

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0558.01 Nate Carr x2584

SENATE BILL 22-212

SENATE SPONSORSHIP

Lee and Cooke, Buckner, Gardner, Rodriguez

HOUSE SPONSORSHIP

Herod and Soper, Bacon, Snyder, Weissman

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING THE NONSUBSTANTIVE REVISION OF STATUTES IN THE
102 COLORADO REVISED STATUTES, AS AMENDED, AND, IN
103 CONNECTION THEREWITH, AMENDING OR REPEALING OBSOLETE,
104 IMPERFECT, AND INOPERATIVE LAW TO PRESERVE THE
105 LEGISLATIVE INTENT, EFFECT, AND MEANING OF THE LAW.

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>.)

Committee on Legal Services - Revisor's Bill. To improve the clarity and certainty of the statutes, the bill amends, repeals, and

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.

reconstructs various statutory provisions of law that are obsolete, imperfect, or inoperative. The specific reasons for each amendment or repeal are set forth in the appendix to the bill. The amendments made by the bill are not intended to change the meaning or intent of the statutes, as amended.

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

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

4 **1-1-104. Definitions.** As used in this code, unless the context
5 otherwise requires:

6 (48) "Taxable property" means real or personal property subject
7 to general ad valorem taxes. For all elections and petitions that require
8 ownership of real property or land, ownership of a mobile home or
9 manufactured home, as defined in section 5-1-301 (29), 38-12-201.5 (5),
10 or ~~42-1-102(106)(b)~~ **42-1-102 (48.8)**, is sufficient to qualify as ownership
11 of real property or land for the purpose of voting rights and petitions.

12 **SECTION 2.** In Colorado Revised Statutes, **amend** 1-4-1008 as
13 follows:

14 **1-4-1008. Vacancies in unaffiliated designation or nomination.**
15 Any vacancy in a nomination for an unaffiliated candidate caused by the
16 declination, death, disqualification, or withdrawal of any person
17 nominated by petition or statement of intent occurring after the filing of
18 the petition for nomination ~~or the submittal of a statement of intent under~~
19 ~~section 1-4-303~~ and no later than seventy days before the general or
20 congressional vacancy election may be filled by the person or persons
21 designated on the petition or statement of intent to fill vacancies.

22 **SECTION 3.** In Colorado Revised Statutes, 1-7-515, **amend as**
23 **it will become effective July 1, 2022, (4)(b)(II)** as follows:

1 **1-7-515. Risk-limiting audits - rules - legislative declaration -**
2 **definitions.** (4) (b) (II) A county shall audit an election using instant
3 runoff voting conducted as part of a coordinated election before
4 ~~December 31, 2023~~ JANUARY 1, 2025, in accordance with rules adopted
5 by the secretary of state related to ranked choice or instant runoff voting,
6 or, if no such rules are adopted, in accordance with procedures adopted
7 by the county clerk and recorder.

8 **SECTION 4.** In Colorado Revised Statutes, 1-9-201, **amend**
9 (1)(b) as follows:

10 **1-9-201. Right to vote may be challenged.** (1) (b) If a person
11 whose right to vote is challenged at a polling location refuses to answer
12 the questions asked or sign the challenge form in accordance with section
13 1-9-203, ~~or take the oath pursuant to section 1-9-204,~~ the person shall be
14 offered a provisional ballot. If the person casts a provisional ballot, the
15 election judge shall attach the challenge form to the provisional ballot
16 envelope and indicate "Challenge" on the provisional ballot envelope.

17 **SECTION 5.** In Colorado Revised Statutes, 1-9-203, **amend** (7)
18 as follows:

19 **1-9-203. Challenge questions asked person intending to vote.**
20 (7) If the person challenged answers satisfactorily the questions asked in
21 accordance with this section, ~~and signs the oath pursuant to section~~
22 ~~1-9-204,~~ the election judge shall offer the person challenged a regular
23 ballot, and the challenger may withdraw the challenge. The election judge
24 shall indicate in the proper place on the challenge form whether the
25 challenge was withdrawn or whether the challenged elector refused to
26 answer the questions and left the polling location without voting a
27 provisional ballot.

1 **SECTION 6.** In Colorado Revised Statutes, **amend as it became**
2 **effective March 1, 2022,** 1-13-704 as follows:

3 **1-13-704. Unlawfully permitting to vote.** If at any election
4 provided by law any judge of election ~~willfully and maliciously refuses~~
5 ~~or neglects to receive the ballot of any registered elector who has taken~~
6 ~~or offered to take the oath prescribed by section 1-9-204~~ or knowingly
7 and willfully permits any person to vote who is not entitled to vote at such
8 election, such judge commits a class 1 misdemeanor.

9 **SECTION 7.** In Colorado Revised Statutes, 2-3-124, **amend** (1)
10 as follows:

11 **2-3-124. Audits of reports of recidivism and educational**
12 **outcomes by the division of youth services.** (1) On or before January
13 1, 2019, and on or before January 1, 2024, the state auditor shall audit the
14 reports of recidivism rates and educational outcomes for youth committed
15 to the division of youth services in the state department of human
16 services, prepared pursuant to section ~~19-2.5-1501 (5)~~ **19-2.5-1501 (4)**.
17 Each such audit must examine the division's reports during the preceding
18 five years for accuracy and quality. After January 1, 2024, the state
19 auditor, at the auditor's discretion, may conduct additional audits of the
20 division of youth services reports of recidivism rates and educational
21 outcomes for youth committed to the division.

22 **SECTION 8.** In Colorado Revised Statutes, 2-3-204, **amend** (3)
23 as follows:

24 **2-3-204. Staff director, assistants, and consultants.** (3) The
25 staff director shall appoint additional staff as necessary to provide the
26 evidence-based analysis required by section ~~2-3-310(3)(c)~~ **2-3-210 (3)(c)**.
27 Upon request, joint budget committee staff shall also assist legislators in

1 incorporating evidence-based assessments into legislation.

2 **SECTION 9.** In Colorado Revised Statutes, **amend** 2-5-104 as
3 follows:

4 **2-5-104. Revisor's bill.** The revisor, under the supervision and
5 direction of the committee, shall prepare and submit annually one or more
6 bills containing ~~such~~ amendments or repeals of obsolete, inoperative,
7 imperfect, obscure, or doubtful laws as ~~he~~ THE REVISOR considers
8 necessary to improve the clarity and certainty of the statutes as provided
9 in section 2-5-103.

10 **SECTION 10.** In Colorado Revised Statutes, **amend** 2-7-200.1
11 as follows:

12 **2-7-200.1. Short title.** This part 2 shall be known and may be
13 cited as the "State Measurement for Accountable, Responsive, and
14 Transparent (SMART) Government Act" OR "SMART ACT".

15 **SECTION 11.** In Colorado Revised Statutes, 4-9-609, **amend** (d)
16 as follows:

17 **4-9-609. Secured party's right to take possession after default.**

18 (d) If the collateral is a manufactured home, AS DEFINED IN SECTION
19 42-1-102 (48.8), or trailer coach, as defined in section 42-1-102 (106),
20 ~~C.R.S.~~, and is used and occupied by the debtor as a place of residence, the
21 secured party may take possession of the collateral pursuant to this
22 section without judicial process only if there is clear and convincing
23 evidence that the debtor has vacated or abandoned the collateral or the
24 debtor voluntarily surrenders the collateral to the secured party.

25 **SECTION 12.** In Colorado Revised Statutes, 6-1-102, **amend**
26 (4.9) as follows:

27 **6-1-102. Definitions.** As used in this article 1, unless the context

1 otherwise requires:

2 (4.9) "Manufactured home" shall have the same meaning as set
3 forth in section ~~42-1-102 (106)(b)~~, C.R.S. **42-1-102 (48.8)**.

4 **SECTION 13.** In Colorado Revised Statutes, 6-2.7-101, **amend**
5 (2) as follows:

6 **6-2.7-101. Definitions.** As used in this article, unless the context
7 otherwise requires:

8 (2) "Internet access provider" means an entity that provides
9 electronic communications AS DEFINED IN 18 U.S.C. SEC. 2510 or remote
10 computing SERVICES as defined in ~~18 U.S.C. sec. 119 and sec. 121~~, 18
11 U.S.C. SEC. 2711 to customers in Colorado. "Internet access provider"
12 shall not include noninternet-based communications.

13 **SECTION 14.** In Colorado Revised Statutes, 6-2.7-102, **amend**
14 (3) and (5) as follows:

15 **6-2.7-102. Internet evidence for law enforcement - preserve**
16 **and release evidence - reports - training materials.** (3) An internet
17 access provider doing business in this state shall report incidents of
18 apparent child pornography to the national center for missing and
19 exploited children pursuant to ~~42 U.S.C. sec. 13032~~ 18 U.S.C. SEC.
20 2258A. The report shall include, if available, the subscriber's city and
21 state or zip code.

22 (5) Subsections (1) and (2) of this section shall be interpreted
23 consistent with the requirements of federal law that apply to internet
24 access providers, including but not limited to 18 U.S.C. 2701 et seq. and
25 ~~42 U.S.C. 13032~~ 18 U.S.C. SEC. 2258A.

26 **SECTION 15.** In Colorado Revised Statutes, **amend** 6-7-104 as
27 follows:

1 **6-7-104. Exemptions from this article.** The standards set forth
2 in this article shall not apply to the design and construction or renovation
3 of private garages, carports, sheds, agricultural buildings, tanks,
4 factory-constructed housing, towers, and those buildings which have been
5 designated as historic by the governing body of a county or municipality
6 or which have been included on the state register of historic properties
7 pursuant to article 80.1 of title 24, C.R.S., or the national register of
8 historic places maintained pursuant to ~~16 U.S.C. sec. 470a~~ CHAPTER 3021
9 OF TITLE 54 OF THE UNITED STATES CODE.

10 **SECTION 16.** In Colorado Revised Statutes, 6-20-203, **amend**
11 (3)(b)(I) as follows:

12 **6-20-203. Limitations on collection actions - definition.**

13 (3) (b) (I) A medical creditor, as defined in section 6-20-201 (6)(b),
14 (6)(c), or (6)(d), collecting on a debt for hospital services shall include the
15 following statement in the notices the medical creditor provides to the
16 patient pursuant to section 5-16-109 (1) and 15 U.S.C. sec. 1692g (a):
17 "Pursuant to Colorado law, discounts for hospital services are available
18 for qualified individuals." The statement must include a link to the written
19 explanation of the patient's rights that is posted to the department of
20 health care policy and financing's website pursuant to section ~~25.5-3-505~~
21 ~~(4)(a)~~ **25.5-3-505 (5)(a)**.

22 **SECTION 17.** In Colorado Revised Statutes, 8-20.5-105, **amend**
23 **as it became effective on March 1, 2022,** (2) as follows:

24 **8-20.5-105. Confidentiality.** (2) Any person making such
25 confidential records available to any person or organization without
26 authorization from the affected operator or owner commits a petty offense
27 and shall be punished ~~as provided in section 18-1.3-501~~ PURSUANT TO

1 SECTION **18-1.3-503**.

2 SECTION 18. In Colorado Revised Statutes, 8-83-502, **amend**
3 (9) as follows:

4 **8-83-502. Definitions.** As used in this part 5, unless the context
5 otherwise requires:

6 (9) "Tier one coal transition worker" means a coal transition
7 worker who was laid off on or after January 1, 2017, or who the director
8 determines is reasonably likely to be laid off in the future, from
9 employment in a coal transition facility or the manufacturing or
10 transportation supply ~~train~~ CHAIN of a coal transition facility if the
11 proximate cause of the actual or anticipated loss of employment is either
12 the closure or conversion of a coal-fueled electrical power generating
13 plant in Colorado or a contiguous state or what the director determines to
14 be a sustained and likely permanent decline in broader coal markets due
15 to similar closures or conversions nationally and globally.

16 SECTION 19. In Colorado Revised Statutes, **amend** 10-18-108
17 as follows:

18 **10-18-108. Advertising - copy provided to commissioner.** Every
19 insurer, health-care service plan, or other entity providing medicare
20 supplement insurance or benefits in this state that advertises medicare
21 supplement insurance shall provide the commissioner a written copy of
22 the medicare supplement advertisement used in this state. If there is a
23 complaint filed about a radio or television advertisement, the
24 commissioner may request an audio or video ~~cassette~~ RECORDING from
25 those entities.

