.6. Department of public safety - creation - repeal.**

16 (2) The department of public safety consists of the following divisions:

17 (a) THE Colorado state patrol, the head of which ~~shall be~~ IS the
18 chief of the Colorado state patrol. The Colorado state patrol and the office
19 of chief, ~~thereof created by~~ IN part 2 of article 33.5 of this title, ~~and their~~
20 ~~powers, duties, and functions are transferred by a type 2 transfer to the~~
21 ~~department of public safety~~ TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED
22 IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR
23 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY. THE
24 RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC SAFETY AND THE
25 COLORADO STATE PATROL INCLUDE the powers, duties, and functions of
26 the state department of highways relating to the Colorado state patrol. ~~are~~
27 ~~transferred by a type 2 transfer to the department of public safety and~~

1 ~~allocated to the Colorado state patrol.~~ The RESPONSIBILITIES OF THE
2 DEPARTMENT OF PUBLIC SAFETY AND THE COLORADO STATE PATROL
3 INCLUDE THE powers, duties, and functions of the ports of entry section
4 of the FORMER motor carrier services division of the division of motor
5 vehicles of the department of revenue, which motor carrier services
6 division is abolished pursuant to section 24-1-117 (5), enacted by House
7 Bill 12-1019, enacted in 2012. ~~are transferred by a type 3 transfer to the~~
8 ~~department of public safety and allocated to the Colorado state patrol.~~

9 (c) THE Colorado bureau of investigation, the head of which ~~shall~~
10 ~~be~~ IS the director of the Colorado bureau of investigation. The Colorado
11 bureau of investigation and the office of THE director, ~~thereof~~, created by
12 IN part 4 of article 33.5 of this title ~~and their powers, duties, and functions~~
13 ~~are transferred by a type 2 transfer to the department of public safety~~
14 TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
15 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS
16 UNDER THE DEPARTMENT OF PUBLIC SAFETY. THE POWERS, DUTIES, AND
17 FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY AND THE COLORADO
18 BUREAU OF INVESTIGATION INCLUDE the powers, duties, and functions ~~of~~
19 ~~the department of local affairs~~ relating to the Colorado bureau of
20 investigation ~~are transferred by a type 2 transfer to the department of~~
21 ~~public safety and allocated to the Colorado bureau of investigation~~ THAT
22 WERE FORMERLY VESTED IN THE DEPARTMENT OF LOCAL AFFAIRS.

23 (d) THE division of criminal justice, the head of which ~~shall be~~ IS
24 the director of the division of criminal justice. The division of criminal
25 justice and the office of THE director, ~~thereof~~, created by IN part 5 of
26 article 33.5 of this title, ~~and their powers, duties, and functions are~~
27 ~~transferred by a type 2 transfer to the department of public safety~~ TITLE

1 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE
2 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
3 DEPARTMENT OF PUBLIC SAFETY. THE POWERS, DUTIES, AND FUNCTIONS
4 OF THE DEPARTMENT OF PUBLIC SAFETY AND THE DIVISION OF CRIMINAL
5 JUSTICE INCLUDE the powers, duties, and functions of the department of
6 local affairs relating to the division of criminal justice are transferred by
7 a **type 2** transfer to the department of public safety and allocated to the
8 division of criminal justice THAT WERE FORMERLY VESTED IN THE
9 DEPARTMENT OF LOCAL AFFAIRS.

10 (h) (I) THE division of homeland security and emergency
11 management, the head of which is the director of the division of
12 homeland security and emergency management. The division of
13 homeland security and emergency management and the office of THE
14 director, thereof, created by IN part 16 of article 33.5 of this title, shall
15 exercise their powers and perform their duties and functions as if the
16 same were transferred by a **type 2** transfer to the department of public
17 safety, and allocated to the division of homeland security and emergency
18 management TITLE 24 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
19 24-1-105. THE DIVISION OF HOMELAND SECURITY AND EMERGENCY
20 MANAGEMENT AND THE OFFICE OF THE DIRECTOR OF THE DIVISION
21 EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS
22 UNDER THE DEPARTMENT OF PUBLIC SAFETY AND ARE ALLOCATED TO THE
23 DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

