

## CHAPTER 428

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**STATUTES**

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**HOUSE BILL 07-1367**

BY REPRESENTATIVE(S) Witwer, Carroll T., Cerbo, McGihon, Gardner B., Hicks, Mitchell V., and Todd;  
also SENATOR(S) Shaffer, Groff, Mitchell S., Veiga, and Tupa.

**AN ACT**

**CONCERNING THE REVISION OF STATUTES IN THE COLORADO REVISED STATUTES, AS AMENDED, AND, IN CONNECTION THEREWITH, 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.** 1-5-603, Colorado Revised Statutes, is amended to read:

**1-5-603. Adoption and payment for voting machines.** The governing body of any political subdivision may adopt for use at elections any kind of voting machine fulfilling the requirements for voting machines set forth in ~~section 1-5-602~~ IN THIS PART 6. These voting machines may be used at any or all elections held in the political subdivision for casting, registering, and counting votes. The governing body of any political subdivision which adopts and purchases or leases voting machines shall provide for the payment of the purchase price or the rent in such manner as may be in the best interest of the political subdivision and may for that purpose provide for the issuance of interest-bearing bonds, certificates of indebtedness, or other obligations, which shall be a charge upon the county. The bonds, certificates of indebtedness, or other obligations may be made payable at such times, not exceeding ten years from the date of issue, as may be determined by the governing body but shall not be issued or sold at less than par.

**SECTION 2.** The introductory portion to 1-45-108 (2) (a) (I), Colorado Revised Statutes, is amended to read:

**1-45-108. Disclosure - repeal.** (2) (a) (I) Except as provided in subsections ~~(2.3);~~ (2.5), (2.7), and (6) of this section, such reports that are required to be filed with the secretary of state shall be filed:

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

**SECTION 3.** 2-3-1401 (1), Colorado Revised Statutes, is amended to read:

**2-3-1401. Oversight of economic development activities of state - business affairs and labor committee and business, labor, and technology committee - reports from governor to joint budget committee on economic development programs.** (1) The business affairs and labor ~~committees of the senate and~~ COMMITTEE OF THE house of representatives AND THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, shall have jurisdiction to conduct general oversight of the economic development activities of state government. Each year such committees shall, jointly or separately in the discretion of the chairmen of such committees, review the activities of any agencies of state government engaged in economic development matters and may require the appropriate officials of any such agencies to make reports to ~~the business affairs and labor committees of the senate and house of representatives~~ SUCH COMMITTEES to facilitate the oversight function under this subsection (1).

**SECTION 4.** 2-4-109 (2), Colorado Revised Statutes, is amended to read:

**2-4-109. Standard time - daylight saving time.** (2) From two o'clock antemeridian on the ~~first~~ SECOND Sunday of ~~April~~ MARCH, until two o'clock antemeridian on the ~~last~~ FIRST Sunday of ~~October~~ NOVEMBER, OR SUCH OTHER TIMES AND DAYS AS MAY, FROM TIME TO TIME, BE DESIGNATED BY ACT OF CONGRESS, the standard time in this state so established shall be one hour in advance of the standard time now known as "United States Mountain Standard Time".

**SECTION 5.** 6-1-708 (1) (b), Colorado Revised Statutes, is amended to read:

**6-1-708. Motor vehicle sales and leases - deceptive trade practice.** (1) A person engages in a deceptive trade practice when, in the course of such person's business, vocation, or occupation, such person:

(b) Fails to disclose in writing, prior to sale, to the purchaser that a motor vehicle is a salvage vehicle, as defined in section ~~42-6-102 (13)~~ 42-6-102 (17), C.R.S., OR that a vehicle was repurchased by or returned to the manufacturer from a previous owner for inability to conform the motor vehicle to the manufacturer's warranty in accordance with article 10 of title 42, C.R.S., or with any other state or federal motor vehicle warranty law or knowingly fails to disclose in writing, prior to sale, to the purchaser that a motor vehicle has sustained material damage at any one time from any one incident.

**SECTION 6. Repeal.** 6-1-904 (2), Colorado Revised Statutes, is repealed as follows:

**6-1-904. Unlawful to make telephone solicitations to subscribers on the Colorado no-call list - requirements for telephone solicitations generally.** (2) ~~Any person or entity that makes a telephone solicitation to the telephone of any residential subscriber or wireless telephone service subscriber in this state shall comply with the disclosure requirements of section 6-1-702.~~

**SECTION 7.** 6-1-1103 (4) (b) (IV) (A), Colorado Revised Statutes, is amended

to read:

**6-1-1103. Definitions.** As used in this part 11, unless the context otherwise requires:

(4) (b) The term "foreclosure consultant" does not include:

(IV) A person originating or closing a loan in a person's normal course of business if, as to that loan:

(A) The loan is subject to the requirements of the federal "Real Estate Settlement Procedures Act OF 1974", AS AMENDED, 12 U.S.C. sec. 2601 to 2617; or

**SECTION 8.** 9-6-108, Colorado Revised Statutes, is amended to read:

**9-6-108. Applicability.** Consumer fireworks and display fireworks, as defined in 27 CFR 555.11 OF THE UNITED STATES DEPARTMENT OF THE TREASURY, BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS, OR ANY OF ITS SUCCESSOR AGENCIES, ~~REGULATIONS, TITLE 27, CODE OF FEDERAL REGULATIONS, SECTION 55.11~~, shall not be subject to the provisions of this article.

**SECTION 9.** 10-4-637, Colorado Revised Statutes, is amended to read:

**10-4-637. No discrimination by profession.** Reimbursement for lawfully performed health care services covered by a policy providing medical payments coverage under a motor vehicle policy issued pursuant to this part 6 shall not be denied when such services are a covered benefit and rendered within the scope of practice for the licensed health care provider, as defined in section 10-4-902 (3), or an occupational therapist, as described in section ~~6-1-701 (1) (c)~~ 6-1-707 (1) (c), C.R.S., performing the services.

**SECTION 10.** 10-11-124 (1) (b) and (2), Colorado Revised Statutes, are amended to read:

**10-11-124. Affiliated business arrangements - rules - investigative information shared with the division of real estate.** (1) (b) A title insurance company or a title insurance agent making a referral as part of an affiliated business arrangement shall disclose the affiliation in accordance with the federal "Real Estate Settlement Procedures Act OF 1974", AS AMENDED, 12 U.S.C. sec. 2601 et seq.

(2) The commissioner may promulgate rules concerning the creation and conduct of an affiliated business arrangement, including, but not limited to, rules defining what constitutes a sham affiliated business arrangement. Nothing in this subsection (2) shall be construed to increase a fee or create a licensure program for affiliated business arrangements. The commissioner shall adopt the rules, policies, or guidelines issued by the United States department of housing and urban development concerning the federal "Real Estate Settlement Procedures Act OF 1974", AS AMENDED, 12 U.S.C. sec. 2601 et seq. Rules adopted by the commissioner shall be at least as stringent as the federal rules and shall ensure that consumers are adequately informed about affiliated business arrangements. The commissioner shall consult with the real estate commission pursuant to section

12-61-113.2 (5), C.R.S., concerning rules the real estate commission may promulgate concerning affiliated business arrangements. Neither the rules promulgated by the commissioner nor the real estate commission may create a conflicting regulatory burden on an affiliated business arrangement.

**SECTION 11.** 10-11-126 (1), Colorado Revised Statutes, is amended to read:

**10-11-126. Affiliated business arrangements - enforcement - penalties.**

(1) The commissioner shall have the same remedies available to him or her as those available to the administrator of the department of housing and urban development in the federal "Real Estate Settlement Procedures Act OF 1974", AS AMENDED, 12 U.S.C. sec. 2607.

**SECTION 12.** 10-16-128, Colorado Revised Statutes, is amended to read:

**10-16-128. Annual report to the general assembly.** The commissioner shall report to the business affairs and labor ~~committees~~ COMMITTEE of the house of representatives and the BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE senate, OR ANY SUCCESSOR COMMITTEES, no later than October 1, 2004, and every October 1 thereafter. The report shall be an indication of the number, nature, and outcome of complaints against insurers during the preceding twelve months.

**SECTION 13.** 11-30-117.5 (4), Colorado Revised Statutes, is amended to read:

**11-30-117.5. Share insurance required.** (4) Neither the commissioner, nor the commissioner's deputy, nor any other person appointed by the commissioner shall divulge any information acquired in the discharge of the person's duties, except insofar as the same may be rendered necessary by law or under order of court in an action involving the division or in criminal actions; except that any party entitled to appear in a hearing on an application for a community credit union charter shall have access to the applicant's proposed articles or amended articles of incorporation, application for charter, and proposed bylaws. The commissioner may furnish information as to the condition of a credit union to the national credit union administration board, to any qualified insuring organization, to any liquidating agent appointed by the commissioner, TO a federal home loan bank, TO a federal reserve bank, TO the division of banking, TO the executive director of the department of regulatory agencies, or to any department or division of any other state having supervisory authority over credit unions and may accept any report of examination made on behalf of such board, organization, liquidating agent, department, or division. In addition, the board, the commissioner, and their respective designees may exchange information obtained by the division as to possible criminal violations of any law relating to the activities of a credit union with the appropriate law enforcement agencies. Notwithstanding any provision of this article to the contrary, the commissioner may disclose any information in the records of the division or acquired by the commissioner in the discharge of the commissioner's duties that is available from the national credit union administration board or the disclosure of which has been specifically authorized by the board of directors of the credit union to which such information relates. Nothing in this section shall be construed to authorize the board of directors of a credit union to waive any privileges that belong solely to the financial services board, the division, or its employees.

**SECTION 14.** 11-105-101 (5), Colorado Revised Statutes, is amended to read:

**11-105-101. Branch banks and practices prohibited.** (5) Except as provided in the federal "Gramm-Leach-Bliley ~~Financial Modernization Act~~", ~~Public Law AS AMENDED~~, PUB.L. 106-102, 113 Stat. 1388, it is unlawful for a bank or an officer, director, employee, or affiliate of a bank to engage in the business of issuing, floating, underwriting, distributing, or promoting the sale of stocks, bonds, or other securities or to be an officer, trustee, director, employee, stockholder, or partner of any person engaged principally in any such business. Additional exceptions to this section shall be securities issued or guaranteed as to principal and interest by the United States or any agency thereof or by a state or territory of the United States or a subdivision, instrumentality, or public authority organized under the laws of such state or territory or pursuant to an interstate compact between two or more states.

**SECTION 15.** 11-105-602 (3) (b.5) (II) (B), Colorado Revised Statutes, enacted by Senate Bill 07-040, enacted at the First Regular Session of the Sixty-sixth General Assembly, is amended to read:

**11-105-602. Financial branches allowed - conversion of financial institutions to branches - acquisitions.** (3) (b.5) (II) This paragraph (b.5) shall not apply with respect to any industrial bank that:

(B) Is a subsidiary of a parent entity, at least eighty-five percent of whose gross revenues on a consolidated basis, including affiliates, were derived from engaging in, on an ongoing basis, activities that are financial in nature or incidental to a financial activity, as defined by the federal "Gramm-Leach-Bliley ~~Financial Modernization Act~~", AS AMENDED, Pub.L. 106-102, 113 Stat. 1388, during at least three of the prior four calendar quarters.

**SECTION 16.** 12-6-123 (1), Colorado Revised Statutes, is amended to read:

**12-6-123. Disposition of fees - auto dealers license fund.** (1) All moneys received under this part 1, except fines awarded pursuant to section 12-6-121.5, shall be deposited with the state treasurer by the department of revenue, subject to the provisions of section 24-35-101, C.R.S., together with a detailed statement of such receipts, and such funds deposited with the state treasurer shall constitute a fund to be known as the auto dealers license fund, which fund is hereby created and which shall be used under the direction of the board in the following manner:

(a) Repealed.

(b) (I) For the payment of the expenses of the administration of the board as the general assembly deems necessary by making an appropriation therefor on an annual fiscal-year basis commencing July 1, 1971, and thereafter.

~~(c)~~ (II) Any money remaining in said fund on December 31, 1971, and at the close of each calendar year thereafter, after costs of administration of the law as provided in this part 1 shall remain in the auto dealers license fund to be used for educational and enforcement purposes as appropriated by the general assembly.

~~(d)~~ (c) To pay the department of revenue for the administration of actions or

proceedings brought before the executive director pursuant to section 12-6-120.

**SECTION 17. Repeal.** 12-22-102 (24.5), Colorado Revised Statutes, is repealed as follows:

**12-22-102. Definitions.** As used in this part 1, unless the context otherwise requires:

(24.5) ~~"Prospective drug review" means a review of the patient's drug therapy and prescription drug order prior to dispensing the drug as part of a drug regimen review.~~

**SECTION 18.** The introductory portion to 12-38.1-206 (1), Colorado Revised Statutes, is amended to read:

**12-38.1-206. Report.** (1) The direct care advisory committee, referred to in section 12-38.1-203 (3), shall report, and the board shall forward the report, to the members of the ~~health, environment, welfare, and institutions committees~~ HEALTH AND HUMAN SERVICES COMMITTEES of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES, of the general assembly, as well as to the governor, within two months after the completion of the pilot program, concerning the effectiveness of the pilot program in recruiting new entry-level workers into the long-term care profession and in retaining current and new long-term care workers through enhanced employment satisfaction. The report may include, but need not be limited to:

**SECTION 19.** 12-47-901 (3) (c), Colorado Revised Statutes, is amended to read:

**12-47-901. Unlawful acts - exceptions.** (3) (c) Any such manufacturer or importer shall, at least thirty days before the importation or sale of any such alcohol beverage in this state, file with the state licensing authority notice of intent to import one or more specified brands of such beverage, together with a statement that such manufacturer or importer is the primary source of supply in the United States for any such brand, unless exempted pursuant to paragraph (b) of this subsection (3), in which case, a statement that such manufacturer or importer is the sole source of supply of that brand of beverage in the state of Colorado, and, upon the request of the state licensing authority, a copy of the manufacturer's federal brand label approval form as required by the federal bureau of alcohol, tobacco, and firearms OR ANY OF ITS SUCCESSOR AGENCIES. Thereafter, said licensee shall file with the state licensing authority a copy of each sales invoice with a monthly sales report as required by section 12-47-503 (4) and (5).

**SECTION 20.** 12-47.1-701 (4) (a) (IV) (A), Colorado Revised Statutes, as amended by House Bill 07-1009, enacted at the First Regular Session of the Sixty-sixth General Assembly, is amended to read:

**12-47.1-701. Limited gaming fund.** (4) (a) At the end of each fiscal year, the state treasurer shall distribute the balance remaining in the limited gaming fund in accordance with the provisions of section 9 (5) (b) (II) of article XVIII of the state constitution; except that:

(IV) (A) Except as provided in sub-subparagraphs (A.5) and (B) of this subparagraph (IV), for the 2005-06 fiscal year and each fiscal year thereafter, of the portion of limited gaming fund moneys that would otherwise be transferred to the general fund pursuant to section 9 (5) (b) (II) of article XVIII of the state constitution, after the transfer to the local government limited gaming impact fund required by section 12-47.1-1601, nineteen million dollars shall be transferred to the Colorado travel and tourism promotion fund created in section 24-49.7-106, C.R.S., one million five hundred thousand dollars shall be transferred to the state council on the arts cash fund created in section 24-48.8-109, C.R.S., five hundred thousand dollars shall be transferred to the film incentives cash fund created in section 24-46-105.8, C.R.S., and three million dollars shall be transferred to the new jobs incentives cash fund created in section 24-46-105.7, C.R.S. For purposes of the transfers occurring at the end of the 2006-07 fiscal year and each fiscal year thereafter, no later than June 1, 2007, and no later than June 1 of each calendar year thereafter, the executive director of the department of revenue shall adjust the dollar amounts specified in this sub-subparagraph (A) to reflect the percentage change in the consumer price index for the Denver metropolitan area. As used in this sub-subparagraph (A), "percentage change in the consumer price index for the Denver metropolitan area" means the percentage change between the two published annual estimates of the consumer price index for the Denver-Boulder-Greeley combined statistical area for all urban consumers, all goods, as defined and officially reported by the bureau of ~~economic analysis~~ LABOR STATISTICS in the United States department of ~~commerce~~ LABOR, OR ITS SUCCESSOR INDEX, for the two calendar years immediately preceding the calendar year in which the adjustment is made.

