

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

INTRODUCED

LLS NO. 25-0129.02 Jennifer Berman x3286

HOUSE BILL 25-1154

HOUSE SPONSORSHIP

Brown and Froelich,

SENATE SPONSORSHIP

(None),

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING COMMUNICATION SERVICES FOR PEOPLE WITH**
102 **DISABILITIES, AND, IN CONNECTION THEREWITH, CREATING THE**
103 **COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES**
104 **ENTERPRISE.**

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>.)

Under current law, the state librarian administers the reading services for the blind program by supporting privately operated reading services for individuals who are blind or print-disabled, and the Colorado

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

commission for the deaf, hard of hearing, and deafblind coordinates and advocates for the provision of, and access to, services and resources for individuals who are deaf, hard of hearing, or deafblind (services and resources). **Sections 2 through 14** of the bill create the communication services for people with disabilities enterprise (enterprise) to provide these services and resources through imposition of an enterprise fee and administration of the communication services for people with hearing disabilities enterprise cash fund (communication services fund) and the reading services for the blind enterprise cash fund (reading fund).

Section 1 repeals the reading services for the blind function of the state librarian, which function is transferred to the enterprise in **section 8**.

Telecommunications relay services (TRS) are provided for individuals who are deaf, hard of hearing, or deafblind in the state through a monthly surcharge that wireline voice service providers collect from their telephone customers. **Sections 16 and 17** transfer 77% of the money collected from the TRS monthly surcharge to the communication services fund and the reading fund based on the enterprise's imposition of the enterprise fee to finance the services and resources that the enterprise provides.

Sections 15 and 18 through 27 make conforming amendments.

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

SECTION 1. In Colorado Revised Statutes, 24-90-105.5, **repeal** (5) as follows:

24-90-105.5. Literacy support services for persons who are blind or print-disabled - authority of state librarian. (5) ~~The general assembly recognizes the importance of privately operated reading services to enable persons who are blind or print-disabled to gain access to otherwise inaccessible print materials. The state librarian has the authority to administer money in the reading services for the blind cash fund, which is created in the state treasury, for the support of privately operated reading services. The fund consists of any public or private money transferred, appropriated, or otherwise credited to the fund. All money credited to the fund and all interest earned on the investment of money in~~

1 ~~the fund is a part of the fund and must not be transferred or credited to the~~
2 ~~general fund or to any other fund except as directed by the general~~
3 ~~assembly acting by bill. The general assembly shall make annual~~
4 ~~appropriations from the reading services for the blind cash fund to the~~
5 ~~state librarian to carry out the purposes of this section.~~

6 **SECTION 2.** In Colorado Revised Statutes, **amend** 26-21-101 as
7 follows:

8 **26-21-101. Short title.** The short title of this article 21 is the
9 ~~"Colorado Commission for the Deaf, Hard of Hearing, and Deafblind~~
10 ~~"COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE~~
11 ~~Act".~~

12 **SECTION 3.** In Colorado Revised Statutes, **amend** 26-21-102 as
13 follows:

14 **26-21-102. Legislative declaration.** (1) The general assembly
15 ~~hereby~~ finds, determines, and declares that A COMMUNICATION SERVICES
16 FOR PEOPLE WITH DISABILITIES ENTERPRISE AND a commission for the
17 deaf, hard-of-hearing, and deafblind COMMUNITY TO ADVISE THE
18 ENTERPRISE facilitates the provision of state and local government
19 services to the deaf, hard-of-hearing, and deafblind COMMUNITY AND THE
20 BLIND AND PRINT-DISABLED COMMUNITY while making government more
21 efficient. Under the federal "Americans with Disabilities Act of 1990",
22 42 U.S.C. sec. 12101 et seq., as amended, Colorado has a duty to provide
23 equivalent access to state government and public accommodations to the
24 deaf, hard-of-hearing, and deafblind COMMUNITY AND THE BLIND AND
25 PRINT-DISABLED COMMUNITY. This duty requires state departments and
26 agencies to provide auxiliary services, communications technology
27 equipment, READING SERVICES, and other resources to ensure access.

1 Centralizing and unifying such resources ~~under a Colorado commission~~
2 creates cost savings for the state. In addition, the consolidation of
3 resources facilitates quality control and increases the effectiveness of
4 services while increasing access to services by ~~the~~ INDIVIDUALS WHO ARE
5 deaf, hard of hearing, ~~and~~ OR deafblind AND INDIVIDUALS WHO ARE BLIND
6 OR PRINT-DISABLED.

7 (2) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND
8 DECLARES THAT:

9 (a) THE COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES
10 ENTERPRISE CREATED IN THIS ARTICLE 21 PROVIDES VALUABLE BUSINESS
11 SERVICES TO INDIVIDUALS WHO ARE DEAF, HARD OF HEARING, OR
12 DEAFBLIND AND TO INDIVIDUALS WHO ARE BLIND OR PRINT-DISABLED BY:

13 (I) COORDINATING AND ADVOCATING FOR THE PROVISION OF, AND
14 ACCESS TO, EFFICIENT AND EFFECTIVE SERVICES AND RESOURCES,
15 INCLUDING GOVERNMENT SERVICES AND RESOURCES, FOR INDIVIDUALS
16 WHO ARE DEAF, HARD OF HEARING, OR DEAFBLIND, INCLUDING BY:

17 (A) ESTABLISHING AND COORDINATING A COMMUNICATIONS
18 TECHNOLOGY PROGRAM TO OBTAIN AND DISTRIBUTE INTERACTIVE
19 TELECOMMUNICATIONS AND OTHER COMMUNICATIONS TECHNOLOGY
20 EQUIPMENT NEEDED BY INDIVIDUALS WHO ARE DEAF, HARD OF HEARING,
21 OR DEAFBLIND;

22 (B) ARRANGING FOR AUXILIARY SERVICES FOR THE STATE COURT
23 SYSTEM FOR INDIVIDUALS WHO ARE DEAF, HARD OF HEARING, OR
24 DEAFBLIND; AND