24 (II) The division of homeland security and emergency
25 management includes the following agencies, which shall exercise ARE
26 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND WHICH EXERCISE
27 their powers and perform their duties and functions under the department

1 of public safety: ~~as if the same were transferred thereto by a type 2~~
2 ~~transfer:~~

3 (A) The office of emergency management, created ~~by~~ IN part 7 of
4 article 33.5 of this ~~title~~ TITLE 24, the head of which is the director of the
5 office of emergency management. Effective July 1, 2012, THE POWERS,
6 DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY AND THE
7 OFFICE OF EMERGENCY MANAGEMENT UNDER THE DIVISION OF HOMELAND
8 SECURITY AND EMERGENCY MANAGEMENT PURSUANT TO THIS ARTICLE 1
9 INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF the FORMER division
10 of emergency management, ~~in the department of local affairs, created by~~
11 ~~IN part 21 of article 32 of this title~~ TITLE 24, prior to its repeal in 2012.
12 ~~and its powers, duties, and functions are transferred by a type 2 transfer~~
13 ~~to the department of public safety and allocated to the office of~~
14 ~~emergency management under the division of homeland security and~~
15 ~~emergency management pursuant to this article.~~

16 (B) THE office of prevention and security, created in section
17 24-33.5-1606; and

18 (C) The office of preparedness, created in section 24-33.5-1606.5.

19 (i) THE division of fire prevention and control, the head of which
20 is the director of the division of fire prevention and control. The division
21 of fire prevention and control and the office of the director, ~~thereof,~~
22 ~~created by~~ IN part 12 of article 33.5 of this ~~title,~~ ~~and their powers, duties,~~
23 ~~and functions are transferred by a type 2 transfer to the department of~~
24 ~~public safety~~ TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
25 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND
26 FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY.

27 (4) (a) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT

1 OF PUBLIC SAFETY INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE
2 Colorado emergency planning commission, created by IN section
3 24-33.5-1503, prior to the repeal of that section by House Bill 14-1004,
4 ~~is abolished, and its powers, duties, and functions are transferred by a~~
5 **type 3 transfer** as follows:

6 (5) The witness protection board, created by IN section
7 24-33.5-106, ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
8 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
9 functions ~~as if the same were transferred by a type 1 transfer to~~ UNDER
10 the department of public safety.

11 (6) The identity theft and financial fraud board, created by IN
12 section 24-33.5-1703, ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN
13 SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its
14 duties and functions ~~as if the same were transferred by a type 2 transfer~~
15 ~~to~~ UNDER the department of public safety.

16 (7) The cold case task force, created in section 24-33.5-109, ~~shall~~
17 ~~exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
18 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions ~~as~~
19 ~~if the same were transferred by a type 2 transfer to~~ UNDER the department
20 of public safety.

21 (8) (a) The Colorado commission on criminal and juvenile justice,
22 created pursuant to section 16-11.3-102, ~~C.R.S., shall exercise~~ IS A **TYPE**
23 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers
24 and ~~perform~~ PERFORMS its duties and functions ~~as if the same were~~
25 ~~transferred by a type 2 transfer to~~ UNDER the department of public safety.

26 (9) The crime victim services advisory board, created pursuant to
27 section 24-4.1-117.3, ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN

1 SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its
2 duties and functions as if the same were transferred by a **type 2** transfer
3 ~~to~~ UNDER the division of criminal justice in the department of public
4 safety.