**SECTION 21.** 12-61-113.2 (2) (b) and (5), Colorado Revised Statutes, are amended to read:

**12-61-113.2. Affiliated business arrangements - definitions - disclosures - enforcement and penalties - reporting - rules - investigation information shared with the division of insurance.** (2) (b) If a licensee or the employing broker of a licensee is part of an affiliated business arrangement when an offer to purchase real property is fully executed, the licensee shall disclose to all parties to the real estate transaction the existence of the arrangement. The disclosure shall be written, shall be signed by all parties to the real estate transaction, and shall comply with the federal "Real Estate Settlement Procedures Act OF 1974", AS AMENDED, 12 U.S.C. sec. 2601 et seq.

(5) The commission may promulgate rules concerning the creation and conduct of an affiliated business arrangement, including, but not limited to, rules defining what constitutes a sham affiliated business arrangement. The commission shall adopt the rules, policies, or guidelines issued by the United States department of housing and urban development concerning the federal "Real Estate Settlement Procedures Act OF 1974", AS AMENDED, 12 U.S.C. sec. 2601 et seq. Rules adopted by the commission shall be at least as stringent as the federal rules and shall ensure that consumers are adequately informed about affiliated business arrangements. The commission shall consult with the insurance commissioner pursuant to section 10-11-124 (2), C.R.S., concerning rules, policies, or guidelines the insurance commissioner adopts concerning affiliated business arrangements. Neither the rules promulgated by the commissioner nor the real estate commission may create a

conflicting regulatory burden on an affiliated business arrangement.

**SECTION 22.** 12-61-602 (3), (4), (5), and (6), Colorado Revised Statutes, are REPEALED AND REENACTED, WITH AMENDMENTS, to read:

**12-61-602. Definitions.** As used in this part 6, unless the context otherwise requires:

(3) "PERSON" INCLUDES AN INDIVIDUAL, COMPANY, CORPORATION, ASSOCIATION, AGENT, AND EVERY OTHER LEGAL ENTITY.

(4) "PREOWNED" MEANS A SINGLE-FAMILY RESIDENCE, RESIDENTIAL UNIT IN A MULTIPLE-DWELLING STRUCTURE, OR MOBILE HOME ON A FOUNDATION THAT IS OCCUPIED AS A RESIDENCE AND NOT OWNED BY THE BUILDER-DEVELOPER OR FIRST OCCUPANT.

(5) "PREOWNED HOME WARRANTY SERVICE COMPANY", REFERRED TO IN THIS PART 6 AS THE "COMPANY", MEANS ANY PERSON WHO UNDERTAKES A CONTRACTUAL OBLIGATION ON A PREOWNED HOME THROUGH A PREOWNED HOME WARRANTY SERVICE CONTRACT.

(6) (a) "PREOWNED HOME WARRANTY SERVICE CONTRACT" MEANS ANY CONTRACT OR AGREEMENT WHEREBY A PERSON UNDERTAKES FOR A PREDETERMINED FEE, WITH RESPECT TO A SPECIFIED PERIOD OF TIME, TO MAINTAIN, REPAIR, OR REPLACE ANY OR ALL OF THE FOLLOWING ELEMENTS OF A SPECIFIED PREOWNED HOME:

(I) STRUCTURAL COMPONENTS, SUCH AS THE ROOF, FOUNDATION, BASEMENT, WALLS, CEILINGS, OR FLOORS;

(II) UTILITY SYSTEMS, SUCH AS ELECTRICAL, AIR CONDITIONING, PLUMBING, AND HEATING SYSTEMS, INCLUDING FURNACES; AND

(III) APPLIANCES, SUCH AS STOVES, WASHERS, DRYERS, AND DISHWASHERS.

(b) "PREOWNED HOME WARRANTY SERVICE CONTRACT" DOES NOT INCLUDE ANY CONTRACT OR AGREEMENT WHEREBY A PUBLIC UTILITY UNDERTAKES FOR A PREDETERMINED FEE, WITH RESPECT TO A SPECIFIED PERIOD OF TIME, TO REPAIR OR REPLACE ANY OR ALL OF THE ELEMENTS OF A SPECIFIED PREOWNED HOME AS SPECIFIED IN SUBPARAGRAPH (II) OR (III) OF PARAGRAPH (a) OF THIS SUBSECTION (6).

**SECTION 23.** 13-6-407 (3), Colorado Revised Statutes, is amended to read:

**13-6-407. Parties - representation.** (3) In any action to which the federal "Soldiers' and Sailors' Civil Relief Act of 1940", AS AMENDED, 50 App. U.S.C. sec. 521, is applicable, the court may enter a default against a defendant who is in the military without entering judgment, and the court shall appoint an attorney to represent the interests of the defendant prior to the entry of judgment against the defendant.

**SECTION 24.** 13-21-108.2 (1) and (2) (b), Colorado Revised Statutes, enacted

by Senate Bill 07-043, enacted at the First Regular Session of the Sixty-sixth General Assembly, are amended to read:

**13-21-108.2. Persons rendering emergency assistance - competitive sports - exemption from civil liability.** (1)(a) Except as provided in subsection (2) of this section, a person licensed as a physician, osteopath, chiropractor, nurse, physical therapist, podiatrist, dentist, or optometrist or certified as an emergency medical technician under PART 2 OF ARTICLE 3.5 OF title 25, C.R.S., who, in good faith and without compensation, renders emergency care or emergency assistance, including but not limited to sideline or on-field care as a team health care provider, to an individual requiring emergency care or emergency assistance as a result of having engaged in a competitive sport is not liable for civil damages as a result of acts or omissions by the physician, osteopath, chiropractor, nurse, physical therapist, podiatrist, dentist, or optometrist or person certified as an emergency medical technician under PART 2 OF ARTICLE 3.5 OF title 25, C.R.S.

(b) The provisions of this subsection (1) shall apply to the rendering of emergency care or emergency assistance to a minor even if the physician, osteopath, chiropractor, nurse, physical therapist, podiatrist, dentist, or optometrist or the person certified as an emergency technician under PART 2 OF ARTICLE 3.5 OF title 25, C.R.S., does not obtain permission from the parent or legal guardian of the minor before rendering the care or assistance; ~~provided however~~ EXCEPT that, if a parent or guardian refuses the rendering of emergency care, this subsection (1) shall not apply.

(2) The exemption from civil liability described in subsection (1) of this section shall not apply to:

(b) Acts or omissions that are outside the scope of the license held by the physician, osteopath, chiropractor, nurse, physical therapist, podiatrist, dentist, or optometrist or outside the scope of the certificate held by a person who is certified as an emergency medical technician under PART 2 OF ARTICLE 3.5 OF title 25, C.R.S.

**SECTION 25.** 13-21-110 (2), Colorado Revised Statutes, is amended to read:

**13-21-110. Medical committee - privileged communication - limitation on liability.** (2) As used in this section, "utilization review committee" means a committee established for the purpose of evaluating the quantity, quality, and timeliness of health care services rendered under the "Colorado Medical Assistance Act" and in compliance with Titles XVIII and XIX of the federal "Social Security Act", AS AMENDED.

**SECTION 26.** 13-21-115.5 (4) (a) (I), Colorado Revised Statutes, is amended to read:

**13-21-115.5. Volunteer service act - immunity - exception for operation of motor vehicles.** (4) (a) Any volunteer shall be immune from civil liability in any action on the basis of any act or omission of a volunteer resulting in damage or injury if:

(I) The volunteer is immune from liability for the act or omission under the

federal "Volunteer Protection Act of 1997", AS FROM TIME TO TIME MAY BE AMENDED, CODIFIED AT 42 U.S.C. sec. 14501 et seq.; and

**SECTION 27.** 13-54-102 (1) (s), Colorado Revised Statutes, is amended to read:

**13-54-102. Property exempt.** (1) The following property is exempt from levy and sale under writ of attachment or writ of execution:

(s) Property, including funds, held in or payable from any pension or retirement plan or deferred compensation plan, including those in which the debtor has received benefits or payments, has the present right to receive benefits or payments, or has the right to receive benefits or payments in the future and including pensions or plans which qualify under the federal "Employee Retirement Income Security Act of 1974", AS AMENDED, as an employee pension benefit plan, as defined in 29 U.S.C. sec. 1002, any individual retirement account, as defined in 26 U.S.C. sec. 408, any Roth individual retirement account, as defined in 26 U.S.C. sec. 408A, and any plan, as defined in 26 U.S.C. sec. 401, and as these plans may be amended from time to time;

**SECTION 28.** 13-71-137, Colorado Revised Statutes, is amended to read:

**13-71-137. Duties and responsibilities of interpreters for jurors who are deaf or hard of hearing.** The court may provide, through the list of available resources coordinated through the Colorado commission for the deaf and hard of hearing pursuant to section 26-21-106 (4), C.R.S., a qualified interpreter, as defined in section ~~13-90-202 (10)~~ 13-90-202 (8), to assist during a trial a juror who is deaf or hard of hearing. In the presence of the jury, the court shall instruct the qualified interpreter to make true and complete translations of all court proceedings to the juror who is deaf or hard of hearing to the best of the qualified interpreter's ability. The qualified interpreter shall be subject to the same orders and admonitions given to the jurors. The court shall permit a qualified interpreter to be present and assist a juror who is deaf or hard of hearing during the deliberations of the jury. In the presence of the jury, the court shall instruct the qualified interpreter to refrain from participating in any manner in the deliberation of the jury and to refrain from having any communications with any member of the jury regarding deliberation, except for true and complete translations of jurors' remarks made during deliberation. A jury verdict reached in the presence of a qualified interpreter, during deliberation, shall be valid.

**SECTION 29.** 13-90-204 (1) (f) and (1) (g), Colorado Revised Statutes, are amended, and the said 13-19-204 is further amended by the ADDITION OF A NEW SUBSECTION, to read:

**13-90-204. Appointment of interpreter and auxiliary services - when.** (1) A qualified interpreter or auxiliary service shall be provided by an appointing authority to interpret the proceedings to a person who is deaf or hard of hearing and to interpret the statements of the person who is deaf or hard of hearing in the following instances:

(f) When effective communication cannot be established without an auxiliary service and when an alleged victim or witness is a person who is deaf or hard of

hearing, who uses sign language for effective communication, and WHO is questioned or otherwise interviewed by a person having a law enforcement or prosecutorial function in any criminal investigation, except where the length, importance, or complexity of the communication does not warrant provision of an auxiliary service. Assessment of whether the length, importance, or complexity of the communication warrants provision of an auxiliary service shall be made in accordance with United States department of justice regulations effectuating Title II of the federal "Americans with Disabilities Act of 1990", AS FROM TIME TO TIME MAY BE AMENDED, PUB.L. 101-336, CODIFIED AT 42 U.S.C. SEC. 12101, ET SEQ., including regulations, analysis, and technical assistance.

~~(g) Nothing in this part 2 shall be construed to provide less than is required by Title II of the federal "Americans with Disabilities Act", 42 U.S.C. sec. 12101, and its implementing regulations.~~

(1.5) NOTHING IN THIS PART 2 SHALL BE CONSTRUED TO PROVIDE LESS THAN IS REQUIRED BY TITLE II OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", AS FROM TIME TO TIME MAY BE AMENDED, PUB.L. 101-336, CODIFIED AT 42 U.S.C. SEC. 12101 ET SEQ., AND ITS IMPLEMENTING REGULATIONS.

**SECTION 30.** 15-14-412.5 (2), (3), and (4), Colorado Revised Statutes, are amended to read:

**15-14-412.5. Limited court-approved arrangements authorized for persons seeking medical assistance for nursing home care - applicable to trusts established before a certain date.** (2) The court shall not authorize, direct, or ratify any trust that either has the effect of qualifying or purports to qualify the trust beneficiary for medical assistance for nursing home care pursuant to the provisions of ~~title 26~~ TITLE 25.5, C.R.S., unless the circumstances surrounding the creation of the trust and the trust provisions meet the criteria set forth in section 25.5-6-102 (3), C.R.S. This section shall apply to any court-approved trust that is funded with property owned by the beneficiary at the time the trust is created but shall not apply to any trust that is established and directly funded by a defendant or insurance company in settlement of an action or claim for personal injury brought by or on behalf of the trust beneficiary.

(3) Except as otherwise permitted by Title XIX of the federal "Social Security Act", 42 U.S.C. sec. 1396p, as amended, the court shall not authorize, direct, or ratify the transfer of any property owned by a protected person if the transfer either has the effect of qualifying or purports to qualify the protected person for medical assistance for nursing home care pursuant to the provisions of ~~title 26~~ TITLE 25.5, C.R.S., unless the property is transferred into a trust established in accordance with subsection (2) of this section.

(4) This section shall take effect January 1, 1992, and shall apply to any court-approved trust established for or court-approved transfer of property made by or for a protected person applying for or receiving medical assistance for nursing home care pursuant to the provisions of ~~title 26~~ TITLE 25.5, C.R.S., on or after said date; except that such a trust created before said date that does not comply with this section shall be modified to comply with this section no later than July 1, 1992, before which time a court-approved trust or a court-approved transfer of property

to a court-approved trust shall not render the protected person ineligible for medical assistance.

**SECTION 31.** 15-15-407 (4), Colorado Revised Statutes, is amended to read:

**15-15-407. Vesting of ownership in grantee-beneficiary.** (4) The interest of the grantee-beneficiary shall be subject to any claim of the department of health care policy and financing for recovery of medical assistance payments pursuant to section 25.5-4-301 or 25.5-4-302, C.R.S., which shall be enforced in accordance with section ~~15-15-409~~ 15-15-103.

**SECTION 32.** 15-15-410 (2), Colorado Revised Statutes, is amended to read:

**15-15-410. Purchaser from grantee-beneficiary protected.** (2) For purposes of this section, any recorded instrument evidencing a transfer to a purchaser from, or lender to, a grantee-beneficiary on which a state documentary fee is noted pursuant to section 39-13-103, C.R.S., shall be prima facie evidence that the transfer was made for value. Any such sale or loan by the grantee-beneficiary shall not relieve the grantee-beneficiary of the obligation to the personal representative of the deceased owner's estate under section ~~15-15-409~~ 15-15-103.