26 SECTION 20. In Colorado Revised Statutes, 12-20-202, **repeal**
27 (3)(e)(IX) as follows:

1 **12-20-202. Licenses, certifications, and registrations - renewal**
2 **- reinstatement - fees - occupational credential portability program**
3 **- temporary authority for military spouses - definitions - exceptions**
4 **for military personnel - rules - consideration of criminal convictions**
5 **or driver's history - executive director authority. (3) Occupational**
6 **credential portability program. (e) Subsections (3)(a) to (3)(d) of this**
7 section do not apply to the following professions or occupations:

8 (IX) ~~Private investigators, regulated pursuant to article 160 of this~~
9 ~~title 12;~~

10 **SECTION 21.** In Colorado Revised Statutes, 12-20-404, **repeal**
11 (1)(d)(II)(F) and (3)(a)(II)(C) as follows:

12 **12-20-404. Disciplinary actions - regulator powers -**
13 **disposition of fines - mistreatment of at-risk adult. (1) General**
14 **disciplinary authority.** If a regulator determines that an applicant,
15 licensee, certificate holder, or registrant has committed an act or engaged
16 in conduct that constitutes grounds for discipline or unprofessional
17 conduct under a part or article of this title 12 governing the particular
18 profession or occupation, the regulator may:

19 (d) (II) A regulator is not authorized under this subsection (1)(d)
20 to refuse to renew the license, certification, or registration of a licensee,
21 certificate holder, or registrant regulated under the following:

22 (F) ~~Article 160 of this title 12 concerning private investigators;~~

23 (3) **Waiting period after revocation or surrender.** (a) (II) In
24 addition, the waiting period specified in subsection (3)(a)(I) of this
25 section applies when a person regulated under any of the following
26 articles surrenders a license, certification, or registration to avoid
27 discipline:

1 (C) ~~Article 160 of this title 12 concerning private investigators;~~

2 **SECTION 22.** In Colorado Revised Statutes, 12-20-407, **repeal**

3 (1)(b)(I) as follows:

4 **12-20-407. Unauthorized practice of profession or occupation**
5 **- penalties - exclusions.** (1) (b) A person commits a class 2 misdemeanor
6 and shall be punished as provided in section 18-1.3-501 if the person
7 engages in any of the following activities:

8 (I) ~~Conducts private investigations or presents himself or herself~~
9 ~~as a, or uses the title of, "private investigator", "private detective",~~
10 ~~"licensed private detective", or "licensed private investigator" without an~~
11 ~~active license issued under article 160 of this title 12;~~

12 **SECTION 23.** In Colorado Revised Statutes, 12-280-117, **amend**

13 (5) as follows:

14 **12-280-117. Continuing education - exceptions - inactive**
15 **status.** (5) Each program of continuing pharmaceutical education must
16 consist of at least one continuing education unit, which is one hour of
17 participation in an organized continuing educational experience, including
18 postgraduate studies, institutes, seminars, lectures, conferences,
19 workshops, correspondence courses, ~~cassette~~ AUDIO programs,
20 programmed learning courses, audiovisual programs, internet programs,
21 and any other form of presentation that is accredited.

22 **SECTION 24.** In Colorado Revised Statutes, 15-1.2-202, **amend**

23 (3) introductory portion as follows:

24 **15-1.2-202. Judicial review of exercise of discretionary power**
25 **- definition.** (3) If the court determines that a fiduciary decision was an
26 abuse of the fiduciary's discretion, the court may order a remedy
27 authorized by law, including section ~~15-1-1001~~ **15-5-1001** of the

1 "Colorado Uniform Trust Code" and part 5 of article 10 of this title 15.
2 To place the beneficiaries in the positions the beneficiaries would have
3 occupied if there had not been an abuse of the fiduciary's discretion, the
4 court may order:

5 **SECTION 25.** In Colorado Revised Statutes, 15-5-108, **amend**
6 (4) as follows:

7 **15-5-108. Principal place of administration.** (4) Without
8 precluding the right of the court to order, approve, or disapprove a
9 transfer, the trustee, in furtherance of the duty prescribed by ~~subsection~~
10 ~~(2)~~ SUBSECTION (3) of this section, may transfer the trust's principal place
11 of administration to another state or to a jurisdiction outside the United
12 States.

13 **SECTION 26.** In Colorado Revised Statutes, 16-11.7-103,
14 **amend** (6) as follows:

15 **16-11.7-103. Sex offender management board - creation -**
16 **duties - repeal.** (6) **Repeal.** (a) This section is repealed, effective
17 September 1, 2023. Before the repeal, this section is scheduled for review
18 in accordance with section 24-34-104.

19 ~~(b) Prior to said repeal, the sex offender management board~~
20 ~~appointed pursuant to this section shall be reviewed as provided for in~~
21 ~~section 24-34-104, C.R.S.~~

22 ~~(c) Repealed.~~

23 **SECTION 27.** In Colorado Revised Statutes, 16-22-102, **amend**
24 (4.2) as follows:

25 **16-22-102. Definitions.** As used in this article 22, unless the
26 context otherwise requires:

27 (4.2) "Juvenile" means a person who is under eighteen years of

1 age at the time of the offense and who has not been criminally convicted
2 in the district court of unlawful sexual behavior pursuant to section
3 ~~19-2-517 or 19-2-518~~ **19-2.5-801** OR **19-2.5-802**.

4 **SECTION 28.** In Colorado Revised Statutes, 18-5-801, **amend**
5 (2) and (5) as follows:

6 **18-5-801. Definitions.** As used in this part 8, unless the context
7 otherwise requires:

8 (2) "Real property" means land and any interest or estate in land
9 and includes a manufactured home as defined in section ~~42-1-102~~
10 ~~(106)(b)~~, C.R.S. **42-1-102 (48.8)**.

11 (5) "Vehicle" means any device of conveyance capable of moving
12 itself or of being moved from place to place upon wheels or a track or by
13 water or air, whether or not intended for the transport of persons or
14 property, and includes any space within such "vehicle" adapted for
15 overnight accommodation of persons or animals or for the carrying on of
16 business. "Vehicle" does not include a manufactured home as defined in
17 section ~~42-1-102 (106)(b)~~, C.R.S. **42-1-102 (49.5)**.

18 **SECTION 29.** In Colorado Revised Statutes, 18-6-803.5, **amend**
19 (1)(c)(II) as follows:

20 **18-6-803.5. Crime of violation of a protection order - penalty**
21 **- peace officers' duties - definitions.** (1) A person commits the crime of
22 violation of a protection order if, after the person has been personally
23 served with a protection order that identifies the person as a restrained
24 person or otherwise has acquired from the court or law enforcement
25 personnel actual knowledge of the contents of a protection order that
26 identifies the person as a restrained person, the person:

27 (c) Violates a civil protection order issued pursuant to section

1 13-14-105.5 or a mandatory protection order issued pursuant to section
2 18-1-1001 (9) by:

3 (II) Failing to timely file a signed affidavit or written statement
4 with the court as described in section ~~13-14-105.5 (10)~~ **13-14-105.5 (9)**,
5 18-1-1001 (9)(i), or 18-6-801 (8)(i).

6 **SECTION 30.** In Colorado Revised Statutes, 18-13-125, **amend**
7 (3)(b)(V) as follows:

8 **18-13-125. Telephone records - sale or purchase.** (3) (b) This
9 section shall not prohibit a telecommunications provider from obtaining,
10 using, disclosing, or permitting access to a telephone record when such
11 access:

12 (V) Is made to the national center for missing and exploited
13 children or its successor entity and concerns a report submitted under ~~42~~
14 ~~U.S.C. sec. 13032~~ 18 U.S.C. SEC. 2258A;

15 **SECTION 31.** In Colorado Revised Statutes, 18-18-607, **amend**
16 (2) as follows:

17 **18-18-607. Safe stations - disposal of controlled substances -**
18 **medical evaluation - definition.** (2) Reasonable efforts should be taken
19 by safe station personnel to determine if the person is in need of
20 immediate medical attention and facilitate transportation to an appropriate
21 medical facility, if necessary. If the person does not require immediate
22 medical attention, the safe station personnel shall provide the person with
23 information about the behavioral health crisis response system, created in
24 section 27-60-103, to help identify available treatment options and, if
25 practicable, provide transportation for the person to the most appropriate
26 facility for treatment of a substance use disorder. Information about the
27 crisis hotline must be developed by the office of behavioral health in the

1 state department OF HUMAN SERVICES and be provided to safe stations for
2 distribution.

3 **SECTION 32.** In Colorado Revised Statutes, 19-1-103, **amend**
4 (7)(c) and (80) as follows:

5 **19-1-103. Definitions.** As used in this title 19 or in the specified
6 portion of this title 19, unless the context otherwise requires:

7 (7) (c) "Adoption record", as used in either subsection ~~(6)(a)~~ or
8 ~~(6)(b)~~ (7)(a) OR (7)(b) of this section, must not include pre-relinquishment
9 counseling records, which must remain confidential.

10 (80) "Identifying information", as used in section 19-5-305 (3),
11 means copies of any adoption records, as that term is defined in
12 ~~subsection (6)~~ SUBSECTION (7) of this section, that are in the possession
13 of the child placement agency. "Identifying information" also includes the
14 name of the adoptee before placement in adoption; the name and address
15 of each consenting birth parent as they appear in the birth records; the
16 current name, address, and telephone number of the adult adoptee; and
17 the current name, address, and telephone number of each consenting birth
18 parent to the extent such information is available to the child placement
19 agency.

20 **SECTION 33.** In Colorado Revised Statutes, 19-1-108, **amend**
21 (5.5) as follows:

22 **19-1-108. Magistrates - qualifications - duties.** (5.5) A request
23 for review must be filed within fourteen days for proceedings under
24 articles ~~2~~ 2.5, 4, and 6 of this title or within seven days for proceedings
25 under article 3 of this title after the parties have received notice of the
26 magistrate's ruling and must clearly set forth the grounds relied upon.
27 Such review is solely upon the record of the hearing before the magistrate

1 and is reviewable upon the grounds set forth in rule 59 of the Colorado
2 rules of civil procedure. A petition for review is a prerequisite before an
3 appeal may be filed with the Colorado court of appeals or Colorado
4 supreme court. The judge may, on his or her own motion, remand a case
5 to another magistrate after action is taken on a petition for review.