5 **SECTION 205.** In Colorado Revised Statutes, 16-11.3-102,
6 **amend** (1)(b) as follows:

7 **16-11.3-102. Colorado commission on criminal and juvenile**
8 **justice - creation - membership - operation.** (1) (b) The commission
9 ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
10 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions as
11 ~~if the same were transferred to~~ UNDER the department of public safety. ~~by~~
12 ~~a **type 2** transfer, as such transfer is defined in the "Administrative~~
13 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

14 **SECTION 206.** In Colorado Revised Statutes, 24-4.1-117.3,
15 **amend** (1) as follows:

16 **24-4.1-117.3. Crime victim services advisory board - creation**
17 **- duties.** (1) There is ~~hereby~~ created in the division of criminal justice in
18 the department of public safety the crime victim services advisory board,
19 referred to in this section as the "advisory board". The advisory board
20 ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
21 EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions
22 under the division of criminal justice in the department of public safety
23 and the executive director of the department of public safety, referred to
24 in this section as the "executive director". ~~as if the same were transferred~~
25 ~~to the department of public safety by a **type 2** transfer, as such transfer is~~
26 ~~defined in the "Administrative Organization Act of 1968", article 1 of this~~
27 ~~title.~~

1 **SECTION 207.** In Colorado Revised Statutes, 24-33.5-106,
2 **amend** (2) as follows:

3 **24-33.5-106. Witness protection board - creation - Javad**
4 **Marshall-Fields and Vivian Wolfe witness protection program -**
5 **witness protection fund.** (2) The witness protection board ~~shall exercise~~
6 IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its
7 powers and ~~perform~~ PERFORMS its duties and functions ~~as if the same~~
8 ~~were transferred to~~ UNDER the department of public safety. ~~by a type 1~~
9 ~~transfer, as such transfer is defined in the "Administrative Organization~~
10 ~~Act of 1968", article 1 of this title.~~

11 **SECTION 208.** In Colorado Revised Statutes, 24-33.5-109,
12 **amend** (1)(b) as follows:

13 **24-33.5-109. Cold case task force - creation - rules - repeal.**
14 (1) (b) The task force ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN
15 SECTION 24-1-105, AND EXERCISES its powers and perform its duties and
16 functions ~~as if the same were transferred to~~ UNDER the department of
17 public safety. ~~by a type 2 transfer, as such transfer is defined in the~~
18 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

19 **SECTION 209.** In Colorado Revised Statutes, 24-33.5-201,
20 **amend** (2) as follows:

21 **24-33.5-201. Colorado state patrol created.** (2) The Colorado
22 state patrol and the office of the chief ~~shall~~ ARE **TYPE 2** ENTITIES, AS
23 DEFINED IN SECTION 24-1-105, AND exercise their powers and perform
24 their duties and functions under the department of public safety and the
25 executive director. ~~as transferred to the department by a type 2 transfer,~~
26 ~~as such transfer is defined in the "Administrative Organization Act of~~
27 ~~1968", article 1 of this title.~~

1 **SECTION 210.** In Colorado Revised Statutes, 24-33.5-401,
2 **amend** (2) as follows:

3 **24-33.5-401. Colorado bureau of investigation.** (2) The
4 Colorado bureau of investigation and the office of the director ~~shall~~ ARE
5 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their
6 powers and perform their duties and functions under the department of
7 public safety and the executive director. ~~as transferred to the department~~
8 ~~by a **type 2** transfer, as such transfer is defined in the "Administrative~~
9 ~~Organization Act of 1968", article 1 of this title.~~

10 **SECTION 211.** In Colorado Revised Statutes, 24-33.5-502,
11 **amend** (2) as follows:

12 **24-33.5-502. Division of criminal justice created.** (2) The
13 division of criminal justice and the office of the director ~~shall~~ ARE **TYPE**
14 **2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers
15 and perform their duties and functions under the department of public
16 safety and the executive director. ~~as transferred to the department by a~~
17 ~~**type 2** transfer, as such transfer is defined in the "Administrative~~
18 ~~Organization Act of 1968", article 1 of this title.~~

19 **SECTION 212.** In Colorado Revised Statutes, 24-33.5-1201,
20 **amend** (2), (3)(a), (4)(a)(II), and (5)(a) as follows:

21 **24-33.5-1201. Division of fire prevention and control - creation**
22 **- public school construction and inspection section - health facility**
23 **construction and inspection section - legislative declaration.** (2) The
24 division, the office of the director, the advisory board created by IN
25 section 24-33.5-1204, and the board of appeals created by IN section
26 24-33.5-1213.7 ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION
27 24-1-105, AND exercise their powers and perform their duties and

1 functions under the department of public safety and the executive
2 director. ~~as if the same were transferred to the department by a **type 2**~~
3 ~~transfer, as such transfer is defined in the "Administrative Organization~~
4 ~~Act of 1968", article 1 of this title.~~

5 (3) (a) There is ~~hereby~~ created ~~within~~ IN the division the public
6 school construction and inspection section to implement the provisions
7 of sections 22-32-124 (2) and 23-71-122 (1)(v) ~~C.R.S.~~, and to administer
8 and enforce the codes in accordance with sections 24-33.5-1213 and
9 24-33.5-1213.3. The public school construction and inspection section
10 ~~shall perform~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
11 EXERCISES ITS POWERS AND PERFORMS its duties and functions under the
12 division and the executive director. ~~as if the same were transferred to the~~
13 ~~department by a **type 2** transfer, as such transfer is defined in the~~
14 ~~"Administrative Organization Act of 1968", article 1 of this title.~~

15 (4) (a) (II) There is ~~hereby~~ created in the division of fire
16 prevention and control the wildland fire management section to
17 implement this subsection (4) and sections 24-33.5-1217 to
18 24-33.5-1226.5. The wildland fire management section ~~shall perform its~~
19 ~~duties and functions under the division of fire prevention and control as~~
20 ~~if the same were transferred by a **type 2** transfer, as such transfer is~~
21 ~~defined in the "Administrative Organization Act of 1968", article 1 of this~~
22 ~~title 24.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
23 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
24 THE DIVISION OF FIRE PREVENTION AND CONTROL.

25 (5) (a) There is ~~hereby~~ created ~~within~~ IN the division the health
26 facility construction and inspection section to implement section
27 24-33.5-1212.5 and to administer and enforce the codes in accordance

1 with sections 24-33.5-1212.5 and 24-33.5-1213. The health facility
2 construction and inspection section ~~shall perform~~ IS A **TYPE 2** ENTITY, AS
3 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
4 its duties and functions under the division and the executive director. ~~as~~
5 ~~if the same were transferred to the department by a type 2 transfer, as~~
6 ~~such transfer is defined in the "Administrative Organization Act of 1968",~~
7 ~~article 1 of this title.~~

8 **SECTION 213.** In Colorado Revised Statutes, **amend**
9 24-33.5-1603 as follows:

10 **24-33.5-1603. Division of homeland security and emergency**
11 **management - creation - director.** (1) There is ~~hereby~~ created ~~within~~
12 IN the department the division of homeland security and emergency
13 management, the head of which is the director of the division. The
14 executive director shall appoint the director pursuant to section 13 of
15 article XII of the state constitution. THE DIVISION OF HOMELAND SECURITY
16 AND EMERGENCY MANAGEMENT AND THE DIRECTOR OF THE DIVISION ARE
17 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

18 (2) The division includes the following agencies, which ~~shall~~ ARE
19 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND WHICH exercise
20 their powers and perform their duties and functions under the department:
21 ~~as if the same were transferred thereto by a type 2 transfer:~~

22 (a) The office of emergency management, created in section
23 24-33.5-705;

24 (b) The office of prevention and security, created in section
25 24-33.5-1606; and

26 (c) The office of preparedness, created in section 24-33.5-1606.5.

