

CHAPTER 198

STATUTES

HOUSE BILL 97-1220

BY REPRESENTATIVES Kaufman, Adkins, Kreutz, Snyder, Agler, McPherson, Salaz, Schwarz, and Tucker; also SENATORS Perlmutter, Matsunaka, Wattenberg, Wells, Wham, Bishop, Norton, Powers, and Schroeder.

AN ACT

CONCERNING THE REVISION OF STATUTES IN THE COLORADO REVISED STATUTES, AS AMENDED, AMENDING OR REPEALING OBSOLETE, INCONSISTENT, AND CONFLICTING PROVISIONS OF LAW AND CLARIFYING THE LANGUAGE TO REFLECT THE LEGISLATIVE INTENT OF THE LAWS.

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

SECTION 1. 6-18-201 (1) (a), Colorado Revised Statutes, 1992 Repl. Vol., as amended, is amended to read:

6-18-201. Health care coverage cooperatives - establishment - fees.
(1) (a) There is hereby authorized to be created entities to be known as health care coverage cooperatives. A health care coverage cooperative may be created as any lawful entity under articles ~~1 to 29~~ 20 TO 29, or articles 55 and 56, OR ARTICLES 101 TO 117 of title 7, C.R.S., provided such entity operates for the mutual benefit of its members. Entities created pursuant to this part 2, in addition to the matters otherwise required, shall be subject to this article.

SECTION 2. 8-40-202 (1) (a) (I) (A) and (1) (a) (II), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended to read:

8-40-202. Employee. (1) "Employee" means:

(a) (I) (A) Every person in the service of the state, or of any county, city, town, or irrigation, drainage, or school district or any other taxing district therein, or of any public institution or administrative board thereof under any appointment or contract of hire, express or implied; and every elective official of the state, or of any county, city, town, or irrigation, drainage, or school district or any other taxing district therein, or of any public institution or administrative board thereof; and every member of the military forces of the state of Colorado while engaged in active service

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

on behalf of the state under orders from competent authority. Policemen and ~~firemen~~ FIREFIGHTERS who are regularly employed shall be deemed employees within the meaning of this paragraph (a), as shall also sheriffs and deputy sheriffs, regularly employed, and all persons called to serve upon any posse in pursuance of the provisions of section 30-10-516, C.R.S., during the period of their service upon such posse, and all members of volunteer fire departments, including any person ordered by the chief or a designee of the chief's at the scene of an emergency or during the period of an emergency to become a member of that department for the duration of an emergency, and to perform the duties of a ~~fireman~~ FIREFIGHTER, and only if the person who is so ordered reports any claim within ten days of the cessation of the emergency, volunteer rescue teams or groups, volunteer disaster teams, volunteer ambulance teams or groups, and volunteer search teams in any county, city, town, municipality, or legally organized fire protection district or ambulance district in the state of Colorado, and all members of the civil air patrol, Colorado wing, while said persons are actually performing duties as volunteer ~~firemen~~ FIREFIGHTERS or as members of such volunteer rescue teams or groups, volunteer disaster teams, volunteer ambulance teams or groups, or volunteer search teams or as members of the civil air patrol, Colorado wing, and while engaged in organized drills, practice, or training necessary or proper for the performance of such duties. Members of volunteer police departments, volunteer police reserves, and volunteer police teams or groups in any county, city, town, or municipality, while actually performing duties as volunteer police officers, may be deemed employees within the meaning of this paragraph (a) at the option of the governing body of such county or municipality.

(II) The rate of compensation of such persons accidentally injured, or, if killed, the rate of compensation for their dependents, while serving upon such posse or as volunteer ~~firemen~~ FIREFIGHTERS or as members of such volunteer police departments, volunteer police reserves, or volunteer police teams or groups or as members of such volunteer rescue teams or groups, volunteer disaster teams, volunteer ambulance teams or groups, or volunteer search teams or as members of the civil air patrol, Colorado wing, and of every nonsalaried person in the service of the state, or of any county, city, town, or irrigation, drainage, or school district therein, or of any public institution or administrative board thereof under any appointment or contract of hire, express or implied, including nonsalaried elective officials of the state, and of all members of the military forces of the state of Colorado shall be at the maximum rate provided by articles 40 to 47 of this title; except that this subparagraph (II) shall apply to an official described in sub-subparagraph (B) of subparagraph (I) of this paragraph (a) only if no statement exercising the option to exclude such official as an employee within the meaning of this paragraph (a) is in effect.

SECTION 3. 12-9-102 (19) and (22), Colorado Revised Statutes, 1991 Repl. Vol., are amended to read:

12-9-102. Definitions. As used in this article, unless the context otherwise requires:

(19) "Qualified organization" means any bona fide chartered branch, lodge, or chapter of a national or state organization or any bona fide religious, charitable, labor, fraternal, educational, voluntary ~~firemen's~~ FIREFIGHTERS', or veterans' organization operating without profit to its members which has been in existence continuously for a period of five years immediately prior to the making of an

application for a license under this article and which has had, during the entire five-year period, a dues-paying membership engaged in carrying out the objects of said corporation or organization, and the Colorado state fair authority.

(22) "Voluntary ~~firemen's~~ FIREFIGHTERS' organization" means any organization within this state, not for pecuniary profit, established by the state or any of its political subdivisions which has been in existence for five years prior to making application for a license under this article.

SECTION 4. 12-9-104 (1), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-9-104. Bingo-raffle license - fee. (1) Any bona fide chartered branch, lodge, or chapter of a national or state organization or any bona fide religious, charitable, labor, fraternal, educational, voluntary ~~firemen's~~ FIREFIGHTERS', or veterans' organization or any association, successor, or combination of association and successor of any of the said organizations which operates without profit to its members and which has been in existence continuously for a period of five years immediately prior to the making of application for a bingo-raffle license under this article and has had during the entire five-year period dues-paying members engaged in carrying out the objects of said corporation or organization is eligible for a bingo-raffle license to be issued by the licensing authority under this article. In the event any license is revoked, the bingo-raffle licensee and holder thereof is not eligible to apply for another license under subsection (2) of this section until after the expiration of the period of one year from the date of such revocation.

SECTION 5. 12-9-105 (1) (b), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-9-105. Application for bingo-raffle license. (1) Each applicant for a bingo-raffle license to be issued under the provisions of this section shall file with the licensing authority a written application in the form prescribed by the licensing authority, duly executed and verified, and in which shall be stated:

(b) Sufficient facts relating to its incorporation and organization to enable the licensing authority to determine whether or not it is a bona fide chartered branch, lodge, or chapter of a national or state organization or a bona fide religious, charitable, labor, fraternal, educational, voluntary ~~firemen's~~ FIREFIGHTERS', or veterans' organization which operates without profit to its members, has been in existence continuously for a period of five years immediately prior to the making of said application for such license, and has had during the entire five-year period dues-paying members engaged in carrying out the objectives of said applicant;

SECTION 6. 12-15-121, Colorado Revised Statutes, 1991 Repl. Vol., is repealed as follows:

12-15-121. Repeal - review of functions. ~~Sections 12-15-102 to 12-15-113, 12-15-115, and 12-15-117 to 12-15-119 are repealed, effective July 1, 1994. Prior to such repeal, the licensing functions of the department shall be reviewed as provided for in section 24-34-104, C.R.S.~~

SECTION 7. 12-35-104 (5), Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended to read:

12-35-104. State board of dental examiners - subject to termination - immunity - repeal of article. (5) (a) The provisions of section 24-34-104, C.R.S., concerning the termination schedule for regulatory bodies of the state unless extended as provided in that section, are applicable to the state board of dental examiners created by this section. At the time of review by the joint legislative sunrise and sunset review committee, all functions, including the issuing of permits for administering anesthesia and the regulation of such administration of anesthesia, shall be reviewed.

(b) This article is repealed, effective ~~July 1, 1996~~ JULY 1, 2003.

SECTION 8. 12-47.1-103 (11), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-47.1-103. Definitions. As used in this article, unless the context otherwise requires:

(11) "Gaming employee" means any person employed by an operator or retailer hosting gaming to work directly with the gaming portion of such operator's or retailer's business, which person shall be twenty-one years of age or older and hold a support license. Persons deemed to be gaming employees shall include, but shall not be limited to, the following: Dealers; change and counting room personnel; cashiers; floormen; cage personnel; slot machine repairmen or mechanics; persons who accept or transport revenue from a slot, blackjack, or poker table drop or dropbox; security personnel; shift or pit bosses; ~~shifts~~; floor managers; supervisors; slot machine and slot booth personnel; any person involved in the handling, counting, collecting, or exchanging of money, property, checks, credit or any representative of value, including any coin, token, chip, cash premium, merchandise, redeemable game credits, or any other thing of value or payoff from any game, any gaming, or any gaming device; and such other persons as the commission shall by rule or regulation determine.

SECTION 9. 17-22.5-404 (2) (a) (I) and (3) (a) (V), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended to read:

17-22.5-404. Parole guidelines. (2) (a) In considering offenders for parole, the board shall consider, but need not be limited to, the following factors:

(I) The testimony of the victim of the crime or a relative of the victim, if the victim has died, pursuant to section ~~17-22.5-106~~ 17-2-214 (2) (a);

(3) (a) The board shall consider the following extraordinary aggravating circumstances when determining the conditions for parole and length of parole supervision when such aggravating circumstances show that an offender has a high risk of recidivism or a high risk of violence:

(V) The offender's conduct was directed at an active officer of the court or at an active or former judicial officer, prosecuting attorney, defense attorney, peace officer,

correctional employee, or ~~fireman~~ FIREFIGHTER during or because of the exercise of his OR HER official duties.

SECTION 10. 17-24-106.6 (2.1) (c), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

17-24-106.6. Surplus and excess equipment and supplies. (2.1) (c) For any chairs described in paragraph (b) of this subsection (2.1) not purchased by current or former members of the general assembly, the state historical society shall make efforts to place such chairs in the districts of the members. If the state historical society is unable to ~~fund~~ FIND suitable locations for such chairs, the society may dispose of such chairs in a manner befitting their historical significance.