**SECTION 33.** 16-11.9-105, Colorado Revised Statutes, is amended to read:

**16-11.9-105. Periodic review.** On or before October 1, 2004, and on or before October 1 every two years thereafter, the judicial department, the department of corrections, the state board of parole, the division of criminal justice within the department of public safety, and the department of human services shall jointly review the implementation of the standardized procedures and the use of the standardized screening instruments developed pursuant to this article. On or before January 15, 2005, and on or before January 15 every two years thereafter, the division within the department of human services that is responsible for mental health services and the division of criminal justice within the department of public safety shall jointly report to a joint meeting of the ~~judiciary committee~~ COMMITTEES of the senate and ~~the civil justice and judiciary committee and the criminal justice committee of the~~ house of representatives, OR ANY SUCCESSOR COMMITTEES, regarding the implementation of the standardized screening procedures and the use of the standardized screening instruments developed pursuant to this article. The report may also address the need for and utility of further legislation to effectively implement said procedures.

**SECTION 34.** 17-22.5-202 (3) (b.5) (III), Colorado Revised Statutes, is amended to read:

**17-22.5-202. Ticket to leave - discharge - clothes, money, transportation - repeal.** (3) (b.5) (III) The department may use reasonable force to obtain a biological substance sample in accordance with ~~subparagraph (II) of this paragraph (b.5)~~ SECTION 16-11-102.4, C.R.S. In addition, any person who refuses to comply with ~~subparagraph (II) of this paragraph (b.5)~~ SECTION 16-11-102.4, C.R.S., may be denied parole, or, if such person has been granted parole, such parole may be revoked.

**SECTION 35.** 19-1-108 (3) (a.5), Colorado Revised Statutes, as it will become effective July 1, 2007, is amended to read:

**19-1-108. Magistrates - qualifications - duties - repeal.** (3) (a.5) Magistrates shall conduct hearings in the manner provided for the hearing of cases by the court. During the initial advisement of the rights of any party, the magistrate shall inform the party that, except as provided in this subsection (3), he or she has the right to a hearing before the judge in the first instance and that he or she may waive that right but that, by waiving that right, he or she is bound by the findings and recommendations of the magistrate, subject to a request for review as provided in subsection ~~(5)~~ (5.5) of this section. The right to require a hearing before a judge shall not apply to hearings at which a child is advised of his or her rights pursuant to section 19-2-706, detention hearings held pursuant to sections 19-2-507 and 19-2-508, preliminary hearings held pursuant to section 19-2-705, and temporary custody hearings held pursuant to section 19-3-403.

**SECTION 36.** 19-1-108 (4) (c), Colorado Revised Statutes, is amended to read:

**19-1-108. Magistrates - qualifications - duties - repeal.** (4) At the conclusion of a hearing, the magistrate shall:

(c) Prepare findings and a written order that shall become the order of the court, absent a petition for review being filed as provided in subsection ~~(5)~~ (5.5) of this section; and

**SECTION 37.** 19-2-705 (2), Colorado Revised Statutes, is amended to read:

**19-2-705. Preliminary hearing - dispositional hearing.** (2) A request for review of a preliminary hearing finding entered by a magistrate shall be filed pursuant to section ~~19-1-108 (5)~~ 19-1-108 (5.5), and review shall be conducted pursuant to said section.

**SECTION 38.** 19-2-907 (5) (a), Colorado Revised Statutes, is amended to read:

**19-2-907. Sentencing schedule - options.** (5) (a) Except as otherwise provided in section 19-2-601 for an aggravated juvenile offender, if the court finds that placement out of the home is necessary and is in the best interests of the juvenile and the community, the court shall place the juvenile, following the criteria established pursuant to section 19-2-212, in the facility or setting that most appropriately meets the needs of the juvenile, the juvenile's family, and the community. In making its decision as to proper placement, the court shall utilize the evaluation for placement prepared pursuant to section 19-1-107 or the evaluation for placement required by section 19-3-701 (5). Any placement recommendation in the evaluation prepared by the county department of social services shall be accorded great weight as the placement that most appropriately meets the needs of the juvenile, the juvenile's family, and the community. Any deviation from such recommendation shall be supported by specific findings on the record of the case detailing the specific extraordinary circumstances that constitute the reasons for deviations from the placement recommendation of the county department of social services. Such recommendation prepared by the county department of social services shall set forth specific facts and reasons for the placement recommendation.

If the evaluation for placement recommends placement in a facility located in Colorado that can provide appropriate treatment and that will accept the juvenile, then the court shall not place the juvenile in a facility outside this state. If the court places the juvenile in a facility located in Colorado other than one recommended by the evaluation for placement, in a facility located outside this state in accordance with the evaluation for placement, or in a facility in which the average monthly cost exceeds the amount established by the general assembly in the general appropriation bill, it shall make specific findings of fact, including the monthly cost of the facility in which such juvenile is placed, relating to its placement decision. A copy of such findings shall be sent to the chief justice of the supreme court, who shall report monthly to the joint budget committee and annually to the house and senate committees on ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES, OR ANY SUCCESSOR COMMITTEES, on such placements. If the court commits the juvenile to the department of human services, it shall not make a specific placement, nor shall the provisions of this subsection (5) relating to specific findings of fact be applicable.

**SECTION 39. Repeal.** 19-2-925.6 (2), Colorado Revised Statutes, is repealed as follows:

**19-2-925.6. Genetic testing of adjudicated offenders.** (2) ~~"Convicted" for purposes of this section means having received a verdict of guilty by a judge or jury or having pled guilty or nolo contendere. Except where otherwise indicated, "convicted" does not include deferred adjudication unless the deferred adjudication is revoked and a sentence is entered.~~

**SECTION 40.** 19-3-701 (6), Colorado Revised Statutes, is amended to read:

**19-3-701. Petition for review of need for placement.** (6) The petition for review of need for placement shall request the court to determine, by a preponderance of the evidence, whether placement or continued placement is necessary and in the best interest of the child and the community and whether reasonable efforts have been made to return the child to a safe home or whether the child should be permanently removed from his or her home. If the court makes such findings, it shall enter a decree ordering the child's placement out of the home in the facility or setting that most appropriately meets the needs of the child, the family, and the community. In making its decision as to proper placement, the court shall utilize the evaluation for placement prepared pursuant to section 19-1-107 or the evaluation for placement required by subsection (5) of this section that shall state the cost of recommended placement. If the evaluation for placement recommends placement in a facility located in Colorado ~~which~~ THAT can provide appropriate treatment and ~~which~~ THAT will accept the child, then the court shall not place the child in a facility outside this state. If the court deviates from the recommendations of the evaluation for placement in a manner that results in a difference in the cost of the disposition ordered by the court and the cost of the disposition recommended in the evaluation, the court shall make specific findings of fact relating to its decision, including the monthly cost of the placement, if ordered. A copy of such findings shall be sent to the chief justice of the supreme court, who shall report annually to the joint budget committee and annually to the ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees, OR ANY SUCCESSOR COMMITTEES, of the house of representatives and senate of the general

assembly on such orders. If the court commits the child to the department of human services, it shall not make a specific placement, nor shall the provisions of this subsection (6) relating to specific findings of fact be applicable. If the court makes a finding that continued placement is not necessary and is not in the best interest of the child and the community, the court shall dismiss the petition for review of need for placement and shall order that the child be returned home. The court may require a continued hearing of the petition for review of need for placement for a period not to exceed fourteen days if it finds that the materials submitted are insufficient to make a finding as provided in this subsection (6).

**SECTION 41.** 19-3.5-105 (1)(i), Colorado Revised Statutes, is amended to read:

**19-3.5-105. Powers and duties of the board.** (1) The board shall have the following powers and duties:

(i) To contract with an independent auditor for a yearly financial audit. Copies of this audit shall be sent to the state auditor, members of the joint budget committee, and the chairmen of the senate and house ~~health, environment, welfare and institutions~~ HEALTH AND HUMAN SERVICES committees, OR ANY SUCCESSOR COMMITTEES. Moneys in the trust fund shall be expended for the yearly financial audit.

**SECTION 42.** 19-3.5-109 (1), Colorado Revised Statutes, is amended to read:

**19-3.5-109. Report - repeal of article.** (1) The department of public health and environment shall contract for an independent evaluation of the trust fund including administrative costs of operating the trust fund and the cost-effectiveness and the impact of the grants on reducing and preventing child abuse. A report of such evaluation shall be provided to the house and senate ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees, OR ANY SUCCESSOR COMMITTEES, by November 1, 2011.

**SECTION 43.** 22-7-603.5 (4), Colorado Revised Statutes, is amended to read:

**22-7-603.5. Legislative declaration - measurement of value added to academic progress.** (4) The state board may adopt rules necessary for implementation and administration of this section including, but not limited to, provisions to uniquely identify individual students, including students enrolled in the Colorado preschool AND KINDERGARTEN program, created pursuant to section 22-28-104.

**SECTION 44.** 22-32-124 (2) (a) (IV), Colorado Revised Statutes, is amended to read:

**22-32-124. Building codes - zoning - planning - rules - definitions.** (2) (a) (IV) If the building or structure is in conformity with the building and fire codes and standards adopted by the director of the division, and if the affected fire department OR THE DIVISION OF FIRE SAFETY CERTIFIES THAT THE BUILDING OR STRUCTURE IS IN COMPLIANCE WITH THE FIRE CODE ADOPTED BY THE DIRECTOR OF THE DIVISION, THE DIVISION OR THE BUILDING DEPARTMENT shall issue the necessary certificate of occupancy prior to use of the building or structure by the school

district or by the institute charter school. A fee may be charged for such plan reviews and inspections upon approval of the division. The amount of the fee shall be determined by the division by rule on the basis of the direct cost of providing the service.

**SECTION 45. Repeal.** 24-1-119.5 (3), Colorado Revised Statutes, is repealed as follows:

**24-1-119.5. Department of health care policy and financing - creation.**

~~(3) The Colorado health data commission, created by article 28 of title 25, C.R.S., and its powers, duties, and functions are transferred by a type 2 transfer to the department of health care policy and financing.~~

**SECTION 46.** 24-1-135 (2), Colorado Revised Statutes, is amended to read:

**24-1-135. Effect of congressional redistricting.** (2) Any member of a board, commission, or committee who was appointed or elected to such office as a resident of a designated congressional district pursuant to section 24 (2) of article VI of the state constitution or ~~sections~~ SECTION 11-2-102, 12-22-104, 12-35-104, 12-47.1-301, 22-2-105, 23-1-102, 23-20-102, 23-21-503, or 23-60-104, C.R.S., or ~~sections~~ SECTION 24-32-308 or 24-32-706, or ~~sections~~ SECTION 25-1-103, 25-1-902, 25-3.5-104, 26-11-101, 33-11-105, 34-60-104, or 35-65-401, C.R.S., and who no longer resides in such congressional district solely because of a change made to the boundaries of such district subsequent to the 1990 federal decennial census is eligible to hold office for the remainder of the term to which the member was elected or appointed, notwithstanding such nonresidency.

**SECTION 47.** 24-1-136 (11)(b), Colorado Revised Statutes, is amended to read:

**24-1-136. "Information Coordination Act" - policy - functions of the heads of principal departments.** (11) (b) Among the matters to be considered by the sunrise and sunset review committee, created by joint rule of the senate and house of representatives, during each interim shall be an inventory and review of all existing requirements for reports by executive agencies or the judicial branch to the general assembly that are due to expire on or before July 1 of the following year pursuant to paragraph (a) of this subsection (11); except that, if House Bill 96-1159 is enacted at the second regular session of the sixtieth general assembly and becomes law or if, for any other reason, the sunrise and sunset review committee ceases to exist, such inventory and review shall be conducted by the several committees of reference as directed by the president of the senate and the speaker of the house of representatives, or otherwise as follows:

(I) The agriculture, livestock, and natural resources committee in the house of representatives and the agriculture, natural resources, and energy committee in the senate, OR ANY SUCCESSOR COMMITTEES, shall consider reporting requirements contained in titles 33 to 37, C.R.S.;

(II) The appropriations committees, OR ANY SUCCESSOR COMMITTEES, IN THE HOUSE OF REPRESENTATIVES AND THE SENATE shall consider reporting requirements contained in articles 75 to 114 of this title;

(III) The business affairs and labor ~~committees~~ COMMITTEE IN THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE IN THE SENATE, OR ANY SUCCESSOR COMMITTEES, shall consider reporting requirements contained in titles 4 to 12 and 40, C.R.S.;

(IV) The education committees, OR ANY SUCCESSOR COMMITTEES, IN THE HOUSE OF REPRESENTATIVES AND THE SENATE shall consider reporting requirements contained in titles 22 and 23, C.R.S.;

(V) The finance committees, OR ANY SUCCESSOR COMMITTEES, IN THE HOUSE OF REPRESENTATIVES AND THE SENATE shall consider reporting requirements contained in titles 38 and 39, C.R.S.;

(VI) The ~~health, environment, welfare, and institutions committees~~ HEALTH AND HUMAN SERVICES COMMITTEES IN THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, shall consider reporting requirements contained in titles 25 to 27, C.R.S.;

(VII) The judiciary committees, OR ANY SUCCESSOR COMMITTEES, IN THE HOUSE OF REPRESENTATIVES AND THE SENATE shall consider reporting requirements contained in titles 13 to 21, C.R.S.;

(VIII) The local government committees, OR ANY SUCCESSOR COMMITTEES, IN THE HOUSE OF REPRESENTATIVES AND THE SENATE shall consider reporting requirements contained in titles 30 to 32, C.R.S.;

(IX) The state, veterans, and military affairs committees, OR ANY SUCCESSOR COMMITTEES, IN THE HOUSE OF REPRESENTATIVES AND THE SENATE shall consider reporting requirements contained in titles 1 to 3, C.R.S., titles 28 and 29, C.R.S., and this title with the exception of articles 75 to 114 and, in addition, any reporting requirement not otherwise assigned to a committee of reference under this paragraph (b); and

(X) The transportation and energy committee in the house of representatives and the transportation committee in the senate, OR ANY SUCCESSOR COMMITTEES, shall consider reporting requirements contained in titles 41 to 43, C.R.S.

**SECTION 48.** 24-4-104 (3) (b) and (4) (b), Colorado Revised Statutes, are amended to read:

**24-4-104. Licenses - issuance, suspension or revocation, renewal.** (3) (b) The full investigation requirement specified in paragraph (a) of this subsection (3) shall not apply to licenses issued under articles 1.1, 9, 10, 11, 11.5, ~~12~~, 13, 14, and 16 of title 40 or article 2 of title 42, C.R.S.

(4) (b) The full investigation requirement specified in paragraph (a) of this subsection (4) shall not apply to licenses issued under articles 1.1, 9, 10, 11, 11.5, ~~12~~, 13, 14, and 16 of title 40 or article 2 of title 42, C.R.S.

**SECTION 49.** 24-30-1104 (2) (t), Colorado Revised Statutes, is amended to read:

**24-30-1104. Central services functions of the department - repeal.** (2) In addition to the county-specific functions set forth in subsection (1) of this section, the department of personnel shall take such steps as are necessary to fully implement a central state motor vehicle fleet system by January 1, 1993. The provisions of the motor vehicle fleet system created pursuant to this subsection (2) shall apply to the executive branch of the state of Colorado, its departments, its institutions, and its agencies; except that the governing board of each institution of higher education, by formal action of the board, and the Colorado commission on higher education, by formal action of the commission, may elect to be exempt from the provisions of this subsection (2) and may obtain a motor vehicle fleet system independent of the state motor vehicle fleet system. Under the direction of the executive director, the department of personnel shall perform the following functions pertaining to the motor vehicle fleet system throughout the state:

(t) Require that the federal environmental protection agency mile-per-gallon rating for all motor vehicles purchased for the state-owned motor vehicle fleet on or after January 1, 2007, meet or exceed the average fuel efficiency standards as established pursuant to the federal "Energy Policy AND Conservation Act", 15 U.S.C. sec. 2001, et seq., RECODIFIED AS 49 U.S.C. SEC. 32901 ET SEQ.