6 **SECTION 34.** In Colorado Revised Statutes, 19-1-127, **amend**
7 (1) introductory portion as follows:

8 **19-1-127. Responsibility for placement and care.**

9 (1) "Responsibility for placement and care", for purposes of compliance
10 with federal requirements pursuant to the federal "Social Security Act",
11 ~~42 U.S.C. sec. 672 (2)~~ 42 U.S.C. SEC. 672 (a)(2), means the specified
12 entity is considered to have the responsibility for placement and care of
13 a child if:

14 **SECTION 35.** In Colorado Revised Statutes, 19-1-303, **amend**
15 (6)(a), (6)(a.1), (6)(a.3), (6)(b), and (6)(c) as follows:

16 **19-1-303. General provisions - delinquency and dependency**
17 **and neglect cases - exchange of information - civil penalty - rules -**
18 **definitions.** (6) For purposes of this section:

19 (a) "Assessment center for children" is defined in section
20 ~~19-1-103 (10.5)~~ **19-1-103 (13).**

21 (a.1) "Case management purposes" is defined in section ~~19-1-103~~
22 ~~(16.5)~~ **19-1-103 (19).**

23 (a.3) "Criminal justice agency" is defined in section ~~19-1-103~~
24 ~~(34.6)~~ **19-1-103 (48).**

25 (b) "Need to know" is defined in section ~~19-1-103 (77.5)~~ **19-1-103**
26 **(99).**

27 (c) "School" is defined in section ~~19-1-103 (94.3)~~ **19-1-103 (123).**

1 **SECTION 36.** In Colorado Revised Statutes, 19-1-304, **amend**
2 (1)(c)(II) introductory portion and (2)(a)(II) as follows:

3 **19-1-304. Juvenile delinquency records - division of youth**
4 **services critical incident information - definitions.** (1) (c) **Probation**
5 **records - limited access.** Except as otherwise authorized by section
6 19-1-303, a juvenile probation officer's records, whether or not part of the
7 court file, are not open to inspection except as provided in subsection
8 (1)(c)(I) to (1)(c)(XI) of this section:

9 (II) To law enforcement officers, as defined in section ~~19-1-103~~
10 ~~(72)~~ **19-1-103 (93)**, and to fire investigators, as defined in section
11 ~~19-1-103(51)~~ **19-1-103 (65)**. The inspection shall be limited to the
12 following information:

13 (2) (a) **Law enforcement records in general - closed.** Except as
14 otherwise provided by subsection (1)(b.5) of this section and otherwise
15 authorized by section 19-1-303, the records of law enforcement officers
16 concerning juveniles, including identifying information, must be
17 identified as juvenile records and must not be inspected by or disclosed
18 to the public, except:

19 (II) To other law enforcement agencies and to fire investigators,
20 as defined in section ~~19-1-103(51)~~ **19-1-103 (65)**, who have a legitimate
21 need for such information;

22 **SECTION 37.** In Colorado Revised Statutes, 19-1-305, **amend**
23 (1)(d) as follows:

24 **19-1-305. Operation of juvenile facilities.** (1) Except as
25 otherwise authorized by section 19-1-303 or 19-1-304 (8), all records
26 prepared or obtained by the department of human services in the course
27 of carrying out its duties pursuant to article 2.5 of this title 19 are

1 confidential and privileged. The records may be disclosed only:

2 (d) To the court as necessary for the administration of the
3 provisions of ~~article 2~~ ARTICLE 2.5 of this title;

4 **SECTION 38.** In Colorado Revised Statutes, 19-2.5-704, **amend**
5 (3)(b)(I) as follows:

6 **19-2.5-704. Procedure after determination of competency or**
7 **incompetency.** (3) (b) The management plan may include:

8 (I) Placement options included in ~~article 10 or 10.5~~ 10.5 OR 65 of
9 title 27;

10 **SECTION 39.** In Colorado Revised Statutes, 19-2.5-1506,
11 **amend** (1) introductory portion as follows:

12 **19-2.5-1506. Detention center sexual assault prevention**
13 **program - reports.** (1) The division of youth services created in section
14 ~~19-2.5-1601~~ **19-2.5-1501** shall develop, with respect to sexual assaults
15 that occur in juvenile facilities, policies and procedures to:

16 **SECTION 40.** In Colorado Revised Statutes, **amend** 19-2.5-1514
17 as follows:

18 **19-2.5-1514. Juvenile detention bed cap.** ~~(1) For the fiscal year~~
19 ~~2003-04 through fiscal year 2010-11, the number of available juvenile~~
20 ~~detention beds statewide is limited to four hundred seventy-nine.~~

21 ~~(2) For the fiscal year 2011-12 and from July 1, 2012, through~~
22 ~~March 31, 2013, the number of available juvenile detention beds~~
23 ~~statewide is limited to four hundred twenty-two.~~

24 ~~(3) From April 1, 2013, through June 30, 2013, and for the fiscal~~
25 ~~year 2013-14 through fiscal year 2018-19, the number of available~~
26 ~~juvenile detention beds statewide is limited to three hundred eighty-two.~~

27 ~~(4) For the fiscal years 2019-20 and 2020-21, the number of~~

1 available juvenile detention beds statewide is limited to three hundred
2 twenty-seven.

3 (5) For the fiscal year 2021-22 and each fiscal year thereafter, the
4 number of available juvenile detention beds statewide is limited to two
5 hundred fifteen.

6 **SECTION 41.** In Colorado Revised Statutes, 19-3-205, **amend**
7 (1) introductory portion as follows:

8 **19-3-205. Continuing jurisdiction.** (1) Except as otherwise
9 provided in this ~~article 19~~ ARTICLE 3, the jurisdiction of the court over any
10 child or youth adjudicated as neglected or dependent shall continue until
11 the child or youth becomes eighteen and one-half years of age unless
12 earlier terminated by court order; except that:

13 **SECTION 42.** In Colorado Revised Statutes, 19-4.5-103, **amend**
14 (11) as follows:

15 **19-4.5-103. Definitions.** As used in this article 4.5, unless the
16 context otherwise requires:

17 (11) "Licensed mental health professional" means a certificate
18 holder or licensee, as those terms are defined in section ~~12-245-201~~
19 **12-245-202**, certified or licensed pursuant to article 245 of title 12.

20 **SECTION 43.** In Colorado Revised Statutes, 19-5-304, **amend**
21 (2.5) as follows:

22 **19-5-304. Confidential intermediaries - confidential**
23 **intermediary services.** (2.5) For purposes of paragraph (b) of subsection
24 (1) of this section, ~~and subsection (2) of this section~~, "legal guardian"
25 shall not include a governmental entity of any foreign country from which
26 a child has been adopted or any representative of such governmental
27 entity.

1 **SECTION 44.** In Colorado Revised Statutes, 23-1-104, **amend**
2 (1)(b)(I) and (1)(c) introductory portion as follows:

3 **23-1-104. Financing the system of postsecondary education -**
4 **report.** (1) (b) (I) For the 2010-11 fiscal year and for fiscal years
5 beginning on or after July 1, 2016, the general assembly shall make
6 annual appropriations of general fund money, of cash funds received from
7 tuition income, and of money that is estimated to be received by an
8 institution, under the direction and control of the governing board, as
9 stipends, as defined in section 23-18-102, and through fee-for-service
10 contracts, as authorized in sections 23-1-109.7 ~~and 23-18-303~~ or
11 23-18-303.5, whichever is applicable, as a single line item to each
12 governing board for the operation of its campuses; except that, if the
13 general assembly appropriates money, as described in subsection (1)(c)
14 of this section, to the Colorado state forest service, the agricultural
15 experiment station department of the Colorado state university, or the
16 Colorado state university cooperative extension service, such money shall
17 not be included within the single line item appropriations described in this
18 subsection (1)(b).

19 (c) In addition to any appropriations made pursuant to subsection
20 (1)(a) or (1)(b) of this section, the general assembly may make annual
21 appropriations of general fund money and of money received pursuant to
22 a fee-for-service contract negotiated by the board of governors of the
23 Colorado state university system OR THE REGENTS OF THE UNIVERSITY OF
24 COLORADO, WHICHEVER IS APPLICABLE, and the department of higher
25 education, as described in section ~~23-18-303~~ or 23-18-303.5, ~~whichever~~
26 ~~is applicable~~, as separate line items to:

27 **SECTION 45.** In Colorado Revised Statutes, **amend** 23-1-121.2

1 as follows:

2 **23-1-121.2. Department directive - educator preparation**
3 **pathways - public information.** By October 1, 2020, the department
4 shall post on the department website a description of each of the existing
5 programs and pathways that lead to teacher licensure, including
6 alternative teacher preparation programs approved pursuant to article 60.5
7 of title 22, teacher preparation programs approved pursuant to section
8 23-1-121, teacher residency programs, student teacher programs,
9 concurrent enrollment programs, teacher cadet programs, grow your own
10 educator programs established pursuant to section 22-60.5-208.5,
11 ~~programs funded through the collaborative educator preparation grant~~
12 ~~program created in section 23-78-203,~~ and the teaching fellowship
13 programs created pursuant to part 3 of article 78 of this title 23. The
14 department shall annually update the descriptions of programs and
15 pathways.

16 **SECTION 46.** In Colorado Revised Statutes, 23-1-137, **amend**
17 (1)(b) as follows:

18 **23-1-137. Prohibition on use of American Indian mascots -**
19 **exemptions - definitions.** (1) As used in this section, unless the context
20 otherwise requires:

21 (b) "Public institution of higher education" means a public
22 college, university, community college, area vocational school TECHNICAL
23 COLLEGE, educational center, LOCAL DISTRICT COLLEGE, or junior college
24 that is supported in whole or in part by general fund money.

25 **SECTION 47.** In Colorado Revised Statutes, 23-3.3-103, **repeal**
26 (3) as follows:

27 **23-3.3-103. Annual appropriations - repeal.** (3) ~~The provisions~~

1 of subsection (1) of this section concerning appropriations for student
2 financial assistance under this article shall not apply to appropriations
3 made pursuant to the "Inclusive Higher Education Act", article 75 of this
4 title.

5 **SECTION 48.** In Colorado Revised Statutes, **repeal** 23-5-133 as
6 follows:

7 **23-5-133. Instructors - health benefits study - report.** ~~(1) The~~
8 ~~Colorado commission on higher education shall conduct a study to~~
9 ~~determine the impact of providing health and dental benefits to persons~~
10 ~~who are employed by one or more state colleges, universities, or~~
11 ~~community colleges and who teach an aggregate of fifteen or more credit~~
12 ~~hours at one or more state colleges, universities, or community colleges~~
13 ~~in a consecutive twelve-month period. In the course of conducting the~~
14 ~~study, the commission shall determine but shall not be limited to~~
15 ~~determining the following:~~

16 (a) ~~The number of persons who are employed by one or more state~~
17 ~~colleges, universities, or community colleges who teach an aggregate of~~
18 ~~fifteen or more credit hours in a consecutive twelve-month period and~~
19 ~~who are not eligible to enroll in a health insurance benefit plan and a~~
20 ~~dental insurance benefit plan provided through a state college, university,~~
21 ~~or community college;~~

22 (b) ~~The number of persons specified in paragraph (a) of this~~
23 ~~subsection (1) who are teaching at each state college, university, or~~
24 ~~community college;~~

25 (c) ~~The estimated annual cost of providing health insurance~~
26 ~~benefits and dental insurance benefits to the persons specified in~~
27 ~~paragraph (a) of this subsection (1), including but not limited to the cost~~

1 of paying the employer's share of the premium for such benefits and any
2 administrative costs; and

3 ~~(d) Any other information deemed necessary by the Colorado~~
4 ~~commission on higher education in order to determine the impact of~~
5 ~~providing health insurance benefits and dental insurance benefits to the~~
6 ~~persons specified in paragraph (a) of this subsection (1).~~

7 ~~(2) The Colorado commission on higher education shall work with~~
8 ~~each state college, university, and community college that employs one~~
9 ~~or more persons who teach an aggregate of fifteen or more credit hours~~
10 ~~at one or more state colleges, universities, or community colleges in order~~
11 ~~to collect the information required pursuant to this section.~~

12 ~~(3) In connection with the study required pursuant to this section,~~
13 ~~each state college, university, and community college shall, when it next~~
14 ~~negotiates its health insurance and dental insurance benefit plans,~~
15 ~~evaluate the options for and costs of including persons who teach less~~
16 ~~than full time at the state college, university, or community college in~~
17 ~~such benefit plans. Each state college, university, and community college~~
18 ~~shall transmit its findings to the Colorado commission on higher~~
19 ~~education, and the commission shall include the finding in the report~~
20 ~~required pursuant to subsection (4) of this section.~~

21 ~~(4) The Colorado commission on higher education shall submit a~~
22 ~~report to the members of the house and senate education committees, or~~
23 ~~any successor committees, detailing the results of the study conducted~~
24 ~~pursuant to this section and including the findings of each state college,~~
25 ~~university, and community college pursuant to subsection (3) of this~~
26 ~~section, no later than January 15, 2007.~~

27 **SECTION 49.** In Colorado Revised Statutes, 23-18-308, **repeal**

1 (1)(b) as follows:

2 **23-18-308. Fee-for-service contracts - limited purpose - repeal.**

3 (1) Subject to available appropriations, the department shall enter into
4 fee-for-service contracts for the following purposes:

5 (b) ~~The inclusive higher education pilot program pursuant to~~
6 ~~section 23-75-104;~~

7 **SECTION 50.** In Colorado Revised Statutes, 23-21-1001, **amend**

8 (3)(a) as follows:

9 **23-21-1001. Medication for opioid use disorder - consultation**
10 **- stipends - school of medicine duties - legislative declaration - repeal.**

11 (3) (a) For the 2021-22 state fiscal year, the general assembly shall
12 appropriate six hundred thirty thousand dollars from the behavioral and
13 mental health cash fund created in section ~~24-75-226~~ **24-75-230** to the
14 board of regents of the university of Colorado for the implementation of
15 this section. If any unexpended or unencumbered money remains at the
16 end of the fiscal year, the board of regents of the university of Colorado
17 may expend the money for the same purposes in the next fiscal year
18 without further appropriation.