25 (C) APPROVING CERTIFICATION OF ENTITIES THAT PROVIDE SIGN
26 LANGUAGE INTERPRETERS IN THE STATE; AND

27 (II) SUPPORTING PRIVATELY OPERATED READING SERVICES FOR

1 THE BLIND AND PRINT-DISABLED COMMUNITY;

2 (b) BY COORDINATING, ADVOCATING FOR, AND SUPPORTING THE
3 SERVICES AND RESOURCES DESCRIBED IN SUBSECTION (2)(a) OF THIS
4 SECTION, THE ENTERPRISE HELPS FACILITATE THE ENGAGEMENT OF
5 INDIVIDUALS WHO ARE DEAF, HARD OF HEARING, OR DEAFBLIND AND
6 INDIVIDUALS WHO ARE BLIND OR PRINT-DISABLED IN THE WORKFORCE AND
7 IN COMMERCE, THUS PROVIDING BENEFITS TO COLORADO BUSINESSES AND
8 EMPLOYERS THAT BENEFIT FROM THE ECONOMIC DEVELOPMENT
9 STIMULATED BY SUCH ENGAGEMENT IN THE WORKFORCE AND IN
10 COMMERCE;

11 (c) BY PROVIDING THE SERVICES AND RESOURCES DESCRIBED IN
12 SUBSECTION (2)(a) OF THIS SECTION, THE ENTERPRISE ENGAGES IN AN
13 ACTIVITY CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR
14 LIVELIHOOD;

15 (d) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
16 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896
17 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS
18 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE
19 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES
20 THAT THE REVENUE COLLECTED BY THE ENTERPRISE IS GENERATED BY
21 FEES, NOT TAXES, BECAUSE THE MONEY CREDITED TO THE ENTERPRISE IS:

22 (I) FOR THE SPECIFIC PURPOSE OF ALLOWING THE ENTERPRISE TO
23 DEFRAID THE COSTS OF PROVIDING THE SERVICES AND RESOURCES
24 DESCRIBED IN THIS SUBSECTION (2);

25 (II) COLLECTED AT RATES THAT ARE REASONABLY CALCULATED
26 BASED ON THE COSTS OF THE SERVICES AND RESOURCES PROVIDED BY THE
27 ENTERPRISE; AND

1 (III) NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION
2 24-77-102 (17), OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6
3 (6)(c), AND DOES NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR
4 SPENDING LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE
5 CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN
6 SECTION 24-77-103.6 (6)(b), SO LONG AS THE ENTERPRISE QUALIFIES AS
7 AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE
8 CONSTITUTION; AND

9 (e) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN
10 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE
11 ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES
12 AND SURCHARGES OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL
13 IN ITS FIRST FIVE FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE
14 ENTERPRISE DOES NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION
15 24-77-108.

16 **SECTION 4.** In Colorado Revised Statutes, 26-21-103, **amend**
17 (1); and **add** (1.7), (3.5), (4.4), (4.5), and (8.5) as follows:

18 **26-21-103. Definitions.** As used in this article 21, unless the
19 context otherwise requires:

20 (1) "Advisory council" means the Colorado deafblind advisory
21 council appointed by the ~~commission~~ ENTERPRISE in accordance with
22 section 26-21-105 (2)(f).

23 (1.7) "BOARD OF DIRECTORS" MEANS THE BOARD OF DIRECTORS OF
24 THE ENTERPRISE APPOINTED PURSUANT TO SECTION 26-21-103.5 (2).

25 (3.5) "COMMUNICATION SERVICES FUND" MEANS THE
26 COMMUNICATION SERVICES FOR PEOPLE WITH HEARING DISABILITIES
27 ENTERPRISE CASH FUND CREATED IN SECTION 26-21-107.3 (1)(a).

1 (4.4) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
2 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

3 (4.5) "ENTERPRISE FEE" MEANS THE FEE IMPOSED PURSUANT TO
4 SECTION 26-21-103.5 (3).

5 (8.5) "READING FUND" MEANS THE READING SERVICES FOR THE
6 BLIND ENTERPRISE CASH FUND CREATED IN SECTION 26-21-107.3 (2)(a).

7 **SECTION 5.** In Colorado Revised Statutes, **add** 26-21-103.5 as
8 follows:

9 **26-21-103.5. Communication services for people with**
10 **disabilities enterprise - created - board of directors - membership -**
11 **fees imposed - repeal.** (1) (a) THE COMMUNICATION SERVICES FOR
12 PEOPLE WITH DISABILITIES ENTERPRISE IS CREATED IN THE STATE
13 DEPARTMENT FOR THE BUSINESS PURPOSES OF:

14 (I) COORDINATING AND ADVOCATING FOR THE PROVISION OF, AND
15 ACCESS TO, EFFICIENT AND EFFECTIVE SERVICES AND RESOURCES,
16 INCLUDING GOVERNMENT SERVICES AND RESOURCES, FOR INDIVIDUALS
17 WHO ARE DEAF, HARD OF HEARING, OR DEAFBLIND;

18 (II) SUPPORTING PRIVATELY OPERATED READING SERVICES FOR
19 THE BLIND AND PRINT-DISABLED COMMUNITY; AND

20 (III) IMPOSING AND DETERMINING THE AMOUNT OF THE
21 ENTERPRISE FEE, IN COLLABORATION WITH THE PUBLIC UTILITIES
22 COMMISSION, TO FINANCE THE SERVICES PROVIDED PURSUANT TO
23 SUBSECTIONS (1)(a)(I) AND (1)(a)(II) OF THIS SECTION.

24 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
25 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, SO LONG AS
26 THE ENTERPRISE RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND
27 RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUE IN

1 GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS
2 COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO
3 THIS SUBSECTION (1)(b), THE ENTERPRISE IS NOT SUBJECT TO SECTION 20
4 OF ARTICLE X OF THE STATE CONSTITUTION.

5 (c) FOR PURPOSES OF THIS SUBSECTION (1), THE AMOUNT OF THE
6 TELECOMMUNICATIONS RELAY SERVICES CHARGE TRANSFERRED TO THE
7 FUNDS PURSUANT TO SECTION 40-17-104 (1)(a.5)(I) DOES NOT COUNT
8 TOWARD THE TOTAL ANNUAL REVENUE IN GRANTS FROM ALL COLORADO
9 STATE AND LOCAL GOVERNMENTS COMBINED.

10 (d) THE BOARD OF DIRECTORS, WITH THE ADVICE OF THE
11 COMMISSION AND THE ADVISORY COUNCIL, SHALL ADMINISTER THE
12 ENTERPRISE IN ACCORDANCE WITH THIS SECTION.

13 (e) THE ENTERPRISE MAY ISSUE REVENUE BONDS TO PAY FOR THE
14 EXPENSES OF THE ENTERPRISE, WHICH BONDS ARE SECURED BY REVENUE
15 OF THE ENTERPRISE.