**SECTION 50.** 24-30-1503.5 (2), Colorado Revised Statutes, is amended to read:

**24-30-1503.5. Risk management system - independent program.** (2) Before any institution of higher education or the Colorado commission on higher education implements an independent risk management program, the institution or commission, as applicable, shall submit a written report detailing the findings of the analysis conducted pursuant to subsection (1) of this section to the president of the senate, the speaker of the house of representatives, the majority and minority leaders of the senate and the house of representatives, the members of the joint budget committee, ~~and the members of the business affairs and labor committee of~~ IN THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE, AND ~~the senate and the house of representatives~~ MEMBERS OF THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE IN THE SENATE, OR ANY SUCCESSOR COMMITTEE.

**SECTION 51.** 24-33-111 (3) (b) (II) (D), Colorado Revised Statutes, is amended to read:

**24-33-111. Conservation of native species - fund created - repeal.** (3) **Species conservation eligibility list and annual report.** (b) Funding shall be distributed by the executive director of the department of natural resources among projects included in the species conservation eligibility list for the following purposes:

(II) Studies and programs established or approved by the division of wildlife and the executive director of the department of natural resources regarding:

(D) If a species that is not on the federal endangered or threatened species list is proposed to be added to the state endangered or threatened species list, the evaluation of the species pursuant to this sub-subparagraph ~~(B)~~ (D) shall include: Scientific evaluation of genetic data that proves the species is a separate and distinct species in the ecosystem; evaluation of the species habitat that encompasses the

entire geographic area of the species habitat not just portions of such habitat; and the reliable scientific baseline data used to ascertain that the number of the species in the habitat is rapidly declining over time.

**SECTION 52.** 24-33.5-415.6 (1), Colorado Revised Statutes, as it will become effective July 1, 2007, is amended to read:

**24-33.5-415.6. Offender identification - fund.** (1) There is hereby created in the state treasury the offender identification fund, referred to in this section as the "fund". Moneys in the fund shall consist of payments for genetic testing received from offenders pursuant to sections 16-11-102.4, 18-1.3-407, and 19-2-925.6, C.R.S. Subject to annual appropriations by the general assembly, the executive director and the state court administrator are authorized to expend moneys in the fund to pay for genetic testing of offenders pursuant to sections 16-11-102.4 AND 18-1.3-407, ~~19-2-924.5, and 19-2-925.5~~, C.R.S. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

**SECTION 53.** 24-33.5-424 (1) (d) and (1) (e), Colorado Revised Statutes, are amended to read:

**24-33.5-424. National instant criminal background check system - state point of contact - grounds for denial of firearm transfer - appeal - rule-making - unlawful acts - repeal.** (1) For purposes of this section:

(d) "Transfer" means the sale or delivery of any firearm in this state by a transferor to a transferee. "Transfer" shall include redemption of a pawned firearm by any person who is not licensed as a federal firearms licensee by the federal bureau of alcohol, tobacco, and firearms OR ANY OF ITS SUCCESSOR AGENCIES. "Transfer" shall not include the return or replacement of a firearm that had been delivered to a federal firearms licensee for the sole purpose of repair or customizing.

(e) "Transferee" means any person who is not licensed as a federal firearms licensee by the federal bureau of alcohol, tobacco, and firearms OR ANY OF ITS SUCCESSOR AGENCIES, in accordance with the federal "Gun Control Act of 1968", chapter 44 of title 18 U.S.C., as amended, and to whom a transferor wishes to sell or deliver a firearm.

**SECTION 54.** 24-33.5-1703 (1) (a) and (3) (a), Colorado Revised Statutes, are amended to read:

**24-33.5-1703. Identity theft and financial fraud board - creation - rules.** (1) (a) There is hereby created in the department of public safety the identity theft and financial fraud board, referred to in this part 17 as the "board". The board shall have the powers and duties specified in this part 17, including but not limited to oversight of the ~~identity theft and financial fraud deterrence task force~~ COLORADO FRAUD INVESTIGATORS UNIT, created in section 24-33.5-1704.

(3) (a) The six appointed members of the board shall serve terms of three years; except that, of the members first appointed, the representative of a local police department, the representative of a payment processor, and one of the ~~two~~ THREE

representatives of the depository institutions, as designated by the governor, shall each serve a two-year term.

**SECTION 55.** 24-34-102 (14), Colorado Revised Statutes, is amended to read:

**24-34-102. Division of registrations - creation - duties of division and department heads - definitions - license, registration, or certification renewal and reinstatement.** (14) (a) On and after July 1, 1998, the authority vested in the department of human services and the board of human services to certify and discipline certified or licensed addiction counselors is transferred to the director of the division of registrations in the department of regulatory agencies. The department of human services and board of human services shall continue to exercise all other rights, powers, duties, functions, and obligations vested in those entities concerning certified or licensed addiction counselors pursuant to part 2 of article 1 of title 25, C.R.S. The director of the division of registrations may promulgate rules, which shall include, but shall not be limited to:

~~(a)~~ (I) A requirement that addiction counselors, in order to participate in public programs or to provide purchased services and certification requirements therefor, shall meet standards established by the board of human services by rule. In addition to addiction counselors specifically authorized to be certified or licensed for approved programs pursuant to part 2 of article 1 of title 25, C.R.S., the director of the division of registrations in the department of regulatory agencies may certify or license addiction counselors, upon individual application, in any alcohol or drug abuse treatment program required as a condition of probation under part 2 of article ~~11 of title 16~~, 1.3 OF TITLE 18, C.R.S., any alcohol or drug abuse program administered by the division of adult services under PART 1 OF article 2 of title 17, C.R.S., any community corrections facility or program administered under article 27 of title 17, C.R.S., and any alcohol or drug abuse treatment program administered by the division of youth corrections under title 19, C.R.S.

~~(b)~~ (II) **Fees to be charged for addiction counselor certification, licensure, and renewal.** The amount assessed shall be sufficient to cover a portion of the costs of administering such certification, licensure, and testing, and the moneys collected after June 30, 1998, shall be deposited in the division of registrations cash fund created in section 24-34-105 (2) (b) (I). Additional funding may be obtained from general, cash, or federal funds otherwise appropriated to the division of registrations in the department of regulatory agencies.

~~(c)~~ (III) A requirement that addiction counselors shall comply with section 12-43-222, C.R.S., in order to obtain and maintain certification or licensure;

~~(d)~~ (IV) Procedures for disciplinary actions against certified or licensed addiction counselors for prohibited or unlawful acts, which procedures are consistent with the procedures established in sections 12-43-212, 12-43-221, 12-43-223, 12-43-224, 12-43-225, 12-43-226, and 12-43-227, C.R.S.

~~(e)~~ ~~(f)~~ (b) (I) **Procedures and requirements for licensure for addiction counselors.** Rules promulgated by the director of the division of registrations shall be consistent with the educational requirements necessary to comply with uniform educational standards set by the national association of alcoholism and drug abuse

counselors or its successor organization, and such requirements shall include:

(A) Meeting the requirements for a certificate of addiction counseling, level III;

(B) Possessing a master's degree in the social sciences or an equivalent program, as determined appropriate by the director of the division of registrations; and

(C) Passing a national exam administered by either the national association of alcoholism and drug abuse counselors or the international certification reciprocity consortium, or by the successor of either organization.

(II) The following persons, who shall be in good standing in their professions, may provide addiction counseling without becoming licensed pursuant to this subsection (14):

(A) Any licensed or registered health care professional pursuant to article 36, 38, or 43 of title 12, C.R.S., acting within such professional's scope of practice;

(B) School psychologists pursuant to part 2 of article 60.5 of title 22, C.R.S., acting within the scope of their employment as school psychologists; and

(C) Certified addiction counselors.

(III) A person described in subparagraph (II) of this paragraph ~~(e)~~ (b) shall not use the name, title, or designation of a licensed addiction counselor unless such person is also a licensed addiction counselor.

(IV) On or before January 1, 2002, the director of the division of registrations shall issue a license to any person who holds a valid certification from the director of the division of registrations as a certified addiction counselor and who:

(A) Is in good standing with the director;

(B) Has submitted an application and application fee; and

(C) Agrees to abide by the procedures described in ~~paragraph (d)~~ SUBPARAGRAPH (IV) OF PARAGRAPH (a) of this subsection (14).

~~(f)~~ (c) Nothing in this subsection (14) shall preclude or eliminate professional practice by a person who is certified as an alcohol counselor level I, II, or III that is within the person's scope of practice.

~~(g)~~ (d) As used in this subsection (14), unless the context otherwise requires:

(I) "Addiction counseling" consists of the application of general counseling theories and treatment methods adopted specifically for alcohol and drug theory and research for the express purpose of treating alcohol and drug problems. Addiction counseling includes, but is not limited to, the following:

(A) Screening clients by means of a process in which a client is determined to be an appropriate candidate and eligible for admission to a particular program of

treatment;

(B) An intake assessment through an administrative and initial interview for admission into a treatment program;

(C) Orientation to describe to the client the general nature and goals of the program and the client's rights in accordance with section 12-43-214, C.R.S.;

(D) An assessment, including those procedures by which an addiction counselor identifies and evaluates a client's strengths, weaknesses, problems, and needs in preparation of a treatment plan;

(E) A treatment plan that includes identification of the problems necessitating resolution, establishment of short-term and long-term goals, and the establishment of a treatment process;

(F) Counseling that encompasses the use of special skills to assist individuals, families, or groups in achieving objectives established in the treatment plan;

(G) Case management activities that bring together services, agencies, resources, or individuals for the purpose of achieving the goals outlined in the treatment plan;

(H) Crisis intervention that responds to a client's needs during acute emotional or physical distress;

(I) Client education to provide information to an individual or group concerning alcohol or drug abuse and the available services and resources;

(J) Referring a client to support systems, community resources, or health care professionals to assist the client with needs that may not be met by the addiction counselor;

(K) Reporting and record keeping to chart the results of an assessment and treatment plan, including the preparation of reports, progress notes, discharge summaries, and other client-related data;

(L) Consulting with other addiction counselors, health care professionals, or mental health professionals to ensure comprehensive and quality care for the client; and

(M) The maintenance of the ethical addiction counselor-client relationships pursuant to ~~paragraph (d)~~ SUBPARAGRAPH (IV) OF PARAGRAPH (a) of this subsection (14).

(II) "Certified addiction counselor" means an individual who has a certificate issued by the director of the division of registrations within the department of regulatory agencies to practice addiction counseling.

(III) "Licensed addiction counselor" means a person who renders addiction counseling to an individual, group, or organization and who holds a license issued by the director of the division of registrations within the department of regulatory

agencies.

**SECTION 56.** 24-35-210 (6), Colorado Revised Statutes, is amended to read:

**24-35-210. Lottery fund.** (6) The state treasurer shall invest the moneys in the lottery fund so long as said moneys are timely available to pay the expenses of the division, to pay the prizes to the lottery winners, to make authorized transfers to the conservation trust fund, and to fund the annual appropriations authorized by subsection ~~(4)~~ or (4.1) of this section. Investments shall be those otherwise permitted by state law, and interest or any other return on the investments shall be paid into the lottery fund.

**SECTION 57.** 24-46-105.8 (1) (b) and (4) (a), Colorado Revised Statutes, are amended to read:

**24-46-105.8. Performance-based incentive for film production in Colorado - film incentives cash fund - definitions.** (1) As used in this section, unless the context otherwise requires:

(b) "Production activities" means the shooting of a film, support activities related to such shooting, and any preshooting or ~~photo-shooting~~ POSTSHOOTING activities that are necessary to produce a finished film, including but not limited to editing and the creation of sets, props, costumes, and special effects.

(4) (a) For the 2006-07 fiscal year and for each fiscal year thereafter, the general assembly shall annually appropriate the moneys transferred to the fund pursuant to section ~~12-47.1-701 (4) (a) (III)~~ 12-47.1-701 (4) (a) (IV), C.R.S., to the commission to be used for performance-based incentives for the motion picture industry pursuant to the provisions of this section.

**SECTION 58.** 24-49.7-106 (5) (c), Colorado Revised Statutes, is amended to read:

**24-49.7-106. Colorado travel and tourism promotion fund - Colorado travel and tourism additional source fund - creation - nature of funds.** (5) (c) The moneys appropriated from the Colorado travel and tourism promotion fund to the Colorado state fair authority created in section 35-65-401, C.R.S., pursuant to this subsection (5) shall only be appropriated if the fund is fully funded as provided in section ~~12-47.1-701 (4) (a) (III) (A)~~ 12-47.1-701 (4) (a) (IV) (A), C.R.S. If the amount credited to the fund is reduced pursuant to section ~~12-47.1-701 (4) (a) (III) (B)~~ 12-47.1-701 (4) (a) (IV) (B), C.R.S., the annual appropriations specified in this subsection (5) shall not be required.

**SECTION 59.** 24-51-1002 (4), Colorado Revised Statutes, is amended to read:

**24-51-1002. Annual percentages to be used.** (4) Notwithstanding the provisions of ~~subsection (1) of this section and of paragraph (a.5) of subsection (1)~~ SUBSECTIONS (1) AND (3) of this section, the increase, if any, applied to the benefits of persons whose benefits are based on the account of a member who was not a member, inactive member, or retiree on December 31, 2006, will be calculated and paid in accordance with section 24-51-1009.

**SECTION 60.** 24-72-302 (4), Colorado Revised Statutes, as it will become effective July 1, 2007, is amended to read:

**24-72-302. Definitions.** As used in this part 3, unless the context otherwise requires:

(4) "Criminal justice records" means all books, papers, cards, photographs, tapes, recordings, or other documentary materials, regardless of form or characteristics, that are made, maintained, or kept by any criminal justice agency in the state for use in the exercise of functions required or authorized by law or administrative rule, including but not limited to the results of chemical biological substance testing to determine genetic markers conducted pursuant to sections 16-11-102.4, 16-11-104, 16-11-204.3, AND 16-11-308 (4.5), ~~17-2-201 (5) (h), and 17-22.5-202 (3) (b.5) (H) and (3.5);~~ C.R.S.

**SECTION 61.** 24-72-305 (1.5), Colorado Revised Statutes, as it will become effective July 1, 2007, is amended to read:

**24-72-305. Allowance or denial of inspection - grounds - procedure - appeal.** (1.5) On the ground that disclosure would be contrary to the public interest, the custodian of criminal justice records shall deny access to the results of chemical biological substance testing to determine the genetic markers conducted pursuant to sections 16-11-102.4, 16-11-104, 16-11-204.3, AND 16-11-308 (4.5), ~~17-2-201 (5) (h), and 17-22.5-202 (3) (b.5) (H) and (3.5);~~ C.R.S.