19 **SECTION 51.** In Colorado Revised Statutes, 23-31-310, **amend**

20 (5) as follows:

21 **23-31-310. Forest restoration and wildfire risk mitigation**
22 **grant program - technical advisory panel - legislative declaration -**

23 **definitions - repeal.** (5) **Technical advisory panel.** The director shall
24 convene a technical advisory panel to evaluate the proposals for forest
25 restoration and wildfire risk mitigation grants and provide
26 recommendations regarding which proposals would best meet the
27 objectives of this section. The panel shall consider eligibility criteria

1 established in subsections (4) and (4.5) of this section, a project's effect
2 on long-term forest management, and the number of acres treated for state
3 dollars spent and seek to use a consensus-based decision-making process
4 to develop such recommendations. For hazardous fuel reduction projects
5 pursuant to subsection (4)(a) of this section, the panel shall show
6 preference to applicants that have adopted or plan to adopt local measures
7 that reduce wildfire risks to people, property, and infrastructure that
8 complement funds provided through the program. Stronger measures shall
9 receive greater preference, while taking into account geographic
10 differences and needs for mitigation. A panel member shall recuse
11 himself or herself if he or she has an actual or potential conflict of interest
12 with respect to a grant applicant. The panel is composed of members to
13 be appointed by the director. The composition of the panel includes at
14 least:

- 15 (a) An official to represent the department of natural resources;
- 16 (b) ~~At least~~ One representative from federal land management
17 agencies;
- 18 (c) ~~At least~~ One independent scientist with experience in forest
19 ecosystem restoration;
- 20 (d) An official to represent the department of public safety;
- 21 (e) ~~At least~~ One member who represents a county or municipal
22 government with jurisdiction over an area of the WUI;
- 23 (f) ~~At least~~ One member who represents the traditional forest
24 products industry;
- 25 (g) ~~At least~~ One member who represents the biomass energy
26 products industry;
- 27 (h) ~~At least~~ One member who represents a nonprofit collaborative

1 group involved with the mitigation of catastrophic wildfires in Colorado
2 and the maintenance and improvement of ecological health; and

3 (i) ~~At least~~ Two members with expertise in water and watershed
4 management.

5 **SECTION 52.** In Colorado Revised Statutes, 23-31-903, **amend**
6 (3) as follows:

7 **23-31-903. Authorization for financed purchase of an asset or**
8 **certificate of participation agreements.** (3) The provisions of section
9 24-30-202 (5)(b) do not apply to a financed purchase of an asset or
10 certificate of participation agreement authorized in subsection (1) of this
11 section or to any ancillary agreement entered into pursuant to subsection
12 ~~(2)(c)~~ **(2)(e)** of this section. The state controller or his or her designee
13 may waive any provision of the fiscal rules promulgated pursuant to
14 section 24-30-202 (1) and (13) that the state controller deems to be
15 incompatible or inapplicable with respect to such a financed purchase of
16 an asset or certificate of participation agreement or ancillary agreement.

17 **SECTION 53.** In Colorado Revised Statutes, 24-22-115, **amend**
18 (2)(b) as follows:

19 **24-22-115. Tobacco litigation settlement cash fund -**
20 **health-care supplemental appropriations and overexpenditures**
21 **account - creation.** (2) (b) ~~(f)~~ All money in the tobacco settlement
22 defense account is subject to annual appropriation by the general
23 assembly to the department of law and the department of revenue.
24 Notwithstanding the provisions of subsection (1) of this ~~section and~~
25 ~~except as otherwise provided in subsection (2)(b)(f)~~ of this section, at the
26 end of any fiscal year, all unexpended and unencumbered money and all
27 money not appropriated for the following fiscal year in the tobacco

1 settlement defense account remain in the tobacco settlement defense
2 account to be used for the purposes set forth in this subsection (2).

3 ~~(H) On July 1, 2020, the state treasurer shall transfer eight million~~
4 ~~dollars from the tobacco settlement defense account to the general fund.~~

5 **SECTION 54.** In Colorado Revised Statutes, 24-33-113, **repeal**
6 (2)(b)(V) and (3) as follows:

7 **24-33-113. Landowner incentive conservation programs -**
8 **definition.** (2) (b) The department shall study the information obtained
9 pursuant to paragraph (a) of this subsection (2) in order to assess the
10 feasibility of administering such a program in Colorado if the federal
11 programs are eliminated or reduced. In assembling this information, the
12 department shall consult with any potentially affected groups or entities,
13 including:

14 (V) ~~The agriculture industry task force created pursuant to section~~
15 ~~35-1-107 (8), C.R.S.~~

16 (3) ~~On or before February 1, 2010, the department shall report to~~
17 ~~the house of representatives committee on agriculture, livestock, and~~
18 ~~natural resources and the senate committee on agriculture and natural~~
19 ~~resources, or their successor committees, regarding the feasibility of~~
20 ~~administering a landowner incentive conservation program in Colorado.~~
21 ~~If possible, such report shall be made at the same time as the report~~
22 ~~described in section 24-33-111 (3)(a).~~

23 **SECTION 55.** In Colorado Revised Statutes, 24-33.5-503,
24 **amend** (1)(r.5) as follows:

25 **24-33.5-503. Duties of division.** (1) The division has the
26 following duties:

27 (r.5) To administer the juvenile diversion program created and

1 authorized in section ~~19-2-303~~ **19-2.5-402**, including the allocation of
2 money for the program;

3 **SECTION 56.** In Colorado Revised Statutes, 24-33.5-1226,
4 **amend** (2.5) as follows:

5 **24-33.5-1226. Wildfire emergency response fund - creation -**
6 **gifts, grants, and donations authorized.** (2.5) In addition to any other
7 purpose for the use of money in the wildfire emergency ~~preparedness~~
8 RESPONSE fund specified in this section, the division may use money in
9 the fund to provide wildfire suppression assistance to county sheriffs,
10 municipal fire departments, or fire protection districts throughout the state
11 at no cost to such entities pursuant to annual guidelines published by the
12 division in the wildfire preparedness plan required by section
13 24-33.5-1227 (2)(a).

14 **SECTION 57.** In Colorado Revised Statutes, 24-72-203, **amend**
15 (3.5)(e) as follows:

16 **24-72-203. Public records open to inspection.** (3.5) (e) Nothing
17 in this subsection (3.5) relieves or mitigates the obligations of a custodian
18 to produce a public record in a format accessible to individuals with
19 disabilities in accordance with Title II of the federal "Americans with
20 Disabilities Act of 1990", ~~42 U.S.C. sec. 12131 et. seq.~~ 42 U.S.C. SEC.
21 12101 ET SEQ., and other federal or state laws.

22 **SECTION 58.** In Colorado Revised Statutes, 24-72-204, **amend**
23 (7)(b)(VIII) as follows:

24 **24-72-204. Allowance or denial of inspection - grounds -**
25 **procedure - appeal - definitions - repeal.** (7) (b) Notwithstanding
26 subsection (7)(a) of this section, only upon obtaining a completed
27 requester release form under section 42-1-206 (1)(b), the department may

1 allow inspection of the information referred to in subsection (7)(a) of this
2 section for the following uses:

3 (VIII) For use by any ~~private investigator licensed pursuant to~~
4 ~~section 12-160-107, licensed private investigative agency, or licensed~~
5 security service for any purpose permitted under this subsection (7)(b);

6 **SECTION 59.** In Colorado Revised Statutes, **amend** 25-1.5-114
7 as follows:

8 **25-1.5-114. Freestanding emergency departments - licensure**
9 **- requirements - rules - definitions.** ~~(1) As used in this section, "board"~~
10 ~~means the state board of health created in section 25-1-103.~~

11 ~~(1.5)~~ (1) On or after December 1, 2021, a person that wishes to
12 operate a freestanding emergency department must submit to the
13 department on an annual basis a completed application for licensure as a
14 freestanding emergency department. On or after July 1, 2022, a person
15 shall not operate a freestanding emergency department that is required to
16 be licensed pursuant to this section without a license issued by the
17 department.

18 (2) The department may grant a waiver of the licensure
19 requirements set forth in this section and in rules adopted by the board for
20 either a licensed community clinic or community clinic seeking licensure
21 that is serving an underserved population in the state.

22 (3) (a) The board shall adopt rules establishing the requirements
23 for licensure of, waiver from the requirement for licensure of, safety and
24 care standards for, and fees for licensing and inspecting freestanding
25 emergency departments. The board must set the fees in accordance with
26 section 25-3-105.

27 (b) The rules adopted by the board shall include a requirement that

1 each individual seeking treatment at the freestanding emergency
2 department receive a medical screening examination and a prohibition
3 against delaying a medical screening examination in order to inquire
4 about the individual's ability to pay or insurance status.

5 (c) The rules adopted by the board must take effect by July 1,
6 2021, and thereafter the board shall amend the rules as necessary.

7 (4) A freestanding emergency department licensed pursuant to this
8 section is subject to the requirements in section 25-3-119.

9 (5) ~~(a)~~ As used in this section:

10 (a) "BOARD" MEANS THE STATE BOARD OF HEALTH CREATED IN
11 SECTION 25-1-103.

12 (b) (I) "Freestanding emergency department" means a health
13 facility that offers emergency care, that may offer primary and urgent care
14 services, and that is either:

15 ~~(H)~~ (A) Owned or operated by, or affiliated with, a hospital or
16 hospital system and located more than two hundred fifty yards from the
17 main campus of the hospital; or

18 ~~(H)~~ (B) Independent from and not operated by or affiliated with
19 a hospital or hospital system and not attached to or situated within two
20 hundred fifty yards of, or contained within, a hospital.

21 ~~(b)~~ (II) "Freestanding emergency department" does not include a
22 health facility described in subsection ~~(5)(a)~~ (5)(b)(I) of this section that
23 was licensed by the department pursuant to section 25-1.5-103 as a
24 community clinic prior to July 1, 2010, if the facility is serving a rural
25 community or a ski area, as defined in board rules.

26 **SECTION 60.** In Colorado Revised Statutes, 25-2-121, **repeal** (3)
27 and (4) as follows:

1 **25-2-121. Fee adjustments - vital statistics records cash fund**
2 **created.** (3) ~~Notwithstanding any provision of subsection (2) of this~~
3 ~~section to the contrary, on March 5, 2003, the state treasurer shall deduct~~
4 ~~seven hundred sixty-three thousand six hundred eighty dollars from the~~
5 ~~vital statistics records cash fund and transfer such sum to the general~~
6 ~~fund.~~

7 (4) ~~Notwithstanding subsection (2) of this section, on June 30,~~
8 ~~2020, the state treasurer shall transfer one hundred eighty thousand~~
9 ~~dollars from the vital statistics records cash fund to the general fund.~~

10 **SECTION 61.** In Colorado Revised Statutes, 25-7-142, **amend**
11 (2)(i)(V) as follows:

12 **25-7-142. Energy benchmarking - data collection and access**
13 **- utility requirements - task force - rules - reports - definitions -**
14 **legislative declaration - repeal.** (2) **Definitions.** As used in this section,
15 unless the context otherwise requires:

16 (i) "Correctional facility" means:

17 (V) A juvenile detention facility governed by ~~part 4 of article 2~~
18 ~~PART 15 OF ARTICLE 2.5 of title 19.~~

19 **SECTION 62.** In Colorado Revised Statutes, 25-8-502, **repeal**
20 (1.5)(e) as follows:

21 **25-8-502. Application - definitions - fees - funds created -**
22 **public participation - repeal.** (1.5) (e) ~~(f)~~ ~~Notwithstanding any other~~
23 ~~provision of this section, on June 30, 2020, the state treasurer shall~~
24 ~~transfer four hundred thirty-three thousand seven hundred twenty-eight~~
25 ~~dollars from the construction sector fund to the general fund.~~

26 ~~(H) Notwithstanding any other provision of this section, on June~~
27 ~~30, 2020, the state treasurer shall transfer five hundred thousand dollars~~

1 from the public and private utilities sector fund to the general fund.