16 (2) (a) THE ENTERPRISE SHALL BE GOVERNED BY A BOARD OF
17 DIRECTORS APPOINTED BY THE GOVERNOR.

18 (b) (I) THE GOVERNOR SHALL APPOINT MEMBERS OF THE BOARD OF
19 DIRECTORS ON OR BEFORE JUNE 1, 2025.

20 (II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

21 (c) (I) THE GOVERNOR SHALL CALL THE FIRST MEETING OF THE
22 BOARD OF DIRECTORS ON OR BEFORE JUNE 30, 2025.

23 (II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

24 (3) (a) IN ADDITION TO THE POWERS AND FUNCTIONS SET FORTH IN
25 SECTION 26-21-106, THE BOARD OF DIRECTORS, IN COLLABORATION WITH
26 THE PUBLIC UTILITIES COMMISSION, SHALL IMPOSE AN ENTERPRISE FEE TO
27 COVER THE DIRECT AND INDIRECT COSTS OF THE SERVICES AND RESOURCES

1 THAT THE ENTERPRISE PROVIDES PURSUANT TO THIS ARTICLE 21 AND OF
2 THE ENTERPRISE'S ADMINISTRATIVE EXPENSES.

3 (b) THE BOARD OF DIRECTORS, IN COLLABORATION WITH THE
4 PUBLIC UTILITIES COMMISSION, MAY PERIODICALLY INCREASE OR REDUCE
5 THE AMOUNT OF THE ENTERPRISE FEE BASED ON THE ENTERPRISE'S DIRECT
6 AND INDIRECT COSTS AND REASONABLY ANTICIPATED FUTURE
7 EXPENDITURES FROM THE COMMUNICATION SERVICES FUND AND THE
8 READING FUND. THE ENTERPRISE SHALL NOT INCREASE THE ENTERPRISE
9 FEE IN AN AMOUNT THAT:

10 (I) WHEN INCLUDED IN THE TELECOMMUNICATIONS RELAY
11 SERVICES MONTHLY SURCHARGE, CAUSES THE MONTHLY SURCHARGE TO
12 EXCEED THE MAXIMUM AMOUNT SET FORTH IN SECTION 40-17-103
13 (3)(a)(I); OR

14 (II) CAUSES THE COMMUNICATION SERVICES FUND AND THE
15 READING FUND CUMULATIVELY TO EXCEED ONE HUNDRED MILLION
16 DOLLARS IN THE FIRST FIVE YEARS OF THE ENTERPRISE'S EXISTENCE.

17 **SECTION 6.** In Colorado Revised Statutes, 26-21-104, **amend**
18 (1); and **add** (5) as follows:

19 **26-21-104. Commission created - appointments - repeal.**

20 (1) The Colorado commission for the deaf, hard of hearing, and
21 deafblind is created in the department of human services. The
22 commission is a **type 2** entity, as defined in section 24-1-105, and
23 exercises its powers and performs its duties and functions under the
24 department of human services. THE COMMISSION SHALL ADVISE THE
25 ENTERPRISE AND STATE AGENCIES REGARDING THE PROVISION OF
26 SERVICES AND RESOURCES FOR THE DEAF, HARD-OF-HEARING, AND
27 DEAFBLIND COMMUNITY.

1 (5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2031.
2 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
3 ACCORDANCE WITH SECTION 2-3-1203.

4 **SECTION 7.** In Colorado Revised Statutes, 26-21-105, **amend**
5 (2)(f)(II) and (2)(f)(III) introductory portion; and **add** (5) as follows:

6 **26-21-105. Commission procedures - advisory council -**
7 **creation - repeal.** (2) (f) (II) The advisory council shall advise the
8 ~~commission~~ ENTERPRISE, state and local governments, and other relevant
9 entities on how to increase competitive integrated employment as defined
10 in section 8-84-301, enlarge economic opportunities, enhance
11 independence and self-sufficiency, and improve services for INDIVIDUALS
12 WHO ARE deafblind. ~~persons.~~

13 (III) The ~~commission~~ ENTERPRISE shall appoint ~~initial~~ members
14 to the advisory council ~~by July 1, 2019. The commission shall designate~~
15 ~~four members to serve an initial four-year term and three members to~~
16 ~~serve an initial six-year term. After the initial terms, all subsequent~~
17 ~~appointees~~ TO serve four-year terms. The ~~commission~~ ENTERPRISE shall
18 appoint a qualified person to fill any vacancy on the advisory council for
19 the remainder of any unexpired term. The advisory council has the
20 following appointees:

21 (5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2031.
22 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
23 ACCORDANCE WITH SECTION 2-3-1203.

24 **SECTION 8.** In Colorado Revised Statutes, 26-21-106, **amend**
25 (1) introductory portion, (1)(d), (1)(e) introductory portion, (1)(e)(I), (2),
26 (3), (4) introductory portion, (4)(g)(II) introductory portion, (4)(g)(II)(B),
27 (6), (7) introductory portion, (8) introductory portion, (8.5)(a)

1 introductory portion, (8.5)(b) introductory portion, (9)(a) introductory
2 portion, (9)(a)(VIII), (9)(a)(IX), (9)(b), and (9)(c)(I); and **add** (1)(g),
3 (1.5), and (1.7) as follows:

4 **26-21-106. Powers, functions, and duties of enterprise -**
5 **auxiliary services program - community access program - report -**
6 **rules - definitions.** (1) The powers, functions, and duties of the
7 ~~commission~~ ENTERPRISE include:

8 (d) Assessing how communications technology has affected the
9 needs of INDIVIDUALS WHO ARE deaf, hard of hearing, ~~and~~ OR deafblind.
10 The ~~commission~~ ENTERPRISE shall assess the type and amount of
11 equipment needed by INDIVIDUALS WHO ARE deaf, hard of hearing, ~~and~~ OR
12 deafblind ~~persons~~ AND who qualify under the federal poverty guidelines
13 established in accordance with the "Omnibus Budget Reconciliation Act
14 of 1981", 42 U.S.C. SEC. 9902 (2).

