

## CHAPTER 226

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**LABOR AND INDUSTRY**

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**SENATE BILL 94-197**

BY SENATORS Wattenberg, Bishop, Cassidy, Hopper, Mutzebaugh, Norton, L. Powers, Rizzuto, Schroeder, and Tebedo;  
also REPRESENTATIVES Taylor, Chlouber, Entz, George, Martin, and Schauer.

**AN ACT****CONCERNING THE EXCLUSION OF SKI AREA VOLUNTEERS FROM THE DEFINITION OF "EMPLOYEE"  
UNDER THE "WORKERS' COMPENSATION ACT OF COLORADO".**

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

**SECTION 1.** 8-40-301 (4), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

**8-40-301. Scope of term "employee".** (4) "Employee" excludes any person who volunteers time or services ~~as a ski patrol person, a ski instructor, or race crew member for a passenger tramway operator, as defined in section 25-5-702 (3), C.R.S.~~ FOR A SKI AREA OPERATOR, AS DEFINED IN SECTION 33-44-103 (7), C.R.S., OR FOR A SKI AREA SPONSORED PROGRAM OR ACTIVITY, NOTWITHSTANDING THE FACT THAT SUCH PERSON MAY RECEIVE NONCASH REMUNERATION FOR SUCH PERSON OR SUCH PERSON'S DESIGNEE IN CONJUNCTION WITH SUCH PERSON'S STATUS AS A VOLUNTEER. NO CONTRACT OF HIRE, EXPRESS OR IMPLIED, IS CREATED BETWEEN ANY VOLUNTEER PURSUANT TO THIS SECTION AND A SKI AREA OPERATOR. NOTICE SHALL BE GIVEN TO SUCH VOLUNTEER IN WRITING THAT THE VOLUNTEERING OF TIME OR SERVICES UNDER THIS SUBSECTION (4) DOES NOT CONSTITUTE EMPLOYMENT FOR PURPOSES OF THE "WORKERS' COMPENSATION ACT OF COLORADO" AND THAT SUCH PERSON IS NOT ENTITLED TO BENEFITS PURSUANT TO SAID ACT.

**SECTION 2. Effective date.** This act shall take effect July 1, 1994.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 22, 1994