SECTION 11. 18-1-105 (1) (b) (IV), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

18-1-105. Felonies classified - presumptive penalties. (1) (b) (IV) If a person is convicted of assault in the first degree pursuant to section 18-3-202 or assault in the second degree pursuant to section 18-3-203 and the victim is a peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties, as defined in section 18-1-106 (1.5) (b), notwithstanding the provisions of subparagraph (III) of paragraph (a) of this subsection (1) and subparagraph (II) of this paragraph (b), the court shall sentence the person to a term of imprisonment. In addition to such term of imprisonment, the court may impose a fine on such person pursuant to subparagraph (III) of paragraph (a) of this subsection (1).

SECTION 12. 18-1-106 (1.5), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

18-1-106. Misdemeanors classified - penalties. (1.5) (a) If a defendant is convicted of assault in the third degree pursuant to section 18-3-204 and the victim is a peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties, notwithstanding the provisions of subsection (1) of this section, the court shall sentence the defendant to a term of imprisonment greater than the maximum sentence but no more than twice the maximum sentence authorized for the same crime when the victim is not a peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties. In addition to such term of imprisonment, the court may impose a fine on the defendant pursuant to subsection (1) of this section.

(b) As used in this section, "peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties" means a peace officer as defined in section 18-1-901 (3) (1) (I) or (3) (1) (II) or a ~~fireman~~ FIREFIGHTER as defined in section 18-3-201 (1) who is engaged or acting in, or who is present for the purpose of engaging or acting in, the performance of any duty, service, or function imposed, authorized, required, or permitted by law to be performed by a peace officer or ~~fireman~~ FIREFIGHTER, whether or not the peace officer or ~~fireman~~ FIREFIGHTER is within the territorial limits of his OR HER jurisdiction, if the peace officer or ~~fireman~~ FIREFIGHTER is in uniform or the person committing an assault upon or offense against or otherwise acting toward such peace officer or ~~fireman~~ FIREFIGHTER knows or reasonably should know that the victim is a peace officer or ~~fireman~~ FIREFIGHTER or if the peace officer or ~~fireman~~ FIREFIGHTER is intentionally assaulted in retaliation

for the performance of his OR HER official duties.

SECTION 13. 18-3-107, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

18-3-107. First degree murder of a peace officer or firefighter - legislative declaration. (1) A person who commits murder in the first degree, as defined in section 18-3-102, and the victim is a peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties, commits the felony crime of first degree murder of a peace officer or ~~fireman~~ FIREFIGHTER.

(2) As used in this section, "peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties" means a peace officer, as defined in section 18-1-901 (3) (I) (I) or (3) (I) (II), or a ~~fireman~~ FIREFIGHTER, as defined in section 18-3-201 (1), who is engaged or acting in, or who is present for the purpose of engaging or acting in, the performance of any duty, service, or function imposed, authorized, required, or permitted by law to be performed by a peace officer or ~~fireman~~ FIREFIGHTER, whether or not the peace officer or ~~fireman~~ FIREFIGHTER is within the territorial limits of his OR HER jurisdiction, if the peace officer or ~~fireman~~ FIREFIGHTER is in uniform or the person committing an assault upon or offense against or otherwise acting toward such peace officer or ~~fireman~~ FIREFIGHTER knows or reasonably should know that the victim is a peace officer or ~~fireman~~ FIREFIGHTER.

(3) A person convicted of first degree murder of a peace officer or ~~fireman~~ FIREFIGHTER shall be punished by life imprisonment without the possibility of parole for the rest of his or her natural life, unless a panel of judges imposes a death sentence pursuant to the procedure set forth in section 16-11-103, C.R.S. Nothing in this subsection (3) shall be construed as limiting the power of the governor to grant reprieves, commutations, and pardons pursuant to section 7 of article IV of the Colorado constitution.

(4) In the event the death penalty as provided for in this section is held to be unconstitutional by the Colorado supreme court or the United States supreme court, a person convicted of first degree murder of a peace officer or ~~fireman~~ FIREFIGHTER under subsection (1) of this section shall be punished by life imprisonment without the possibility of parole. In such circumstance, the court which previously sentenced a person to death shall cause such person to be brought before the court, and the court shall sentence such person to life imprisonment without the possibility of parole.

(5) The general assembly recognizes that protection of peace officers and ~~firemen~~ FIREFIGHTERS from crime is a major concern of our state because society depends on peace officers and ~~firemen~~ FIREFIGHTERS for protection against crime and other dangers and because peace officers and ~~firemen~~ FIREFIGHTERS are disproportionately damaged by crime because their duty to protect society often places them in dangerous circumstances. Society as a whole benefits from affording special protection to peace officers and ~~firemen~~ FIREFIGHTERS because such protection deters crimes against them and allows them to better serve and protect our state. The general assembly therefore finds that the penalties for first degree murder of a peace officer or ~~fireman~~ FIREFIGHTER should be more severe than the penalty for first degree murder of other members of society.

SECTION 14. 18-3-201, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

18-3-201. Definitions. As used in sections 18-3-201 to 18-3-203, unless the context otherwise requires:

(1) "~~Fireman~~ FIREFIGHTER" means an officer or member of a fire department or fire protection or fire-fighting agency of the state, or any municipal or quasi-municipal corporation in this state, whether that person is a volunteer or receives compensation for services rendered as such ~~fireman~~ FIREFIGHTER.

(2) "Peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties" means a peace officer or ~~fireman~~ FIREFIGHTER who is engaged or acting in, or who is present for the purpose of engaging or acting in, the performance of any duty, service, or function imposed, authorized, required, or permitted by law to be performed by a peace officer or ~~fireman~~ FIREFIGHTER, whether or not the peace officer or ~~fireman~~ FIREFIGHTER is within the territorial limits of his OR HER jurisdiction, if the peace officer or ~~fireman~~ FIREFIGHTER is in uniform or the person committing an assault upon or offense against or otherwise acting toward such peace officer or ~~fireman~~ FIREFIGHTER knows or reasonably should know that the victim is a peace officer or ~~fireman~~ FIREFIGHTER. For the purposes of this subsection (2) and this part 2, the term "peace officer" shall include county enforcement personnel designated pursuant to section 29-7-101 (3), C.R.S.

SECTION 15. 18-3-202 (1) (e), Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

18-3-202. Assault in the first degree. (1) A person commits the crime of assault in the first degree if:

(e) With intent to cause serious bodily injury upon the person of a peace officer or ~~fireman~~ FIREFIGHTER, he OR SHE threatens with a deadly weapon a peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties, and the offender knows or reasonably should know that the victim is a peace officer or ~~fireman~~ FIREFIGHTER acting in the performance of his OR HER duties; or

SECTION 16. 18-3-203 (1) (c) and (1) (f), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended to read:

18-3-203. Assault in the second degree. (1) A person commits the crime of assault in the second degree if:

(c) With intent to prevent one whom he OR SHE knows, or should know, to be a peace officer or ~~fireman~~ FIREFIGHTER from performing a lawful duty, he OR SHE intentionally causes bodily injury to any person; or

(f) While lawfully confined or in custody, he OR SHE violently applies physical force against the person of a peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties, or a judge of a court of competent jurisdiction, or an officer of said court, or, while lawfully confined or in custody as a result of being charged with or convicted of a crime or as a result of being charged as a delinquent

child or adjudicated as a delinquent child, he OR SHE violently applies physical force against a person engaged in the performance of his OR HER duties while employed by or under contract with a detention facility, as defined in section 18-8-203 (3), or while employed by the division in the department of human services responsible for youth services and who is a youth services counselor or is in the youth services worker classification series, and the person committing the offense knows or reasonably should know that the victim is a peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties, or a judge of a court of competent jurisdiction, or an officer of said court, or a person engaged in the performance of his OR HER duties while employed by or under contract with a detention facility or while employed by the division in the department of human services responsible for youth services. A sentence imposed pursuant to this paragraph (f) shall be mandatory (and the court shall not grant probation or a suspended sentence, in whole or in part) and shall run consecutively with any sentences being served by the offender; except that, if the offense is committed against a person employed by the division in the department of human services responsible for youth services, the court may grant probation or a suspended sentence in whole or in part, and such sentence may run concurrently or consecutively with any sentences being served. A person who participates in a work release program, a furlough, or any other similar authorized supervised or unsupervised absence from a detention facility, as defined in section 18-8-203 (3), and who is required to report back to the detention facility at a specified time shall be deemed to be in custody.

SECTION 17. The introductory portion to 18-9-107 (1) and 18-9-107 (1) (b), Colorado Revised Statutes, 1986 Repl. Vol., are amended to read:

18-9-107. Obstructing highway or other passageway. (1) An individual or corporation commits an offense if without legal privilege ~~he~~ SUCH INDIVIDUAL OR CORPORATION intentionally, knowingly, or recklessly:

(b) Disobeys a reasonable request or order to move issued by a person ~~he~~ THE INDIVIDUAL OR CORPORATION knows to be a peace officer, a ~~fireman~~ FIREFIGHTER, or a person with authority to control the use of the premises, to prevent obstruction of a highway or passageway or to maintain public safety by dispersing those gathered in dangerous proximity to a fire, riot, or other hazard.