15 (e) Assessing the needs of THE deaf, hard-of-hearing, and
16 deafblind COMMUNITY and reporting annually to the governor and the
17 general assembly any recommendations for legislation or administrative
18 changes that may facilitate or streamline the provision of ~~general~~
19 government services to INDIVIDUALS WHO ARE deaf, hard of hearing, ~~and~~
20 OR deafblind. Notwithstanding section 24-1-136 (11)(a)(I), on or before
21 September 1 of each year, the ~~commission must~~ ENTERPRISE SHALL file
22 the report required by this subsection (1)(e). In preparing the annual
23 report and recommendations, the ~~commission~~ ENTERPRISE shall consider
24 the following:

25 (I) Whether any existing statutory or administrative provisions
26 impede the ENTERPRISE'S ability ~~of the commission~~ to act as a statewide
27 coordinating agency advocating for INDIVIDUALS WHO ARE deaf, hard of

1 hearing, ~~and~~ OR deafblind individuals in Colorado;

2 (g) SUPPORTING PRIVATELY OPERATED READING SERVICES FOR THE
3 BLIND AND PRINT-DISABLED.

4 (1.5) (a) ON AND AFTER JUNE 30, 2025, THE RIGHTS, POWERS,
5 DUTIES, AND FUNCTIONS REGARDING THE READING SERVICES FOR THE
6 BLIND VESTED IN THE STATE LIBRARIAN PRIOR TO THAT DATE ARE
7 TRANSFERRED FROM THE STATE LIBRARIAN TO THE ENTERPRISE FOR THE
8 ENTERPRISE TO PERFORM THE FUNCTION DESCRIBED IN SUBSECTION (1)(g)
9 OF THIS SECTION.

10 (b) (I) ON AND AFTER JUNE 30, 2025, WHENEVER ANY PROVISION
11 OF LAW REFERS TO THE STATE LIBRARIAN IN CONNECTION WITH THE
12 FUNCTIONS TRANSFERRED TO THE ENTERPRISE PURSUANT TO THIS
13 SUBSECTION (1.5), THE LAW SHALL BE CONSTRUED AS REFERRING TO THE
14 ENTERPRISE.

15 (II) ANY CONTRACT ENTERED INTO BY THE STATE LIBRARIAN PRIOR
16 TO JUNE 30, 2025, IN CONNECTION WITH THE FUNCTIONS TRANSFERRED TO
17 THE ENTERPRISE PURSUANT TO THIS SUBSECTION (1.5) IS VALIDATED, WITH
18 THE ENTERPRISE SUCCEEDING TO ALL RIGHTS AND OBLIGATIONS UNDER
19 THE CONTRACT.

20 (III) ON AND AFTER JUNE 30, 2025, THE ENTERPRISE SHALL
21 SATISFY ANY OBLIGATIONS INCURRED BY THE STATE LIBRARIAN, BUT NOT
22 YET PAID, IN CONNECTION WITH THE FUNCTIONS TRANSFERRED TO THE
23 ENTERPRISE PURSUANT TO THIS SUBSECTION (1.5).

24 (1.7) PURSUANT TO A CONTRACT ENTERED INTO BETWEEN THE
25 EXECUTIVE DIRECTOR AND THE BOARD OF DIRECTORS, AND WITHOUT
26 REGARD TO THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE
27 24, THE COMMISSION SHALL PROVIDE ADMINISTRATIVE, PROFESSIONAL,

1 AND TECHNICAL STAFF TO ASSIST THE BOARD OF DIRECTORS WITH THE
2 CONDUCT OF THE AFFAIRS OF THE ENTERPRISE.

3 (2) The ~~commission~~ ENTERPRISE shall consider the findings of any
4 study authorized under this section and may approve, disapprove, or
5 amend the findings. After consideration of the findings, the ~~commission~~
6 ENTERPRISE shall submit a report with recommendations, including
7 proposed legislation if necessary, to the governor and to the general
8 assembly. The ~~commission~~ ENTERPRISE shall submit the report annually,
9 notwithstanding section 24-1-136 (11)(a)(I), and may combine the report
10 with, or include the report as a part of, the annual report prepared under
11 subsection (1)(e) of this section.

12 (3) The ~~commission~~ ENTERPRISE shall establish and coordinate a
13 communications technology program that is consistent with the findings
14 of subsection (1) of this section to obtain and distribute interactive
15 telecommunications and other communications technology equipment
16 needed by INDIVIDUALS WHO ARE deaf, hard of hearing, ~~and~~ OR deafblind.
17 ~~persons.~~

18 (4) The ~~commission~~ ENTERPRISE, in collaboration with the judicial
19 department, shall arrange for auxiliary services for the state court system.
20 Arranging auxiliary services for the state court system includes:

21 (g) (II) ~~For the purposes of AS USED IN~~ this subsection (4)(g):

22 (B) "Qualified interpreter" means ~~a person~~ AN INDIVIDUAL who
23 has a valid certification of competency accepted by the ~~commission~~
24 ENTERPRISE and includes ~~but is not limited to~~, oral interpreters, sign
25 language interpreters, and intermediary interpreters.

26 (6) The ~~commission~~ ENTERPRISE shall establish and maintain
27 outreach and consulting services to improve and ensure effective access

1 to auxiliary services by critical state and local government agencies,
2 private agencies, and other entities. The ~~commission~~ ENTERPRISE shall
3 also use these services to increase awareness of the programs funded by
4 the Colorado telephone users with disabilities fund established pursuant
5 to section 40-17-104.

6 (7) The ~~commission's~~ ENTERPRISE'S outreach and consulting
7 services include the following duties:

8 (8) The ~~commission~~ ENTERPRISE shall maintain a community
9 access program for one-on-one system navigating services to ensure
10 resources are available to individuals and to protect ~~each person's~~ EACH
11 INDIVIDUAL'S right to effective communication and access to
12 environmental information. The community access program must include
13 the following:

14 (8.5) (a) ~~On or before October 1, 2023, the commission~~ THE
15 ENTERPRISE shall establish a family and community intervener program.
16 The family and community intervener program shall work with children
17 who are deafblind to facilitate critical connections between ~~the~~ EACH
18 child and the child's family, community, and environment. The family and
19 community intervener program must include ~~but need not be limited to,~~
20 access to a family and community intervener with specific training in
21 deafblindness, strategies to build language and communication skills, and
22 intervention strategies. The intervener shall:

23 (b) The ~~commission~~ ENTERPRISE shall hire ~~an~~ A FAMILY AND
24 COMMUNITY intervener program manager to direct services for children
25 who are deafblind and ensure that an intervener:

26 (9) (a) The ~~commission~~ ENTERPRISE shall arrange for the
27 provision of auxiliary services in rural areas of the state by performing the

1 following functions:

2 (VIII) Establishing, monitoring, and publishing on the
3 ~~commission's~~ ENTERPRISE'S public website a list of available CART
4 providers and qualified interpreters, as defined in subsections
5 (4)(g)(II)(A) and (4)(g)(II)(B) of this section, respectively, who are
6 willing to work in rural areas for ~~persons~~ INDIVIDUALS who are deaf, hard
7 of hearing, or deafblind;

8 (IX) ~~Creating an advisory council to make~~ CONSIDERING
9 recommendations OF THE COMMISSION OR THE ADVISORY COUNCIL MADE
10 to the ~~commission~~ ENTERPRISE about the provision of auxiliary services
11 in rural areas; and

12 (b) The ~~executive director~~ BOARD OF DIRECTORS shall ~~promulgate~~
13 ADOPT rules in consultation with, or as proposed by, the commission and
14 the deaf, hard-of-hearing, and deafblind community regarding
15 implementation of this subsection (9). The rules must define the term
16 "rural area".

