

CHAPTER 316

STATUTES

HOUSE BILL 13-1300

BY REPRESENTATIVE(S) Gardner, Labuda, Levy, Murray, Waller, Fields, Fischer, Pabon, Schafer, Gerou, Kagan;
also SENATOR(S) Morse, Brophy, Carroll, Roberts, Schwartz, Cadman, Newell, Steadman.

AN ACT

CONCERNING NONSUBSTANTIVE REVISIONS 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. In Colorado Revised Statutes, 1-2-213, **amend** (2) (e) as follows:

1-2-213. Registration at driver's license examination facilities. (2) (e) The department of revenue, through its local driver's license examination facilities, shall notify a program participant, as defined in section ~~24-30-2103 (8)~~ 24-30-2103 (9), C.R.S., who submits a current and valid address confidentiality program authorization card, of the provisions of section 24-30-2108 (4), C.R.S., and inform the participant about how he or she may use a substitute address, as defined in section ~~24-30-2103 (13)~~ 24-30-2103 (14), C.R.S., on the driver's license or identification card.

SECTION 2. In Colorado Revised Statutes, 2-3-1203, **amend** (3) (dd) (III) and (3) (dd) (IV); and **repeal** (3) (y) (II) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(y) July 1, 2012:

(II) ~~The Colorado commission for individuals who are blind or visually impaired, created in article 8.7 of title 26, C.R.S.;~~

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

(dd) July 1, 2017:

(III) Each of the local advisory boards for state ~~and~~ veterans nursing homes, created in section 26-12-121, C.R.S.;

(IV) The board of commissioners of state ~~and~~ veterans nursing homes, created in section 26-12-402, C.R.S.;

SECTION 3. In Colorado Revised Statutes, 2-3-1502, **amend** (2) and (6) as follows:

2-3-1502. Definitions. As used in this part 15, unless the context otherwise requires:

(2) "Council" means the governor's disaster emergency council created in section ~~24-32-2104 (3)~~ 24-33.5-704 (3), C.R.S.

(6) "GEEERC" means the governor's expert emergency epidemic response committee created in section ~~24-32-2104 (8)~~ 24-33.5-704 (8), C.R.S.

SECTION 4. In Colorado Revised Statutes, 2-3-1503, **amend** (2) as follows:

2-3-1503. Legislative emergency preparedness, response, and recovery committee - creation - membership - duties. (2) In the event of an emergency epidemic or disaster that the governor declares to be a disaster emergency pursuant to section ~~24-32-2104~~ 24-33.5-704, C.R.S., the legislative committee shall convene as rapidly and as often as necessary to advise the speaker of the house of representatives, the president of the senate, and the legislative service agencies regarding reasonable and appropriate measures to be taken by the general assembly and the legislative service agencies to respond to the emergency epidemic or disaster and protect the public health, safety, and welfare. The legislative committee shall communicate, cooperate, and seek advice and assistance from the council, the division, the department, and the GEEERC in responding to the emergency epidemic or disaster.

SECTION 5. In Colorado Revised Statutes, 3-1-132, **repeal** (4) (c) as follows:

3-1-132. Air corps technical school - Denver. (4) (c) ~~Subsections (1), (2), and (3) of this section are repealed on May 1, 1994.~~

SECTION 6. In Colorado Revised Statutes, 4-9.7-106, **amend** (d), (e) (1) (B), and (e) (1) (C) as follows:

4-9.7-106. Duties of filing officer. (d) The secretary of state may remove a notice of lien from the records of the secretary of state one year after the notice expires in accordance with section ~~4-9.7-104 (d)~~ 4-9.7-104 (c).

(e) The secretary of state shall communicate or otherwise make available in a record the following information to any person that requests the information:

(1) Whether there is on file on a date and time specified by the secretary of state any notice of lien or notice of amendment that:

(B) Has not expired under section ~~4-9.7-104 (d)~~ 4-9.7-104 (c); and

(C) If the request so states, has expired under section ~~4-9.7-104 (d)~~ 4-9.7-104 (c) and a record of which is maintained by the secretary of state under subsection (d) of this section;

SECTION 7. In Colorado Revised Statutes, 6-16-104, **amend** (6) (a) as follows:

6-16-104. Charitable organizations - initial registration - annual filing - fees.

(6) The following are not required to file a registration statement:

(a) Persons that are exempt from filing a federal annual information return pursuant to 26 U.S.C. sec. 6033 ~~(a) (2), (3) (A) (I), (3) (A) (III), or (3) (C) (i)~~ (a) (3) (A) (i), (a) (3) (A) (iii), OR (a) (3) (C) (i) or pursuant to 26 CFR 1.6033-2 (g) (1) (i) to (g) (1) (iv) or (g) (1) (vii);

SECTION 8. In Colorado Revised Statutes, 7-90-102, **repeal and reenact, with amendments**, (61.3) and (61.4) as follows:

7-90-102. Definitions. As used in this title, except as otherwise defined for the purpose of any section, subpart, part, or article of this title, or unless the context otherwise requires:

(61.3) "STATEMENT OF CONVERSION" MEANS A STATEMENT OF CONVERSION AS DESCRIBED IN SECTION 7-90-201.7.

(61.4) "STATEMENT OF CORRECTION" MEANS A STATEMENT OF CORRECTION AS DESCRIBED IN SECTION 7-90-305.