2 **SECTION 63.** In Colorado Revised Statutes, 25-8-608, **repeal** (5)
3 as follows:

4 **25-8-608. Civil penalties - rules - fund created - temporary**
5 **moratorium on penalties for minor violations - definitions - repeal.**

6 (5) ~~Notwithstanding subsections (1.5) and (1.7) of this section, on June~~
7 ~~30, 2020, the state treasurer shall transfer four hundred eighty-three~~
8 ~~thousand five hundred thirty-five dollars from the water quality~~
9 ~~improvement fund to the general fund.~~

10 **SECTION 64.** In Colorado Revised Statutes, 25-15-304, **repeal**
11 (2) as follows:

12 **25-15-304. Hazardous waste service fund created.**

13 (2) ~~Notwithstanding subsection (1) of this section, on June 30, 2020, the~~
14 ~~state treasurer shall transfer four hundred twenty-two thousand four~~
15 ~~hundred eleven dollars from the hazardous waste service fund to the~~
16 ~~general fund.~~

17 **SECTION 65.** In Colorado Revised Statutes, 25-19-104, **repeal**
18 (5) and (6) as follows:

19 **25-19-104. Environmental priorities plan.** (5) ~~The multimedia~~
20 ~~environmental integration advisory committee established pursuant to~~
21 ~~section 25-1-108 may, following notice to associations of political~~
22 ~~subdivisions eligible to participate in the program created by this article,~~
23 ~~develop guidance documents that provide more specific criteria for the~~
24 ~~preparation of an environmental priorities plan if the advisory committee~~
25 ~~determines that such criteria would further the purposes of this article.~~

26 (6) ~~An environmental priorities plan submitted to the department~~
27 ~~shall be approved if the plan meets the requirements of this section and~~

1 ~~is consistent with any criteria for the preparation of such plans set forth~~
2 ~~in guidance documents developed by the multimedia environmental~~
3 ~~integration advisory committee.~~

4 **SECTION 66.** In Colorado Revised Statutes, 26-1-111, **amend**
5 (2)(u) as follows:

6 **26-1-111. Activities of the state department under the**
7 **supervision of the executive director - cash fund - report - rules -**
8 **statewide adoption resource registry.** (2) The state department, under
9 the supervision of the executive director, shall:

10 (u) Coordinate prevention and intervention programs focused on
11 positive youth development in accordance with state law and rules. The
12 coordination must include the state youth development plan developed
13 pursuant to section ~~26-6.8-103.5~~ **26-1-111.3** that identifies key issues
14 affecting youth to align strategic efforts and achieve positive outcomes
15 for youth.

16 **SECTION 67.** In Colorado Revised Statutes, 26-5.7-104, **amend**
17 (3) as follows:

18 **26-5.7-104. Taking youth into custody - transporting to**
19 **residence or child care facility or homeless youth shelter.** (3) Nothing
20 in this section shall affect the authority of a law enforcement officer to
21 take a youth into custody and follow the procedures established pursuant
22 to article ~~2~~ **2.5** or 3 of title 19, C.R.S.

23 **SECTION 68.** In Colorado Revised Statutes, 27-90-102, **amend**
24 (1)(j) as follows:

25 **27-90-102. Duties of executive director - governor acquire**
26 **water rights - rules.** (1) The duties of the executive director are:

27 (j) To implement the procedures regarding children who are in

1 detention or who have or may have a behavioral or mental health disorder
2 or an intellectual and developmental disability specified in the provisions
3 of the "Colorado Children's Code" contained in articles 1, ~~2~~ 2.5, and 3 of
4 title 19;

5 **SECTION 69.** In Colorado Revised Statutes, 29-1-503, **amend**
6 **as amended by Senate Bill 22-013** (1)(b) as follows:

7 **29-1-503. Appointment of advisory committee - powers and**
8 **duties.** (1) The governor, with the advice and consent of the senate, shall
9 appoint a six-member advisory committee on governmental accounting
10 to assist the state auditor in formulating and prescribing a classification
11 of accounts. The committee consists of the following members:

12 (b) Five members who are active in finance matters either as
13 elected officials or finance officers employed by one of the following
14 units of local government: Counties, cities and counties, cities and towns,
15 school districts and ~~junior~~ LOCAL college districts, local improvement or
16 special service districts, or other local entities having authority under the
17 general laws of this state to levy taxes or impose assessments.

18 **SECTION 70.** In Colorado Revised Statutes, 29-1-504, **amend**
19 (1) as follows:

20 **29-1-504. State auditor - powers and duties.** (1) The state
21 auditor shall formulate, prescribe, and publish a classification of accounts
22 with the approval of the advisory committee on governmental accounting
23 which shall be uniform for every level of local government as defined in
24 section 29-1-502; except that each level of government may be classified
25 according to population, and, in that event, each classification of accounts
26 shall be uniform within each class; and except that the classification of
27 accounts prescribed for the purpose of public schools shall be subject to

1 the approval of the state board of education; and further except that the
2 classification of accounts prescribed for the purpose of ~~junior~~ LOCAL
3 college districts shall be subject to the approval of the state board for
4 community colleges and occupational education.

5 **SECTION 71.** In Colorado Revised Statutes, 29-20-104, **amend**
6 (1)(e.9) as follows:

7 **29-20-104. Powers of local governments - definition.**

8 (1) Except as expressly provided in section 29-20-104.5, the power and
9 authority granted by this section does not limit any power or authority
10 presently exercised or previously granted. Each local government within
11 its respective jurisdiction has the authority to plan for and regulate the use
12 of land by:

13 (e.9) The department of local ~~government~~ AFFAIRS shall offer
14 guidance to assist local governments in connection with the
15 implementation of this section.

16 **SECTION 72.** In Colorado Revised Statutes, 31-23-301, **amend**
17 (5)(b)(I)(A) as follows:

18 **31-23-301. Grant of power.** (5) (b) (I) No municipality may have
19 or enact zoning regulations, subdivision regulations, or any other
20 regulation affecting development that exclude or have the effect of
21 excluding homes from the municipality that are:

22 (A) Homes certified by the division of housing created in section
23 ~~24-32-703~~ **24-32-704** or a party authorized to act on its behalf;

24 **SECTION 73.** In Colorado Revised Statutes, 32-1-103, **amend**
25 (5)(d) and (23)(c) as follows:

26 **32-1-103. Definitions.** As used in this article 1, unless the context
27 otherwise requires:

1 (5) (d) For all elections and petitions that require ownership of
2 real property or land, the ownership of a mobile home as defined in
3 section 38-12-201.5 (5) or 5-1-301 (29), or a manufactured home as
4 defined in section ~~42-1-102 (106)(b)~~ **42-1-102 (48.8)**, is sufficient to
5 qualify as ownership of real property or land for the purpose of voting
6 rights and petitions.

7 (23) (c) For all elections and petitions that require ownership of
8 real property or land, the ownership of a mobile home as defined in
9 section 38-12-201.5 (5) or 5-1-301 (29), or a manufactured home as
10 defined in section ~~42-1-102 (106)(b)~~ **42-1-102 (48.8)**, is sufficient to
11 qualify as ownership of real property or land for the purpose of voting
12 rights and petitions.

13 **SECTION 74.** In Colorado Revised Statutes, 33-1-102, **repeal**
14 (17) as follows:

15 **33-1-102. Definitions.** As used in this title 33, unless the context
16 otherwise requires:

17 (17) "~~Furbearers~~" ~~means those species with fur having commercial~~
18 ~~value and which provide opportunities for sport harvest, including badger,~~
19 ~~gray fox, kit fox, swift fox, opossum, hognosed skunk, spotted skunk,~~
20 ~~striped skunk, beaver, marten, mink, muskrat, ringtail, long-tailed weasel,~~
21 ~~short-tailed weasel, coyote, bobcat, red fox, and raccoon and all species~~
22 ~~of furbearers that may be introduced or transplanted into this state for~~
23 ~~commercial fur value and are classified as furbearers by the commission.~~

24 **SECTION 75.** In Colorado Revised Statutes, **amend** 34-25-101
25 as follows:

26 **34-25-101. Jurisdiction of the courts.** County courts in their
27 respective counties have original jurisdiction in prosecution for the

1 violation of section ~~34-24-103 (1), (2), or (3)~~ **34-24-103 (1)**. In all trials
2 in the county courts, the defendants shall be entitled to a trial by jury as
3 in other misdemeanor cases. District courts in their respective districts
4 have original jurisdiction upon information or indictment in all
5 prosecutions for violations of this title.

6 **SECTION 76.** In Colorado Revised Statutes, 34-32-110, **amend**
7 (1)(f) as follows:

8 **34-32-110. Limited impact operations - expedited process.**
9 (1) (f) ~~Except as specified in paragraph (d) of this subsection (1),~~ Fees
10 and financial warranties for permit applications submitted pursuant to this
11 subsection (1) are governed by subsection (3) of this section.

12 **SECTION 77.** In Colorado Revised Statutes, 34-32-117, **repeal**
13 (7) as follows:

14 **34-32-117. Warranties of performance - warranties of**
15 **financial responsibility - release of warranties - applicability.** (7) ~~For~~
16 ~~the purposes of this section:~~

17 (a) ~~"Rating of 'A' or better" means that the rating organization has~~
18 ~~determined that the obligations are at least of an upper-medium grade,~~
19 ~~meaning that factors giving security to the principal and interest are~~
20 ~~considered adequate but that elements may be present which suggest the~~
21 ~~possibility of adverse effects if economic and trade conditions change.~~

22 (b) ~~(Deleted by amendment, L. 93, p. 1184, § 10, effective July 1,~~
23 ~~1993.)~~

24 **SECTION 78.** In Colorado Revised Statutes, 34-32-127, **amend**
25 (2)(a)(IV)(A.5) as follows:

26 **34-32-127. Mined land reclamation fund - created - fees - fee**
27 **adjustments - rules.** (2) (a) The office shall collect fees for fiscal year

1 2014-15 and for each subsequent year of operation for operations
2 according to the following schedule:

3 (IV) Annual fees for fiscal year 2014-15 and for each subsequent
4 year for operations pursuant to:

5 (A.5) Section 34-32-110 (1), ~~(if the fee is not subject to~~
6 ~~sub-subparagraph (A) of this subparagraph (IV),~~ excluding designated
7 mining operations) \$ 172

8 **SECTION 79.** In Colorado Revised Statutes, 34-63-102, **repeal**
9 (5.3)(a)(I)(E) and (5.3)(a)(I)(F) as follows:

10 **34-63-102. Creation of mineral leasing fund - distribution -**
11 **advisory committee - local government permanent fund created -**
12 **definitions - transfer of money.** (5.3) (a) Bonus payments credited to
13 the mineral leasing fund created in subsection (1)(a)(II) of this section
14 shall be distributed on a quarterly basis for each quarter commencing on
15 July 1, October 1, January 1, or April 1 of any state fiscal year as follows:

16 (I) (E) ~~Notwithstanding any provision of this subsection (5.3) to~~
17 ~~the contrary, on June 30, 2011, the state treasurer shall deduct four~~
18 ~~million eight hundred thousand dollars from the local government~~
19 ~~permanent fund and transfer such sum to the general fund.~~

20 (F) ~~Notwithstanding any other provision of this section, on June~~
21 ~~30, 2020, the state treasurer shall transfer two million three hundred~~
22 ~~thousand dollars from the local government permanent fund to the general~~
23 ~~fund.~~

24 **SECTION 80.** In Colorado Revised Statutes, 35-1.2-102, **amend**
25 (8) as follows:

26 **35-1.2-102. Definitions - repeal.** As used in this article 1.2,
27 unless the context otherwise requires:

1 (8)(a) "Farm-to-market infrastructure loan" means a loan from the
2 loan program, which loan is used for the purpose of agricultural
3 processing.