17 (c) (I) On or before November 1, 2022, and on or before
18 November 1 of each year thereafter, the ~~commission~~ ENTERPRISE shall
19 submit a report to the joint budget committee summarizing the
20 ~~commission's~~ ENTERPRISE'S implementation of the program described in
21 this subsection (9) over the previous twelve months.

22 **SECTION 9.** In Colorado Revised Statutes, 26-21-107, **amend**
23 (1) as follows:

24 **26-21-107. Colorado commission for the deaf, hard of hearing,**
25 **and deafblind cash fund - creation - gifts, grants, and donations -**
26 **reimbursement.** (1) There is ~~hereby~~ created in the state treasury the
27 Colorado commission for the deaf, hard of hearing, and deafblind cash

1 fund. All money credited to the fund must be used exclusively for the
2 administration and discharge of DUTIES OF THE COMMISSION MEMBERS
3 AND COMMISSION STAFF UNDER this article 21. All money credited to the
4 fund and any interest earned from the investment of money in the fund
5 remains in the fund and does not revert to the general fund or any other
6 fund at the end of any fiscal year.

7 **SECTION 10.** In Colorado Revised Statutes, **add** 26-21-107.3 as
8 follows:

9 **26-21-107.3. Communication services for people with hearing**
10 **disabilities enterprise cash fund - creation - reading services for the**
11 **blind enterprise cash fund - creation - gifts, grants, and donations -**
12 **reimbursement.** (1) (a) THERE IS CREATED IN THE STATE TREASURY THE
13 COMMUNICATION SERVICES FOR PEOPLE WITH HEARING DISABILITIES
14 ENTERPRISE CASH FUND. THE COMMUNICATION SERVICES FUND CONSISTS
15 OF THE AMOUNT OF THE TELECOMMUNICATIONS RELAY SERVICES
16 SURCHARGE TRANSFERRED TO THE COMMUNICATION SERVICES FUND
17 PURSUANT TO SECTION 40-17-104 (1)(a.5)(I)(A) AND ANY GIFTS, GRANTS,
18 OR DONATIONS RECEIVED FROM PRIVATE OR PUBLIC SOURCES FOR CREDIT
19 TO THE COMMUNICATION SERVICES FUND.

20 (b) MONEY IN THE COMMUNICATION SERVICES FUND IS
21 CONTINUOUSLY APPROPRIATED TO THE ENTERPRISE. ALL MONEY CREDITED
22 TO THE COMMUNICATION SERVICES FUND SHALL BE USED EXCLUSIVELY
23 FOR THE ADMINISTRATION AND DISCHARGE OF THE ENTERPRISE'S POWERS
24 AND DUTIES RELATED TO COMMUNICATION SERVICES FOR PEOPLE WITH
25 HEARING DISABILITIES, AS SET FORTH IN THIS ARTICLE 21. ALL MONEY
26 CREDITED TO THE COMMUNICATION SERVICES FUND AND ANY INTEREST
27 EARNED FROM THE INVESTMENT OF MONEY IN THE COMMUNICATION

1 SERVICES FUND REMAINS IN THE COMMUNICATION SERVICES FUND AND
2 DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND AT THE
3 END OF ANY FISCAL YEAR.

4 (2) (a) THERE IS CREATED THE READING SERVICES FOR THE BLIND
5 ENTERPRISE CASH FUND. THE READING FUND CONSISTS OF THE AMOUNT OF
6 THE TELECOMMUNICATIONS RELAY SERVICES SURCHARGE TRANSFERRED
7 TO THE READING FUND PURSUANT TO SECTION 40-17-104 (1)(a.5)(I)(B)
8 AND ANY GIFTS, GRANTS, OR DONATIONS RECEIVED FROM PRIVATE OR
9 PUBLIC SOURCES FOR CREDIT TO THE READING FUND.

10 (b) MONEY IN THE READING FUND IS CONTINUOUSLY
11 APPROPRIATED TO THE ENTERPRISE. ALL MONEY CREDITED TO THE
12 READING FUND SHALL BE USED EXCLUSIVELY FOR THE ADMINISTRATION
13 AND DISCHARGE OF THE ENTERPRISE'S POWERS AND DUTIES RELATED TO
14 READING SERVICES FOR THE BLIND AND PRINT-DISABLED, AS SET FORTH IN
15 THIS ARTICLE 21. ALL MONEY CREDITED TO THE READING FUND AND ANY
16 INTEREST EARNED FROM THE INVESTMENT OF MONEY IN THE READING
17 FUND REMAINS IN THE READING FUND AND DOES NOT REVERT TO THE
18 GENERAL FUND OR ANY OTHER FUND AT THE END OF ANY FISCAL YEAR.

19 (3) THE ENTERPRISE IS AUTHORIZED TO SEEK, ACCEPT, AND
20 EXPEND GIFTS, GRANTS, AND DONATIONS FROM INDIVIDUALS AND PRIVATE
21 AND PUBLIC ENTITIES; EXCEPT THAT THE ENTERPRISE SHALL NOT ACCEPT
22 A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE
23 INCONSISTENT WITH THIS ARTICLE 21 OR ANY OTHER LAW OF THE STATE.