SECTION 9. In Colorado Revised Statutes, 7-90-203.7, **amend** (1) introductory portion and (2) introductory portion as follows:

7-90-203.7. Statement of merger - when merger effective. (1) After a merger is approved in accordance with section ~~7-90-203~~ 7-90-203.4, if any merging entity is an entity for which a constituent filed document has been filed by the secretary of state, the surviving entity shall deliver to the secretary of state, for filing pursuant to part 3 of this article, a statement of merger that shall state:

(2) After a merger is approved in accordance with section ~~7-90-203~~ 7-90-203.4, if no merging entity is an entity for which a constituent filed document has been filed by the secretary of state, the surviving entity may deliver to the secretary of state, for filing pursuant to part 3 of this article, a statement of merger that shall state:

SECTION 10. In Colorado Revised Statutes, 8-73-114, **repeal** (8) (a) (II) as follows:

8-73-114. Enhanced unemployment insurance compensation benefits -

eligibility - approved training programs - amount of benefits - outreach - notice of funding through gifts, grants, and donations - repeal. (8) As used in this section:

(a) (II) ~~"Approved training program" includes entrepreneurial training approved by the director as part of the self-employment assistance program created in article 75.5 of this title.~~

SECTION 11. In Colorado Revised Statutes, 9-5.5-114, **amend** (6) as follows:

9-5.5-114. Periodic inspections and registrations - rules. (6) The owner or lessee shall pay a fee in an amount determined by the administrator for a certificate of operation issued by the administrator. The administrator shall set the fee in accordance with section ~~24-4-104~~ 24-4-103, C.R.S., to approximate the actual cost of issuing a certificate of operation.

SECTION 12. In Colorado Revised Statutes, **amend** 10-2-706 as follows:

10-2-706. Insurance producer designee - responsibility. An insurance producer may use another properly licensed and appointed insurance producer as an agent to comply with the requirements of ~~this~~ section 10-2-705, but the insurance producer who posts the bail bond with the court is responsible for compliance with ~~this~~ section 10-2-705 and is subject to discipline for noncompliance with any provision of ~~this~~ section 10-2-705.

SECTION 13. In Colorado Revised Statutes, 10-4-633.5, **amend** (3) introductory portion as follows:

10-4-633.5. Automobile insurance policies - plain language required - rules. (3) For purposes of ~~subsection~~ SUBSECTIONS (1) AND (2) of this section, the following shall apply:

SECTION 14. In Colorado Revised Statutes, 10-16-104, **amend** (5) including (5) (d) (I) as repealed by section 2 of House Bill 13-1015 and (7) (c) (II) as follows:

10-16-104. Mandatory coverage provisions - definitions. (5) Mental illness. (a) Every small group policy providing hospitalization or medical benefits by an entity subject to the provisions of part 2 or 3 of this article must provide benefits for conditions arising from mental illness at least equal to the following:

~~(a)~~ (I) In the case of basic coverage benefits based upon either confinement as an inpatient or partial hospitalization in a hospital or psychiatric hospital licensed by the department of public health and environment, the period of confinement for which benefits are payable shall be at least forty-five days for inpatient care or ninety days for partial hospitalization in any one twelve-month-benefit period. For the purpose of computing the period for which benefits are payable, each two days of partial hospitalization care shall reduce by one day the forty-five days available for inpatient care, and each day of inpatient care shall reduce by two days the ninety days available for partial hospitalization care. Each day of confinement as an inpatient or each two days of partial hospitalization shall reduce by one day the total days available for all other illnesses during any one twelve-month-benefit period.

Each day of confinement as an inpatient in a hospital or psychiatric hospital or each two days of partial hospitalization shall reduce by one day the available days provided under subsection (9) of this section. For the purpose of this subsection (5), "partial hospitalization" means continuous treatment for at least three hours, but not more than twelve hours, in any twenty-four-hour period.

~~(b)~~ (II) (A) In the case of major medical coverage, benefits shall cover outpatient services furnished by a comprehensive health care service corporation, a hospital, or a community mental health center or other mental health clinics approved by the department of human services to furnish mental health services; or furnished by a registered professional nurse within the scope of his or her license; or furnished by a licensed clinical social worker within the scope of his or her license; or furnished by or under the supervision of a licensed physician or licensed psychologist acting in compliance with part 3 of article 43 of title 12, C.R.S. Except as provided in ~~subparagraph (II) of this paragraph (b)~~ SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (II), the services provided under this ~~paragraph (b)~~ SUBPARAGRAPH (II) shall be under the direct supervision of a physician or a licensed psychologist acting in compliance with part 3 of article 43 of title 12, C.R.S. The patient records shall show that the attending physician or licensed psychologist acting in compliance with part 3 of article 43 of title 12, C.R.S., either saw the patient or had a written summary of consultations or a personal consultation with the therapist at least once every ninety days.

~~(II)~~ (B) If any mental health services are a benefit made available under major medical coverage or as a benefit made available by an entity subject to the provisions of part 3 of this article and such services are performed by a registered professional nurse or licensed clinical social worker, licensed professional counselor, or licensed marriage and family therapist who is licensed to practice in this state, reimbursement for these services shall not be denied and shall be made directly to the registered professional nurse, licensed clinical social worker, licensed professional counselor, or licensed marriage and family therapist when acting as an independent provider, whether or not such services are provided under the direct supervision of a physician or licensed psychologist. Nothing in this ~~subparagraph (II)~~ SUB-SUBPARAGRAPH (B) shall be interpreted to expand the scope of professional nursing, licensed clinical social worker, licensed professional counselor, or licensed marriage and family therapist practice.