**SECTION 62.** 25-1-108 (5), Colorado Revised Statutes, is amended to read:

**25-1-108. Powers and duties of the state board of health - report.** (5) In consultation with the advisory committee for assisted living residences, the board shall report to the house and senate ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees, OR ANY SUCCESSOR COMMITTEES, and the joint budget committee on October 15, 2003, and every five years thereafter, concerning the cost of administering the assisted living residence program, statutory and regulatory mandates for which the department does not have adequate resources, and any additional moneys necessary to fund the program.

**SECTION 63.** The introductory portion to 25-1-108.5 (3) (a), Colorado Revised Statutes, is amended to read:

**25-1-108.5. Additional powers and duties of the state board of health and the department - programs that receive tobacco settlement moneys - monitoring - annual report.** (3) (a) On or before January 15, 2002, and on or before each January 15 thereafter, the department shall submit to the joint budget committee, the ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees of the senate and the house of representatives, OR ANY SUCCESSOR COMMITTEES, the attorney general, and the governor a report summarizing the information received by the department pursuant to subsection (2) of this section. In addition, the report shall include:

**SECTION 64.** 25-3-108 (1), Colorado Revised Statutes, is amended to read:

**25-3-108. Receivership.** (1) It is the purpose of this section to establish a receivership mechanism ~~which~~ THAT will be available as a remedy for such violations of applicable laws and regulations by a licensee of a long-term health care facility ~~which~~ THAT require facility closure by the department of public health and environment in order to safeguard against potential transfer trauma resulting from relocation of its residents as a result of closure of the facility. ~~For the purposes of this section, "long-term health care facility" has the meaning specified in section 25-3-603 (4).~~

**SECTION 65.** 25-3-601, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW INTRODUCTORY PORTION to read:

**25-3-601. Definitions.** AS USED IN THIS PART 6, UNLESS THE CONTEXT OTHERWISE REQUIRES:

**SECTION 66.** 25-3.5-704 (2) (h) (I) (E), Colorado Revised Statutes, is amended to read:

**25-3.5-704. Statewide emergency medical and trauma care system - development and implementation - duties of the department - rules adopted by board.** (2) The board shall adopt rules for the statewide emergency medical and trauma care system, including but not limited to the following:

(h) (I) **Continuing quality improvement system (CQI).** These rules require the department to oversee a continuing quality improvement system for the statewide emergency medical and trauma care system. The board shall specify the methods and periods for assessing the quality of regional emergency medical and trauma systems and the statewide emergency medical and trauma care system. These rules include, but are not limited to, the following requirements:

(E) That the department be allowed access to prehospital, hospital, and coroner records of emergency medical and trauma patients to assess the continuing quality improvement system for the area and state-based injury prevention and public information and education programs pursuant to paragraph (g) of this subsection (2). All information provided to the department shall be confidential pursuant to subparagraph (II) of this paragraph (h). To the greatest extent possible, patient-identifying information shall not be gathered. If patient-identifying information is necessary, the department shall keep such information strictly confidential, and such information may only be released outside of the department upon written authorization of the patient. The department shall prepare an annual report that includes an evaluation of the statewide emergency medical and trauma services system. Such report shall be distributed to all designated trauma centers, ambulance services, and service agencies and to the chairpersons of the ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES.

**SECTION 67.** 25-4-1413 (2), Colorado Revised Statutes, is amended to read:

**25-4-1413. Program.** (2) Grant applicants shall be nonprofit organizations that are governed by a board of directors, have the benefit of tax-exempt status pursuant section 501 (c) (3) of the federal "Internal Revenue Code OF 1986" or local health

departments.

**SECTION 68.** 25-15-404 (3), Colorado Revised Statutes, is amended to read:

**25-15-404. On-site disinfection.** (3) Upon request of the chairman of either the senate or house of representatives committees on health, environment, welfare, and institutions, OR ANY SUCCESSOR COMMITTEES, the department of public health and environment shall make a report to the senate and house of representatives committees on health, environment, welfare, and institutions, OR ANY SUCCESSOR COMMITTEES, on the current status, in view of scientific knowledge and technology, of the recommendations contained in the "EPA Guide for Infectious Waste Management", May 1986, and may make any additional recommendations it deems necessary.

**SECTION 69.** 25-27-110 (1), Colorado Revised Statutes, is amended to read:

**25-27-110. Advisory committee.** (1) There is hereby established an advisory committee to the department for the purposes of making recommendations to the department and reporting to the house and senate committees on ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES, OR ANY SUCCESSOR COMMITTEES, concerning the rules promulgated by the state board pursuant to this article, implementation of the licensing program, the impact of the program, and the effectiveness of enforcement. The advisory committee shall consist of not ~~less~~ FEWER than nine members to be appointed by the executive director of the department. The committee shall elect its own chairperson. Such members shall be representatives from assisted living residences, the Colorado commission on the aging, local health departments, local boards of health, and consumer and other agencies and organizations providing services to or concerned with residents of assisted living residences. Members of the advisory committee shall serve on a voluntary basis and shall serve without compensation.

**SECTION 70. Repeal.** 25.5-1-201 (1) (d), Colorado Revised Statutes, is repealed as follows:

**25.5-1-201. Programs to be administered by the department of health care policy and financing.** (1) Programs to be administered and functions to be performed by the department of health care policy and financing shall be as follows:

(d) ~~The health and medical care program for recipients of aid to the needy disabled, as specified in section 25.5-2-102;~~

**SECTION 71. Repeal.** 25.5-1-303 (1) (c), Colorado Revised Statutes, is repealed as follows:

**25.5-1-303. Powers and duties of the board - scope of authority - rules.** (1) The board shall have the authority set forth in subsection (3) of this section over the following programs administered by the state department:

(c) ~~The health and medical care program for recipients of aid to the needy disabled, as specified in section 25.5-2-102;~~

**SECTION 72. Repeal.** 25.5-2-102, Colorado Revised Statutes, is repealed as follows:

**25.5-2-102. Health and medical care program - aid to the needy disabled.**

(1) ~~The state department, in consultation with the department of human services, shall develop and administer a program to rank health and medical care needs and to provide health and medical care based on such ranking to persons who qualify to receive aid to the needy disabled and who are not receiving medical assistance. Such program, referred to in this section as the "health and medical care program" shall evaluate and rank the health and medical care needs of all persons who qualify for aid to the needy disabled on or after January 1, 2002, and shall be provided to qualifying persons only during the interim period after the person qualifies for the aid to the needy disabled program and until the determination is made as to whether the person qualifies for federal supplemental security income benefits.~~

~~(2) The state treasurer shall transfer moneys recovered pursuant to section 3 of article XXIV of the state constitution to the medically correctable program and to the health and medical care program if such transfer is authorized by the voters. The costs of the health and medical care program shall be funded annually from appropriations made by the general assembly from such transferred moneys and from any other sources. The health and medical care program shall commence January 1, 2002, and shall apply to persons who apply for aid to the needy disabled on and after said date and who meet eligibility requirements for medical care services as specified by the state board by rule.~~

**SECTION 73.** 25.5-3-112 (2) (b) (III), Colorado Revised Statutes, is amended to read:

**25.5-3-112. Health care services fund - creation - state plan amendment.**

(2) (b) (III) For fiscal year 2007-08 and each of the two fiscal years thereafter, the allocation of the moneys remaining after the appropriation pursuant to paragraph (a) of this subsection (2) shall be determined based on prior utilization as specified in rule by the ~~medical services board~~ STATE BOARD.

**SECTION 74.** 25.5-4-103 (19.5), Colorado Revised Statutes, is amended to read:

**25.5-4-103. Definitions.** As used in this article and articles 5 and 6 of this title, unless the context otherwise requires:

(19.5) "Psychiatric residential treatment facility" means a facility that is licensed as a residential child care facility, as defined in section 26-6-102 (8), C.R.S., that is not a hospital, and that provides inpatient psychiatric services for individuals who are less than twenty-one years of age under the direction of a physician licensed pursuant to article ~~26~~ 36 of title 12, C.R.S., and that meets any other requirement established in rule by the state board.

**SECTION 75.** 26-1-310, Colorado Revised Statutes, is amended to read:

**26-1-310. Reports to the general assembly.** On February 1, 2004, and each February 1 thereafter, the board of directors shall report to the joint budget committee and the ~~health, environment, welfare, and institutions~~ HEALTH AND

HUMAN SERVICES committees of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES, on the operations of the trust fund, the moneys expended, the number of individuals with traumatic brain injuries offered services, the research grants awarded and the progress on such grants, and the educational information provided pursuant to this article.

**SECTION 76.** 26-2-135 (3) (c), Colorado Revised Statutes, is amended to read:

**26-2-135. Medically correctable program - fund established - rules.** (3) The program shall consist of the following features:

(c) Annual reports to the joint budget committee and the house ~~committee on health, environment, welfare, and institutions~~ and the senate ~~committee on health, environment, welfare, and institutions~~ AND SENATE COMMITTEES ON HEALTH AND HUMAN SERVICES, OR ANY SUCCESSOR COMMITTEES, that identify the number of persons who received medical treatment pursuant to the program in the preceding fiscal year, their recovery rates and return to the workforce, and the amount of moneys spent on the program.

**SECTION 77.** 26-2-723 (1) and (4) (c), Colorado Revised Statutes, are amended to read:

**26-2-723. Evaluation - state department - repeal.** (1) The state department shall oversee the administration of an annual independent evaluation of the works program pursuant to this section. The evaluation shall track key outcomes statewide and within different regions in the state. The state department shall use the evaluation as a program improvement tool to assess the effectiveness and cost efficiency of different approaches by the counties to the works program and the program services provided. The state department, in conjunction with the advisory committee appointed pursuant to subsection (4) of this section, shall report annually to the ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES, regarding the progress and findings of the evaluation.

(4) (c) The executive director shall appoint the chair of the advisory committee after consultation with the chairpersons of the ~~health, environment, welfare, and institutions~~ committees ON HEALTH AND HUMAN SERVICES of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES. The chairpersons of the ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES, or the chairpersons' designees, shall be ex-officio members of the advisory committee.

**SECTION 78.** 26-6-116 (2), Colorado Revised Statutes, is amended to read:

**26-6-116. Child care resource and referral system - created.** (2) The state department shall report to the members of the ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees of the senate and the house of representatives of the general assembly, OR ANY SUCCESSOR COMMITTEES, concerning the child care resource and referral system by December 1, 2001, and by each December 1 thereafter. The report shall specify, at a minimum, the entity

that the state department has currently designated to administer the system and the qualifications of that entity to serve in such capacity, the types of services that are being provided pursuant to the system, the numbers and types of persons receiving such services, and the cost associated with the system.

**SECTION 79.** 26-6-406 (1), Colorado Revised Statutes, is amended to read:

**26-6-406. Report - repeal of part.** (1) The state department shall submit a report on the effectiveness of the dedicated family homes pilot program to the house and senate committees on ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES no later than December 31, 2007. The report shall include the state department's findings and recommendations, including whether the pilot program established in this part 4 should be terminated, extended, expanded, or made permanent. The state department may propose legislation to carry out the state department's recommendations.

**SECTION 80.** 27-10-105 (1)(a)(II)(D), Colorado Revised Statutes, is amended to read:

**27-10-105. Emergency procedure.** (1) (a) (II) The following persons may effect a seventy-two-hour hold as provided in subparagraph (I) of this paragraph (a):

(D) A licensed marriage and family therapist or licensed professional counselor, licensed under the provisions of part 5 or 6 of article 43 of title 12, C.R.S., or an addiction counselor licensed pursuant to section ~~24-34-102(14)(c)(IV)~~ 24-34-102 (14) (b) (IV), C.R.S., who by reason of postgraduate education and additional preparation has gained knowledge, judgment, and skill in psychiatric or clinical mental health therapy, forensic psychotherapy, or the evaluation of mental disorders; or

**SECTION 81.** 27-10.3-103 (1), Colorado Revised Statutes, is amended to read:

**27-10.3-103. Definitions.** As used in this article, unless the context otherwise requires:

(1) "Child at risk of out-of-home placement" means a child who has been diagnosed as having a mental illness, as defined in section ~~27-10-102(7)~~ 27-10-102 (8.5), and who requires the level of care provided in a residential child care facility pursuant to section 25.5-5-306, C.R.S., and who, although not otherwise categorically eligible for medicaid, is determined to be eligible for social security income and therefore medicaid-eligible because of the child's need for mental health services and for whom it is not appropriate or warranted to file an action in dependency or neglect pursuant to article 3 of title 19, C.R.S.

**SECTION 82.** 29-4-735 (2), Colorado Revised Statutes, is amended to read:

**29-4-735. Colorado strategic seed fund council - creation.** (2) At the request of the board, the Colorado strategic seed fund council shall provide advice to the authority from time to time as to the criteria to be used in making loans, and the council shall make recommendations to the board with respect to the board's determinations regarding such loans from the Colorado strategic seed fund to

operating seed funds. Said council shall receive reports from the authority regarding the operations and investments of the operating seed funds and shall make an annual report on the operating seed funds to the ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES.

**SECTION 83.** 29-13-102 (4), Colorado Revised Statutes, is amended to read:

**29-13-102. Authority for units of local government to pool insurance coverage.** (4) Each self-insurance pool for units of local government created in this state shall file, with the commissioner of insurance on or before March 30 of the next succeeding year, a written report, in a form prescribed by the commissioner, signed and verified by its chief executive officer as to its condition. Such report shall include a detailed statement of assets and liabilities, the amount and character of the business transacted, and the moneys reserved and expended during the year. All such reports shall be transmitted to the governor and the local government committee of the house of representatives and the ~~government, veteran and military relations, and transportation~~ STATE, VETERANS, AND MILITARY AFFAIRS committee of the senate, OR ANY SUCCESSOR COMMITTEES.

**SECTION 84.** 31-2-210 (3.5), Colorado Revised Statutes, is amended to read:

**31-2-210. Procedure to amend or repeal charter.** (3.5) If the subject matter of the petition is proposed for submission at a regular or special election that will be coordinated by the county clerk pursuant to section 1-7-116, C.R.S., and the municipal clerk has certified to the governing body that the petition is valid and sufficient, the clerk shall certify the proposed ballot question to the county clerk and recorder ~~by the fifty-fifth day~~ SIXTY DAYS prior to the coordinated election as provided in section 1-5-203 (3), C.R.S., unless the petition has by the ~~fifty-fifth~~ SIXTIETH day been determined to be insufficient pursuant to section 31-2-223. Should the petition be found to be insufficient pursuant to section 31-2-223 following certification to the county clerk and recorder, the election on such question shall be deemed cancelled, and any votes cast on the question shall not be counted.

**SECTION 85.** 31-15-302 (1) (i) (III), Colorado Revised Statutes, is amended to read:

**31-15-302. Financial powers - legislative declaration - sunset review - repeal.** (1) (i) (III) This paragraph (i) is repealed, effective July 1, 2008. PRIOR TO SUCH REPEAL, THE USE OF COMMUNITY CONTRACTED HEALTH CARE PROVIDERS SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 24-34-104 (39) (b) (XIV), C.R.S.

**SECTION 86.** 32-1-1003.5 (4), Colorado Revised Statutes, is amended to read:

**32-1-1003.5. Health assurance districts - additional powers - sunset review -repeal.** (4) This section is repealed, effective July 1, 2008. PRIOR TO SUCH REPEAL, THE USE OF COMMUNITY CONTRACTED HEALTH CARE PROVIDERS SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 24-34-104 (39) (b) (XIV), C.R.S.