24 (4) MEMBERS OF THE BOARD OF DIRECTORS SHALL BE REIMBURSED
25 FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF
26 THEIR OFFICIAL DUTIES, AND THE BOARD OF DIRECTORS MAY ESTABLISH A
27 STANDARDIZED PER DIEM DESIGNED TO COVER THEIR ACTUAL AND

1 NECESSARY EXPENSES.

2 **SECTION 11.** In Colorado Revised Statutes, 26-21-107.5,
3 **amend** (1), (2), and (7); and **add** (6.5) as follows:

4 **26-21-107.5. Communication services for people with**
5 **disabilities enterprise grant program - creation - standards -**
6 **applications - reading services for the blind grants - definition.**

7 (1) ~~The Colorado commission for the deaf, hard of hearing, and~~
8 ~~deafblind~~ COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES
9 ENTERPRISE grant program is ~~hereby~~ established to provide funding for
10 entities to address the needs of ~~Colorado's~~ INDIVIDUALS WHO ARE deaf,
11 hard of hearing, ~~and~~ OR deafblind. ~~individuals.~~

12 (2) (a) ~~The Colorado commission for the deaf, hard of hearing,~~
13 ~~and deafblind~~ COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES
14 ENTERPRISE grant program committee appointed pursuant to section
15 26-21-107.7 shall administer the grant program as provided in section
16 26-21-107.7.

17 (b) ~~The commission~~ ENTERPRISE shall pay the grants awarded
18 through the grant program from money ~~appropriated by the general~~
19 ~~assembly~~ IN THE COMMUNICATION SERVICES FUND.

20 (c) ~~Subject to available money, the general assembly shall~~
21 ~~appropriate to the commission no more than fifty thousand dollars~~
22 ~~annually to administer the grant program.~~

23 (6.5) THE ENTERPRISE SHALL ALSO ADMINISTER GRANTS FROM THE
24 READING FUND TO SUPPORT PRIVATELY OPERATED READING SERVICES.

25 (7) Grantees shall comply with reporting requirements established
26 by the ~~commission~~ ENTERPRISE.

27 **SECTION 12.** In Colorado Revised Statutes, 26-21-107.7,

1 **amend** (1)(a.5)(I), (1)(a.5)(II) introductory portion, (1)(c), (1)(d), (1)(e),
2 (2), and (3); and **repeal** (1)(a.5)(III) as follows:

3 **26-21-107.7. Communication services for people with**
4 **disabilities enterprise grant program committee - creation - members**
5 **- duties - reimbursement for expenses.** (1) (a.5) (I) There is ~~hereby~~
6 created the ~~Colorado commission for the deaf, hard of hearing, and~~
7 ~~deafblind~~ COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES
8 ENTERPRISE grant program committee, referred to in this section as the
9 "committee", consisting of five members, for the purpose of
10 recommending to the ~~commission~~ ENTERPRISE approval or disapproval of
11 applications for the grant program.

12 (II) The ~~commission~~ ENTERPRISE shall appoint four members to
13 the committee as follows:

14 (III) ~~This subsection (1)(a.5) is effective September 1, 2018, and~~
15 ~~applies to appointments to the committee on or after September 1, 2018.~~
16 ~~All initial appointments in accordance with this subsection (1)(a.5) must~~
17 ~~be made by September 30, 2018.~~

18 (c) In appointing members to the committee, the ~~commission~~
19 ENTERPRISE shall choose ~~persons~~ INDIVIDUALS who have knowledge and
20 awareness of innovative strategies that address challenges faced by the
21 deaf, hard-of-hearing, and deafblind community.

22 (d) The appointed members of the committee shall serve
23 three-year terms. ~~except that, of the members first appointed, one of the~~
24 ~~members shall serve a two-year term and two of the members shall serve~~
25 ~~one-year terms. The commission shall choose those members who shall~~
26 ~~serve the initial shortened terms.~~ If a vacancy arises in one of the
27 appointed positions, the ~~commission~~ ENTERPRISE shall appoint a

1 replacement to fill the vacancy for the remainder of the term.

2 (e) Members of the committee are entitled to be reimbursed ~~out~~
3 ~~of available appropriations~~ for all actual and necessary expenses incurred
4 in the performance of their duties.

5 (2) The committee shall review all applications received pursuant
6 to section 26-21-107.5. Based on criteria established by the ~~commission~~
7 ENTERPRISE, the committee shall recommend to the ~~commission~~
8 ENTERPRISE those applications to approve, with recommended grant
9 amounts, and those to disapprove.

10 (3) The ~~commission~~ ENTERPRISE shall review and may follow the
11 recommendations of the committee for approval or disapproval of
12 applications for the grant program and for grant amounts. If the
13 ~~commission~~ ENTERPRISE disagrees with the recommendations of the
14 committee, the executive director ~~of the department shall have~~ HAS final
15 decision-making authority to approve or disapprove the applications and
16 to set the grant amounts.

17 **SECTION 13.** In Colorado Revised Statutes, **add** 26-21-107.9 as
18 follows:

19 **26-21-107.9. Rules.** THE BOARD OF DIRECTORS MAY ADOPT RULES
20 AS NECESSARY TO IMPLEMENT THIS ARTICLE 21.

21 **SECTION 14.** In Colorado Revised Statutes, **repeal** 26-21-108
22 as follows:

23 **26-21-108. Repeal of article - sunset review.** ~~(1) This article 21~~
24 ~~is repealed, effective September 1, 2031.~~

25 ~~(2) Prior to the repeal, the commission shall be reviewed as~~
26 ~~provided for in section 24-34-104, C.R.S.~~

27 **SECTION 15.** In Colorado Revised Statutes, 40-17-102, **amend**

1 the introductory portion; and **add** (1.5) as follows:

2 **40-17-102. Definitions.** As used in this ~~article~~ ARTICLE 17, unless
3 the context otherwise requires:

4 (1.5) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
5 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

6 **SECTION 16.** In Colorado Revised Statutes, 40-17-103, **amend**
7 (3) introductory portion and (3)(a)(III)(D) as follows:

8 **40-17-103. Commission - powers and duties - rules.** (3) The
9 commission shall, ~~through the promulgation of rules~~ BY RULE, develop
10 and implement a mechanism to recover its costs and the cost to voice
11 service providers in implementing and administering telecommunications
12 relay services required by this article 17. The mechanism must, at a
13 minimum, provide for the following:

14 (a) (III) Without exceeding the maximum monthly surcharge set
15 forth in subsection (3)(a)(I) of this section, the monthly surcharge must
16 be an amount sufficient to:

17 (D) Pursuant to section 40-17-104, ~~cover annual appropriations to~~
18 PROVIDE SUFFICIENT FUNDING FOR the ~~reading services for the blind~~
19 COMMUNICATION SERVICES FOR PEOPLE WITH HEARING DISABILITIES
20 ENTERPRISE cash fund and the ~~Colorado commission for the deaf, hard of~~
21 ~~hearing, and deafblind cash fund~~ THE READING SERVICES FOR THE BLIND
22 ENTERPRISE CASH FUND TO PAY FOR THE SERVICES AND RESOURCES
23 PROVIDED BY THE ENTERPRISE PURSUANT TO ARTICLE 21 OF TITLE 26;

24 **SECTION 17.** In Colorado Revised Statutes, 40-17-104, **amend**
25 (1)(b) introductory portion and (1)(c); **repeal** (1)(b)(II); and **add** (1)(a.5)
26 as follows:

27 **40-17-104. Colorado telephone users with disabilities fund -**

1 **creation - purpose.** (1) (a.5) FOR THE MONEY COLLECTED BY VOICE
2 SERVICE PROVIDERS PURSUANT TO SECTION 40-17-103 AND CREDITED TO
3 THE COLORADO TELEPHONE USERS WITH DISABILITIES FUND PURSUANT TO
4 SUBSECTION (1) OF THIS SECTION:

5 (I) IN ACCORDANCE WITH THE ENTERPRISE FEE THAT THE
6 ENTERPRISE BOARD OF DIRECTORS, IN COLLABORATION WITH THE
7 COMMISSION, IMPOSES PURSUANT TO SECTION 26-21-103.5 (3),
8 SEVENTY-SEVEN PERCENT SHALL BE TRANSFERRED AS FOLLOWS:

9 (A) SIXTY-ONE PERCENT TO THE COMMUNICATION SERVICES FOR
10 PEOPLE WITH HEARING DISABILITIES ENTERPRISE CASH FUND CREATED IN
11 SECTION 26-21-107.3 (1)(a); AND

12 (B) SIXTEEN PERCENT TO THE READING SERVICES FOR THE BLIND
13 ENTERPRISE CASH FUND CREATED IN SECTION 26-21-107.3 (2)(a); AND

14 (II) THE MONEY TRANSFERRED TO THE COMMUNICATION SERVICES
15 FOR PEOPLE WITH HEARING DISABILITIES ENTERPRISE CASH FUND AND THE
16 READING SERVICES FOR THE BLIND ENTERPRISE CASH FUND, IN
17 ACCORDANCE WITH SUBSECTION (1)(a.5)(I) OF THIS SECTION:

18 (A) IS COLLECTED FOR THE USE OF THE ENTERPRISE;

19 (B) IS CUSTODIAL MONEY INTENDED FOR THE ENTERPRISE AND
20 HELD TEMPORARILY BY THE COMMISSION AND THE STATE TREASURER
21 SOLELY FOR THE PURPOSE OF TRANSFERRING THE MONEY TO THE
22 COMMUNICATION SERVICES FOR PEOPLE WITH HEARING DISABILITIES
23 ENTERPRISE CASH FUND AND THE READING SERVICES FOR THE BLIND
24 ENTERPRISE CASH FUND; AND

25 (C) BASED ON THE ENTERPRISE'S STATUS AS AN ENTERPRISE, IS
26 NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION
27 AT ANY TIME DURING THE MONEY'S COLLECTION, TRANSFER, AND USE.

1 (b) AFTER MONEY HAS BEEN TRANSFERRED FROM THE FUND TO
2 THE ENTERPRISE FUNDS LISTED IN SUBSECTION (1)(a.5)(I) OF THIS SECTION,
3 the general assembly shall make annual appropriations out of the
4 REMAINING MONEY IN THE fund:

5 (II) ~~To the reading services for the blind cash fund, created in~~
6 ~~section 24-90-105.5 (5), for use by the state librarian in support of~~
7 ~~privately operated reading services for people who are blind;~~

8 (c) The money in the fund THAT IS not used for administration of
9 ~~the fund~~ TELECOMMUNICATIONS RELAY SERVICES, the ~~reading services for~~
10 ~~the blind~~ COMMUNICATION SERVICES FOR PEOPLE WITH HEARING
11 DISABILITIES ENTERPRISE cash fund, ~~the Colorado commission for the~~
12 ~~deaf, hard of hearing, and deafblind cash fund created in section~~
13 ~~26-21-107~~ THE READING SERVICES FOR THE BLIND ENTERPRISE CASH FUND,
14 and library services as authorized by section 24-90-105 (1)(e) is hereby
15 continuously appropriated to the public utilities commission for the
16 reimbursement of providers ~~who~~ THAT render telecommunications RELAY
17 services authorized by this article 17.

18 **SECTION 18.** In Colorado Revised Statutes, 2-3-1203, **add**
19 (22)(a)(VII) and (22)(a)(VIII) as follows:

20 **2-3-1203. Sunset review of advisory committees - legislative**
21 **declaration - definition - repeal.** (22) (a) The following statutory
22 authorizations for the designated advisory committees will repeal on
23 September 1, 2031:

24 (VII) THE COLORADO COMMISSION FOR THE DEAF, HARD OF
25 HEARING, AND DEAFBLIND CREATED IN SECTION 26-21-104;

26 (VIII) THE COLORADO DEAFBLIND ADVISORY COUNCIL CREATED
27 IN SECTION 26-21-105 (2)(f)(I).

1 **SECTION 19.** In Colorado Revised Statutes, 6-1-707, **amend**
2 (1)(e)(I)(B) as follows:

3 **6-1-707. Use of title or degree - deceptive trade practice.** (1) A
4 person engages in a deceptive trade practice when, in the course of the
5 person's business, vocation, or occupation, the person:

6 (e) (I) Claims to be a "sign language interpreter", "interpreter for
7 the deaf", "deaf interpreter", "ASL-English interpreter", "American sign
8 language (ASL) interpreter", "translator" for sign language,
9 "transliterator", "certified sign language interpreter", "certified translator"
10 for sign language, "certified interpreter for the deaf", "certified deaf
11 interpreter", "certified ASL-English interpreter", "certified American sign
12 language (ASL) interpreter", or "certified transliterator", unless the
13 person holds:

14 (B) ~~Any~~ A currently valid certification for sign language
15 interpretation that is approved by the ~~Colorado commission for the deaf,~~
16 ~~hard of hearing, and deafblind~~ COMMUNICATION SERVICES FOR PEOPLE
17 WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

18 **SECTION 20.** In Colorado Revised Statutes, **amend** 13-71-137
19 as follows:

20 **13-71-137. Duties and responsibilities of auxiliary services**
21 **providers for jurors who are deaf, hard of hearing, or deafblind.**

22 (1) The court may provide, through the list of available resources
23 coordinated through the ~~Colorado commission for the deaf, hard of~~
24 ~~hearing, and deafblind~~ pursuant to section 26-21-106 (4)
25 COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE
26 CREATED IN SECTION 26-21-103.5, a qualified PROVIDER OF auxiliary
27 services, ~~provider~~, as defined in section 13-90-202 (8) (3), to assist during

1 a trial a juror who is deaf, hard of hearing, or deafblind. In the presence
2 of the jury, the court shall instruct the qualified auxiliary services
3 provider to make true and complete translations of all court proceedings
4 to the juror who is deaf, hard of hearing, or deafblind to the best of the
5 qualified auxiliary services provider's ability.