~~(II)~~ (C) For purposes of this subsection (5), "licensed clinical social worker" means a person who is licensed as a clinical social worker under part 4 of article 43 of title 12, C.R.S., and who has at least five years of experience in psychotherapy, as defined in section 12-43-201, C.R.S., under appropriate supervision, beyond a master's degree; "licensed professional counselor" means a person who is licensed as a professional counselor under part 6 of article 43 of title 12, C.R.S., and who has at least five years of experience in psychotherapy, as defined in section 12-43-201, C.R.S., under appropriate supervision, beyond a master's degree; and "licensed marriage and family therapist" means a person who is licensed as a marriage and family therapist under part 5 of article 43 of title 12, C.R.S., and who has at least five years of experience in psychotherapy, as defined in section 12-43-201, C.R.S., under appropriate supervision, beyond a master's degree.

~~(e)~~ (b) An entity subject to the provisions of part 2 or 3 of this article may

establish a copayment or coinsurance requirement for mental illness, which may or may not differ from the copayment or coinsurance requirement established for any other condition or illness; except that copayment or coinsurance requirements for mental illness shall not exceed a fifty percent copayment or coinsurance requirement. Such entity may establish a deductible amount for mental illness, but such deductible amount shall not differ from the deductible amount for any other condition or illness. In addition, such entity may limit the aggregate benefits payable under ~~paragraph (b)~~ SUBPARAGRAPH (II) OF PARAGRAPH (a) of this subsection (5) to an amount of not less than one thousand dollars in any one twelve-month benefit period or not less than twenty visits per year.

~~(d)~~ (c) (I) Repealed.

(II) A person shall not be required to report such person's social security number for the purpose of obtaining coverage or, after obtaining coverage, claiming benefits when not required by applicable federal statute or regulation.

~~(e)~~ (d) The commissioner may exempt from the requirements of ~~paragraphs (a) and (b)~~ PARAGRAPH (a) of this subsection (5) any small group policy or type of small group policy with respect to which the commissioner has determined that the prescribed mental illness benefits are inapplicable or inappropriate.

~~(f)~~ (e) The provisions of paragraphs (a) to ~~(e)~~ (d) of this subsection (5) shall apply to all small group policies issued, renewed, or reinstated on and after January 1, 1976.

~~(g)~~ (f) Every small group plan that is a health care service plan providing hospitalization or medical benefits under the provisions of part 4 of this article shall provide benefits for conditions arising from mental illness at least equal to the benefits required by this subsection (5). The health care service plan issued by an entity subject to the provisions of part 4 of this article may provide that the benefits required pursuant to this subsection (5) shall be covered benefits only if the services are rendered by a provider who is designated by and affiliated with the health maintenance organization.

~~(h)~~ (g) For purposes of this subsection (5), "mental illness" does not include autism. Autism shall be governed by the provisions of section 10-16-104.5.

(7) **Reimbursement of providers.** (c) **Definitions.** As used in this subsection (7):

(II) "Licensed clinical social worker" shall have the same meaning as set forth in ~~subparagraph (H) of paragraph (b)~~ SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) of subsection (5) of this section.

SECTION 15. In Colorado Revised Statutes, 10-16-107.3, **amend** (3) introductory portion as follows:

10-16-107.3. Health insurance policies - plain language required - rules.

(3) For purposes of ~~subsection~~ SUBSECTIONS (1) AND (2) of this section, the following shall apply:

SECTION 16. In Colorado Revised Statutes, 11-71-103, **amend** (1) (e); and **repeal** (1) (f) as follows:

11-71-103. Applicability of article - confidentiality of compliance review committee documents. (1) This article applies to a compliance review committee the functions of which are to evaluate and seek to improve:

(e) (I) The ability of electronic computing devices and any other computers, software programs, databases, network information systems, firmware, microprocessors, internal time clocks, hardware, or any other device used to interpret, produce, calculate, compute, generate, compare, account for, or sequence a date from, into, or between the years 1999 and 2000.

(II) FOR PURPOSES OF THIS PARAGRAPH (e), "ELECTRONIC COMPUTING DEVICE" MEANS ANY COMPUTER HARDWARE OR SOFTWARE, COMPUTER CHIP, EMBEDDED CHIP, PROCESS CONTROL EQUIPMENT, OR OTHER INFORMATION SYSTEM THAT:

(A) IS USED TO CAPTURE, STORE, MANIPULATE, OR PROCESS DATA; OR

(B) CONTROLS, MONITORS, OR ASSISTS IN THE OPERATION OF PHYSICAL APPARATUS THAT IS NOT PRIMARILY USED AS A COMPUTER BUT THAT RELIES ON AUTOMATION OR DIGITAL TECHNOLOGY TO FUNCTION, INCLUDING BUT NOT LIMITED TO VEHICLES, VESSELS, BUILDINGS, STRUCTURES, FACILITIES, ELEVATORS, MEDICAL EQUIPMENT, TRAFFIC SIGNALS, AND FACTORY MACHINERY.