27 **SECTION 214.** In Colorado Revised Statutes, 24-33.5-1703,

1 **amend** (1)(b) as follows:

2 **24-33.5-1703. Identity theft and financial fraud board -**
3 **creation - rules.** (1) (b) The board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS
4 DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
5 PERFORMS its duties and functions ~~as if the same were transferred to~~
6 UNDER the department of public safety. ~~by a type 2 transfer, as such~~
7 ~~transfer is defined in the "Administrative Organization Act of 1968",~~
8 ~~article 1 of this title.~~

9 **SECTION 215.** In Colorado Revised Statutes, 24-1-128.7,
10 **amend** (2), (3), (4), (5), (6), (9), and (10) as follows:

11 **24-1-128.7. Department of transportation - creation - repeal.**

12 (2) The transportation commission, created ~~by~~ IN part 1 of article 1 of
13 title 43, C.R.S., and its powers, duties, and functions are transferred by a
14 **type 1** transfer to the department of transportation IS A **TYPE 1** ENTITY, AS
15 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS
16 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
17 TRANSPORTATION.

18 (3) The department of transportation consists of the following
19 divisions:

20 (a) THE highway maintenance division, the head of which is the
21 director of the highway maintenance division. The highway maintenance
22 division and the office of the director, ~~thereof,~~ created ~~by~~ IN part 1 of
23 article 1 of title 43, C.R.S., and their powers, duties, and functions are
24 transferred by a **type 2** transfer to the department of transportation ARE
25 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR
26 POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE
27 DEPARTMENT OF TRANSPORTATION.

1 (b) THE aeronautics division, the head of which ~~shall be~~ IS the
2 director of the aeronautics division. The aeronautics division and the
3 office of the director, ~~thereof~~, created by IN article 10 of title 43, ~~C.R.S.~~,
4 ~~and their powers, duties, and functions are transferred by a type 1 transfer~~
5 ~~to the department of transportation~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN
6 SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR
7 DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION.
8 The RESPONSIBILITIES OF THE DEPARTMENT OF TRANSPORTATION AND THE
9 AERONAUTICS DIVISION INCLUDE THE powers, duties, and functions of the
10 division of aviation, FORMERLY UNDER THE AUTHORITY of the department
11 of military and veterans affairs. ~~are transferred by a type 1 transfer to the~~
12 ~~department of transportation and allocated to the aeronautics division.~~

13 (c) THE transportation development division, the head of which
14 ~~shall be~~ IS the director of the transportation development division. The
15 transportation development division and the office of the director, ~~thereof~~,
16 created by IN part 1 of article 1 of title 43, ~~C.R.S.~~, ~~and their powers,~~
17 ~~duties, and functions are transferred by a type 2 transfer to the department~~
18 ~~of transportation~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105,
19 ANDEXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS
20 UNDER THE DEPARTMENT OF TRANSPORTATION.

21 (d) THE engineering, design, and construction division, the head
22 of which ~~shall be~~ IS the chief engineer. The ~~transportation development~~
23 ~~division~~ ENGINEERING, DESIGN, AND CONSTRUCTION DIVISION and the
24 office of the chief engineer, created by IN part 1 of article 1 of title 43,
25 ~~C.R.S.~~, ~~and their powers, duties, and functions are transferred by a type~~
26 ~~2 transfer to the department of transportation~~ ARE **TYPE 2** ENTITIES, AS
27 DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND

1 PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
2 TRANSPORTATION.

3 (e) The transit and rail division created in part 1 of article 1 of title
4 43, ~~C.R.S.~~, the head of which ~~shall be~~ IS the director of the transit and rail
5 division. The transit and rail division and the office of the director of the
6 division ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND
7 exercise their powers and perform their duties and functions under the
8 department of transportation and the executive director of the department.
9 ~~as if the same were transferred thereto by a type 2 transfer.~~

10 (4) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF
11 TRANSPORTATION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE
12 state department of highways, created by IN section 24-1-126, prior to its
13 repeal in 1991, and its ~~powers, duties, and functions, are transferred by a~~
14 ~~type 3 transfer to the department of transportation, pursuant to the~~
15 ~~provisions of this article, and the state department of highways is~~
16 ~~abolished.~~

17 (5) The statewide bridge and tunnel enterprise created in section
18 43-4-805 (2) ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
19 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and
20 functions ~~as if the same were transferred by a type 1 transfer, as defined~~
21 ~~in section 24-1-105, to~~ UNDER the department of transportation.