**SECTION 87.** 33-1-115 (2) (c), Colorado Revised Statutes, is amended to read:

**33-1-115. Migratory birds - possession of raptors - reciprocal agreements.**

(2) (c) It is the intent of the general assembly for the commission to make the rules ~~and regulations~~ of this state conform to or be more stringent than the provisions of the "Migratory Bird Treaty Act", AS AMENDED, and the "Endangered Species Act OF 1973", AS AMENDED. These rules ~~and regulations~~ may include, but not be limited to, captive breeding and the use of domestic captive bred raptors and the purchase, sale, transportation, importation, exportation, or exchange of raptors with persons having like licenses.

**SECTION 88.** 33-60-107 (3), Colorado Revised Statutes, is amended to read:

**33-60-107. State board of the great outdoors Colorado trust fund.** (3) In addition to its other powers under article XXVII of the Colorado constitution and this article, the trust fund board shall have the power to issue bonds to finance any expenditure to address urgent and permanent land acquisition priorities, including the acquisition of perpetual conservation easements, that may be made from the trust fund and may pledge all or any portion of the moneys deposited or to be deposited into the trust fund for the payment of the bonds. The owners or holders of the bonds may not look to any other revenues of the state other than the trust fund for the payment of the bonds. The bonds shall be issued on the terms and subject to the conditions set forth in section 33-60-108. Notwithstanding any other provision of this article, the bonds may only be issued if the registered electors of the state approve the ballot question submitted at the November 2001 statewide election pursuant to section ~~33-60-113~~ 33-60-114. The amount of any debt incurred and the repayment costs for any bonds issued by the board shall not exceed the maximum amounts of debt and repayment costs approved by the voters in such election.

**SECTION 89.** 34-32-116.5 (3) (b), Colorado Revised Statutes, is amended to read:

**34-32-116.5. Environmental protection plan - designated mining operation - rules.** (3) (b) The plan and fees due pursuant to this subsection (3) shall be due by the date established by the board by rule. ~~except that no plan or fee shall be due before July 1, 1994.~~

**SECTION 90.** 35-1-106.7 (1), Colorado Revised Statutes, is amended to read:

**35-1-106.7. Conservation district grant fund - repeal.** (1) There is hereby created in the state treasury the conservation district grant fund. The fund shall consist of moneys transferred pursuant to section ~~39-29-109 (1) (a) (III)~~ 39-29-109 (1) (a) (IV), C.R.S. Moneys in the fund are specifically and continuously appropriated to the department. The department shall grant moneys in the fund to conservation districts for the purpose of implementing and maintaining soil and water conservation efforts. All moneys credited to the fund and all interest earned on the investment of moneys in the fund shall be a part of the fund and shall not be transferred or credited to the general fund or to any other fund.

**SECTION 91.** 35-29.5-102 (4), Colorado Revised Statutes, is amended to read:

**35-29.5-102. Definitions.** As used in this article, unless the context otherwise requires:

(4) "Wine" means any vinous liquor containing not more than twenty-one percent alcohol by volume and produced in all respects in conformity with the laws of the United States and the regulations of the bureau of alcohol, tobacco, and firearms of the United States department of the treasury OR ANY OF ITS SUCCESSOR AGENCIES.

**SECTION 92.** 36-1-115, Colorado Revised Statutes, is amended to read:

**36-1-115. Development of oil, gas, or geothermal resource areas.** The state board of land commissioners is authorized to join on behalf of the state in a cooperative or unit plan of development or operation for any oil, gas, or geothermal resource pool, field, or area, or for any part of any such pool, field, or area, with the United States government and its lessees or with others or with both such parties and, for that purpose, is authorized at or after the time of joining to modify and change any and all terms of the leases issued under the provisions of articles ~~1 to 8~~ 1 TO 7 of this title as mutually agreed by the lessor and lessee in any such lease, including the extension of the term of years otherwise applicable to any such lease for the full period of time such cooperative or unit plan may remain in effect, as required to conform with the terms of any such lease to such cooperative or unit plan and to facilitate the efficient and economic production of the oil, gas, or geothermal resource from the lands so affected. Any such cooperative or unit plan, including lands owned by the state, may, in the discretion of the state board of land commissioners, contain a provision whereby authority is vested in the secretary of the interior if lands of the United States are also included or in any such person, committee, or state or federal officer or agency as may be designated in the plan to alter or modify from time to time the rate of prospecting and development and the quantity and rate of production under such plan.

**SECTION 93.** 36-1-145 (2) (b), Colorado Revised Statutes, is amended to read:

**36-1-145. Land commissioners' receipts - appropriation.** (2) (b) The general assembly shall annually appropriate moneys from the state land board trust administration fund sufficient to pay for the salaries of employees of the state board of land commissioners and expenses and per diem allowances of commissioners and all other expenses incurred in administering the provisions of articles ~~1 to 8~~ 1 TO 7 of this title and sections 9 and 10 of article IX of the Colorado constitution. Each land grant administered by the state board of land commissioners shall be charged with the expense of its administration.

**SECTION 94.** 37-75-105 (2) (a), Colorado Revised Statutes, is amended to read:

**37-75-105. Interbasin compact committee - report.** (2) (a) Not later than July 1, 2006, the interbasin compact committee shall establish and refer to the general assembly an interbasin compact charter that shall govern and guide all negotiations between basin roundtables under this article. ~~If the committee does not so refer the charter by July 1, 2006, this article is repealed, effective July 1, 2006.~~ Upon receipt, consideration, and approval of the charter by the general assembly acting by bill, negotiations between basin roundtables may commence. Any compact or other agreement established using the procedures established in this article shall fully comply with the terms, requirements, and procedures established in the interbasin compact charter as approved pursuant to this subsection (2).

**SECTION 95.** 39-22-120 (5.5) (c), Colorado Revised Statutes, is amended to read:

**39-22-120. Legislative declaration - state sales tax refund - offset against state income tax.** (5.5) (c) The amount of any state sales tax refund made pursuant to this subsection (5.5) that is outstanding for more than six months after the date such refund was issued to the taxpayer by the department of revenue shall be added to and refunded with the state excess revenues pursuant to section ~~39-22-120.5~~ 24-77-103.8, C.R.S.

**SECTION 96.** 39-22-1704 (3) (e), Colorado Revised Statutes, is amended to read:

**39-22-1704. Administration of moneys in Colorado child care improvement fund - oversight committee.** (3) Members of the child care improvement oversight committee shall serve without compensation. The oversight committee shall meet as necessary to perform its functions as outlined in this subsection (3) and shall be provided necessary staff assistance from the Colorado office of resource & referral agencies, inc. The oversight committee shall be responsible for:

(e) Submitting a report to the ~~health, environment, welfare, and institutions~~ HEALTH AND HUMAN SERVICES committees of the house of representatives and the senate, OR ANY SUCCESSOR COMMITTEES, and the governor summarizing the annual voluntary contributions designated for the Colorado child care improvement fund, the annual expenditure of moneys from the fund by the Colorado office of resource & referral agencies, inc., including the awarding of grants, and the findings of the Colorado office of resource & referral agencies, inc., concerning the improvement of the quality of child care programs in the state since the establishment of the voluntary contribution designation. The report to the governor shall be made on a yearly basis until the repeal of this part 17.

**SECTION 97.** The introductory portion to 39-26-123 (3) (a), Colorado Revised Statutes, is amended to read:

**39-26-123. Receipts - disposition - transfers of general fund surplus - sales and use tax holding fund - creation - definitions.** (3) (a) For any state fiscal year commencing on or after July 1, 2006, eighty-five percent of all net revenue collected under the provisions of this article shall be credited to the old age pension fund created in section 1 of article XXIV of the state constitution. The remaining fifteen percent shall be allocated among the sales and use tax holding fund created in subsection (2) of this section, the general fund, the older Coloradans cash fund created in section 26-11-205.5 (5), C.R.S., and the supplemental old age pension health and medical care fund created in section ~~26-2-117(3)~~ 25.5-2-101 (3), C.R.S., and credited to the funds by the state treasurer as follows:

**SECTION 98.** 39-29-109 (1) (c) (III) (B), Colorado Revised Statutes, is amended to read:

**39-29-109. Severance tax trust fund - created - administration - use of moneys - definitions - repeal.** (1) (c) (III) (B) Notwithstanding any provision of sub-subparagraph (A) of this subparagraph (III) to the contrary, on July 1, 2005, the

state treasurer shall transfer one million five hundred eighty thousand dollars from the reserve to the water efficiency grant program cash fund created in section ~~37-60-126(13)~~ 37-60-126 (12), C.R.S., for use in funding grants in accordance with said section. The moneys transferred pursuant to this sub-subparagraph (B) shall be in addition to and shall not replace any moneys appropriated to the Colorado water conservation board pursuant to sub-subparagraph (D) of subparagraph (I) of this paragraph (c). This sub-subparagraph (B) is repealed, effective July 1, 2008.

**SECTION 99.** 39-33-106, Colorado Revised Statutes, is amended to read:

**39-33-106. Repeal of article.** This article is repealed, effective July 1, ~~2007~~ 2012.

**SECTION 100.** 43-1-603, Colorado Revised Statutes, is amended to read:

**43-1-603. Participation of political subdivisions.** Municipalities, counties, and special districts organized for transportation purposes shall have the authority to enter into contracts with and make grants to those private nonprofit entities which have been designated as recipients of funds pursuant to section 16 (b) (2) of the federal "Urban Mass Transportation Act of 1964", AS AMENDED, PUB.L. 88-365, CODIFIED AT 49 U.S.C. 1601 ET SEQ. Such contracts or grants may be for either operating or capital assistance.

**SECTION 101.** 43-1-1102 (1) and (4), Colorado Revised Statutes, are amended to read:

**43-1-1102. Definitions.** For the purposes of this part 11, unless the context otherwise requires:

(1) "Committee" means the transportation ~~planning~~ ADVISORY committee created by section 43-1-1104.

(4) "Metropolitan planning organization" means a metropolitan planning organization under the federal "Urban Mass Transportation Act of 1964", (~~Public Law 88-365, 49 U.S.C. 1601 et seq.~~); AS AMENDED, PUB.L. 88-365, CODIFIED AT 49 U.S.C. 1601 ET SEQ.

**SECTION 102.** 43-1-1105, Colorado Revised Statutes, is amended to read:

**43-1-1105. Metropolitan planning commissions.** The provisions of this part 4 11 shall not be construed to replace or interfere with the duties of metropolitan planning organizations.

**SECTION 103.** 43-1-1402 (6), Colorado Revised Statutes, is amended to read:

**43-1-1402. Definitions.** As used in this part 14:

(6) "Utility company" or "utility" shall have the same meaning as set forth in ~~23 CFR 645.105 (m)~~ 23 CFR 645.105.

**SECTION 104.** 43-2-145 (1.3) (b), Colorado Revised Statutes, is amended to

read:

**43-3-145. Transportation legislation review - committee.** (1.3) (b) Each agency shall share information and coordinate efforts with other agencies in the research, planning, and development of mass transit systems ~~including, without limitation, fixed guideway systems, as defined in section 32-16-103 (4), C.R.S.~~; to avoid the creation of duplicative or conflicting mass transit systems in the state. The committee may review the operations of any agency to ensure compliance with the provisions of this paragraph (b). In connection with the review of the committee, any agency required to share information and coordinate efforts in accordance with this paragraph (b) shall report to the committee no later than August 15, 2001, and each August 15 thereafter, regarding compliance with this paragraph (b).

**SECTION 105.** 43-3-202.5 (3) (a), Colorado Revised Statutes, is amended to read:

**43-3-202.5. Public-private initiatives - legislative declaration.** (3) (a) The department of transportation is authorized to solicit and consider proposals, enter into agreements, grant public benefits, and accept contributions for public-private initiatives pursuant to ~~part 12 of article 3~~ PART 12 OF ARTICLE 1 of this title concerning the purposes set forth in subsection (2) of this section.

**SECTION 106.** 43-4-402 (1), Colorado Revised Statutes, is amended to read:

**43-4-402. Source of revenues - allocation of moneys.** (1) The general assembly shall appropriate moneys annually to the fund in the general appropriation bill. In addition to any other penalty imposed pursuant to section 42-4-1301, C.R.S., every person who is convicted of, pleads guilty to, or receives a deferred sentence pursuant to section ~~16-7-403~~ 18-1.3-102, C.R.S., for a violation of any of the offenses specified in section 42-4-1301 (1) or (2), C.R.S., shall be required to pay seventy-five dollars, which shall be deposited into the fund, and fifteen dollars, which shall be deposited into the county treasury of the county in which the conviction occurred.

**SECTION 107.** 43-4-502 (2), Colorado Revised Statutes, is amended to read:

**43-4-502. Legislative declaration.** (2) It is further the intent of the general assembly that no provision of this part 5 shall affect the "Public School Finance Act of 1973", article 50 of title 22, C.R.S., the "Public School Finance Act of 1988", article 53 of title 22, C.R.S., THE "PUBLIC SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF TITLE 22, C.R.S., or any additional school financing mechanisms adopted by the general assembly.

**SECTION 108.** 43-10-113 (1), Colorado Revised Statutes, is amended to read:

**43-10-113. Safe operating areas around airports - establishment.** (1) The general assembly hereby declares commercial service airports, public airports, reliever airports, as defined in 49 U.S.C. sec. 47102, and the land areas surrounding such airports, as defined in 14 CFR part 77, to be a matter of state interest as provided in ~~articles 65 and~~ ARTICLE 65.1 of title 24, C.R.S.

**SECTION 109.** The introductory portion to 10-16-105 (13) (a) (I), Colorado Revised Statutes, is amended to read:

**10-16-105. Small group sickness and accident insurance - guaranteed issue - mandated provisions for basic health benefit plans - rules - benefit design advisory committee - repeal.** (13) (a) (I) On and after January 1, 2004, a small employer may be subject to premium adjustments for health status up to thirty-five percent above the modified community rate for a period no greater than twelve months if the small employer has, at any time during the past twelve ~~months sought~~ MONTHS, PURCHASED health benefit coverage as a small ~~employer, been~~ EMPLOYER THAT IS either self-funded or insured through a health benefit plan that is not a small group plan; except for health benefit plans sponsored by an employee leasing company, as defined in section 8-70-114 (2) (a) (I), C.R.S., pursuant to sub-subparagraphs (D) to (F) of this subparagraph (I). The provisions of this subparagraph (I) shall not apply to:

**SECTION 110. Effective date - applicability.** (1) Except as otherwise provided in subsection (2) of this section, this act shall take effect upon passage.

(2) (a) Section 20 of this act shall only take effect if House Bill 07-1009 is enacted at the First Regular Session of the Sixty-sixth General Assembly and becomes law, and said section 20 shall become effective on the same date as House Bill 07-1009.

(b) Section 24 of this act shall take effect July 1, 2007, only if Senate Bill 07-043 is enacted at the First Regular Session of the Sixty-sixth General Assembly and becomes law.

(c) Section 33 of this act shall only take effect if House Bill 07-1336 is not enacted at the First Regular Session of the Sixty-sixth General Assembly or does not become law.

(d) Sections 36 and 37 of this act shall take effect July 1, 2007.