6 (2) The qualified interpreter is subject to the same orders and
7 admonitions given to the jurors. The court shall permit a qualified
8 auxiliary services provider to be present and assist a juror who is deaf,
9 hard of hearing, or deafblind during the deliberations of the jury. In the
10 presence of the jury, the court shall instruct the qualified auxiliary
11 services provider to refrain from participating in any manner in the
12 deliberation of the jury and to refrain from having any communications
13 with any member of the jury regarding deliberation, except for true and
14 complete translations of jurors' remarks made during deliberation. A jury
15 verdict reached in the presence of a qualified auxiliary services provider,
16 during deliberation, is valid.

17 **SECTION 21.** In Colorado Revised Statutes, 13-90-202, **amend**
18 **(8); repeal (4); and add (7.3)** as follows:

19 **13-90-202. Definitions.** As used in this part 2, unless the context
20 otherwise requires:

21 (4) ~~"Commission" means the Colorado commission for the deaf,~~
22 ~~hard of hearing, and deafblind in the department of human services~~
23 ~~created in section 26-21-104.~~

24 (7.3) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
25 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

26 (8) "Qualified interpreter" means a person who has a valid
27 certification of competency accepted by the ~~commission~~ ENTERPRISE and

1 includes ~~but is not limited to~~, oral interpreters, sign language interpreters,
2 and intermediary interpreters.

3 **SECTION 22.** In Colorado Revised Statutes, **amend** 13-90-203
4 as follows:

5 **13-90-203. Powers and duties of the enterprise - rules.** The
6 ~~department of human services~~ BOARD OF DIRECTORS OF THE ENTERPRISE
7 shall ~~promulgate~~ ADOPT rules pursuant to article 4 of title 24 ~~C.R.S.~~,
8 ~~which have been proposed by the commission~~ as necessary for the
9 implementation of this part 2. The rule-making process shall be open and
10 available for input from the public, including ~~but not limited to~~
11 interpreters and consumers of interpreter services.

12 **SECTION 23.** In Colorado Revised Statutes, **amend** 13-90-205
13 as follows:

14 **13-90-205. Coordination of auxiliary services requests.** (1) The
15 ~~commission~~ ENTERPRISE, in collaboration with the judicial department,
16 shall establish, monitor, coordinate, and publish a list of available
17 resources regarding communication accessibility for ~~persons~~ INDIVIDUALS
18 who are deaf, hard of hearing, or deafblind, including qualified auxiliary
19 services providers, for use by an appointing authority pursuant to section
20 13-90-204. The list must contain the names of private individual
21 providers and agencies that secure qualified auxiliary services for
22 assignment.

23 (2) Whenever a qualified auxiliary service is required pursuant to
24 section 13-90-204, the appointing authority shall secure the auxiliary
25 service through the list of available resources made available and
26 coordinated by the ~~commission~~ ENTERPRISE in accordance with
27 subsection (1) of this section.

1 (3) The ~~commission~~ ENTERPRISE shall provide auxiliary services
2 for a proceeding described by section 13-90-204 (1)(a), (1)(b), or (1)(c).
3 The ~~commission~~ ENTERPRISE does not have additional responsibilities
4 beyond the requirements of subsection (1) of this section for a proceeding
5 described in section 13-90-204 (1)(d) or (1)(f).

6 **SECTION 24.** In Colorado Revised Statutes, **amend** 13-90-210
7 as follows:

8 **13-90-210. Compensation.** Subject to the ~~appropriations~~ FUNDING
9 available to the ~~commission~~ ENTERPRISE, a qualified interpreter or
10 computer-aided realtime translation reporter provided pursuant to section
11 13-90-204 ~~shall be entitled to compensation for his or her~~ MAY BE
12 COMPENSATED FOR THEIR services, including waiting time and necessary
13 travel and subsistence expenses. The amount of compensation shall be
14 based on a fee schedule for qualified interpreters and auxiliary services
15 established by the ~~commission~~ ENTERPRISE.

16 **SECTION 25.** In Colorado Revised Statutes, 18-1.3-701, **amend**
17 (1)(c) as follows:

18 **18-1.3-701. Judgment of costs and fines - definitions.**
19 (1) (c) Judgments collected pursuant to this section for fees for auxiliary
20 services provided pursuant to section 13-90-204, and reimbursed pursuant
21 to section 13-90-210, shall be remitted to the ~~Colorado commission for~~
22 ~~the deaf, hard of hearing, and deafblind in the department of human~~
23 ~~services~~ COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES
24 ENTERPRISE created in section ~~26-21-104~~ 26-21-103.5.

25 **SECTION 26.** In Colorado Revised Statutes, 24-1-120, **add**
26 (5)(g.5) as follows:

27 **24-1-120. Department of human services - creation.** (5) The

1 department of human services includes the following:

2 (g.5) THE COMMUNICATION SERVICES FOR PEOPLE WITH
3 DISABILITIES ENTERPRISE, CREATED IN ARTICLE 21 OF TITLE 26. THE
4 ENTERPRISE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
5 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
6 THE DEPARTMENT.

7 **SECTION 27.** In Colorado Revised Statutes, 24-34-104, **repeal**
8 (32)(a)(XII) as follows:

9 **24-34-104. General assembly review of regulatory agencies**
10 **and functions for repeal, continuation, or reestablishment - legislative**
11 **declaration - repeal.** (32) (a) The following agencies, functions, or both,
12 are scheduled for repeal on September 1, 2031:

13 (XII) ~~The Colorado commission for the deaf, hard of hearing, and~~
14 ~~deafblind created in article 21 of title 26;~~

15 **SECTION 28. Safety clause.** The general assembly finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety or for appropriations for
18 the support and maintenance of the departments of the state and state
19 institutions.