~~(f) (f) Repealed.~~

~~(H) For the purposes of this section:~~

~~(A) "Electronic computing device" shall have the same meaning set forth in section 13-21-603 (2), C.R.S.~~

~~(B) Repealed.~~

SECTION 17. In Colorado Revised Statutes, **amend** 12-6-537 as follows:

12-6-537. Termination appeal. A powersports vehicle dealer who has reason to believe that a manufacturer, distributor, or manufacturer representative has violated section 12-6-523 (1) (d) or (1) (v) may appeal to the board by filing a complaint with the executive director. Upon receiving the complaint and upon a showing of specific facts that a violation has occurred, the executive director shall summarily issue a cease-and-desist order under section ~~12-6-105 (1) (h)~~ 12-6-505 (1) (h) staying the termination, elimination, modification, or nonrenewal of the franchise agreement. The cease-and-desist order remains in effect until the hearing required by section ~~12-6-105 (1) (h)~~ 12-6-505 (1) (h) is held. If a determination is made at the hearing required by section ~~12-6-105 (1) (h)~~ 12-6-505 (1) (h) that a violation occurred, the executive director shall make the cease-and-desist order permanent and take any actions authorized by section 12-6-504 (1). A motor vehicle dealer who appeals to the executive director maintains all rights under the franchise agreement until the later of the executive director issuing a decision or ninety days after the manufacturer, distributor, or manufacturer's representative provides the

notice of termination unless the executive director finds that the termination, cancellation, or nonrenewal was for fraud, a misrepresentation, or committing a crime within the scope of the franchise agreement or in the operation of the dealership, in which case the franchise rights terminate immediately.

SECTION 18. In Colorado Revised Statutes, 12-16-105, **amend** (1) (b) (I) as follows:

12-16-105. License fee - renewal - rules. (1) (b) (I) ~~Except as provided in subparagraph (H) of this paragraph (b);~~ For each fiscal year, commencing on July 1, twenty-five percent of the direct and indirect costs of administering and enforcing this article shall be funded from the general fund. The agricultural commission shall establish a fee schedule to cover any direct and indirect costs not funded from the general fund.

SECTION 19. In Colorado Revised Statutes, 12-16-217, **amend** (2) (a) as follows:

12-16-217. Inspection fees. (2) (a) ~~Except as provided in paragraph (b) of this subsection (2);~~ For each fiscal year, commencing on July 1, twenty-five percent of the direct and indirect costs of administering and enforcing this article shall be funded from the general fund. The agricultural commission shall establish a fee schedule to cover any direct and indirect costs not funded from the general fund. The inspection fee shall be paid by the person, firm, corporation, or other organization requesting the service at the time it is rendered or as otherwise provided and authorized by the commission.

SECTION 20. In Colorado Revised Statutes, 12-29.3-102, **amend** (3) and (4) as follows:

12-29.3-102. Definitions. In this article:

(3) "Emergency" means an event or condition that is an emergency, disaster, incident of bioterrorism, emergency epidemic, pandemic influenza, or other public health emergency under section ~~24-32-2104~~ 24-33.5-704, C.R.S.

(4) "Emergency declaration" means a declaration of emergency issued by the governor pursuant to section ~~24-32-2104~~ 24-33.5-704, C.R.S.

SECTION 21. In Colorado Revised Statutes, 12-40-108, **amend** (1) (b) as follows:

12-40-108. Application for license - licensure by endorsement. (1) A person who desires to practice optometry in the state may file with the board an application for a license, giving the information required in a form and manner approved by the board. The applicant shall demonstrate that he or she possesses the following qualifications:

(b) The applicant has graduated with the degree of doctor of optometry from a school or college of optometry accredited by a regional or professional accreditation organization that is recognized or approved by the council on postsecondary

accreditation or the United States ~~commissioner~~ SECRETARY of education. The board has the authority, upon its investigation and approval of the standards thereof, to approve any other college of optometry.

SECTION 22. In Colorado Revised Statutes, 12-41-107, **amend** (1) (b) introductory portion as follows:

12-41-107. Licensure by examination. (1) Every applicant for a license by examination shall:

(b) Pass a written examination ~~in accordance with subsection (2) of this section~~ that is:

SECTION 23. In Colorado Revised Statutes, 12-41-109, **amend** (3) (a) as follows:

12-41-109. Licensure by endorsement. (3) The board shall issue a license if the applicant fulfills the requirements of subsection (1) of this section and meets any one of the following qualifying standards enumerated in paragraphs (a) to (c) of this subsection (3):

(a) The applicant graduated from an accredited program within the past two years and passed an examination substantially equivalent to that specified in section ~~12-41-107(2)~~ 12-41-107 (1) (b);

SECTION 24. In Colorado Revised Statutes, 12-43-211, **amend** (1) (b) (V) and (1) (b) (VI) as follows:

12-43-211. Professional service corporations for the practice of psychology, social work, marriage and family therapy, professional counseling, and addiction counseling - definitions. (1) Licensees, registrants, or certificate holders may form professional service corporations for the practice of psychology, social work, marriage and family therapy, professional counseling, psychotherapy, or addiction counseling under the "Colorado Business Corporation Act", articles 101 to 117 of title 7, C.R.S., if the corporations are organized and operated in accordance with this section. The articles of incorporation of a professional service corporation formed pursuant to this section must contain provisions complying with the following requirements:

(b) The corporation must be organized by licensees, registrants, or certificate holders for the purpose of conducting the practice of psychology, social work, marriage and family therapy, professional counseling, psychotherapy, or addiction counseling by the respective licensees, registrants, or certificate holders of those practices. The corporation may be organized with any other person, and any person may own shares in such corporation, if the following conditions are met:

(V) The practice of LICENSED professional counseling, as defined in section ~~12-43-601~~ 12-43-602.5, by the professional service corporation is performed by a licensed professional counselor acting independently or under the supervision of a person licensed pursuant to this article or a licensed professional counselor. Any licensed professional counselor member of the professional service corporation

remains individually responsible for his or her professional acts and conduct as provided elsewhere in this article.