(e) Section 39 of this act shall take effect July 1, 2007, only if House Bill 07-1343 is not enacted at the First Regular Session of the Sixty-sixth General Assembly or does not become law.

(f) Section 40 of this act shall only take effect if Senate Bill 07-033 is not enacted at the First Regular Session of the Sixty-sixth General Assembly or does not become law.

(g) Section 86 of this act shall only take effect if House Bill 07-1219 is not enacted at the First Regular Session of the Sixty-sixth General Assembly or does not become law.

(3) Section 4 of this act shall apply to periods of daylight saving time occurring on and after March 11, 2007.

**SECTION 111. 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: June 1, 2007

## APPENDIX

C.R.S. Section	Section in bill	Reason
1-5-603	1	In this section, changed "section 1-5-602" to "in this part 6" as a conforming amendment overlooked in HB04-1227, chapter 334, concerning voting machines.
1-45-108 IP (2) (a) (I)	2	Section 1-45-108 (2) (b) provided for the repeal of subsection (2.3), effective January 1, 2007. Due to the repeal of subsection (2.3), the reference to subsection (2.3) is being amended out of section 1-45-108 (2) (a) (I).
2-3-1401 (1)	3	Over the years, the committees of reference in the house and senate have had name changes. Many statutory cites reference old committee names and are being updated to reflect and include current or any successor committee names. (For the House and Senate committees of reference, see rules 25 and 21, respectively, of the Colorado Legislator's Handbook.)
2-4-109 (2)	4	Public Law 109-058, known as the "Energy Policy Act of 2005", changed the day of daylight saving time from the first Sunday of April to the second Sunday of March and from the last Sunday in October to the first Sunday of November. The Act specifies that it supercedes states' laws unless a state elects to opt out of daylight saving time entirely. The statutes have been updated to reflect federal law and language has been added to ensure that the statutes remain current in the event daylight saving time is changed in the future.
6-1-708 (1) (b)	5	Senate Bill 05-038, chapter 223, page 806, reorganized section 42-6-102. The definition of salvage vehicle in this section was moved from subsection (13) to subsection (17); however, the conforming amendment in section 6-1-708 (1) (b) was not made. To correct the oversight, the reference to section "42-6-102 (13)" is being changed to section "42-6-102 (17)" and "or" is being inserted after 42-2-102 (17), C.R.S., to correct a grammatical error.
6-1-904 (2)	6	Prior to the repeal and reenactment of section 6-1-702 by HB04-1125, chapter 130, page 406, telephone solicitors were required to comply

with the disclosure requirements of former section 6-1-702 (1) (a) (I). After the section was repealed and reenacted, the disclosure requirements were removed; therefore, section 6-1-904 (2) is being repealed as obsolete. For additional information concerning this section prior to 2004, see the editor's note following the source note to section 6-1-702 as it appears in the 2006 Colorado Revised Statutes.

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| 6-1-1103<br>(4) (b) (IV) (A) | 7  | A reference to the "Real Estate Settlement Procedures Act" is being changed to the "Real Estate Settlement Procedures Act of 1974, as amended," to correctly cite the act as specified in section 1 of Pub.L. 93-533 and include any successor amendments to the original act without changing the intent of the original legislation.  |
| 9-6-108                      | 8  | Public Law 107-296, known as the Homeland Security Act of 2002, divided the Bureau of Alcohol, Tobacco and Firearms into two new agencies, effective January 24, 2003. Due to the division of the bureau, certain references to the former bureau in the statutes have become out-of-date. In order to keep the statutes current, language has been added to address any successor name changes. In addition, to correct a typographical error originating in the Senate Business, Labor, and Finance Committee Report amending HB01-1397, chapter 221, page 760, section "55.11" is being changed to "555.11". |
| 10-4-637                     | 9  | To correct a typographical error originating in a House second reading floor amendment to HB04-1114, chapter 173, page 530, "6-1-701 (1) (c)" is being changed to "6-1-707 (1) (c)".  |
| 10-11-124<br>(1) (b) and (2) | 10 | See the explanation for section 7.  |
| 10-11-126 (1)                | 11 | See the explanation for section 7.  |
| 10-16-128                    | 12 | See the explanation for section 3.  |
| 11-30-117.5 (4)              | 13 | Corrects grammatical errors originating in the introduced version of HB04-1126, chapter 42, page 132, concerning the continued regulation of institutions by the division of financial services.  |
| 11-105-101 (5)               | 14 | To correct an error in SB00-227, chapter 254,   |

page 1122, a reference to the "Gramm-Leach-Bliley Financial Modernization Act" is being changed to the "Gramm-Leach-Bliley Act, as amended," to accurately cite the act as specified in Pub.L. 106-102 and include any successor amendments to the original act without changing the intent of the original legislation.

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| 11-105-602<br>(3) (b.5) (II) (B) | 15 | To correct an error in SB07-040, enacted in the first regular session of the sixty-sixth general assembly, a reference to the "Gramm-Leach-Bliley Financial Modernization Act" is being changed to the "Gramm-Leach-Bliley Act" to accurately cite the act as specified in Pub.L. 106-102.  |
| 12-6-123 (1)                     | 16 | To correct an oversight in the Transportation and Highways Committee amendment to HB71-1378, chapter 81, page 254, concerning the regulation of dealing in motor vehicles, paragraph (b) of subsection (1) is being relettered as "(b) (I)", paragraph (c) of subsection (1) is being relettered as "(b) (II)", and paragraph (d) of subsection (1) is being relettered as "(c)" to conform the subsection to standard C.R.S. format. As currently written, paragraph (c) does not follow the introductory portion to subsection (1). (See page 838 of the 1971 House Journal.) |
| 12-22-102 (24.5)                 | 17 | The House Health, Environment, Welfare, and Institutions Committee Report dated May 3, 1996, struck a section in SB96-089 concerning prospective drug reviews. A conforming amendment to 12-22-102 (24.5) defining "prospective drug review" was inadvertently missed; therefore, the definition of "prospective drug review" is being repealed.  |
| 12-38.1-206 IP (1)               | 18 | See the explanation for section 3.  |
| 12-47-901 (3) (c)                | 19 | See the explanation for section 8.  |
| 12-47.1-701<br>(4) (a) (IV) (A)  | 20 | Corrects an oversight in HB07-1009 in which the federal agency and bureau that report the statistical information used to calculate the percentage change in the consumer price index for the Denver metropolitan area were inaccurately cited; therefore, the "bureau of economic analysis" is being changed to the "bureau of labor statistics" and the "United   |

States department of commerce" is being changed to the "United States department of labor", and inserts "or its successor index" to include any successor consumer price index.

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| 12-61-113.2 (2) (b)<br>and (5)      | 21 | See the explanation for section 7.   |
| 12-61-602 (3), (4), (5),<br>and (6) | 22 | Standard drafting practice requires terms in definition sections to be alphabetized by letter. To conform to the standard C.R.S. drafting format requirement, certain terms have been realphabetized resulting in new subsection designations. Due to the nature of the amending clause, changes to the language cannot be seen, thus warranting the following explanation: The language of the definitions remains unchanged with the exception of a conforming amendment in paragraph (b) of the new subsection (6), which changes "of this subsection (3)" to "of this subsection (6)" and, in subsection (4), changes "which" to "that". |
| 13-6-407 (3)                        | 23 | The federal "Soldiers' and Sailors' Civil Relief Act of 1940" was amended and renamed the federal "Servicemembers Civil Relief Act" in 2003. Because the reference is specific to section 521 of the federal "Soldiers' and Sailors' Civil Relief Act of 1940" and not to the federal act in its entirety, "as amended" is being inserted after "Soldiers' and Sailors' Civil Relief Act of 1940", to reflect any amendments to the original act without changing the intent of the original legislation.  |
| 13-21-108.2<br>(1) and (2) (b)      | 24 | In SB07-043, changed "under title 25" to "under part 2 of article 3.5 of title 25" to narrow a broad reference made in a Senate second reading floor amendment in referencing certification for emergency medical technicians and changed "assistance, provided however that" to "assistance; except that," to conform to C.R.S. format.   |
| 13-21-110 (2)                       | 25 | Adds "as amended" following the reference to the federal "Social Security Act" to reflect any amendments to the original act without changing the intent of the original legislation.  |
| 13-21-115.5 (4) (a) (I)             | 26 | Changes "Volunteer Protection Act" to ""Volunteer Protection Act of 1997", as from time to time may be amended, Pub.L. 105-19,   |

codified at"" to correct an error made in HB06-1076, chapter 143, concerning immunity from civil liability under the "Volunteer Service Act".

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| 13-54-102 (1) (s)                        | 27 | Adds "as amended" following the reference to the federal "Employee Retirement Income Security Act of 1974" to include any successor amendments to the original act without changing the intent of the original legislation.   |
| 13-71-137                                | 28 | Changes "13-90-202 (10)" to "13-90-202 (8)" to correct an error made in the Senate Judiciary Committee Report for SB06-061 in which the definition for "qualified interpreter" was renumbered as 13-90-202 (8) but for which a conforming amendment was overlooked for this section. (See pages 224 and 225 of the 2006 Senate Journal.)  |
| 13-90-204 (1) (f),<br>(1) (g), and (1.5) | 29 | A grammatical error is being corrected in subsection (1) (f) by inserting "who" before "is questioned" to conform the series with the language added to the section by the House Judiciary Committee Report amending SB06-061, chapter 238, page 1088. (To view the House Judiciary Committee Report, see page 1460 of the 2006 House Journal.) In addition, the Senate Judiciary Committee Report amending SB06-061 added a paragraph (g) that does not follow the introductory portion to subsection (1); therefore, paragraph (g) is being deleted and the language in former paragraph (g) is being relocated to a new subsection (1.5). (To view the Senate Judiciary Committee Report, see page 224 of the 2006 Senate Journal.) In conclusion, an internal reference to the federal "Americans with Disabilities Act of 1990" was incorrectly cited as the "Americans with Disabilities Act". The reference is being corrected and the cite to the federal public law creating the "Americans with Disabilities Act of 1990" has been added and includes any successor amendments. |
| 15-14-412.5 (2), (3),<br>and (4)         | 30 | Provisions pertaining to medical assistance for nursing home care were relocated from title 26 to title 25.5 by SB06-219, chapter 355, page 2002; however, certain internal references were not changed to reflect the new location of the provisions. To update the statutes, the internal   |

references are being corrected.

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| 15-15-407 (4)                  | 31 | House Bill 06-1137, chapter 114, page 373, concerning amendments to the Colorado probate code, repealed section 15-15-409 and replaced it with section 15-15-103; however, a conforming amendment was overlooked. To correct the oversight, the internal reference to section "15-15-409" is being changed to section "15-15-103".  |
| 15-15-410 (2)                  | 32 | See the explanation for section 31.   |
| 16-11.9-105                    | 33 | See the explanation for section 3.  |
| 17-22.5-202<br>(3) (b.5) (III) | 34 | Senate Bill 06-150, chapter 339, page 1689, concerning DNA testing of all felons, repeals section 17-22.5-202 (3) (b.5) (II) and creates section 16-11-102.4, effective July 1, 2007. Since section 16-11-102.4 contains similar language to section 17-22.5-202 (3) (b.5) (II), the reference to section 17-22.5-202 (3) (b.5) (II) is being replaced with section 16-11-102.4, effective July 1, 2007.  |
| 19-1-108 (3) (a.5)             | 35 | A Senate third reading floor amendment to HB06-1071, chapter 131, page 452, concerning juvenile court proceedings, amended section 19-1-108 by repealing subsection (5) and replacing it with a new subsection (5.5), effective July 1, 2007. The same floor amendment added a new paragraph (a.5) in subsection (3) of section 19-1-108, which also takes effect on July 1, 2007. Due to an oversight, paragraph (a.5) contains an internal reference to subsection (5) rather than the newly created subsection (5.5). To correct the oversight, the internal reference to subsection (5) is being changed to subsection (5.5). (To view the amendment, see page 669 of the 2006 Senate Journal.) |
| 19-1-108 (4) (c)               | 36 | See the explanation for section 35.   |
| 19-2-705 (2)                   | 37 | See the explanation for section 35.   |
| 19-2-907 (5) (a)               | 38 | See the explanation for section 3.  |
| 19-2-925.6 (2)                 | 39 | The term "convicted" does not appear in section 19-2-925.6, added by the Senate Judiciary Committee Report amending SB06-150; therefore, subsection (2), which contains the definition, is being repealed. (To  |

view the committee report, see pages 306-310 of the 2006 Senate Journal.)

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| 19-3-701 (6)                    | 40 | See the explanation for section 3. For grammatical purposes, changed "which" to "that".  |
| 19-3.5-105 (1) (i)              | 41 | See the explanation for section 3.   |
| 19-3.5-109 (1)                  | 42 | See the explanation for section 3.   |
| 22-7-603.5 (4)                  | 43 | Senate Bill 06-024, chapter 174, page 715, added language in section 22-7-603.5 (4) referencing the Colorado preschool program created in section 22-28-104. House Bill 06-1375, chapter 171, page 684, changed the name of the Colorado preschool program to the Colorado preschool and kindergarten program. To conform with the name change, "Colorado preschool program" is being changed to the "Colorado preschool and kindergarten program".                |
| 22-32-124 (2) (a) (IV)          | 44 | During the enrolling of HB06-1158, chapter 296, page 1355, language added by the Senate Appropriations Committee was inadvertently dropped from the bill. Since the Appropriations Committee intended that the language be in the bill and the Senate Committee of the Whole approved the report prepared by the Appropriations Committee, it is being reinserted. (To view the Senate Appropriations Committee Report, see page 1292 of the 2006 Senate Journal.) |
| 24-1-119.5 (3)                  | 45 | Section 25-28-111 provided for the repeal of article 28 of title 25 concerning the Colorado health data commission, effective July 1, 1995. For this reason, section 24-1-119.5 (3) is being repealed.   |
| 24-1-135 (2)                    | 46 | Corrects grammatical errors in SB92-216, chapter 153, page 1060, concerning the effect of congressional redistricting on the terms of office of persons appointed or elected to boards and commissions as residents of designated congressional districts.   |
| 24-1-136 (11) (b)               | 47 | See the explanation for section 3.   |
| 24-4-104 (3) (b)<br>and (4) (b) | 48 | Due to the repeal of article 12 of title 40 by HB78-1014, chapter 119, page 521, two references to article 12 of title 40 are being  |

deleted as obsolete.