SECTION 18. 18-20-105 (1), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

18-20-105. Slot machines - shipping notices. (1) Any slot machine manufacturer or distributor shipping or importing a slot machine into the state of Colorado shall provide to the Colorado limited gaming control commission created in section 12-47.1-301, C.R.S., at the time of shipment a copy of the shipping invoice which shall include, at a minimum, the destination, the serial number of each machine, and a description of each machine. Any person within the state of Colorado receiving a slot machine shall, upon receipt of the machine, provide to the Colorado limited gaming control commission upon a form available from the commission information showing at a minimum the location of each machine, its serial number, and description. Such report shall be provided regardless of whether the machine is received from a manufacturer or any other person. Any machine licensed pursuant to section 12-47.1-803, C.R.S., shall be licensed for a specific location, and movement

of the machine from that location shall be reported to said commission within ~~twenty-four hours after such movement~~ THE TIME PERIOD SET OUT IN RULES PROMULGATED PURSUANT TO SECTION 12-47.1-803 (1) (d), C.R.S. Any person violating any provision of section 12-47.1-803, C.R.S., commits a class 5 felony. Any slot machine which is not in compliance with article 47.1 of title 12, C.R.S., is declared contraband and may be summarily seized and destroyed after notice and hearing.

SECTION 19. 19-3-304 (2) (v), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-3-304. Persons required to report child abuse or neglect. (2) Persons required to report such abuse or neglect or circumstances or conditions shall include any:

(v) ~~Fireman~~ FIREFIGHTER as defined in section 18-3-201 (1), C.R.S.;

SECTION 20. 22-83-102 (1) (a), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-83-102. Pre-K through 12 and postsecondary mathematics, science, and technology education improvement plan. (1) The Colorado mathematics-science-technology commission shall facilitate an improvement plan that institutes comprehensive statewide systemic initiatives designed to analyze, review, and improve all or some of the systemic components of pre-K through 12 and postsecondary mathematics, science, and engineering education in Colorado. Such plan shall specifically include and address the following:

(a) The design, facilitation, and coordination of such a plan by the Colorado department of education, the Colorado commission on higher education, the Colorado alliance for science, individual school district boards, and the governing boards of state institutions of higher education, in cooperation and consultation with the mathematics-science-technology commission appointed by the governor; ~~and the telecommunications advisory commission created pursuant to section 24-30-1802, C.R.S.;~~

SECTION 21. 23-3.3-201, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-3.3-201. Definitions. As used in this part 2, unless the context otherwise requires:

(1) "Dependent" means:

(a) Any natural child born or conceived before the period of time either of said child's parents served as a prisoner of war, was declared a person missing in action, served on state active duty or authorized training duty as a Colorado national guardsman, or was permanently disabled or killed while acting to preserve the public peace, health, and safety in the capacity of police officer, sheriff, or other law enforcement officer or ~~fireman~~ FIREFIGHTER;

(b) Any child lawfully adopted, or for which formal adoption procedures were commenced, prior to the time either of said child's adoptive parents served as a prisoner of war, was declared a person missing in action, served on state active duty or authorized training duty as a Colorado national guardsman, or was permanently disabled or killed while acting to preserve the public peace, health, and safety in the capacity of police officer, sheriff, or other law enforcement officer or ~~fireman~~ FIREFIGHTER; or

(c) Any child in the legal custody of or for which proceedings for custody were initiated by either of said child's parents prior to the time such parent served as a prisoner of war, was declared missing in action, served on state active duty or authorized training duty as a Colorado national guardsman, or was permanently disabled or killed while acting to preserve the public peace, health, and safety in the capacity of police officer, sheriff, or other law enforcement officer or ~~fireman~~ FIREFIGHTER.

SECTION 22. 23-3.3-205 (1) and (3) (b), Colorado Revised Statutes, 1995 Repl. Vol., are amended to read:

23-3.3-205. Dependents of deceased or permanently disabled national guardsman, law enforcement officer, or firefighter. (1) Any dependent of a person who died or was permanently disabled while on state active duty, federalized active duty, or authorized training duty as a Colorado national guardsman or any dependent of any person who has been permanently disabled or killed while acting to preserve the public peace, health, and safety in the capacity of police officer, sheriff, or other law enforcement officer or ~~fireman~~ FIREFIGHTER, upon being accepted for enrollment into any institution, shall be permitted to pursue studies leading toward a bachelor's degree or a certificate of completion, free of tuition, for so long as said dependent achieves and maintains standards as set by the institution for its students generally, but said benefits shall not be extended beyond twelve academic quarters or eight academic semesters, as the case may be. Such dependents pursuing studies at an institution that is not a state institution shall be eligible for assistance not to exceed the average cost of undergraduate instruction calculated for a full-time equivalent student at a comparable state institution for the previous year. The institutions or the commission shall provide tuition assistance to such qualified students from appropriated student financial assistance funds.

(3) (b) An individual who has been permanently disabled while acting to preserve the public peace, health, and safety in the capacity of police officer, sheriff, or other law enforcement officer or ~~fireman~~ FIREFIGHTER is permanently disabled for the purpose of determining eligibility of dependents to qualify for educational benefits if such individual is, as a result of the disability, unable to perform in the position to which he OR SHE was regularly assigned at the time he OR SHE became disabled.

SECTION 23. 23-30-307, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-30-307. Limitation of state responsibility. Nothing in this part 3 shall be construed to authorize any county fire warden, ~~fireman~~ FIREFIGHTER, or county officer to obligate the state for payment of any money.

SECTION 24. 24-10-115 (6), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

24-10-115. Authority for public entities other than the state to obtain insurance. (6) ~~Nothing in this section shall be construed to limit the authority of the regents of the university of Colorado to provide, through any insurance fund, trust, or program organized pursuant to this section, insurance to a corporation organized pursuant to part 4 of article 21 of title 23, C.R.S., for the purpose of operating university hospital.~~

SECTION 25. 24-30-1106, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-30-1106. Appeal from decisions of director. If any department, institution, or agency disagrees with any decision, plan, procedure, priority, standard, rule, or regulation or other act of the ~~division or the director of central services~~ DEPARTMENT OF PERSONNEL, the head thereof shall notify the executive director ~~of the department of personnel and the director of central services~~ of the basis for such disagreement, and the executive director may, at his or her discretion, uphold, modify, or reverse such decision, plan, procedure, priority, standard, rule, or regulation or other act; but no further action shall be taken by the ~~division or the director of central services~~ DEPARTMENT OF PERSONNEL to implement any decision, plan, procedure, priority, standard, rule, or regulation or other act after such notice until the executive director has rendered his or her decision in the matter.

SECTION 26. 24-30-1107, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-30-1107. Existing and new equipment, personnel, applications, and systems subject to approval of director. On and after June 20, 1977, no service equipment shall be purchased, leased, or otherwise acquired by any department, institution, or agency, nor shall any new service personnel be added to the state personnel system, nor shall any new applications, systems, or programs begin except upon the written approval of the ~~director of central services~~ EXECUTIVE DIRECTOR; nor shall any service equipment leased or operated by any department, institution, or agency on June 20, 1977, continue to be so leased or operated after July 1, 1977, unless certified by the ~~director of central services~~ EXECUTIVE DIRECTOR to be in

accordance with the approved plan.

SECTION 27. 24-30-1108, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-30-1108. Revolving fund - service charges - pricing policy. (1) There is hereby created a ~~central services~~ DEPARTMENT OF PERSONNEL revolving fund for use in acquiring such materials, supplies, labor, and overhead as are required. The fund shall be under the direction of the ~~director of central services~~ EXECUTIVE DIRECTOR.

(2) Users of ~~division~~ DEPARTMENT services shall be charged the full cost of the particular service, which shall include the cost of all material, labor, and overhead.

(3) The ~~director of central services~~ EXECUTIVE DIRECTOR shall have a pricing policy of remaining competitive with or at a lower rate than private industry in the operation of any service function which ~~he~~ THE EXECUTIVE DIRECTOR establishes.

(4) The ~~director of central services~~ EXECUTIVE DIRECTOR shall keep a full, true, and accurate record of the costs of providing each particular service.

SECTION 28. 24-30-1511, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-30-1511. State treasurer to invest funds. The state treasurer shall invest any portion of the risk management fund, including its reserves, ~~and moneys deposited pursuant to section 24-30-1510.6,~~ which the executive director and the board determine is not needed for immediate use. The state treasurer shall invest any portion of the self-insured property fund, including its reserves, which the executive director determines is not needed for immediate use. The state treasurer shall invest any portion of the state employee workers' compensation account in the risk management fund, including its reserves, which the executive director determines is not needed for immediate use. Such moneys may be invested in the types of investments authorized in sections 24-36-109, 24-36-112, and 24-36-113.

SECTION 29. 24-30-1512, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-30-1512. Risk management fund and self-insured property fund not subject to insurance laws. The setting aside of reserves for self-insurance purposes ~~and for the purposes set forth in section 24-30-1510.6~~ in the risk management fund created in section 24-30-1510, in the self-insured property fund created in section 24-30-1510.5, and in the state employee workers' compensation account in the risk management fund created in section 24-30-1510.7, shall not be construed to be creating an insurance company, nor shall the risk management fund or the self-insured property fund otherwise be subject to the provisions of the laws of this state regulating insurance or insurance companies. The requirements of section 10-4-716, C.R.S., concerning self-insurance under the "Colorado Auto Accident Reparations Act" are not applicable to this part 15.

SECTION 30. Part 18 of article 30 of title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-30-1801. Legislative declaration. (1) The general assembly hereby finds and declares that there is a lack of coordination among the various state agencies regarding the utilization of telecommunications facilities and services. The general assembly further finds that better coordination of such facilities and services, particularly among the governing boards of the institutions of higher education, the department of higher education, the department of education, and the school districts across the state, would result in improved education programs and a more cost-effective telecommunications system. The use of telecommunications services and facilities to expand educational opportunity, however, does not mean that the role of the teacher in the classroom should be diminished.

(2) The general assembly hereby finds that the development and use of a statewide telecommunications network will accelerate economic development within the state. The general assembly further finds that cooperation and participation by medical and health facilities, public and private economic development organizations, the judicial system, and local governments in developing a statewide telecommunications network will facilitate expansion of such network to its full potential and encourage economic growth and development within Colorado.

24-30-1801.5. Definitions. As used in this part 18, unless the context otherwise requires:

(1) "Information infrastructure" means all services offered to the public, either free or at a set price, which employ the statewide telecommunications infrastructure to provide, for the benefit of the public or private sector, text, video, image, sound, or data.