4 (b) This subsection (8) is repealed, effective ~~January 2, 2023~~
5 JANUARY 2, 2025.

6 **SECTION 81.** In Colorado Revised Statutes, **amend** 35-70-104.1
7 as follows:

8 **35-70-104.1. Mobile home ownership - elections and petitions.**
9 Notwithstanding any other provision of this article 70 to the contrary, for
10 all elections and petitions that require ownership of real property or land,
11 the ownership of a mobile home as defined in section 5-1-301 (29) or
12 38-12-201.5 (5), or a manufactured home as defined in section ~~42-1-102~~
13 ~~(106)(b)~~ **42-1-102 (48.8)**, is sufficient to qualify as ownership of real
14 property or land for the purpose of voting rights and petitions.

15 **SECTION 82.** In Colorado Revised Statutes, 35-73-104, **amend**
16 (4) as follows:

17 **35-73-104. Program development - programs, grants, systems,**
18 **and inventories and platforms.** (4) Before establishing a program, the
19 department shall provide public notice on the ~~agency's~~ DEPARTMENT'S
20 official website. The department shall give the public no less than
21 forty-five days to submit written comments after the date of publication
22 on its official website.

23 **SECTION 83.** In Colorado Revised Statutes, 37-45-103, **amend**
24 (4)(c) as follows:

25 **37-45-103. Definitions.** As used in this article 45, unless the
26 context otherwise requires:

27 (4) (c) For all elections and petitions that require ownership of

1 real property or land, the ownership of a mobile home or manufactured
2 home as defined in section 38-12-201.5 (5), 5-1-301 (29), or ~~42-1-102~~
3 ~~(106)(b)~~ **42-1-102 (48.8)**, is sufficient to qualify as ownership of real
4 property or land for the purpose of voting rights and petitions.

5 **SECTION 84.** In Colorado Revised Statutes, 38-12-201, **amend**
6 (1) as follows:

7 **38-12-201. Application of part 2.** (1) This part 2 shall apply only
8 to manufactured homes as defined in section ~~42-1-102 (106)(b)~~, C.R.S.
9 **42-1-102 (48.8)**.

10 **SECTION 85.** In Colorado Revised Statutes, **amend** 38-41-201.6
11 as follows:

12 **38-41-201.6. Mobile home, manufactured home, trailer, and**
13 **trailer coach homestead exemption.** (1) A manufactured home as
14 defined in section 38-29-102 (6) that includes a mobile home or
15 manufactured home as defined in section 38-12-201.5 (5), 5-1-301 (29),
16 or ~~42-1-102 (106)(b)~~ **42-1-102 (48.8)**, that has been purchased by an
17 initial user or subsequent user, and for which a certificate of title or
18 registration has been issued in accordance with section 38-29-110 or
19 pursuant to section 38-29-108, is a homestead and is entitled to the same
20 exemption as enumerated in section 38-41-201, except for any loans,
21 debts, or obligations incurred prior to January 1, 1983. For purposes of
22 this homestead exemption, the term "house" as used in section 38-41-205
23 is deemed to include mobile homes or manufactured homes.

24 (2) A trailer as defined in section 42-1-102 (105), C.R.S., or a
25 trailer coach as defined in section ~~42-1-102 (106)(a)~~ **42-1-102 (106)**,
26 C.R.S., that has been purchased by an initial user or subsequent user and
27 for which a certificate of title or registration has been issued pursuant to

1 section 42-3-103, C.R.S., is a homestead and is entitled to the same
2 exemption as enumerated in section 38-41-201, except for any loans,
3 debts, or obligations incurred prior to July 1, 2000. For purposes of this
4 homestead exemption, the term "house" as used in section 38-41-205
5 shall be deemed to include trailers or trailer coaches.

6 **SECTION 86.** In Colorado Revised Statutes, 39-26-721, **amend**
7 (1) and (2) as follows:

8 **39-26-721. Manufactured homes.** (1) Forty-eight percent of the
9 purchase price of a manufactured home, as defined in section ~~42-1-102~~
10 ~~(106)(b) 42-1-102 (48.8)~~, is exempt from taxation under part 1 of this
11 article 26; except that the entire purchase price in any subsequent sale of
12 such a manufactured home, after it has been once subject to the payment
13 of sales tax by virtue of section 39-26-113, is exempt from taxation under
14 part 1 of this article 26.

15 (2) The storage, use, or consumption of a manufactured home, as
16 defined in section ~~42-1-102~~ ~~(106)(b) 42-1-102 (48.8)~~, after the
17 manufactured home has been once subject to the payment of use tax by
18 virtue of section 39-26-208, is exempt from taxation under part 2 of this
19 article 26.

20 **SECTION 87.** In Colorado Revised Statutes, 40-3.2-109, **amend**
21 (5)(b) introductory portion as follows:

22 **40-3.2-109. Beneficial electrification plans for electric utilities**
23 **- definition - rules - recovery of costs - report.** (5) (b) The commission
24 may provide an electric utility an opportunity to earn incentives for
25 exceeding beneficial electrification targets or emission-reduction
26 performance targets that the commission has established for the beneficial
27 electrification plan. For purposes of implementing this subsection (5)(b),

1 the commission may consider incentive mechanisms to promote the
2 advancement of the utility's beneficial electrification programs, which
3 INCENTIVE MECHANISMS may include:

4 **SECTION 88.** In Colorado Revised Statutes, 40-10.1-404, **repeal**
5 (3) as follows:

6 **40-10.1-404. Repeal of part - subject to review - definition.**

7 (3) ~~As used in this section, unless the context otherwise requires,~~
8 ~~"common interest community" has the meaning set forth in section~~
9 ~~38-33.3-103(8).~~

10 **SECTION 89.** In Colorado Revised Statutes, 42-1-102, **amend**
11 (106); and **add** (48.8) as follows:

12 **42-1-102. Definitions.** As used in articles 1 to 4 of this title 42,
13 unless the context otherwise requires:

14 (48.8) "MANUFACTURED HOME" MEANS ANY PRECONSTRUCTED
15 BUILDING UNIT OR COMBINATION OF PRECONSTRUCTED BUILDING UNITS,
16 WITHOUT MOTIVE POWER, WHERE SUCH UNIT OR UNITS ARE
17 MANUFACTURED IN A FACTORY OR AT A LOCATION OTHER THAN THE
18 RESIDENTIAL SITE OF THE COMPLETED HOME, WHICH IS DESIGNED AND
19 COMMONLY USED FOR OCCUPANCY BY PERSONS FOR RESIDENTIAL
20 PURPOSES, IN EITHER TEMPORARY OR PERMANENT LOCATIONS, AND WHICH
21 UNIT OR UNITS ARE NOT LICENSED AS A VEHICLE.

22 (106) ~~(a)~~ "Trailer coach" means a wheeled vehicle having an
23 overall length, excluding towing gear and bumpers, of not less than
24 twenty-six feet, without motive power, that is designed and generally and
25 commonly used for occupancy by persons for residential purposes, in
26 temporary locations, and that may occasionally be drawn over the public
27 highways by a motor vehicle and is licensed as a vehicle.

1 (b) "Manufactured home" means any preconstructed building unit
2 or combination of preconstructed building units, without motive power,
3 where such unit or units are manufactured in a factory or at a location
4 other than the residential site of the completed home, which is designed
5 and commonly used for occupancy by persons for residential purposes, in
6 either temporary or permanent locations, and which unit or units are not
7 licensed as a vehicle.

8 **SECTION 90.** In Colorado Revised Statutes, 42-4-1305, **amend**
9 (2)(b)(II) as follows:

10 **42-4-1305. Open alcoholic beverage container - motor vehicle**
11 **- prohibited.**

12 (2) (b) The provisions of this subsection (2) shall not apply to:

13 (II) The possession by a passenger, other than the driver or a front
14 seat passenger, of an open alcoholic beverage container in the living
15 quarters of a house coach, house trailer, motor home, as defined in section
16 42-1-102 (57), or trailer coach, as defined in section ~~42-1-102 (106)(a)~~
17 **42-4-102 (106);**

18 **SECTION 91.** In Colorado Revised Statutes, 42-4-1305.5,
19 **amend** (2)(b)(II) as follows:

20 **42-4-1305.5. Open marijuana container - motor vehicle -**
21 **prohibited.** (2) (b) The provisions of this subsection (2) shall not apply

22 to:

23 (II) The possession by a passenger, other than the driver or a front
24 seat passenger, of an open marijuana container in the living quarters of a
25 house coach, house trailer, motor home, as defined in section 42-1-102
26 (57), or trailer coach, as defined in section ~~42-1-102 (106)(a)~~ **42-1-102**
27 **(106);**

1 **SECTION 92.** In Colorado Revised Statutes, 42-6-127, **amend**
2 (3) as follows:

3 **42-6-127. Duration of lien of mortgage - extensions - rules.**

4 (3) The duration of the lien of any mortgage on a trailer coach, as defined
5 in section ~~42-1-102(106)(a)~~ **42-1-102 (106)**, a truck tractor, as defined in
6 section 42-1-102 (109), a multipurpose trailer, as defined in section
7 42-1-102 (60.3), or a motor home, as defined in section 42-1-102 (57),
8 shall be for the full term of the mortgage, but the lien of the mortgage
9 may be extended beyond the original term of the mortgage for successive
10 three-year periods by following the procedure prescribed in subsection (1)
11 of this section during the term of the mortgage or any extension thereof.

12 **SECTION 93.** In Colorado Revised Statutes, 42-20-406, **amend**
13 (3)(g), (3)(j), and (3)(u) as follows:

14 **42-20-406. Violations - civil penalties - motor vehicles.** (3) The
15 following penalties apply only to the transportation of nuclear materials
16 by motor vehicle and shall be assessed against drivers, shippers, carriers,
17 operators, brokers, and other persons, as appropriate:

18 (g) Any person who operates a motor vehicle without meeting
19 driver qualifications, as established in ~~49 CFR 177.825 (d)~~ 49 CFR
20 177.800 (c) and section 42-20-501, shall be assessed a civil penalty of
21 five hundred dollars.

22 (j) Any person who operates an unsafe vehicle, as ~~defined in 49~~
23 ~~CFR 396~~ DESCRIBED IN 49 CFR 396.7, shall be assessed a civil penalty of
24 one hundred fifty dollars.

25 (u) Any person who supplies inaccurate information in, or who
26 fails to comply with, the route plan required by ~~49 CFR 177.825 (e)~~ 49
27 CFR 397.101(d) shall be assessed a civil penalty of five hundred dollars.

1 **SECTION 94.** In Colorado Revised Statutes, 43-1-127, **amend**
2 (4)(a)(III)(C) as follows:

3 **43-1-127. Registration of carpooling service internet**
4 **applications - limitations - disclosure - definitions.** (4) As used in this
5 section, unless the context otherwise requires:

6 (a) (III) "Carpooling service" does not include a transportation
7 arrangement made with:

8 (C) A charter bus, children's activity bus, fire crew transport,
9 luxury limousine service, ~~medicaid-client transport~~, or off-road scenic
10 charter, as those terms are defined in section 40-10.1-301; or

11 **SECTION 95.** In Colorado Revised Statutes, 43-1-404, **repeal**
12 (1)(e)(III) as follows:

13 **43-1-404. Advertising devices allowed - exception.** (1) The
14 following advertising devices as defined in section 43-1-403 may be
15 erected and maintained when in compliance with all provisions of this
16 part 4 and the rules adopted by the department:

17 (e) (III) ~~The department shall consult with the council on creative~~
18 ~~industries and the state historical society to determine places of cultural~~
19 ~~importance which are eligible to erect advertising devices pursuant to~~
20 ~~sub-subparagraph (C) of subparagraph (I) of this paragraph (e). It is the~~
21 ~~intent of the general assembly that no state moneys nor any federal funds~~
22 ~~be used to erect such advertising devices.~~

23 **SECTION 96.** In Colorado Revised Statutes, 43-4-205, **amend**
24 (6.8)(c) introductory portion as follows:

25 **43-4-205. Allocation of fund.** (6.8) (c) Money transferred from
26 ~~the general fund to~~ the highway users tax fund pursuant to section
27 24-75-219 (7)(a)(III) must be allocated and expended as follows:

1 **SECTION 97.** In Colorado Revised Statutes, 24-33.5-1231,
2 **amend as added by House Bill 22-1194 (5)(c)** as follows:

3 **24-33.5-1231. Local firefighter safety and disease prevention**
4 **fund - creation - grants - rules.** (5) (c) Within three days after ~~the~~
5 ~~effective date of this section~~ MARCH 1, 2022, the state treasurer shall
6 transfer five million dollars from the general fund to the fund.