(VI) The practice of addiction counseling, as defined in section ~~12-43-802~~ 12-43-803, by the professional service corporation is performed by a licensed addiction counselor acting independently or under the supervision of a person licensed pursuant to this article or a licensed addiction counselor. Any licensed addiction counselor member of the professional service corporation remains individually responsible for his or her professional acts and conduct as provided in this article; or

SECTION 25. In Colorado Revised Statutes, 12-43.3-307, **amend** (1) (m) as follows:

12-43.3-307. Persons prohibited as licensees. (1) A license provided by this article shall not be issued to or held by:

(m) An owner, as defined by rule of the state licensing authority, who has not been a resident of Colorado for at least two years prior to the date of the owner's application. ~~except that:~~

~~(f) Repealed.~~

SECTION 26. In Colorado Revised Statutes, 12-43.3-402, **amend** (5) as follows:

12-43.3-402. Medical marijuana center license. (5) Prior to initiating a sale, the employee of the medical marijuana center making the sale shall verify that the purchaser has a valid ~~registration~~ REGISTRY IDENTIFICATION card issued pursuant to section 25-1.5-106, C.R.S., or a copy of a current and complete new application for the medical marijuana registry administered by the department of public health and environment that is documented by a certified mail return receipt as having been submitted to the department of public health and environment within the preceding thirty-five days, and a valid picture identification card that matches the name on the ~~registration~~ REGISTRY IDENTIFICATION card. A purchaser may not provide a copy of a renewal application in order to make a purchase at a medical marijuana center. A purchaser may only make a purchase using a copy of his or her application from 8 a.m. to 5 p.m., Monday through Friday. If the purchaser presents a copy of his or her application at the time of purchase, the employee must contact the department of public health and environment to determine whether the purchaser's application has been denied. The employee shall not complete the transaction if the purchaser's application has been denied. If the purchaser's application has been denied, the employee shall be authorized to confiscate the purchaser's copy of the application and the documentation of the certified mail return receipt, if possible, and shall, within seventy-two hours after the confiscation, turn it over to the department of public health and environment or A local law enforcement agency. The failure to confiscate the copy of the application and document of the certified mail return receipt or to turn it over to the state health department or a state or local law enforcement agency within seventy-two hours after the confiscation shall not constitute a criminal offense.

SECTION 27. In Colorado Revised Statutes, 12-47-503, **amend** (1) (b) (III) as

follows:

12-47-503. Excise tax - records. (1) (b) (III) In addition to the excise tax imposed pursuant to paragraph (a) of this subsection (1), ~~and the excise tax surcharge imposed pursuant to subparagraph (I) of this paragraph (b)~~; an additional excise tax surcharge at the rate of 5.0 cents per liter for the first nine thousand liters, 3.0 cents per liter for the next thirty-six thousand liters, and 1.0 cent per liter for all additional amounts, is imposed on all vinous liquors except hard cider produced by Colorado licensed wineries and sold, offered for sale, or used in this state. An amount equal to one hundred percent of the excise tax surcharge collected pursuant to this subparagraph (III) shall be transferred from the general fund to the Colorado wine industry development fund created in section 35-29.5-105, C.R.S. Such transfers shall be made by the state treasurer as soon as possible after the twentieth day of the month following the collection of such excise tax surcharge.

SECTION 28. In Colorado Revised Statutes, **repeal and reenact, with amendments**, 12-58-102 as follows:

12-58-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "BOARD" MEANS THE EXAMINING BOARD OF PLUMBERS.

(2) "COLORADO PLUMBING CODE" MEANS A CODE ESTABLISHED BY THE BOARD THAT CONSISTS OF STANDARDS FOR PLUMBING INSTALLATION, PLUMBING MATERIALS, CONSERVATION, MEDICAL GAS, SANITARY DRAINAGE SYSTEMS, AND SOLAR PLUMBING THAT COULD DIRECTLY AFFECT THE POTABLE WATER SUPPLY.

(3) (a) "CONSERVATION" MEANS EFFICIENCY MEASURES THAT MEET NATIONAL GUIDELINES AND STANDARDS AND ARE TESTED AND APPROVED BY A NATIONALLY RECOGNIZED TESTING LABORATORY, INCLUDING:

(I) WATER-EFFICIENT DEVICES AND FIXTURES; AND

(II) THE USE OF LOCALLY PRODUCED MATERIALS, WHEN PRACTICABLE, TO REDUCE TRANSPORTATION IMPACTS.

(b) WHEN CONSERVATION CONFLICTS WITH SAFETY, THE BOARD SHALL GIVE PRIMARY CONSIDERATION TO SAFETY.