(2) "Statewide telecommunications infrastructure" and "telecommunications infrastructure" mean regulated telecommunications services, emerging competitive telecommunications services, and services, products, and providers which are exempt from regulation, as provided in article 15 of title 40, C.R.S., and telecommunications facilities and capabilities owned or operated by the state.

24-30-1802. Advisory commission on telecommunications. (Repealed)

24-30-1803. Telecommunications plan - staff. (1) The advisory commission appointed pursuant to section 24-30-1802 shall study the use of telecommunications facilities in the state, particularly the use of such facilities by the governing boards of the institutions of higher education, the departments of education and higher education, and the school districts, to determine how such resources may be shared or used more effectively. The commission shall develop a plan for improving the utilization of telecommunications facilities and services.

(2) The director of research of the legislative council, the director of the office of legislative legal services, and the executive directors of the departments of administration and higher education and the commissioner of education may supply staff assistance to the commission as they deem appropriate. The commission may also accept staff support or any other assistance from the private sector.

(3) The report required to be made no later than December 15, 1990, in subsection (1) of this section shall include but shall not be limited to recommendations for the

~~refinement and improvement of the distance learning portion of the telecommunications plan. Such report shall also include information related to the following:~~

- ~~(a) The location and potential membership of users of distance learning services;~~
 - ~~(b) The results of the K-12, higher education, and community and business needs assessments;~~
 - ~~(c) A technology inventory, including the location of present and planned telecommunications facilities, public and private, and the capabilities, advantages, and disadvantages of various telecommunications technologies with respect to the implementation and creation of a statewide educational distance learning network;~~
 - ~~(d) A timeline and plan for implementing and funding a statewide educational distance learning network to address the needs of Colorado residents who are geographically remote and unable to have access to typical educational facilities and programs, who are gifted and talented and unable to access special programs, who are members of minority groups, or who otherwise are disadvantaged or do not have reasonable access to educational opportunities;~~
 - ~~(e) The improvement of the quality of education through the increased availability of study in the foreign languages and in mathematics and science.~~
- ~~(4) The advisory commission, in cooperation and consultation with the department of education and the Colorado commission on higher education, shall explore the possibility of establishing a statewide magnet school for math and science and foreign language instruction. Such findings shall be included in the report required by subsection (1) of this section.~~

24-30-1804. Institutions of higher education - statewide telecommunications network. All institutions of higher education in this state which utilize telecommunications programs or operations shall cooperate in the establishment of a statewide telecommunications network. The Colorado commission on higher education shall facilitate the establishment of the statewide telecommunications network and, in the event that such a network is not established by July 1, 1992, the commission shall promulgate rules and regulations requiring such a network.

24-30-1805. Demonstration project. No later than December 31, 1994, the telecommunications advisory commission may coordinate a project which shall demonstrate the capabilities of the statewide telecommunications network. Such project shall involve, but shall not be limited to, institutions of higher education, elementary and secondary schools from any Colorado school district, the judicial system, and state agencies which choose to participate in such project. Such project shall be funded by moneys contributed by participating institutions of higher education, school districts, and state agencies or by private individuals or corporations. Moneys contributed by a state agency or a Colorado institution of higher education shall be absorbed within the current fiscal year appropriation of the state agency or institution of higher education.

24-30-1806. Policy recommendations. The advisory commission appointed

~~pursuant to section 24-30-1802 shall identify issues and recommend policy options for the general assembly concerning Colorado's telecommunications infrastructure and information infrastructure and periodically publish a report of its findings. Such report shall include recommendations by the commission for accelerating the use of existing telecommunications infrastructure for distance learning activities and recommendations for use between correctional institutions and district courts and state mental health institutions and the district court system. In developing policy options, the commission shall solicit comment from the public and private sectors, including, but not limited to, providers and users of telecommunications and information technology and the public utilities commission. The commission shall publish its first infrastructure report no later than December 31, 1994.~~

SECTION 31. 24-33.5-1303 (1) (b), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-33.5-1303. Powers, duties, and functions of the institute. (1) The Colorado safety institute has the following powers, duties, and functions:

(b) To train and instruct drivers, police officers, ~~firemen~~ FIREFIGHTERS, sheriffs, and any other personnel who may be involved in the cleanup and treatment of sites or locations where transportation accidents result in the spillage or potential release of hazardous materials;

SECTION 32. 24-46.1-101 (2) (a), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

24-46.1-101. Economic development central information system - information - availability. (2) The following state departments and agencies may identify the information set forth in subsection (3) of this section that the department or agency provides for general public use:

(a) ~~The department of personnel;~~

SECTION 33. The introductory portion to 24-50-134 (4), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-50-134. Moving and relocation expenses. (4) In addition to the allowances specified under ~~subsections (5) and (6)~~ SUBSECTIONS (5.1) AND (6) of this section, state payment for moving expenses shall be limited to one of the following methods:

SECTION 34. 24-50.3-106 (2), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-50.3-106. Authority of revisor of statutes to amend references to department - affected statutory provisions. (2) On and after July 1, 1996, the revisor of statutes is hereby authorized to change all references in the Colorado revised statutes to the divisions of purchasing, state archives and public records, accounts and controls, telecommunications, ~~administrative hearings~~, central services, risk management, and general government computer center, from said references to the department of personnel and to change all references to the directors of said divisions, except the state controller, to the executive director of the department of

personnel with respect to the powers, duties, and functions transferred to the department and the executive director. In connection with such authority, the revisor is hereby authorized to amend or delete provisions of the Colorado Revised Statutes so as to make the statutes consistent with the powers, duties, and functions transferred pursuant to section 24-1-128, this article, and article 30 of this title.

SECTION 35. 24-51-310 (1) (f), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-51-310. Persons not eligible for membership. (1) Persons not eligible for membership in the association include:

(f) Policemen and ~~firemen~~ FIREFIGHTERS covered by an existing retirement system pursuant to the laws of this state;

SECTION 36. 24-53-108 (2) (b), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-53-108. Coverage groups - terms and conditions. (2) Coverage groups:

(b) Positions in any individual municipal corporation or subdivision thereof having a separate existing retirement system operated singly and independently from any other municipal corporations or subdivisions thereof, except for policemen and ~~firemen~~ FIREFIGHTERS;

SECTION 37. 24-54-101 (3), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-54-101. Authorization to establish and maintain retirement system.

(3) Any such plan shall not apply to or include ~~firemen~~ FIREFIGHTERS or policemen. Retirement plans or benefits for ~~firemen~~ FIREFIGHTERS or policemen shall be established and maintained pursuant to the provisions of title 31, C.R.S.

SECTION 38. 24-70-102, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-70-102. Legal publications. Every newspaper printed and published daily, or daily except Sundays and legal holidays, or on each of any five days in every week excepting legal holidays and including or excluding Sundays shall be considered and held to be a daily newspaper; every newspaper printed and published at regular intervals three times each week shall be considered and held to be a triweekly newspaper; every newspaper printed and published at regular intervals twice each week shall be considered and held to be a semiweekly newspaper; and every newspaper printed and published at regular intervals once each week shall be considered and held to be a weekly newspaper. No publication, no matter how frequently published, shall be considered a legal publication unless it has been admitted to the United States mails ~~as second-class matter~~ WITH PERIODICALS MAILING PRIVILEGES.

SECTION 39. 24-72-110 (1), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-72-110. Evidence admissible, when - charges. (1) In all cases under the provisions of this part 1 and in all proceedings or actions instituted after April 19, 1889, as to any estate or any interest or right in or any lien or encumbrance upon any lots, pieces, or parcels of land, where the original evidence has been destroyed or lost or is not in the possession of the party wishing to use it on the trial and the record thereof has been destroyed by fire or otherwise, the court shall receive all such evidence as may have a bearing on the case to establish the execution or contents of the records and deeds so destroyed, although not admissible as evidence under the existing rules governing the admission of evidence, and the testimony of the parties themselves shall be received, subject to all the qualifications in respect to such testimony which are now provided by law. Any writing in the hands of any person which may become admissible in evidence under the provisions of this section or any other part of this part 1 shall be rejected and not admitted in evidence unless the same appears upon its face without erasure, blemish, alteration, interlineation, or interpolation in any material part, unless the same is explained to the satisfaction of the court, and to have been fairly and honestly made in the ordinary course of business. Any person making any such erasure, alteration, interlineation, or interpolation in any such writing, with the intent to change the same in any substantial matter, after the same has been once made, is guilty of the crime of ~~second-degree~~ forgery and shall be punished accordingly. Any and all persons who may be engaged in the business of making writings or written entries concerning or relating to lands and real estate in any county in this state to which this part 1 applies and of furnishing to persons applying therefor abstracts and copies of such writings or written entries as aforesaid for a fee, reward, or compensation therefor and who do not make the same truly and without alteration or interpolation in any matter of substance, with a view and intent to alter or change the same in any material matter or substance, are guilty of the crime of ~~second-degree~~ forgery and shall be punished accordingly.