7 **SECTION 98.** In Colorado Revised Statutes, 31-31.5-101,
8 **amend as added by House Bill 22-1034 (1)** as follows:

9 **31-31.5-101. Establishment of the statewide retirement plan -**
10 **definitions.** (1) The statewide retirement plan is hereby established to
11 provide defined benefit and money purchase retirement benefits to
12 members of employers affiliated with the plan. Initial employers affiliated
13 with the plan include those departments that participated in the statewide
14 defined benefit plan established pursuant to part 4 of article 31 of this title
15 31, the statewide hybrid plan established pursuant to part 11 of article 31
16 of this title 31, and the social security supplemental plan established
17 pursuant to part 7 of article 31 of this title 31 as such plans existed before
18 their merger into the statewide retirement plan pursuant to ~~_____~~ Bill
19 22-~~_____~~, HOUSE BILL 22-1034, enacted in 2022.

20 **SECTION 99. Amend** Section 5(2) of House Bill 22-1040 as
21 follows:

22 Section. 5 **Act subject to petition - effective date - applicability.**
23 (2) This act applies to unit owners' associations' regulation of the use of
24 common elements of a common interest community by unit owners ~~and~~
25 ~~their guests~~ on and after the applicable effective date of this act.

26 **SECTION 100. Amend** Section 11 of House Bill 22-1211 as
27 follows:

1 Section 11. **Act subject to petition - effective date.** Sections 3
2 through 10 of this act take effect December 31, 2022, and the remainder
3 of this act takes effect at 12:01 a.m. on the day following the expiration
4 of the ninety-day period after final adjournment of the general assembly;
5 except that, if a referendum petition is filed pursuant to section 1 (3) of
6 article V of the state constitution against this act or an item, section, or
7 part of this act within such period, then the act, item, section, or part will
8 not take effect unless approved by the people at the general election to be
9 held in November 2022 and, in such case, will take effect on the date of
10 the official declaration of the vote thereon by the governor; except that
11 sections ~~2 through 9~~ 3 THROUGH 10 of this act take effect December 31,
12 2022.

13 **SECTION 101.** In Colorado Revised Statutes, 35-65-401, **amend**
14 **as amended by Senate Bill 22-042** (3)(c) as follows:

15 **35-65-401. Colorado state fair authority - creation - board -**
16 **powers and duties - repeal.** (3) The governor shall appoint the
17 following twelve members of the board:

18 (c) Two residents from each of the four agricultural districts of the
19 state, as defined in section ~~35-1-105 (1)(c)~~ **35-1-105 (3).**

20 **SECTION 102.** In Colorado Revised Statutes, 24-92-115, **amend**
21 (5) as follows:

22 **24-92-115. Apprenticeship utilization requirements -**
23 **mechanical, electrical, and plumbing contracts - public projects -**
24 **definition.** (5) Nothing in this section shall be construed to supersede the
25 requirements for licensed plumbers, licensed electricians, or apprentices
26 registered with the state pursuant to title 12, including sections ~~12-23-105,~~
27 ~~12-23-110.5, 12-58-105, and 12-58-117~~ **12-115-109, 12-113-115,**

1 *12-155-108, AND 12-155-124.*

2 **SECTION 103. Act subject to petition - effective date.**

3 (1) Except as otherwise provided in subsection (2) of this section, this act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2022 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.

12 (2) (a) Section 99 of this act takes effect only if House Bill
13 22-1040 becomes law, in which case section 99 takes effect on the
14 effective date of this act or House Bill 22-1040, whichever is later.

15 (b) Section 100 of this act takes effect only if House Bill 22-1211
16 becomes law, in which case section 100 takes effect on the effective date
17 of this act or House Bill 22-1211, whichever is later.

APPENDIX

C.R.S. Section	Section in bill	Reason for Amendment
1-1-104 (48)	1	Updates an internal reference to conform with section 89 of this act, which places a defined term in alphabetical order to follow standard drafting procedures. (See section G.8.3.5 and 12.3.5 of the Colorado Legislative Drafting Manual, Revised 10/29/2021.)
1-4-1008	2	Repeals text within this provision as obsolete due to the repeal of section 1-4-303, effective June 21, 2021. (See SB21-250, chapter 282, page 1672, Session Laws of Colorado 2021.)
1-7-515 (4)(b)(II) as it will become effective July 1, 2022	3	Aligns the dates in this subsection regarding certain election audits with other provisions in this subsection (4)(b). The senate, in a third reading amendment, extended the time frame that the secretary of state has to promulgate election audit rules; however, the conforming date change was not made in this subsection. (See the 2021 Senate Journal for June 3, page 1337, and HB21-1071, chapter 367, page 2421, Session Laws of Colorado 2021.)
1-9-201 (1)(b)	4	Repeals text within this provision as obsolete due to the repeal of section 1-9-204, effective June 21, 2021. (See SB21-250, chapter 282, page 1672, Session Laws of Colorado 2021.)
1-9-203 (7)	5	See section 4 of this act amending section 1-9-201 (1)(b).
1-13-704 as it became effective March 1, 2022	6	See section 4 of this act amending section 1-9-201 (1)(b).
2-3-124 (1)	7	Updates internal references to conform with the relocation of provisions by SB21-059. (See SB21-059, chapter 136, page 557, Session Laws of Colorado 2021.)
2-3-204 (3)	8	Corrects an internal reference to the provision requiring the joint budget committee to analyze and describe an evidence-based program or practice in a budget request. This corrects an error originating in the introduced version of SB21-284. (See SB21-284, chapter 445, page 2939, Session Laws of Colorado 2021.)
2-5-104	9	Changes a gender-specific pronoun to the antecedent in accordance with the Colorado

		Drafting Manual. (See section 5.8.3 of the Colorado Legislative Drafting Manual, Revised 10/29/2021.)
2-7-200.1	10	Inserts "SMART Act" as an allowable alternative short title for the provisions encompassing part 2 of article 7 of title 2 because these provisions are commonly known and referred to as the SMART Act.
4-9-609 (d)	11	See section 1 of this act amending section 1-1-104 (48).
6-1-102 (4.9)	12	See section 1 of this act amending section 1-1-104 (48).
6-2.7-101 (2)	13	Corrects an internal reference to a defined term as well as internal references to federal law. (See 18 U.S.C. secs. 2711 and 2510, the 2006 Senate Journal for April 27, page 1060, and HB06-1011, chapter 362, page 2057, Session Laws of Colorado 2006.)
6-2.7-102 (3) and (5)	14	Updates internal references to mandatory reporting provisions. (See Pub.L. 110-401.)
6-7-104	15	Updates an internal reference to the national register of historic places. Public Law 113-287 relocated the historic places provisions from 16 U.S.C. sec. 470a to chapter 3021 of title 54 of the United States Code. (See Pub.L. 113-287.)
6-20-203 (3)(b)(I)	16	Corrects an internal reference to the section requiring that patients' rights be posted to the internet. Amendments to HB21-1198 in the House Health and Insurance Committee Report renumbered the provision but did not include the conforming change in this section. (See the 2021 House Journal for April 22, page 849, and HB21-1198, chapter 435, page 2882, Session Laws of Colorado 2021.)
8-20.5-105 (2), as it became effective March 1, 2022	17	Corrects an internal reference to the penalty provisions for petty offenses committed on or after March 1, 2022. Senate Bill 21-271 changed the penalty in section 8-20.5-105 from a misdemeanor to a petty offense, effective March 1, 2022, but did not update the internal reference to correspond with the penalty provisions. (See SB21-271, chapter 462, page 3142, Session Laws of Colorado 2021.)
8-83-502 (9)	18	Standardizes terminology within part 5 of article 83 of title 8. (See HB21-1290, chapter 400, page 2651, Session Laws of Colorado 2021.)

10-18-108	19	Amends this provision to allow the commissioner of insurance to request audio or video recordings, as authorized in this section, in available electronic formats.
12-20-202 (3)(e)(IX)	20	Repeals this provision as obsolete due to the repeal of article 160 of title 12, effective September 1, 2020. (See section 12-160-111, C.R.S. 2019.)
12-20-404 (1)(d)(II)(F) and (3)(a)(II)(C)	21	See section 20 of this act repealing section 12-20-202 (3)(e)(IX).
12-20-407 (1)(b)(I)	22	See section 20 of this act repealing section 12-20-202 (3)(e)(IX).
12-280-117 (5)	23	See section 19 of this act amending section 10-18-108.
15-1.2-202 (3)	24	Corrects an internal reference to the Colorado Uniform Trust Code. The error originated in the introduced version of SB21-171. (See SB21-171, chapter 143, page 806, Session Laws of Colorado 2021.)
15-5-108 (4)	25	Updates an internal reference to correspond with the renumbering of provisions. (See SB18-180, chapter 169, page 1149, Session Laws of Colorado 2018.)
16-11.7-103 (6)	26	Repeals redundant language. (See HB21-1320, chapter 425, page 2820, Session Laws of Colorado 2021.)
16-22-102 (4.2)	27	See section 7 of this act amending section 2-3-124 (1).
18-5-801 (2) and (5)	28	See section 1 of this act amending section 1-1-104 (48).
18-6-803.5 (1)(c)(II)	29	Corrects an internal reference to a provision requiring a respondent to file a signed declaration with the court. The error originated in the introduced version of HB21-1255. (See HB21-1255, chapter 293, page 1736, Session Laws of Colorado 2021.)
18-13-125 (3)(b)(V)	30	See section 14 of this act amending section 6-2.7-102 (3) and (5).
18-18-607 (2)	31	Clarifies that the term "state department" is the department of human services because the term is not defined for this provision. This corrects an error in the House Appropriations Committee Report amending HB20-1017. (See the 2020 House Journal for June 8, page 1003, and

		HB20-1017, chapter 288, page 1424, Session Laws of Colorado 2020.)
19-1-103 (7)(c) and (80)	32	See section 7 of this act amending section 2-3-124 (1).
19-1-108 (5.5)	33	See section 7 of this act amending section 2-3-124 (1).
19-1-127 IP(1)	34	Corrects an internal reference to the federal foster care placement requirements in the federal "Social Security Act" in Title 42 of the United States Code. The error originated in the introduced version of HB06-1255. (See HB06-1255, chapter 134, page 507, Session Laws of Colorado 2006.)
19-1-303 (6)(a), (6)(a.1), (6)(a.3), (6)(b), and (6)(c)	35	See section 7 of this act amending section 2-3-124 (1).
19-1-304 (1)(c)(II)IP and (2)(a)(II)	36	See section 7 of this act amending section 2-3-124 (1).
19-1-305 (1)(d)	37	See section 7 of this act amending section 2-3-124 (1).
19-2.5-704 (3)(b)(I)	38	Updates an internal reference to correspond with the relocation of article 10 of title 27 to article 65 of title 27 by SB10-175. (See SB10-175, chapter 188, page 675, Session Laws of Colorado 2010.)
19-2.5-1506 IP(1)	39	See section 7 of this act amending section 2-3-124 (1).
19-2.5-1514	40	Repeals certain requirements specific to fiscal years 2003-04 to 2020-21 as obsolete.
19-3-205 IP(1)	41	Corrects an internal reference to article 3 of title 19. The error originated in the introduced version of HB21-1094. (See HB21-1094, chapter 340, page 2216, Session Laws of Colorado 2021.)
19-4.5-103 (11)	42	Corrects an internal reference to a definitions section. The error occurred in the Senate Health and Human Services Committee Report amending HB21-1022. (See the 2021 Senate Journal for April 8, page 462, and HB21-1022, chapter 103, page 410, Session Laws of Colorado 2021.)
19-5-304 (2.5)	43	Repeals language construing the term "legal guardian" for subsection (2) of this section