(c) NOTHING IN THIS SUBSECTION (3) AFFECTS THE BOARD'S AUTHORITY TO ESTABLISH THE COLORADO PLUMBING CODE AS SPECIFIED IN SECTION 12-58-104.5.

(4) "GAS PIPING" MEANS ANY ARRANGEMENT OF PIPING USED TO CONVEY FUEL GAS, SUPPLIED BY ONE METER, AND EACH ARRANGEMENT OF GAS PIPING SERVING A BUILDING, STRUCTURE, OR PREMISES, WHETHER INDIVIDUALLY METERED OR NOT. "GAS PIPING" OR "GAS PIPING SYSTEM" DOES NOT INCLUDE THE INSTALLATION OF GAS APPLIANCES WHERE EXISTING SERVICE CONNECTIONS ARE ALREADY INSTALLED, NOR DOES GAS PIPING INCLUDE THE INSTALLATIONS, ALTERATIONS, OR MAINTENANCE OF GAS UTILITIES OWNED BY A PUBLIC UTILITY CERTIFIED PURSUANT TO ARTICLE 5 OF TITLE 40, C.R.S., OR A PUBLIC UTILITY OWNED OR ACQUIRED BY A

CITY OR TOWN PURSUANT TO ARTICLE 32 OF TITLE 31, C.R.S.

(5) "JOURNEYMAN PLUMBER" MEANS ANY PERSON OTHER THAN A MASTER PLUMBER, RESIDENTIAL PLUMBER, OR PLUMBER'S APPRENTICE WHO ENGAGES IN OR WORKS AT THE ACTUAL INSTALLATION, ALTERATION, REPAIR, AND RENOVATION OF PLUMBING IN ACCORDANCE WITH THE STANDARDS AND RULES ESTABLISHED BY THE BOARD.

(6) "MASTER PLUMBER" MEANS A PERSON WHO HAS THE NECESSARY QUALIFICATIONS, TRAINING, EXPERIENCE, AND TECHNICAL KNOWLEDGE TO PROPERLY PLAN, LAY OUT, AND INSTALL AND REPAIR PLUMBING APPARATUS AND EQUIPMENT INCLUDING THE SUPERVISION THEREOF IN ACCORDANCE WITH THE STANDARDS AND RULES ESTABLISHED BY THE BOARD.

(7) (a) "PLUMBING" INCLUDES THE FOLLOWING ITEMS LOCATED WITHIN THE BUILDING OR EXTENDING FIVE FEET FROM THE BUILDING FOUNDATION, EXCLUDING ANY SERVICE LINE EXTENDING FROM THE FIRST JOINT TO THE PROPERTY LINE: ALL POTABLE WATER SUPPLY AND DISTRIBUTION PIPES AND PIPING; ALL PLUMBING FIXTURES AND TRAPS; ALL DRAINAGE AND VENT PIPES; ALL BUILDING DRAINS, INCLUDING THEIR RESPECTIVE JOINTS AND CONNECTIONS, DEVICES, RECEPTACLES, AND APPURTENANCES; ALL MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF THE POTABLE WATER SUPPLY; AND ALL MEDICAL GAS AND VACUUM SYSTEMS IN HEALTH CARE FACILITIES. "PLUMBING" DOES NOT INCLUDE:

(I) THE INSTALLATION, EXTENSION, ALTERATION, OR MAINTENANCE, INCLUDING THE RELATED WATER PIPING AND THE INDIRECT WASTE PIPING THEREFROM, OF DOMESTIC APPLIANCES EQUIPPED WITH BACKFLOW PREVENTERS, INCLUDING LAWN SPRINKLING SYSTEMS, RESIDENTIAL ICE MAKERS, HUMIDIFIERS, ELECTROSTATIC FILTER WASHERS, WATER HEATING APPLIANCES, WATER CONDITIONING APPLIANCES NOT DIRECTLY CONNECTED TO THE SANITARY SEWER SYSTEM, BUILDING HEATING APPLIANCES AND SYSTEMS, FIRE PROTECTION SYSTEMS EXCEPT FOR MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF THE POTABLE WATER SUPPLY, AIR CONDITIONING INSTALLATIONS, PROCESS AND INDUSTRIAL EQUIPMENT AND PIPING SYSTEMS, OR INDIRECT DRAINAGE SYSTEMS NOT A PART OF A SANITARY SEWER SYSTEM; OR

(II) THE REPAIR AND REPLACEMENT OF GARBAGE DISPOSAL UNITS AND DISHWASHERS DIRECTLY CONNECTED TO THE SANITARY SEWER SYSTEM, INCLUDING THE NECESSARY REPLACEMENT OF ALL TAIL PIPES AND TRAPS, OR THE REPAIR, MAINTENANCE, AND REPLACEMENT OF SINKS, FAUCETS, DRAINS, SHOWERS, TUBS, AND TOILETS.