SECTION 40. The introductory portions to 24-75-605 (1) and (4), Colorado Revised Statutes, 1988 Repl. Vol., are amended to read:

24-75-605. Legal investments - cities of twenty-five thousand or more population - limitation in class of investments. (1) Whenever cities having a population of twenty-five thousand or more, as determined by the last preceding federal decennial census, have moneys in policemen's or ~~firemen's~~ FIREFIGHTERS' pension funds, or other special funds of said cities, including pension, endowment, and trust funds, whether or not administered by a board or similar authority, it is lawful to invest or reinvest these moneys as set forth in this section if the authorization to invest moneys as provided in this section does not affect the administration of or control over the various funds, to wit:

(4) Notwithstanding the provisions of subsection (2) of this section, investments of ~~firemen's~~ FIREFIGHTERS' pension funds shall be limited in their acquisition and retention in the classes of securities set forth in subsection (1) of this section so that the aggregate of all investments in each separate fund at any time shall be as follows:

SECTION 41. 24-75-903 (5) and (6), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are repealed as follows:

24-75-903. Definitions. As used in this part 9, unless the context otherwise requires:

(5) ~~Items in the present care, custody, and trusteeship of the executive director of the department of personnel which are not records, as defined by section 24-80-101, because of their historical, library, or museum interest or value, shall be retained by the state historical society, and items which are not records which are in the future proposed for disposition under the provisions of this part 1, but determined to be of historical, library, or museum interest or value, shall be transferred to the state historical society with its consent in accordance with provisions set forth in section 24-80-104.~~

(6) ~~The state historical society, qualified students, and scholars approved by the society or the executive director of the department of personnel and other appropriate persons shall have the right of reasonable access to all records in the custody of the executive director of the department of personnel for purposes of historical reference, research, and information, and the state historical society shall have the privilege of museum display of original historical records or facsimiles thereof, subject to provisions of section 24-80-106. Copies of records, as defined in section 24-80-101, having historical, library, or museum interest or value shall be furnished to the state historical society by the executive director of the department of personnel upon request of the society in accordance with provisions of sections 24-80-103 and 24-80-107.~~

SECTION 42. 24-80-102 (5) and (6), Colorado Revised Statutes, 1988 Repl. Vol., are amended to read:

24-80-102. State archives and public records - personnel - duties - cash fund.

(5) Items in the present care, custody, and trusteeship of the ~~state archivist~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL which are not records as defined by section 24-80-101, because of their historical, library, or museum interest or value, shall be retained by the state historical society, and items which are not records which are in the future proposed for disposition under the provisions of this part 1, but determined to be of historical, library, or museum interest or value, shall be transferred to the state historical society with its consent in accordance with provisions set forth in section 24-80-104.

(6) The state historical society, qualified students, and scholars approved by the society or the state archivist and other appropriate persons shall have the right of reasonable access to all records in the custody of the ~~state archivist~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL for purposes of historical reference, research, and information, and the state historical society shall have the privilege of museum display of original historical records or facsimiles thereof, subject to provisions of section 24-80-106. Copies of records, as defined in section 24-80-101, having historical, library, or museum interest or value shall be furnished to the state historical society by the state archivist upon request of the society in accordance with provisions of sections 24-80-103 and 24-80-107.

SECTION 43. 25-4-715, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

25-4-715. Repeal of sections - review of functions. Sections ~~25-4-703, 25-4-705, 25-4-706, 25-4-707 (1), 25-4-708, and 25-4-711~~ are repealed, effective July 1, 1994. Prior to such repeal, the licensing functions of the department as set

forth in this part 7 shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 44. 25-11-203 (3) (b), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

25-11-203. Approval of facilities and sites for disposal of radioactive waste.

(3) (b) No facility or site referred to in subsection (1) of this section shall be constructed or approved by the department of public health and environment UNLESS THE GOVERNOR AND THE GENERAL ASSEMBLY HAVE APPROVED SUCH FACILITY OR SITE. THE GOVERNOR AND THE GENERAL ASSEMBLY, IN MAKING THEIR DETERMINATION, SHALL CONSIDER CRITERIA DEVELOPED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR DISPOSAL OF RADIOACTIVE WASTES PURSUANT TO SECTION 25-11-103 (3) IN APPROVING OR DISAPPROVING THE PROPOSED FACILITY OR SITE.

SECTION 45. 26-5.3-106 (2) (a) and (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are repealed as follows:

26-5.3-106. State's savings - cash fund created - use of moneys in fund - plan required. (2) The state department shall develop a strategic plan for improving the child welfare system in the state and for using the moneys in the family issues cash fund created in subsection (1) of this section. The plan shall specify the source of general fund savings deposited in the cash fund. The plan shall provide that the moneys in the fund shall, at a minimum, be used for the following purposes:

(a) ~~The direct and indirect costs of a legislative oversight committee for children, youth, and family issues as created pursuant to SB 93-26;~~

(3) ~~On or before December 1, 1993, the state department shall submit the plan to the legislative oversight committee for children, youth, and families; the health, environment, welfare, and institutions committees and the joint budget committee.~~

SECTION 46. 26-5.5-102 (1) (f), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-5.5-102. Legislative declaration. (1) The general assembly finds and declares that:

(f) A statewide family preservation program may be financed to provide intensive services for families where a child is at risk of an out-of-home placement based on criteria established by the state board of ~~social~~ HUMAN services and to provide phased-in services aimed at reunifying families where a child has been placed out of the home, where appropriate, by tapping into other available federal funds or through moneys realized from cost avoidance in prevention of placement.

SECTION 47. 27-10.5-114 (6.5), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

27-10.5-114. Right to medical care and treatment. (6.5) The executive director has the power to direct the administration or monitoring of medications to persons being cared for and treated in centers for the developmentally disabled

pursuant to section ~~25-1-107(1)(ee)~~ ~~(H.5)~~ ~~(H)~~ 25-1-107 (1) (ee) (II.5) (I) , C.R.S.

SECTION 48. 27-13-107, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

27-13-107. Building unit selected - patients selected. Suitable buildings shall be constructed from the funds produced by the building mill levy for the Colorado mental health institute at Pueblo for the housing of ~~such~~ THE SPECIAL INTENSIVE TREATMENT DEMONSTRATION unit, and the governor may also designate the use of such other institute facilities, services, personnel, records, and equipment as may be needed from time to time to carry out the purposes of sections 27-13-106 to 27-13-108, and, until suitable new buildings can be completed, the governor may designate existing buildings for the use of the unit established by sections 27-13-106 to 27-13-108. From among all types of patients now at the institute, such number of patients as can be accommodated in the unit shall be transferred to said unit for the purpose of receiving the special intensive treatment provided by sections 27-13-106 to 27-13-108.

SECTION 49. 27-13-108, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

27-13-108. Staffing of unit. The director of ~~this~~ THE SPECIAL INTENSIVE TREATMENT DEMONSTRATION unit shall submit a staffing pattern for approval to the executive director of the department of human services and after receiving such approval shall hire such personnel as are approved within the limits of the funds appropriated.

SECTION 50. 29-5-105, Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

29-5-105. Assignment of firefighters for temporary duty. The chief of the fire department of any town, city, city and county, or fire protection district may, in his OR HER discretion and upon request therefor by the chief of any fire department of any other town, city, city and county, or fire protection district, assign members of his OR HER department or companies thereof, together with such equipment as ~~he~~ THE FIRE CHIEF determines to be proper, to perform temporary fire fighting or other duties under the direction and control of the requesting fire chief; except that the assigning fire chief may require that such ~~firemen~~ FIREFIGHTERS, fire companies, and equipment shall be under the immediate direction and control of a superior officer of the assigning fire department, which superior officer shall be, during such temporary assignment, under the direction and control of the requesting fire chief. Nothing contained in sections 29-5-103 to 29-5-110 shall be construed to limit the power of any town, city, or city and county or fire protection district to prohibit or limit by ordinance or regulation the exercise by a fire chief of the discretion granted in sections 29-5-103 to 29-5-110.

SECTION 51. 29-5-107, Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

29-5-107. Request for temporary assignment of firefighters. The chief of the fire department of any town, city, city and county, or fire protection district may,

when in his OR HER opinion the same is required by any conflagration, fire, or other such emergency, request the chief of the fire department of any other town, city, city and county, or fire protection district to assign to him ~~firemen~~ OR HER FIREFIGHTERS, fire companies, and equipment of such other fire department to perform temporary duty within the boundaries of such requesting town, city, city and county, or fire protection district, under the direction and control of such requesting fire chief and under such terms and conditions as shall be agreed upon between the requesting and assigning fire chiefs. Such ~~firemen~~ FIREFIGHTERS shall, while so assigned and performing duties subject to the direction and control of the requesting fire chief, have the same power as regular ~~firemen~~ FIREFIGHTERS and fire companies of the requesting town, city, city and county, or fire protection district.

SECTION 52. 29-5-108, Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

29-5-108. Liability of requesting jurisdiction. During the time that a policeman, deputy sheriff, or ~~fireman~~ FIREFIGHTER of a town, city, city and county, county, or fire protection district is assigned to temporary duty within the jurisdiction of another town, city, city and county, county, or fire protection district, as provided in sections 29-5-103 to 29-5-107, any liability which accrues under the provisions of article 10 of title 24, C.R.S., on account of the negligent or otherwise tortious act of any such police officer, deputy sheriff, or ~~fireman~~ FIREFIGHTER while performing such duty shall be imposed upon the requesting town, city, city and county, county, or fire protection district and not upon the assigning jurisdiction.

SECTION 53. 29-5-109, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

29-5-109. Workers' compensation coverage. The coverage of any police officer, deputy sheriff, or ~~fireman~~ FIREFIGHTER of any town, city, city and county, county, or fire protection district under the "Workers' Compensation Act of Colorado" shall not be affected by reason of the performance of temporary duties in a requesting town, city, city and county, county, or fire protection district under the provisions of sections 29-5-103 to 29-5-107, and such police officers, deputy sheriffs, and ~~firemen~~ FIREFIGHTERS shall remain covered by such workers' compensation insurance while performing such temporary duty as fully as if they were performing their regular duties within the assigning jurisdiction.

SECTION 54. 29-5-110, Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

29-5-110. Pension fund payments. If any police officer, deputy sheriff, or ~~fireman~~ FIREFIGHTER of any town, city, city and county, county, or fire protection district should become disabled or be killed by reason of the performance of temporary duty within the jurisdiction of another town, city, city and county, county, or fire protection district, as provided in sections 29-5-103 to 29-5-107, and such disability would entitle him OR HER or such death would entitle his OR HER survivor to payment from any police or ~~firemen's~~ FIREFIGHTERS' pension fund of the town, city, city and county, county, or fire protection district assigning him OR HER to temporary duty in another such jurisdiction, had the injury occurred during the performance of his OR HER duties within the assigning town, city, city and county, county, or fire

protection district, such police officer, deputy sheriff, or ~~fireman~~ FIREFIGHTER, or his OR HER survivor shall be entitled to the same payment from the pension fund of the assigning town, city, city and county, county, or fire protection district as he OR SHE would have been entitled to receive if the injury or death had occurred within the assigning town, city, city and county, county, or fire protection district, and he OR SHE shall be entitled to receive no payment from any police or ~~firemen's~~ FIREFIGHTERS' pension fund of the jurisdiction in which he OR SHE performed such temporary duties.