		because the term was removed from the subsection by HB00-1336. (See HB00-1336, chapter 281, page 1368, Session Laws of Colorado 2000.)
23-1-104 (1)(b)(I) and IP(1)(c)	44	<ul style="list-style-type: none"> • Repeals internal references to section 23-18-303 due to the repeal of the section, effective July 1, 2021. (See section 23-18-303 (9), C.R.S. 2020, and HB20-1366, chapter 181, page 827.) • Harmonizes language between the introductory portion of subsection (1)(c) and subsection (1)(c)(IV) to correct an oversight in SB21-137. (See SB21-137, chapter 362, page 2362, Session Laws of Colorado 2021.)
23-1-121.2	45	Repeals text within this provision as obsolete due to the repeal of part 2 of article 78 of title 23, effective July 1, 2021. (See section 23-78-204, C.R.S. 2020, and SB19-190, chapter 153, page 1813, Session Laws of Colorado 2019.)
23-1-137 (1)(b)	46	Updates terminology to conform with HB16-1082 and HB16-1259. (See section 23-71-102.5, C.R.S. 2021, HB16-1082, chapter 58, page 139, and HB16-1259, chapter 123, page 350, Session Laws of Colorado 2016.)
23-3.3-103 (3)	47	Repeals this provision as obsolete due to the repeal of article 75 of title 23, effective July 1, 2021. (See section 23-75-106, C.R.S. 2020, and SB16-196, chapter 226, page 865, Session Laws of Colorado 2016.)
23-5-133	48	Repeals this section as obsolete. The Adjunct Professor Benefits Study required by this section was completed on January 12, 2007, by the Colorado Commission on Higher Education. (To view the study, go to the required government reports page on the Colorado Legislative Council Staff webpage.)
23-18-308 (1)(b)	49	See section 47 of this act repealing section 23-3.3-103 (3).
23-21-1001 (3)(a)	50	Corrects an internal reference to the mental health cash fund. The error occurred in the House Public and Behavioral Health and Human Services Committee Report amending SB21-137. (See the 2021 House Journal for June 3, page 1782, and SB21-137, chapter 362, page 2383, Session Laws of Colorado 2021.)

23-31-310 (5)	51	Removes redundant language. (See SB21-258, chapter 238, page 1248, Session Laws of Colorado 2021.)
23-31-903 (3)	52	Corrects an internal reference to the ancillary agreement provisions that pertain to this part 9. The error originated in the introduced version of HB15-1344. (See HB15-1344, chapter 207, page 751, Session Laws of Colorado 2015.)
24-22-115 (2)(b)	53	See section 40 of this act amending section 19-2-1514.
24-33-113 (2)(b)(V) and (3)	54	Repeals subsection (2)(b)(V) as obsolete due to the repeal of section 35-1-107 (8), effective February 1, 2010, and repeals subsection (3) as obsolete because the reporting requirement in this subsection was to have been completed on February 1, 2010. (See section 35-1-107 (8), C.R.S. 2009, and SB09-158, chapter 387, page 2092, Session Laws of Colorado 2009.)
24-33.5-503 (1)(r.5)	55	See section 7 of this act amending section 2-3-124 (1).
24-33.5-1226 (2.5)	56	Corrects the name of the referenced fund. (See section 24-33.5-1226 (1)(a), C.R.S. 2021, and SB21-113, chapter 17, page 93, Session Laws of Colorado 2021.)
24-72-203 (3.5)(e)	57	Corrects an internal reference to the federal "Americans with Disabilities Act of 1990". The error occurred in the House Appropriations Committee Report amending SB17-040. (See the 2017 House Journal for May 9, page 1409, and SB17-040, chapter 286, page 1582, Session Laws of Colorado 2017.)
24-72-204 (7)(b)(VIII)	58	See section 20 of this act repealing section 12-20-202 (3)(e)(IX).
25-1.5-114	59	Combines the definitions subsections within this section to follow standard drafting procedures. (See section G.8.3.5 of the Colorado Legislative Drafting Manual, Revised 10/29/2021.)
25-2-121 (3) and (4)	60	See section 40 of this act amending section 19-2.5-1514.
25-7-142 (2)(i)(V)	61	See section 7 of this act amending section 2-3-124 (1).
25-8-502 (1.5)(e)	62	See section 40 of this act amending section 19-2.5-1514.
25-8-608 (5)	63	See section 40 of this act amending section 19-2.5-1514.

25-15-304 (2)	64	See section 40 of this act amending section 19-2.5-1514.
25-19-104 (5) and (6)	65	Repeals these provisions to reflect the repeal of the multimedia environmental integration advisory committee, section 25-1-108 (1)(g), effective June 1, 1996. (See HB96-1197, chapter 240, page 1284.)
26-1-111 (2)(u)	66	Corrects an internal reference to the state youth development plan. The error occurred in the House Health, Insurance, and Environment Committee Report amending HB13-1239. (See the 2013 House Journal for April 1, page 748, and HB13-1239, chapter 307, page 1630, Session Laws of Colorado 2013.)
26-5.7-104 (3)	67	See section 7 of this act amending section 2-3-124 (1).
27-90-102 (1)(j)	68	See section 7 of this act amending section 2-3-124 (1).
29-1-503 (1)(b)	69	See section 46 of this act amending section 23-1-137 (1)(b).
29-1-504 (1)	70	See section 46 of this act amending section 23-1-137 (1)(b).
29-20-104 (1)(e.9)	71	Corrects the name of the referenced state department. The error occurred in the Senate State, Veterans, and Military Affairs Committee Report amending HB21-1117. (See the 2021 Senate Journal for April 28, page 656, and HB21-1117, chapter 202, page 1065, Session Laws of Colorado 2021.)
31-23-301 (5)(b)(I)(A)	72	Corrects an internal reference to the section creating the Division of Housing within the Department of Local Affairs. The error occurred in the House Transportation and Local Government Committee Report amending HB21-1019. (See the 2021 House Journal for March 24, page 394, and HB21-1019, chapter 122, page 486, Session Laws of Colorado 2021.)
32-1-103 (5)(d) and (23)(c)	73	See section 1 of this act amending section 1-1-104 (48).
33-1-102 (17)	74	Repeals a defined term that is not used in the title for which it is defined.
34-25-101	75	Repeals an internal reference to subsections (2) and (3) of section 34-24-103 due to the repeal of these subsections, effective June 5, 2003. (See SB03-329, chapter 377, page 2490, Session

		Laws of Colorado 2003.)
34-32-110 (1)(f)	76	Repeals an internal reference to subsection (1)(d) of this section due to the repeal of the subsection, effective July 1, 2015. (See section 34-32-110 (1)(d), C.R.S. 2014, and SB14-076, chapter 42, page 210, Session Laws of Colorado 2014.)
34-32-117 (7)(a)	77	Repeals a defined term that is not used in the section for which it is defined.
34-32-127 (2)(a)(IV)(A.5)	78	Repeals an internal reference to sub-subparagraph (A) of this subparagraph (IV) due to the repeal of the sub-subparagraph, effective July 1, 2015. (See section 34-32-127 (2)(a.1), C.R.S. 2014, and SB14-076, chapter 42, page 212, Session Laws of Colorado 2014.)
34-63-102 (5.3)(a)(I)(E) and (5.3)(a)(I)(F)	79	See section 40 of this act amending section 19-2.5-1514.
35-1.2-102 (8)	80	Extends the repeal date of this subsection as a conforming amendment to the Senate Agriculture, Livestock, and Water Committee Report amending SB21-248. Amendments in the report gave the Department of Agriculture two additional years, January 2, 2023, to January 2, 2025, to distribute funds for farm-to-market infrastructure loans before the provision authorizing the loans repeals. The repeal date of the definition of a farm-to-market infrastructure loan was not extended to January 2, 2025, leaving the term undefined after January 2, 2023. (See section 35-1.2-103 (2), C.R.S. 2021, the 2021 House Journal for May 27, page 1597, and SB21-248, chapter 374, page 2471, Session Laws of Colorado 2021.)
35-70-104.1	81	See section 1 of this act amending section 1-1-104 (48).
35-73-104 (4)	82	Corrects an error originating in the introduced version of HB21-1181 in which the Department of Agriculture is referred to as an agency. (See HB21-1181, chapter 279, page 1609, Session Laws of Colorado 2021.)
37-45-103 (4)(c)	83	See section 1 of this act amending section 1-1-104 (48).
38-12-201 (1)	84	See section 1 of this act amending section 1-1-104 (48).

38-41-201.6	85	See section 1 of this act amending section 1-1-104 (48).
39-26-721 (1) and (2)	86	See section 1 of this act amending section 1-1-104 (48).
40-3.2-109 IP(5)(b)	87	Clarifies that the list following the introductory portion of subsection (5)(b) of this section is a list of possible incentive mechanisms to promote the advancement of the utilities beneficial electrification program. (See SB21-246, chapter 283, page 1677, Session Laws of Colorado 2021.)
40-10.1-404 (3)	88	See section 77 of this act repealing section 34-32-117 (7)(a).
42-1-102 (49.5) and (106)	89	See section 1 of this act amending section 1-1-104 (48).
42-4-1305 (2)(b)(II)	90	See section 1 of this act amending section 1-1-104 (48).
42-4-1305.5 (2)(b)(II)	91	See section 1 of this act amending section 1-1-104 (48).
42-6-127 (3)	92	See section 1 of this act amending section 1-1-104 (48).
42-20-406 (3)(g), (3)(j), and (3)(u)	93	<ul style="list-style-type: none"> • [(3)(g)] Updates an internal reference to conform with the reorganization of the federal rules addressing the qualifications of drivers of motor vehicles. (See 61 FR 18926.) • [(3)(j)] Inserts a specific rather than broad reference to the federal rules addressing unsafe operations of a motor vehicle to correct an oversight in SB86-019. (See 49 CFR 396.7, and SB86-019, chapter 249, page 1143, Session Laws of Colorado 1986.) • [(3)(u)] Updates an internal reference to conform with federal rule changes regulating highway routing of hazardous materials, including Class 7 (radioactive) materials. (See 57 FR 44129.)
43-1-127 (4)(a)(III)(C)	94	Repeals an internal reference to the definition of "medicaid client transport" because the definition was repealed in HB21-1206. (See HB21-1206, chapter 381, page 2553, Session Laws of Colorado 2021.)

43-1-404 (1)(e)(III)	95	Repeals this provision as obsolete due to the repeal of sub-subparagraph (C) of subparagraph (I) of this paragraph (e), effective June 30, 2021. (See SB21-263, chapter 388, page 2589, Session Laws of Colorado 2021.)
43-4-205 IP(6.8)(c)	96	Corrects an errant reference to the general fund. Money received from the federal "American Rescue Plan Act of 2021", as prescribed by section 24-75-219 (7)(a)(III), is transferred from the federal fund to the highway users tax fund. No money in this provision was received from the general fund. (See section 24-75-219 (7)(a)(III), C.R.S. 2021, and SB21-260, chapter 250, page 1417, Session Laws of Colorado 2021.)
24-33.5-1231 (5)(c)	97	Inserts the date that the state treasurer is required to transfer funds to clarify an ambiguity. (See section 1 of HB22-1194.)
31-31.5-101 (1)	98	Inserts a missing internal reference to clarify that the bill that created the statewide retirement plan is House Bill 22-1034. (See section 1 of HB22-1034.)
HB22-1040 Section 5(2) of the bill	99	Removes "and their guests" as a conforming amendment to the House Business Affairs and Labor Committee Report amending HB22-1040. (See HB22-1040.)
HB22-1211 Section 11	100	Updates an internal reference to correspond with the renumbering of provisions. (See 2022 Senate Journal for March 17, page 429, and HB22-1211.)
35-65-401 (3)(c)	101	Corrects an internal reference to the definition of agricultural districts. (See SB22-042.)
24-92-115 (5)	102	Updates internal references to correspond with the renumbering of provisions. (See HB19-1172, chapter 136, pages 849, 853, 994, and 1010, Session Laws of Colorado 2019.)