(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (7), THE FOLLOWING IS NOT INCLUDED WITHIN THE DEFINITION OF "PLUMBING":

(I) INSTALLATIONS, EXTENSIONS, IMPROVEMENTS, REMODELING, ADDITIONS, AND ALTERATIONS IN WATER AND SEWER SYSTEMS OWNED OR ACQUIRED BY COUNTIES PURSUANT TO ARTICLE 20 OF TITLE 30, C.R.S., CITIES AND TOWNS PURSUANT TO ARTICLE 35 OF TITLE 31, C.R.S., OR WATER AND SANITATION DISTRICTS PURSUANT TO ARTICLE 1 OR ARTICLE 4 OF TITLE 32, C.R.S.;

(II) INSTALLATIONS, EXTENSIONS, IMPROVEMENTS, REMODELING, ADDITIONS, AND ALTERATIONS PERFORMED BY CONTRACTORS EMPLOYED BY COUNTIES, CITIES, TOWNS, OR WATER AND SEWER DISTRICTS THAT CONNECT TO THE PLUMBING SYSTEM WITHIN A PROPERTY LINE; OR

(III) PERFORMANCE, LOCATION, CONSTRUCTION, ALTERATION, INSTALLATION, AND USE OF ON-SITE WASTEWATER TREATMENT SYSTEMS PURSUANT TO ARTICLE 10 OF TITLE 25, C.R.S., WHICH ARE LOCATED WITHIN A PROPERTY LINE.

(8) "PLUMBING APPRENTICE" MEANS ANY PERSON OTHER THAN A MASTER, JOURNEYMAN, OR RESIDENTIAL PLUMBER WHO, AS HIS OR HER PRINCIPAL OCCUPATION, IS ENGAGED IN LEARNING AND ASSISTING IN THE INSTALLATION OF PLUMBING.

(9) "PLUMBING CONTRACTOR" MEANS ANY PERSON, FIRM, PARTNERSHIP, CORPORATION, ASSOCIATION, OR OTHER ORGANIZATION THAT UNDERTAKES OR OFFERS TO UNDERTAKE FOR ANOTHER THE PLANNING, LAYING OUT, SUPERVISING, INSTALLING, OR MAKING OF ADDITIONS, ALTERATIONS, AND REPAIRS IN THE INSTALLATION OF PLUMBING. IN ORDER TO ACT AS A PLUMBING CONTRACTOR, THE PERSON, FIRM, PARTNERSHIP, CORPORATION, ASSOCIATION, OR OTHER ORGANIZATION MUST EITHER BE, OR EMPLOY FULL-TIME, A MASTER PLUMBER.

(10) "POTABLE WATER" MEANS WATER THAT IS SAFE FOR DRINKING, CULINARY, AND DOMESTIC PURPOSES AND THAT MEETS THE REQUIREMENTS OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(11) "RESIDENTIAL PLUMBER" MEANS ANY PERSON OTHER THAN A MASTER OR JOURNEYMAN PLUMBER OR PLUMBING APPRENTICE WHO HAS THE NECESSARY QUALIFICATIONS, TRAINING, EXPERIENCE, AND TECHNICAL KNOWLEDGE, AS SPECIFIED BY THE BOARD, TO INSTALL PLUMBING AND EQUIPMENT IN ONE-, TWO-, THREE-, AND FOUR-FAMILY DWELLINGS, WHICH SHALL NOT EXTEND MORE THAN TWO STORIES ABOVEGROUND.

SECTION 29. In Colorado Revised Statutes, 12-58-104.5, **amend** (1) as follows:

12-58-104.5. Colorado plumbing code - amendments - variances. (1) In accordance with the provisions of article 4 of title 24, C.R.S., the board shall establish a Colorado plumbing code, as defined in section ~~12-58-102(4)~~ 12-58-102 (2). Such code shall represent the minimum standards for installation, alteration, and repair of plumbing equipment and systems throughout the state.

SECTION 30. In Colorado Revised Statutes, **amend** 12-58-106.5 as follows:

12-58-106.5. Unauthorized use of title of plumbing contractor. No person shall advertise in any manner that such person is a plumbing contractor or use the title or designation of plumbing contractor unless such person meets the definition of plumbing contractor set out in section ~~12-58-102(7)~~ 12-58-102 (9).

SECTION 31. In Colorado Revised Statutes, 12-64-105, **amend** (13) as follows:

12-64-105. Board of veterinary medicine - creation - powers. (13) The board

shall consult with the state physical therapy board created in section 12-41-103.3 concerning rules that the ~~director~~ BOARD intends to adopt with regard to physical therapy of animals.

SECTION 32. In Colorado Revised Statutes, 13-21-108.3, **amend** (2) (b) and (3) (c) as follows:

13-21-108.3. Architects, building code officials, professional engineers, and professional land surveyors rendering assistance during emergency or disaster - qualified immunity from civil liability. (2) As used in this section, unless the context otherwise requires:

(b) "Emergency" means a disaster emergency declared by executive order or proclamation of the governor pursuant to section ~~24-32-2104 (4)~~ 24-33.5-704 (4), C.R.S.

(3) The immunity provided in subsection (1) of this section applies only to an architectural, damage assessment, or engineering service that:

(c) Is rendered during the time in which a state of disaster emergency exists, as provided in section ~~24-32-2104 (4)~~ 24-33.5-704 (4), C.R.S.

SECTION 33. In Colorado Revised Statutes, 13-32-101, **amend** (7) (c) as follows:

13-32-101. Docket fees in civil actions - judicial stabilization cash fund - support registry fund created. (7) (c) (I) For the fiscal year commencing July 1, 2014, and each fiscal year thereafter so long as there are any payments due under any lease-purchase agreements, the executive director of the department of personnel and administration shall calculate the net savings to the state by locating the department of law and any other executive branch agency in the new state justice center.

