AN ACT

CONCERNING THE PAYMENT FROM THE RISK MANAGEMENT FUND OF THE LEGAL DEFENSE OF PROFESSIONALS RETAINED BY AGENCIES WITHIN THE DEPARTMENT OF REGULATORY AGENCIES WHO HAVE STATUTORY IMMUNITY FROM CIVIL SUIT.

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

SECTION 1. 24-30-1510 (3), Colorado Revised Statutes, is amended by the addition of a new paragraph to read:

24-30-1510. Risk management fund - creation - authorized and unauthorized payments. (3) Expenditures shall be made out of the risk management fund in accordance with subsection (1) of this section only for the following purposes:

(h) To pay the defense of liability claims and expenses related thereto, brought against an expert witness or consultant who has statutory immunity from civil suit and who has been retained by a board or commission within the Department of Regulatory Agencies, to render expert testimony or expert opinion or provide consultative advice, in connection with a prospective or pending disciplinary action, and who does render expert testimony or expert opinion, or provide consultative advice, to a board or commission within the Department of Regulatory Agencies in good faith and within the scope of his or her expertise.

SECTION 2. 24-31-101, Colorado Revised Statutes, is amended by the addition of a new subsection to read:

24-31-101. Powers and duties of attorney general. (4.5) The attorney general, pursuant to section 24-30-1507, shall have the duty to represent expert witnesses and consultants described in section 24-30-1510 (3) (h).
SECTION 3. Effective date - applicability. This act shall take effect July 1, 2004, and shall apply to expert witnesses and consultants retained on or after said date.

SECTION 4. 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: April 23, 2004