

## CHAPTER 305

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**HEALTH CARE**

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**HOUSE BILL 08-1203**

BY REPRESENTATIVE(S) Carroll M., Benefield, Green, Kerr A., McGihon, Borodkin, Ferrandino, Fischer, Gagliardi, Levy, Madden, Merrifield, Pommer, Todd, Labuda, and Peniston;  
also SENATOR(S) Boyd.

**AN ACT**

**CONCERNING THE DEFINITION OF THE TERM "MATERIAL CHANGE" FOR PURPOSES OF THE LAWS REGULATING TRANSACTIONS INVOLVING LICENSED HOSPITALS.**

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

**SECTION 1.** 6-19-101, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**6-19-101. Legislative declaration.** (4) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT THE ADDITION OF THE FACTORS TO BE CONSIDERED IN RELATION TO THE TERM "MATERIAL CHANGE" IN SECTION 6-19-203 (1) IS INTENDED TO CLARIFY THE PROVISIONS OF THIS ARTICLE.

**SECTION 2.** 6-19-203 (1), Colorado Revised Statutes, is amended to read:

**6-19-203. Attorney general review and assessment.** (1) A covered transaction under this part 2 that will not result in a material change in the charitable purposes to which the assets of the hospital have been dedicated, and will not result in a termination of the attorney general's jurisdiction over those assets caused by a transfer of a material amount of those assets outside of the state of Colorado, shall proceed without further review. IN CONSIDERING WHETHER A MATERIAL CHANGE RESULTS FROM THE TRANSACTION, THE ATTORNEY GENERAL SHALL CONSIDER, AMONG OTHER FACTORS, REDUCTIONS IN THE AVAILABILITY AND ACCESSIBILITY OF HEALTH CARE SERVICES IN THE COMMUNITIES SERVED BY THE HOSPITAL.

**SECTION 3. Effective date - applicability.** (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum

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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.*

petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to covered transactions under article 19 of title 6, Colorado Revised Statutes, on or after the applicable effective date of this act, for which initial notice was given to the attorney general on or after January 1, 2008.

Approved: May 27, 2008