

CHAPTER 187

GOVERNMENT - STATE

HOUSE BILL 98-1009

BY REPRESENTATIVE Sullivant;
also SENATOR Tebedo.

AN ACT

CONCERNING THE FIRE SUPPRESSION PROGRAM IN THE FIRE SAFETY DIVISION OF THE COLORADO DEPARTMENT OF PUBLIC SAFETY.

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

SECTION 1. 24-33.5-1204.5 (1) (a), Colorado Revised Statutes, is amended to read:

24-33.5-1204.5. Powers of the administrator. (1) In addition to any other duties and powers granted by this section or sections 24-33.5-1206.2 and 24-33.5-1206.4, the administrator has the following duties and powers:

(a) To establish a program for registration of fire suppression -contractors and to adopt such rules and regulations as may be necessary to administer the fire suppression program for THE registration of fire suppression contractors and THE inspection AND MAINTENANCE of fire suppression systems pursuant to article 4 of this title;

SECTION 2. 24-33.5-1206.2 (1) (c) (II), Colorado Revised Statutes, is amended to read:

24-33.5-1206.2. Job registration and plan review. (1) Except for minor alterations, modifications, repairs, or maintenance work which does not affect the integrity of the system, no installation, modification, alteration, or repair of a fire suppression system shall be started until:

(c) (II) The administrator shall establish standards of review and approval and shall, where appropriate, accept review and approval by CERTIFIED local fire ~~safety~~

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

SUPPRESSION inspectors in satisfaction of the requirements of this paragraph (c).

SECTION 3. 24-33.5-1206.6, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-33.5-1206.6. Unlawful acts - civil penalties - disciplinary actions.

(5) (a) ANY PERSON WHO PROVIDES TESTIMONY WITH RESPECT TO A DISCIPLINARY MATTER AND ANY PERSON WHO LODGES A COMPLAINT PURSUANT TO THIS SECTION SHALL BE IMMUNE FROM LIABILITY IN ANY CIVIL ACTION BROUGHT AGAINST SUCH PERSON FOR ACTS OCCURRING WHILE ACTING IN HIS OR HER CAPACITY AS A WITNESS OR COMPLAINANT.

(b) THE IMMUNITY PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (5) SHALL APPLY TO A PERSON ONLY IF THE PERSON MADE A REASONABLE EFFORT TO OBTAIN THE FACTS OF THE MATTER AND ACTED IN THE REASONABLE BELIEF THAT THE ACTION TAKEN WAS WARRANTED BY THE FACTS.

SECTION 4. 24-33.5-1209 (2), Colorado Revised Statutes, is amended to read:

24-33.5-1209. Repeal of sections. (2) Sections 24-33.5-1204.5, 24-33.5-1206.1, 24-33.5-1206.2, 24-33.5-1206.3, 24-33.5-1206.4, 24-33.5-1206.5, 24-33.5-1206.6, and 24-33.5-1207.6, concerning programs for fire suppression administered by the division of fire safety and scheduled for termination in accordance with section 24-34-104 (27) (b) (III) (36), are repealed, effective July 1, 1998 JULY 1, 2005.

SECTION 5. Repeal. 24-34-104 (27) (b) (III), Colorado Revised Statutes, is repealed as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (27) (b) The following board and functions of the specified agencies shall terminate on July 1, 1998:

(III) ~~The fire suppression program of the division of fire safety created pursuant to sections 24-33.5-1204.5, 24-33.5-1206.1, 24-33.5-1206.2, 24-33.5-1206.3, 24-33.5-1206.4, 24-33.5-1206.5, 24-33.5-1206.6, and 24-33.5-1207.6, C.R.S.~~

SECTION 6. 24-34-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (36) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, SHALL TERMINATE ON JULY 1, 2005: THE FIRE SUPPRESSION PROGRAM OF THE DIVISION OF FIRE SAFETY CREATED PURSUANT TO SECTIONS 24-33.5-1204.5, 24-33.5-1206.1, 24-33.5-1206.2, 24-33.5-1206.3, 24-33.5-1206.4, 24-33.5-1206.5, 24-33.5-1206.6, AND 24-33.5-1207.6, C.R.S.

SECTION 7. Effective date - applicability. This act shall take effect July 1, 1998, and shall apply to acts occurring on or after said date.

SECTION 8. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 15, 1998