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| 24-30-1104 (2) (t)                  | 49 | In 1994, Pub.L. 103-272, revised, codified, and enacted without substantive change certain general and permanent laws relating to transportation as subtitles II, III, and V-X of title 49 of the United States Code. Included within these changes was the relocation of certain provisions in title 15 governing fuel efficiency standards. Due to an oversight in the drafting of SB06-015, chapter 235, page 1072, a provision was added that contained an outdated reference to 15 U.S.C. sec. 2001 et seq. To correct the oversight and retain the historical significance of the outdated reference, the phrase "recodified as 49 U.S.C. sec. 32901 et seq." is being inserted after "15 U.S.C. sec. 2001 et seq." and the name of the federal act is being corrected. |
| 24-30-1503.5 (2)                    | 50 | See the explanation for section 3.  |
| 24-33-111<br>(3) (b) (II) (D)       | 51 | To correct an oversight in the House Agriculture, Livestock, and Natural Resources Committee Report amending HB98-1006, chapter 259, page 1000, concerning the establishment of a fund to promote the conservation of native species, the reference to "this sub-subparagraph (B)" is being changed to "this sub-subparagraph (D)". The committee report reorganized the section by moving the contents of sub-subparagraph (B), as it existed in the introduced version of the bill, to sub-subparagraph (D); however, the conforming amendment was not made. (To view the committee report, see page 281 of the 1998 House Journal.)  |
| 24-33.5-415.6 (1)                   | 52 | Deletes a reference to sections 19-2-924.5 and 19-2-925.5 because they are being repealed, effective July 1, 2007, by SB06-150, chapter 339, page 1690, concerning DNA testing of all felons.   |
| 24-33.5-424 (1) (d)<br>and (1) (e)  | 53 | See the explanation for section 8.  |
| 24-33.5-1703 (1) (a)<br>and (3) (a) | 54 | A second reading floor amendment amending HB06-1347, chapter 283, page 1291, concerning creation of the "Identity Theft and Financial Fraud Deterrence Act", changed all but one of the references in part 17 of article  |

33.5 of title 24 from "task force" to "unit". The "unit" referenced in part 17 was further defined in section 24-33.5-1704 (1) as the "Colorado Fraud Investigators Unit". For consistency within the statutes and to implement the intent of the general assembly, the remaining reference to task force is being changed to the Colorado fraud investigators unit. The floor amendment also increased the number of representatives from the depository institutions from two to three to sit on the financial fraud board; however, the conforming amendment was not made in section 24-33.5-1703 (3) (a) to reflect the change. To correct the oversight, "two representatives of the depository institutions" is being changed to "three representatives of the depository institutions". (See page 1053 of the 2006 House Journal to view the amendment.)

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| 24-34-102 (14)                  | 55 | To correct an oversight in the introduced version of SB01-022, chapter 144, page 442, concerning the licensure of addiction counselors, this section and internal references within this section are being changed to conform to the standard C.R.S. numbering system used in the statutes. In addition, changes "article 11 of title 16" to "article 1.3 of title 18" as a conforming amendment to HB02-1046, chapter 318, page 1365, concerning the relocation of certain existing criminal sentencing statutes to a new article in title 18. Finally, inserts "part 1 of" before article to more accurately reflect the location of the division of adult services in article 2 of title 17. |
| 24-35-210 (6)                   | 56 | In HB88-1274, chapter 178, page 944, section 24-35-210 (4) (h) provided for the repeal of subsection (4), effective September 1, 1998; therefore, the reference to section 24-35-210 (4) is being deleted as obsolete.  |
| 24-46-105.8 (1) (b) and (4) (a) | 57 | House Bill 06-1362, chapter 336, page 1675, added a provision that gives performance-based incentives for the motion picture industry to work in Colorado. Within this section the term production activities is defined. The legislative intent was to mirror the definition of production activities as it is defined in section 24-48.5-107 (1) (c). For this reason,  |

"photo-shooting" is being changed to "postshooting". In addition, an internal reference to section "12-47.1-701 (4) (a) (III)" is being changed to section "12-47.1-701 (4) (a) (IV)" because of the harmonization of HB06-1201 and HB06-1360 and the redesignation of "(III)" to "(IV)" by the revisor.

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| 24-49.7-106 (5) (c)           | 58 | See the last sentence in the explanation for section 57.  |
| 24-51-1002 (4)                | 59 | The internal reference to paragraph (a.5) of subsection (1) is being changed to subsection (3) as a conforming amendment to HB06-1391, chapter 308, page 1502, which repealed paragraph (a.5) of subsection (1) and relocated the contents of that paragraph to subsection (3) of that section.   |
| 24-72-302 (4)                 | 60 | Deletes 17-2-201 (5) (h), 17-22.5-202 (3) (b.5) (II), and 17-22.5-202 (3.5) because they are being repealed, effective July 1, 2007, by SB06-150, chapter 339, page 1689, concerning DNA testing of all felons.   |
| 24-72-305 (1.5)               | 61 | See the explanation for section 60.   |
| 25-1-108 (5)                  | 62 | See the explanation for section 3.  |
| 25-1-108.5 IP (3) (a)         | 63 | See the explanation for section 3.  |
| 25-3-108 (1)                  | 64 | To correct an error made in SB79-461, chapter 262, page 1003, by the Senate Health, Environment, Welfare, and Institutions Committee amendment, deleted the last sentence referencing long-term health care facility and section 25-3-603 (4) because the committee struck the entire part 6 as it appeared in the introduced version of the bill. (See the 1979 Senate Journal, March 27, page 859.) |
| 25-3-601 IP                   | 65 | Amends the section to explain that the definitions are specific to part 6 of article 3 of title 25 to correct an oversight in the preparation of HB06-1045, chapter 316, page 1569, concerning public reporting of hospital-acquired infections.  |
| 25-3.5-704<br>(2) (h) (I) (E) | 66 | See the explanation for section 3.  |
| 25-4-1413 (2)                 | 67 | Corrects an oversight in the introduced version   |

of HB06-1054, chapter 351, page 1755, concerning AIDS prevention, by changing an internal reference from the federal "Internal Revenue Code" to the federal "Internal Revenue Code of 1986" to properly cite the federal act.

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| 25-15-404 (3)            | 68 | See the explanation for section 3.   |
| 25-27-110 (1)            | 69 | See the explanation for section 3. For grammatical purposes, changed "less" to "fewer".  |
| 25.5-1-201 (1) (d)       | 70 | Senate Bill 99-067, chapter 698, page 700, created the health and medical care program that is currently located in section 25.5-2-102. The program was created in part to implement the provisions of SCR99-002 if the resolution was adopted by the electors at the 2000 general election. The resolution did not pass out of the House Appropriations Committee and, thus, could not be voted on in the 2000 general election. Funding for the program was contingent on the passage of the resolution. Since the resolution was never adopted, funding for the program could not be obtained, and, as a result, the program has not been implemented. For these reasons, section 25.5-2-102 is being repealed as obsolete. |
| 25.5-1-303 (1) (c)       | 71 | See the explanation for section 70.  |
| 25.5-2-102               | 72 | See the explanation for section 70.  |
| 25.5-3-112 (2) (b) (III) | 73 | Because the medical services board is defined as the state board in section 25.5-1-103 (7) for purposes of the entire title 25.5, "medical services board" is being changed to "state board" to correct an oversight in SB06-044, chapter 323, page 1606.  |
| 25.5-4-103 (19.5)        | 74 | In HB06-1395, chapter 263, page 1202, concerning residential child health care, the definition of a psychiatric residential treatment facility contains an incorrect reference to the article regulating the licensure of physicians. The reference was inadvertently entered as article 26 of title 12 rather than article 36 of title 12. To correct the oversight, "article 26" is being changed to "article 36".   |
| 26-1-310                 | 75 | See the explanation for section 3.   |

26-2-135 (3) (c)	76	See the explanation for section 3.
26-2-723 (1) and (4) (c)	77	See the explanation for section 3.
26-6-116 (2)	78	See the explanation for section 3.
26-6-406 (1)	79	See the explanation for section 3.
27-10-105 (1) (a) (II) (D)	80	See the first sentence of the explanation for section 55.
27-10.3-102 (1)	81	As a conforming amendment to HB06-1277, chapter 298, page 1372, an internal reference to a person with a mental illness is being changed from "27-10-102 (7)" to "27-10-102 (8.5)". House Bill 06-1277 deleted subsection (7), which formerly defined a mentally ill person, and created subsection (8.5), which defines a person with a mental illness.
29-4-735 (2)	82	See the explanation for section 3.
29-13-102 (4)	83	See the explanation for section 3.
31-2-210 (3.5)	84	Senate Bill 05-198, chapter 309, page 1402, concerning the conduct of elections, extended the period of time from fifty-five days to sixty days that a designated election official has to certify the order of the ballot and the ballot content. Due to an oversight in the conference committee report, the conforming amendment changing "fifty-five days" to "sixty days" was not made in section 31-2-210 (3.5). To correct the oversight, the conforming amendment is being made.
31-15-302 (1) (i) (III)	85	In section 24-34-104, there is a schedule for the sunset review of state agencies, boards, and functions. That schedule provides for a review by the department of regulatory agencies and the general assembly based on an automatic termination date stated in statute. The date set for review in 24-34-104 of the use of community contracted health care providers is July 1, 2008. Notification that this provision is subject to a sunset review is being added in this section to follow the rules of standard drafting practice.
32-1-1003.5 (4)	86	See the explanation for section 85.
33-1-115 (2) (c)	87	A reference to the "Endangered Species Act" is being changed to the "Endangered Species Act of 1973" to correctly cite the act as specified in

Pub.L. 93-205. In addition, 24-4-102 (15) of the "State Administrative Procedure Act" provides that rule includes regulation; therefore, it is unnecessary to authorize an agency to promulgate rules and regulations. In addition, adds "as amended" following the reference to the federal "Migratory Bird Treaty Act" and the federal "Endangered Species Act of 1973" to reflect any amendments to the original acts without changing the intent of the original legislation.

- 33-60-107 (3) 88 House Bill 01-1375, chapter 254, page 905, contains a provision that incorrectly cites section 33-60-113 as the section instructing the secretary of state to submit a ballot question to the voters in the November 2001 election to increase the Great Outdoors Colorado trust fund debt. To correct the citation, the reference to section 33-60-113 is being changed to section 33-60-114.
- 34-32-116.5 (3) (b) 89 Subsection (3) (b) instructs the mined land reclamation board to promulgate rules to require a holder of an existing permit for a designated mining operation to submit a proposed environmental plan for approval by the office of mined land reclamation or the mined land reclamation board. Subsection (3) (b) states that permit holders shall not be required to submit their plan or fees before July 1, 1994. Since the assigned date has elapsed, the language providing that no plan or fee shall be due before July 1, 1994, is being deleted as obsolete.
- 35-1-106.7 (1) 90 House Bill 06-1393, chapter 331, page 1648, and SB06-179, chapter 267, page 1227, enacted section 39-29-109 (1) (a) (III). To give effect to both bills, 39-29-109 (1) (a) (III), as enacted by HB06-1393, was renumbered on revision as section 39-29-109 (1) (a) (IV); however, due to an oversight, the conforming change was not made in section 35-1-106.7 (1).
- 35-29.5-102 (4) 91 See the explanation for section 8.
- 36-1-115 92 Changes an internal reference from "articles 1 to 8" of title 36 to "articles 1 to 7" of title 36 as a conforming amendment to HB95-1020, chapter 71, page 200, which repealed article 8 of title 36.

36-1-145 (2) (b)	93	See the explanation for section 92.
37-75-105 (2) (a)	94	Language providing for the repeal of article 75 of title 37 is being deleted as obsolete. The repeal was contingent upon the interbasin compact committee not referring the interbasin compact charter to the general assembly for consideration by July 1, 2006. The charter was referred to the general assembly on April 6, 2006, and received approval. For confirmation of the submission date and the general assembly's approval of the charter, see subsection (2) (b), which was enacted by HB06-1400, chapter 279, page 1282, concerning interbasin compacts.
39-22-120 (5.5) (c)	95	Because section 39-22-120.5 was repealed and then relocated to section 24-77-103.8 by HB05-1310, chapter 33, page 133, the reference to "39-22-120.5" is being changed to "24-77-103.8" as a conforming amendment.
39-22-1704 (3) (e)	96	See the explanation for section 3.
39-26-123 IP (3) (a)	97	Because section 26-2-117 (3) was repealed by SB06-219, chapter 355, page 1800, and then relocated to section 25.5-2-101 (3), the reference to "26-2-117 (3)" is being changed to "25.5-2-101 (3)" as a conforming amendment.
39-29-109 (1) (c) (III) (B)	98	Section 37-60-126 (12) was originally enacted as 37-60-126 (13) in HB05-1254, but has been renumbered on revision. Due to an oversight, the conforming amendment was not made in section 39-29-109 (1) (c) (III) (B); therefore, the reference to 37-60-126 (13) is being changed to 37-60-126 (12).
39-33-106	99	The future repeal date of article 33 of title 39 is being extended to July 1, 2012, to comply with the legislative intent of HB00-1067, chapter 301, page 1447, concerning the promotion of alternative use fuel for transportation purposes. House Bill 00-1067 extended the date the executive director of the department of revenue is authorized to grant rebates to entities using alternative fuels to July 1, 2012; however, the conforming amendment in section 39-33-106 to extend the repeal date of the article was overlooked.
43-1-603	100	Because the federal "Urban Mass

Transportation Act of 1964" has been amended many times, language is being inserted after the cite to the federal act to keep the statutes current without changing the intent of the original legislation enacting the section.

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| 43-1-1102 (1) and (4) | 101 | Section 43-1-1102 (1), enacted by HB91-1198, chapter 188, page 1042, is being amended because it inaccurately cites the committee created in section 43-1-1104 as the transportation planning committee. For the rationale for the amendment to section 43-1-1102 (4), see the explanation for section 100.  |
| 43-1-1105             | 102 | Corrects an error made in the introduced version of HB91-1198, chapter 188, page 1045, in which a reference to "this part 4" should have been to "this part 11".   |
| 43-1-1402 (6)         | 103 | 65 FR 70307 (November 22, 2000) amended 23 CFR 645.105 (1985) by removing the paragraph designations from all definitions, and all definitions were placed in alphabetical order to conform subpart A to the existing format in subpart B of the regulation. Due to the reorganization of the regulation, the paragraph designation is being removed to conform with the changes brought forth by 65 FR 70307 (November 22, 2000). |
| 43-2-145 (1.3) (b)    | 104 | Article 16 of title 32 was repealed on July 1, 2004, by section 32-16-109 of HB98-1335, chapter 242, page 913; therefore, the reference to fixed guideway systems in section 32-16-103 is being amended out of the section.  |
| 43-3-202.5 (3) (a)    | 105 | Corrects an error made in the introduced version of HB96-1144, chapter 114, page 462, in which reference to the public-private initiatives pursuant to part 12 of article 1 of this title was erroneously referenced as part 12 of article 3 of this title.  |
| 43-4-402 (1)          | 106 | Changes section "16-7-403, C.R.S." to section "18-1.3-102, C.R.S." as a conforming amendment to HB02-1046, chapter 318, page 1366, concerning the relocation of certain existing criminal sentencing statutes to a new article in title 18.  |
| 43-4-502 (2)          | 107 | Since the "Public School Finance Act of 1988"  |

was repealed, effective August 6, 1997, by HB97-1219, chapter 129, page 463, and the "Public School Finance Act of 1994", enacted by HB94-1001, chapter 154, page 779, is the school finance law applicable to the 1994 budget year and thereafter, inserts, for historical purposes, a reference to the "Public School Finance Act of 1994" to a provision that excludes public school finance from the "Public Highway Authority Law".

- 43-10-113 (1) 108 Removes the reference to article 65 of title 24 because HB05-1063, chapter 192, page 667, repealed the statutory provisions establishing the Colorado land use commission.
- 10-16-105 IP (13) (a) (I) 109 Corrects an error in the preparation of the Colorado Revised Statutes by changing "months sought" to "months, purchased" and "employer, been" to "employer that is" to reflect the changes made to subsection (13) by a Senate third reading amendment to HB03-1294, chapter 425, page 2691, concerning health insurance for employers with fewer than fifty-one employees. (See page 1205 of the 2003 Senate Journal.)