SECTION 55. 29-7-101 (3) (b) (II), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

29-7-101. City or county may own and operate. (3) (b) Personnel designated pursuant to this subsection (3):

(II) Shall be included within the definition of "peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties" found in section 18-3-201 (2), C.R.S.; and

SECTION 56. 30-15-105, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

30-15-105. Animal control officers - peace officer designation. Personnel engaged in animal control, however titled or administratively assigned, may issue citations or summonses and complaints enforcing the county dog control resolution or any other county resolution concerning the control of pet animals or municipal ordinance without regard to the certification requirements of part 3 of article 31 of title 24, C.R.S. Personnel so engaged shall be included within the definition of "peace officer or ~~fireman~~ FIREFIGHTER engaged in the performance of his OR HER duties" in section 18-3-201 (2), C.R.S. Nothing in this part 1 is intended to vest authority in any person so engaged to enforce any resolution, ordinance, or statute other than the county dog control resolution or any other county resolution concerning the control of pet animals or municipal ordinance.

SECTION 57. 31-10-1507, Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

31-10-1507. Forgery. Any person who falsely makes, alters, forges, or counterfeits any ballot before or after it has been cast, or who forges any name of a person as a signer or witness to a petition or nomination paper, or who forges the name of a registered elector to an absent voter's ballot commits forgery. ~~in the second degree.~~

SECTION 58. 31-30-105 (2), Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

31-30-105. Ordinance - violation. (2) Any willful violation of this section or violation through culpable negligence is sufficient grounds to authorize the discharge of any ~~fireman~~ FIREFIGHTER, police officer, or street department employee.

SECTION 59. 32-1-1002 (1) (h), (2) (b) (IV), (2) (c) (II), (2) (e), and (2) (h), Colorado Revised Statutes, as amended, are amended to read:

32-1-1002. Fire protection districts - additional powers and duties. (1) In addition to the powers specified in section 32-1-1001, the board of any fire protection district has the following powers for and on behalf of such district:

(h) To establish, in its discretion, a system of civil service in the fire protection district to cover its paid employees who are directly employed by the fire protection district as full-time paid ~~firemen~~ FIREFIGHTERS in accordance with the provisions of subsection (2) of this section.

(2) (b) (IV) The attorney for the board shall act as legal advisor to the committee, but at all hearings before the committee involving a ~~fireman~~ FIREFIGHTER, such ~~fireman~~ FIREFIGHTER may be represented by counsel.

(c) The committee shall:

(II) Recruit applicants for employment; formulate and hold competitive examinations, or cause the same to be done, in order to determine the relative qualifications of persons seeking employment in any class or position as a ~~fireman~~ FIREFIGHTER; and formulate and hold promotional examinations for ~~firemen~~ FIREFIGHTERS within the fire department of the fire protection district, or cause the same to be done;

(e) Disciplinary action against any ~~fireman~~ FIREFIGHTER may be instituted by the chief of the fire protection district, and a hearing thereon, after reasonable notice, shall be afforded to the ~~fireman~~ FIREFIGHTER concerned, at which hearing ~~he~~ THE FIREFIGHTER may be represented by counsel of his OR HER choice at his OR HER expense. Such hearings shall be conducted in the same manner, insofar as possible, as provided in section 24-4-105, C.R.S. Any ~~fireman~~ FIREFIGHTER aggrieved by the decision of the board may obtain review thereof by appeal to the committee, and on such review ~~he~~ THE FIREFIGHTER may be represented by counsel of his OR HER choice at his OR HER expense.

(h) The ~~firemen~~ FIREFIGHTERS of any fire protection district in good standing at the time of the establishment of said civil service system shall continue in their employment and rank, shall be automatically included in the civil service system, and shall be promoted or discharged in accordance with the provisions of the civil service rules and regulations; except that the office of fire chief shall be excluded from such civil service system. The board shall make provision for tenure of the fire chief, and the committee shall implement the same by appropriate rules and regulations.

SECTION 60. 32-15-129 (1) (c), Colorado Revised Statutes, as amended, is amended to read:

32-15-129. Commission - powers and duties. (1) The commission shall have the following powers and duties:

(c) To conduct such investigations and studies as may be necessary in order to evaluate sites within the district that may be suitable for the construction of a stadium, including, without limitation, a study of sports facilities in other cities. In connection with such evaluation process, the ~~board~~ COMMISSION shall consult with representatives of any city, town, city and county, or county included, in whole or in

part, in the district, the chambers of commerce located within the district, the board of directors of the Denver metropolitan major league baseball stadium district, the Colorado baseball commission, and any other individuals, groups of individuals, or entities that may provide any relevant expertise concerning the evaluation of stadium sites. In addition, the ~~board~~ COMMISSION shall consult with the urban land institute pursuant to the provisions of section 32-15-132 concerning the evaluation of sites for a stadium.

SECTION 61. 34-20-103 (2), (3), (4), and (5), Colorado Revised Statutes, 1995 Repl. Vol., are amended to read:

34-20-103. Division of minerals and geology - creation - powers and duties - transfer of functions and property - change of statutory references. (2) The division shall consist of the office of active and inactive mines, created in article 21 of this title, the coal mine board of examiners, created in article 22 of this title, the office of mined land reclamation and the mined land reclamation board, created in article 32 of this title. ~~and the Colorado joint review process, created in article 10 of this title.~~

(3) The division of minerals and geology shall be responsible for the administration of ~~article 10 of this title and~~ articles 20 to 25 and 32 and 33 of this title through the office of active and inactive mines AND the office of mined land reclamation. ~~and the Colorado joint review process.~~

(4) (a) The division shall, on and after July 1, 1992, execute, administer, perform, and enforce the rights, powers, duties, functions, and obligations vested in the division of mines AND the division of mined land reclamation ~~and the Colorado joint review process~~ prior to July 1, 1992, concerning the duties and functions transferred to the division of minerals and geology and allocated to the office of active and inactive mines AND the office of mined land reclamation. ~~and the Colorado joint review process.~~ On July 1, 1992, all employees of the division of mines AND the division of mined land reclamation ~~and the Colorado joint review process~~ whose principal duties are concerned with the duties and functions transferred to the office of active and inactive mines AND the office of mined land reclamation ~~and the Colorado joint review process~~ in the division of minerals and geology and whose employment in said offices in the division of minerals and geology is deemed necessary by the executive director of the department to carry out the purposes of this article shall be transferred to the division of minerals and geology and shall become employees thereof. Such employees shall retain all rights to the state personnel system and retirement benefits under the laws of this state, and their services shall be deemed to have been continuous. All transfers and any abolishment of positions in the state personnel system shall be made and processed in accordance with state personnel system laws and rules and regulations.

(b) On July 1, 1992, all items of property, real and personal, including office furniture and fixtures, books, documents, and records of the division of mines AND the division of mined land reclamation ~~and the Colorado joint review process~~ pertaining to the duties and functions transferred to the office of active and inactive mines AND the office of mined land reclamation ~~and the Colorado joint review process~~ in the division of minerals and geology pursuant to section 24-1-124 (3) (e), C.R.S., are transferred to the division of minerals and geology and shall become the property

thereof. To the maximum extent possible, the director shall direct the use of existing stocks of printed forms, papers, and materials in all agencies affected by this section.

(c) Whenever the division of mines AND the division of mined land reclamation ~~and the Colorado joint review process~~ are referred to or designated by any contract or other document in connection with the duties and functions transferred to the office of active and inactive mines AND the office of mined land reclamation ~~and the Colorado joint review process~~ in the division of minerals and geology, such reference or designation shall be deemed to apply to said offices in the division of minerals and geology. All contracts entered into by the division of mines OR the division of mined land reclamation ~~or the Colorado joint review process~~ prior to July 1, 1992, in connection with the duties and functions transferred to the office of active and inactive mines AND the office of mined land reclamation ~~and the Colorado joint review process~~ in the division of minerals and geology are hereby validated, with the said offices in the division of minerals and geology succeeding to all the rights and obligations of such contracts. Any cash funds, custodial funds, trusts, grants, and any appropriations of funds from prior fiscal years open to satisfy obligations incurred under such contracts are hereby transferred and appropriated to the office of active and inactive mines AND the office of mined land reclamation ~~and the Colorado joint review process~~ in the division of minerals and geology for the payment of such obligations.

(5) On and after July 1, 1992, when any provision of this title refers to the division of mines OR the division of mined land reclamation, ~~or the Colorado joint review process~~ said law shall be construed as referring to the division of minerals and geology, the office of active and inactive mines, OR the office of mined land reclamation. ~~or the Colorado joint review process.~~

SECTION 62. 35-23.5-108, Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

35-23.5-108. Repeal - review of functions. ~~Sections 35-23.5-106 and 35-23.5-107 (1) (c) are repealed, effective July 1, 1995. Prior to such repeal, the licensing functions of the commissioner shall be reviewed as provided for in section 24-34-104, C.R.S.~~

SECTION 63. 39-1-103 (17) (a) (II) (B), Colorado Revised Statutes, 1994 Repl. Vol., as amended, is amended to read:

39-1-103. Actual value determined - when. (17) (a) (II) (B) The rents or fees taken into account under the cost or income approach to appraisal under sub-subparagraph (A) of this subparagraph (II) shall exclude that portion of the rents and fees required to be paid for all rights other than the exclusive right to use and possess the land, improvements, or personal property. Such rents or fees to be excluded shall include, but shall not be limited to, any portion of such rents or fees attributable to any of the following: Nonexclusive rights to use and possess public property, such as roads, rights-of-way, easements, and common areas; rights to conduct a business, as determined in accordance with guidelines to be published by the administrator; income of the holder of the possessory interest that is not directly derived from and directly related to the use or occupancy of the possessory interest; and reimbursement to the owner of the underlying real or personal property of the

reasonable costs of operating, maintaining, and repairing the land, improvements, or personal property to which the possessory interest pertains, regardless of whether such costs are separately stated, provided that the types of such costs can be identified with reasonable certainty from the documents granting the possessory interest. The actual value of the possessory interest so determined shall be adjusted to the taxable level of value using a factor or factors to be published by the administrator pursuant to the same procedures and principles as are provided for PERSONAL property in section 39-1-104 (12.3) (a) (I).