22 (6) (a) The high-performance transportation enterprise, created in
23 section 43-4-806 (2)(a), ~~C.R.S., shall exercise~~ IS A **TYPE 1** ENTITY, AS
24 DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~
25 PERFORMS its duties and functions ~~as if the same were transferred by a~~
26 ~~type 1 transfer, as defined in section 24-1-105, to~~ UNDER the department
27 of transportation.

1 (b) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF
2 TRANSPORTATION AND THE HIGH-PERFORMANCE TRANSPORTATION
3 ENTERPRISE INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE
4 statewide tolling enterprise, created by IN the transportation commission
5 pursuant to section 43-4-803 (1), ~~C.R.S.~~, prior to the repeal and
6 reenactment of said section by Senate Bill 09-108, enacted in 2009, and
7 ~~its powers, duties, and functions are transferred by a type 3 transfer, as~~
8 ~~defined in section 24-1-105, to the high-performance transportation~~
9 ~~enterprise created in section 43-4-806 (2)(a), C.R.S., and the statewide~~
10 tolling enterprise is abolished.

11 (9) The clean transit enterprise, created in section 43-4-1203, ~~shall~~
12 ~~exercise its powers and perform its duties as if the same were transferred~~
13 ~~by a type 1 transfer, as defined in section 24-1-105, to the department of~~
14 ~~transportation~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
15 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
16 THE DEPARTMENT OF TRANSPORTATION.

17 (10) The nonattainment area air pollution mitigation enterprise,
18 created in section 43-4-1303, ~~shall exercise its powers and perform its~~
19 ~~duties as if the same were transferred by a type 1 transfer, as defined in~~
20 ~~section 24-1-105, to the department of transportation~~ IS A **TYPE 1** ENTITY,
21 AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND
22 PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
23 TRANSPORTATION.

24 **SECTION 216.** In Colorado Revised Statutes, 43-1-106, **amend**
25 (1) as follows:

26 **43-1-106. Transportation commission - powers and duties.**

27 (1) There is ~~hereby~~ created a transportation commission, which ~~shall~~

1 ~~consist~~ CONSISTS of eleven members. The initial members of the
2 commission shall be the members of the state highway commission
3 immediately prior to July 1, 1991, and each such commission member
4 shall continue to represent the same district. THE TRANSPORTATION
5 COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

6 **SECTION 217.** In Colorado Revised Statutes, 43-1-114, **amend**
7 (2) as follows:

8 **43-1-114. Highway maintenance division - creation.** (2) The
9 highway maintenance division and the director of the division ~~shall~~ ARE
10 **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their
11 powers and perform their duties and functions under the department and
12 the executive director. ~~as if the same were transferred to the department~~
13 ~~by a type 2 transfer, as such transfer is defined in the "Administrative~~
14 ~~Organization Act of 1968", article 1 of title 24, C.R.S.~~

15 **SECTION 218.** In Colorado Revised Statutes, 43-1-116, **amend**
16 (2) as follows:

17 **43-1-116. Engineering, design, and construction division -**
18 **created - duties - environmental justice and equity branch.** (2) The
19 engineering, design, and construction division and the office of the chief
20 engineer ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105,
21 AND exercise their powers and perform their duties and functions under
22 the department of transportation and the executive director. ~~as if the same~~
23 ~~were transferred to the department by a type 2 transfer, as such transfer~~
24 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~
25 ~~title 24, C.R.S.~~

26 **SECTION 219.** In Colorado Revised Statutes, 43-1-117, **amend**
27 (2) as follows:

1 **43-1-117. Transportation development division - created -**
2 **duties - freight mobility and safety branch.** (2) The transportation
3 development division and the office of the director of ~~such~~ THE division
4 ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise
5 their powers and perform their duties and functions under the department
6 of transportation and the executive director. ~~as if the same were~~
7 ~~transferred to the department by a type 2 transfer, as such transfer is~~
8 ~~defined in the "Administrative Organization Act of 1968", article 1 of title~~
9 ~~24, C.R.S.~~