SECTION 64. 40-27-114, Colorado Revised Statutes, 1993 Repl. Vol., is amended to read:

40-27-114. Care of animals injured. Whenever any horse, cow, or other animal is injured by a train or otherwise on the right-of-way of any railroad company it is the duty of trackwalkers, section men, brakemen, conductors, ~~firemen~~ FIREFIGHTERS, engineers, and other employees of said company to care for such animal at once and report the facts to the nearest station agent and then notify the state board of stock inspection commissioners. It is the duty of the agent to give immediate notice, when possible, of the condition of such animal to the owner or ~~his~~ THE OWNER'S agent whose duty it is forthwith upon receipt of notice to have such animal properly cared for. When immediate notice to the owner is not possible it is the duty of the station agent to have such injured animal properly cared for without delay.

SECTION 65. 42-4-501, Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

42-4-501. Size and weight violations - penalty. Except as provided in section 42-4-509, it is a traffic infraction for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in sections 42-4-502 to 42-4-512 or otherwise in violation of said sections or section 42-4-1407, except as permitted in section 42-4-510. The maximum size and weight of vehicles specified in said sections shall be lawful throughout this state, and local authorities shall have no power or authority to alter said limitations, except as express authority may be granted in ~~said sections~~ SECTION 42-4-106.

SECTION 66. 8-40-301 (3) (c), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

8-40-301. Scope of term "employee". (3) (c) The provisions of paragraph (a) of this subsection (3) do not apply to an inmate working for a joint venture established pursuant to the provisions of section 17-24-119 OR 17-24-121, C.R.S. Such inmate shall be an employee of such joint venture for purposes of articles 40 to 47 of this title.

SECTION 67. 19-1-103.5, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

19-1-103.5. Other definitions. (1) ~~For the definition of parent and child relationship, see section 14-15-102, C.R.S.~~

~~(2) For father defined, see section 14-15-124, C.R.S.~~

SECTION 68. 19-2-921 (3) (b), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-2-921. Commitment to department of human services. (3) (b) (I) The juvenile court may commit any juvenile adjudicated AS AN AGGRAVATED JUVENILE OFFENDER for an offense other than an offense that would constitute a class 1 or class 2 felony if committed by an adult to the department of human services for a determinate period of up to five years.

(II) The juvenile court shall commit any juvenile adjudicated AS AN AGGRAVATED JUVENILE OFFENDER for an offense that would constitute a class 2 felony if committed by an adult to the department of human services for a determinate period of up to five years.

(III) The juvenile court shall commit any juvenile adjudicated AS AN AGGRAVATED JUVENILE OFFENDER for an offense that would constitute a class 1 felony if committed by an adult to the department of human services for a determinate period of up to seven years.

SECTION 69. 25-1-802 (1) (a), Colorado Revised Statutes, 1989 Repl. Vol., as amended by House Bill 97-1157, enacted at the First Regular Session of the Sixty-first General Assembly, is amended to read:

25-1-802. Patient records in custody of individual health care providers.

(1) (a) Every patient record in the custody of a podiatrist, chiropractor, dentist, doctor of medicine, doctor of osteopathy, nurse, optometrist, audiologist, acupuncturist, direct-entry midwife, or physical therapist required to be licensed under title 12, C.R.S., or a person practicing psychotherapy under the provisions of article 43 of title 12, C.R.S., except records pertaining to mental health problems, shall be available to the patient upon submission of a written authorization-request for inspection of records, dated and signed by the patient, at reasonable times and upon reasonable notice. A summary of records pertaining to a patient's ~~psychiatric or psychological~~ MENTAL HEALTH problems may, upon written request and signed and dated authorization, be made available to the patient or the patient's designated representative following termination of the treatment program.

SECTION 70. 38-51-109.3 (1) (b), Colorado Revised Statutes, 1982 Repl. Vol., as enacted by House Bill 97-1261, enacted at the First Regular Session of the Sixty-first General Assembly, is amended to read:

38-51-109.3. Geographic information system positions - professional land surveyor. (1) A professional land surveyor shall be exempt from the requirements of section 38-51-103 when making a GIS land position determination. A GIS land position made by a professional land surveyor shall have the following limitations:

(b) It shall not establish the location of any aliquot or control corner as they are defined in subsections (2) and (6) of section 38-51-102 until complete research and corner evaluation are performed to meet the requirements as provided in article 51 of title 38, C.R.S. ~~is performed by a professional land surveyor.~~

SECTION 71. 39-5-122.5, Colorado Revised Statutes, 1994 Repl. Vol., as amended, is repealed as follows:

39-5-122.5. Taxpayer's remedies - property tax credit for incorrect valuations used for property tax levied in 1987 for collection in 1988.

(1) Notwithstanding any law to the contrary, in any case where the owner of real property protests, as provided by law, the valuation of such real property for the purposes of property tax levied in 1988 for collection in 1989 and such valuation is corrected due to the fact that such valuation is found to be erroneous or otherwise improper on grounds other than any change or adjustment of any ratio of valuation for assessment for residential real property pursuant to the provisions of section 39-1-104.2, the assessor of the county in which such real property is located shall also correct such erroneous valuation for property tax year 1987 if such valuation was based upon the same or similar facts or conditions as the valuation for property tax year 1988.

(2) Except as otherwise provided in this subsection (2), the owner of real property upon which the valuation of such real property has been corrected pursuant to the provisions of subsection (1) of this section shall be entitled to a tax credit. Such property tax credit shall be in an amount equal to the difference between the amount of property tax calculated with the original 1987 valuation and the amount of property tax which would have been due based upon the corrected valuation using the existing 1987 mill levy for that property. Any owner of real property who stipulated in writing or on the record as having agreed to between the party and the county board of equalization the valuation of such real property for the property tax year 1987 to either the assessor, the county board of equalization, or the board of assessment appeals shall not be eligible for said tax credit.

(3) The assessor shall compute the amount of the property tax credit which the owner of real property is entitled to pursuant to the provisions of subsection (2) of this section and shall notify the treasurer of said amount. Upon receipt of such notification, the treasurer shall adjust the amount of tax levied on such real property to reflect the amount of the property tax credit for such real property. If the amount of the credit granted pursuant to the provisions of this section exceeds the amount of property tax levied, the amount of said excess shall be refunded to the owner of real property in the manner provided by law. Such refunds shall be exempt from the provisions of section 39-2-116. Such taxes shall be adjusted in such a manner that the amount of any property tax credit given pursuant to the provisions of this section shall be divided proportionally among the appropriate taxing entities based upon the amount of tax levied by a taxing entity on such real property in proportion to the total amount of tax levied on such real property by such taxing entities. A taxing entity may adjust the amount of its tax levy authorized pursuant to the provisions of section 29-1-301, C.R.S., by an additional amount which does not exceed the proportional share of the total amount of property tax credits granted to taxpayers for incorrect valuations of real property pursuant to the provisions of this section. After calculating the amount of property tax revenues necessary to satisfy the requirements of the "Public School Finance Act of 1988", former article 53 of title 22, C.R.S., any school district shall add an amount equal to the proportional share of the total amount of property tax credits granted to taxpayers for incorrect valuations of real property pursuant to the provisions of this section prior to the setting of the mill levy for such school district. Where a final determination is made granting a property tax credit

~~pursuant to the provisions of this section after the certification of tax levies, the property tax credit granted shall apply to property taxes levied in the year immediately following said final determination. Any additional amount added pursuant to the provisions of this subsection (3) shall not be included in the total amount of revenue levied in said year for purposes of computing the limit for the succeeding year pursuant to the provisions of section 29-1-301, C.R.S. For the purposes of this subsection (3), a taxing entity's proportional share of the total amount of property tax credits granted shall be based upon the amount of tax levied by a taxing entity on such real property in proportion to the total amount of tax levied on such real property by such taxing entities.~~

~~(4) The assessor shall give public notice in at least one issue of a newspaper published in his county that the owner of any real property may protest his valuation of such real property for the purposes of property tax levied in 1988 for collection in 1989 as provided by law, that, if such valuation is found to be erroneous and if such erroneous valuation was used for the purposes of property tax levied in 1987 for collection in 1988, the valuation shall be corrected for property tax year 1987, and that the owner of such real property is entitled to a property tax credit for property tax year 1988 for the amount of property tax incorrectly levied in property tax year 1987 due to such erroneous valuation.~~

~~(5) Repeated:~~

SECTION 72. 42-4-2001 (4), Colorado Revised Statutes, 1993 Repl. Vol., as enacted by Senate Bill 97-058, enacted at the First Regular Session of the Sixty-first General Assembly, is amended to read:

42-4-2001. Maximum hours of service - ready-mix concrete truck operators. (4) Any commercial motor vehicle that transports hazardous materials shall be exempt from this section and shall be subject to the federal hours-of-service limitations in ~~parts 395 and 350, C.F.R. 49 C.F.R. SECTIONS 395 AND 350.~~

SECTION 73. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 27, 1997

APPENDIX

C.R.S. Section	Section in bill	Reason
6-18-201 (1)(a)	1	Changes internal references to correspond to changes made by HB93-1154, chapter 191, page 732.
8-40-202 (1)(a)(I)(A) and (1)(a)(II)	2	Changes "fireman" to "firefighter" to comply with HB95-1128, chapter 89, SB96-011, chapter 183, and SB96-068, chapter 188.
12-9-102 (19) and (22)	3	Same as 8-40-202.
12-9-104 (1)	4	Same as 8-40-202.
12-9-105 (1)(b)	5	Same as 8-40-202.
12-15-121	6	Repeals as obsolete a section providing for the July 1, 1994, repeal of specified sections referenced in the section.
12-35-104 (5)	7	Changes the termination date of the board of dental examiners from July 1, 1996, to July 1, 2003, to reflect the intent of SB96-087, chapter 262, page 1416 where section 24-34-104 was amended to extend the automatic termination date of the board to that date.
12-47.1-103 (11)	8	Deletes a reference to "shills" because the employment of shills was prohibited by SB96-033, chapter 223, section 2, page 1111, and the conforming amendment was not made.
17-22.5-404 (2)(a)(I) and (3)(a)(V)	9	In subsection (2)(a)(I), corrects an internal reference to reflect that the provisions previously contained in the referenced section were repealed and relocated by SB94-172, chapter 344, page 2599. In subsection (3)(a)(V), changes "fireman" to "firefighter" for the same reason specified in 8-40-202.

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17-24-106.6 (2.1)(c)	10	Corrects an error made in the drafting of a House Finance Committee report amending HB90-1335 in which a reference to "fund suitable locations" should be "find suitable locations". (See House Journal, page 1628, May 3, 1990.)
18-1-105 (1)(b)(IV)	11	Same as 8-40-202.
18-1-106 (1.5)	12	Same as 8-40-202.
18-3-107	13	Same as 8-40-202.
18-3-201	14	Same as 8-40-202.
18-3-202 (1)(e)	15	Same as 8-40-202.
18-3-203 (1)(c) and (1)(f)	16	Same as 8-40-202.
18-9-107 IP (1) and (1)(b)	17	Same as 8-40-202.
18-20-105 (1)	18	Changes the time frame for reporting slot machine movement to conform to section 12-47.1-803 (1) (d) which allows the Colorado Limited Gaming Commission to set, by rule, the time and manner for reporting the movement of any slot machine.
19-3-304 (2)(v)	19	Same as 8-40-202.
22-83-102	20	Deletes language relating to the advisory commission on telecommunications because the section creating the commission, section 24-30-1802, was repealed by HB93-1035, chapter 285, page 1701, effective July 1, 1995.
23-3.3-201	21	Same as 8-40-202.
23-3.3-205 (1) and (3)(b)	22	Same as 8-40-202.

23-30-307	23	Same as 8-40-202.
24-10-115 (6)	24	Repeals as obsolete a section referring to part 4 of article 21 of title 23 because the entire part was repealed by SB91-225, chapter 99, page 589.
24-30-1106	25	Changes "division or the director of central services" to "department of personnel" and "director of central services" to "executive director" of the department of personnel because SB96-228, chapter 273, page 1497, abolished the division of central services and transferred its duties to the department of personnel.
24-30-1107	26	Same as 24-30-1106.
24-30-1108	27	Same as 24-30-1106.
24-30-1511	28	Deletes a reference to section 24-30-1510.6 which was repealed effective January 1, 1995. SB90-100, chapter 165, section 5, page 1196.
24-30-1512	29	Same as 24-30-1511.
Part 18 of article 30 of title 24	30	Same as 22-83-102.
24-33.5-1303 (1)(b)	31	Same as 8-40-202.
24-46.1-101 (2)(a)	32	Subsection (2) (a) was amended by SB96-208, chapter 270, page 1470, to strike "administration" and substitute "personnel". (2) (a) should have been repealed since the "department of personnel" is already listed in (2) (1).
24-50-134 IP(4)	33	Deletes an internal reference to subsection (5) and substitutes (5.1) because the provision was relocated effective July 1, 1985.

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| 24-50.3-106
(2) | 34 | This section was amended by SB96-228, chapter 273, page 1493, to authorize the revisor of statutes to change "division of administrative hearings" to "department of personnel". However, the final version of SB96-228 did not eliminate the division of administrative hearings and the conforming change needed in this section was not made. |
| 24-51-310
(1)(f) | 35 | Same as 8-40-202. |
| 24-53-108
(2)(b) | 36 | Same as 8-40-202. |
| 24-54-101 (3) | 37 | Same as 8-40-202. |
| 24-70-102 | 38 | Clarifies the definition of "second-class matter" to reflect the change made by the United States Postal Service, effective July 1, 1996, from "Second Class mail" to "Periodical Postage". |
| 24-72-110 (1) | 39 | In a provision that sets out a penalty for forgery with regard to a written instrument, changes "forgery in the second degree" to "forgery" to correspond with HB93-1302, chapter 322, page 1988, where the prohibitions contained in section 18-5-103 concerning second degree forgery were moved to section 18-5-102 concerning forgery. |
| 24-75-605
IP(1) and IP(4) | 40 | Same as 8-40-202. |
| 24-75-903 (5)
and (6) | 41 | In SB96-228, chapter 273, page 1529, concerning the organization of the department of personnel, conforming amendments were made to change "state archivist" to "executive director". However, amendments that should have been made to section 24-80-102 (5) and (6) to incorporate this change were erroneously made to section 24-75-903 (5) and (6). Therefore, this section deletes the provisions and the next section adds them to the correct subsections. |
| 24-80-102 (5)
and (6) | 42 | Same as 24-75-903. |

25-4-715	43	Repeals as obsolete a section providing for the July 1, 1994, repeal of specified sections referenced in the section.
25-11-203 (3)(b)	44	Reinserts existing language that was accidentally omitted when the section was amended by HB94-1029, chapter 345, page 2791, to change the name of the department.
26-5.3-106 (2)(a) and (3)	45	Repeals subsection (2)(a) since the "legislative oversight committee for children, youth, and families" was established in SB93-026, which did not pass. Therefore, the committee does not exist. In subsection (3), repeals the subsection as obsolete since the date specified to submit the plan has passed.
26-5.5-102 (1)(f)	46	Changes "state board of social services" to "state board of human services" because the name of the department was changed by HB93-1317, chapter 230, page 1108 and HB94-1029, chapter 345, page 2603.
27-10.5-114 (6.5)	47	Changes the internal reference from "25-1-107 (1) (ee) (II.5) (H)" to "25-1-107 (1) (ee) (II.5) (I)" to correct an error made in the drafting of SB92-084, chapter 177, page 1157.
27-13-107	48	Adds the language "the special intensive treatment demonstration" to clarify the meaning of unit, which was established in 27-13-106.
27-13-108	49	Same as 27-13-107.
29-5-105	50	Same as 8-40-202.
29-5-107	51	Same as 8-40-202.
29-5-108	52	Same as 8-40-202.
29-5-109	53	Same as 8-40-202.

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29-5-110	54	Same as 8-40-202.
29-7-101 (3)(b)(II)	55	Same as 8-40-202.
30-15-105	56	Same as 8-40-202.
31-10-1507	57	Same as 24-72-110.
31-30-105 (2)	58	Same as 8-40-202.
32-1-1002 (1)(h), (2)(b)(IV), (2)(c)(II), (2)(e), and (2)(h)	59	Same as 8-40-202.
32-15-129 (1)(c)	60	Changes "board" to "commission" because the section describes the powers and duties of the football stadium site selection commission. Section 32-15-132, referred to in the last sentence of this section, correctly refers to "commission". HB96-1374, chapter 214, page 1076.
34-20-103 (2), (3), (4), and (5)	61	Deletes references to article 10 of title 34 and to the Colorado joint review process since that article where the joint review process was created was repealed effective July 1, 1996, in HB90-1103, chapter 47, page 333.
35-23.5-108	62	Repeals as obsolete a section providing for the July 1, 1995, repeal of specified sections referenced in the section.
39-1-103 (17)(a)(II)(B)	63	Corrects an error made in the drafting of a House Floor amendment amending SB96-218 in which the referenced section specifies "personal property" rather than "property". (See House Journal, page 1884, May 6, 1996.)
40-27-114	64	Same as 8-40-202.

- 42-4-501 65 In a provision concerning vehicle size and weight limitations, changes a reference to a section where local authorities may alter limitations to correspond with the relocation of sections when the traffic laws were recodified in SB94-001.
- 8-40-301
(3)(c) 66 In the section that specifies the scope of the term "employee" in the workers' compensation statutes, adds an internal reference to a provision concerning inmates working for a joint venture to reference venture agreements of the department of corrections. The reference was deleted as obsolete from this section in 1995 by HB95-1212, chapter 220, page 1091, because the referenced section was repealed by SB87-207, chapter 127, page 664, effective June 30, 1994. However, the section was subsequently recreated and reenacted by HB95-1087, chapter 190, page 875.
- 19-1-103.5 67 Repeals a section that was enacted by HB96-1019, chapter 19, page 82, which referenced sections that were created in HB96-1037 which did not pass.
- 19-2-921
(3)(b) 68 Adds "aggravated juvenile offender" to a provision providing for the commitment of juveniles to the department of human services to conform the paragraph with other provisions of the children's code as amended by HB96-1005, chapter 283.
- 25-1-802
(1)(a) 69 Changes "psychiatric or psychological" to "mental health" to conform the paragraph to similar changes made by a senate third reading amendment to HB97-1157. (See Senate Journal, page 579, March 24, 1997)
- 38-51-109.3 70 Corrects an error made in the drafting of the House Local Government Committee report to HB97-1261, dated February 10, 1997, in which instructions were written to delete a portion of a line and substitute language which left unnecessary language at the end of the sentence.
- 39-5-122.5 71 Repeals a section concerning taxpayer's remedies for incorrect valuations used for property tax levied in 1987 as obsolete.
- 42-4-2001 72 Corrects an error made in the drafting of SB97-058 in which an internal reference to C.F.R. was incorrectly cited.