10 **SECTION 220.** In Colorado Revised Statutes, 43-1-117.5,
11 **amend** (2) as follows:

12 **43-1-117.5. Transit and rail division - created - powers and**
13 **duties.** (2) The transit and rail division and the office of the director of
14 the division ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105,
15 AND exercise their powers and perform their duties and functions under
16 the department and the executive director. ~~as if the same were transferred~~
17 ~~to the department by a type 2 transfer, as defined in section 24-1-105,~~
18 ~~C.R.S.~~

19 **SECTION 221.** In Colorado Revised Statutes, 43-4-805, **amend**
20 (2)(a)(II) as follows:

21 **43-4-805. Statewide bridge enterprise - creation - board -**
22 **funds - powers and duties - legislative declaration - definition.**
23 (2) (a) (II) The bridge enterprise and the bridge enterprise director ~~shall~~
24 ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their
25 powers and perform their duties ~~as if the same were transferred to~~ AND
26 FUNCTIONS UNDER the department. ~~by a type 1 transfer, as defined in~~
27 ~~section 24-1-105, C.R.S.~~

1 **SECTION 222.** In Colorado Revised Statutes, 43-4-806, **amend**
2 (2)(a)(III) as follows:

3 **43-4-806. High-performance transportation enterprise -**
4 **creation - board - funds - powers and duties - limitations - reporting**
5 **requirements - legislative declaration - definition.** (2) (a) (III) (A) The
6 transportation enterprise and the transportation enterprise director ~~shall~~
7 ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their
8 powers and perform their duties ~~as if the same were transferred to~~ AND
9 FUNCTIONS UNDER the department. ~~by a type 1 transfer, as defined in~~
10 ~~section 24-1-105, C.R.S.~~

11 (B) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF
12 TRANSPORTATION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE
13 statewide tolling enterprise, created ~~by~~ IN the commission pursuant to
14 section 43-4-803 (1), prior to the repeal and reenactment of said section
15 by Senate Bill 09-108, enacted in 2009, ~~and its powers, duties, and~~
16 ~~functions are transferred by a type 3 transfer, as defined in section~~
17 ~~24-1-105, C.R.S., to the transportation enterprise,~~ and the statewide
18 tolling enterprise is abolished.

19 **SECTION 223.** In Colorado Revised Statutes, 43-4-1203, **amend**
20 (1) as follows:

21 **43-4-1203. Clean transit enterprise - creation - board - powers**
22 **and duties - rules - fees - fund.** (1) (a) The clean transit enterprise is
23 ~~hereby~~ created in the department. The enterprise is and operates as a
24 government-owned business within the department in order to execute its
25 business purpose as specified in subsection (3) of this section by
26 exercising the powers and performing the duties AND FUNCTIONS set forth
27 in this section.

1 (b) The enterprise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
2 24-1-105, AND exercises its powers and performs its duties and functions
3 under the department. ~~as if the same were transferred to the department~~
4 ~~by a **type 1** transfer, as defined in section 24-1-105.~~

5 **SECTION 224.** In Colorado Revised Statutes, 43-4-1303, **amend**
6 (1) as follows:

7 **43-4-1303. Nonattainment area air pollution mitigation**
8 **enterprise - creation - board - powers and duties - rules - fees - fund.**

9 (1) (a) The nonattainment area air pollution mitigation enterprise is
10 ~~hereby~~ created in the department. The enterprise is and operates as a
11 government-owned business within the department in order to execute its
12 business purpose as specified in subsection (3) of this section by
13 exercising the powers and performing the duties AND FUNCTIONS set forth
14 in this section.

15 (b) The enterprise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION
16 24-1-105, AND exercises its powers and performs its duties and functions
17 under the department. ~~as if the same were transferred to the department~~
18 ~~by a **type 1** transfer, as defined in section 24-1-105.~~

19 **SECTION 225. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly; except
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V
23 of the state constitution against this act or an item, section, or part of this
24 act within such period, then the act, item, section, or part will not take
25 effect unless approved by the people at the general election to be held in
26 November 2022 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.