(II) For the fiscal year commencing July 1, 2014, and each year thereafter so long as there are payments due on any lease-purchase agreements, the general assembly shall appropriate from the general fund to the fund the amount of savings calculated by the executive director of the department of personnel and administration pursuant to subparagraph (I) of this paragraph (c). Any moneys received in the fund pursuant to this paragraph (c) shall be used to prepay any obligations due pursuant to any lease-purchase agreement.

SECTION 34. In Colorado Revised Statutes, 13-80-101, **repeal** (1) (o) (II) as follows:

13-80-101. General limitation of actions - three years. (1) The following civil actions, regardless of the theory upon which suit is brought, or against whom suit is brought, shall be commenced within three years after the cause of action accrues, and not thereafter:

(o) (II) ~~For purposes of this paragraph (o):~~

~~(A) "Business" shall have the same meaning as set forth in section 13-21-603 (1).~~

~~(B) "Electronic computing device" shall have the same meaning as set forth in section 13-21-603 (2).~~

~~(C) Repealed.~~

SECTION 35. In Colorado Revised Statutes, 14-10-122, **amend** (1.5) (c) (I) as follows:

14-10-122. Modification and termination of provisions for maintenance, support, and property disposition - automatic lien. (1.5) (c) **Lien on personal property other than wages and moneys held by a financial institution as defined in 42 U.S.C. sec. 669a (d) (1) or motor vehicles.** (I) To evidence a lien on personal property, other than wages and moneys held by a financial institution as defined in 42 U.S.C. sec. ~~669 (d)~~ 669a (d) (1) or motor vehicles, created pursuant to this subsection (1.5), the state child support enforcement agency shall file a notice of lien with the secretary of state by means of direct electronic data transmission. From the time of filing the notice of lien with the secretary of state, such lien shall be an encumbrance in favor of the obligee, or the assignee of the obligee, and shall encumber all personal property or any interest of the obligor in any personal property.

SECTION 36. In Colorado Revised Statutes, 15-10-106.5, **amend** (1) and (2) (b) (IX) as follows:

15-10-106.5. Petition to determine cause and date of death resulting from disaster - body unidentifiable or missing. (1) If the occurrence of a disaster has been declared by proclamation of the governor under section ~~24-32-2104~~ 24-33.5-704, C.R.S., and it appears that a person has died as a direct result, but the remains have not been located or are unidentifiable, the coroner, sheriff, or district attorney for the county in which any part of such disaster occurred, the spouse, next of kin, or public administrator for such county, or, thirty days after the disaster was declared, any other person, may apply to the coroner of such county asking that the coroner determine the cause, manner, and date of death of the alleged decedent.

(2) (b) The application shall contain an affidavit in which the applicant states the following information to the extent of the applicant's personal knowledge, information, and belief:

(IX) The basis for the belief that the alleged decedent was physically present at the time and place of an occurrence declared under section ~~24-32-2104~~ 24-33.5-704, C.R.S.;

SECTION 37. In Colorado Revised Statutes, **amend** 15-11-1215 as follows:

15-11-1215. Filing or registering of disclaimer. If an instrument transferring an interest in or power over property subject to a disclaimer is required or permitted by law to be filed or registered, the disclaimer may be filed or registered. Failure to file or register the disclaimer does not affect its validity as between the disclaimant and persons to whom the property interest or power passes by reason of the

disclaimer, provided, however, that a disclaimer of an interest in real property in which the disclaimant has a recorded interest is not effective and therefore is not valid as between any persons until a copy of the disclaimer is recorded in section ~~15-11-1212(14)~~ 15-11-1212 (15).

SECTION 38. In Colorado Revised Statutes, 17-27-102, **amend** (3.5) as follows:

17-27-102. Definitions. As used in this article:

(3.5) "~~Community corrections program agent~~" or "~~agent~~" means a ~~community parole OFFICER~~ MEANS AN officer who is an employee of the department and is a peace officer, as described in sections 16-2.5-101 and 16-2.5-136, C.R.S., with the powers and duties described in section 17-27-105.5.

SECTION 39. In Colorado Revised Statutes, 17-27-105.5, **amend** (1) (a), (2), (3) introductory portion, (4) introductory portion, (5), (6), and (7) as follows:

17-27-105.5. Community parole officers - duties - arrest powers. (1) For purposes of this section:

(a) "Director" means the director of the department's community corrections program and whose powers and duties include those of a community ~~corrections program agent~~ PAROLE OFFICER.

(2) The executive director of the department of corrections shall designate staff of the department to maintain jurisdiction over all offenders placed in any community corrections program by order of the executive director or as a condition of parole. Such staff may include community ~~corrections program agents~~ PAROLE OFFICERS and the director.

(3) Community ~~corrections program agents~~ PAROLE OFFICERS are authorized to:

(4) The director of community corrections or any community ~~corrections program agent~~ PAROLE OFFICER may arrest any offender when any offense under the laws of this state has been or is being committed by the offender in the presence of the director or the ~~agent~~ COMMUNITY PAROLE OFFICER, the director or the ~~agent~~ COMMUNITY PAROLE OFFICER has a warrant commanding that such offender be arrested, or the director or the ~~agent~~ COMMUNITY PAROLE OFFICER has probable cause to believe:

(5) If a community ~~corrections program agent~~ PAROLE OFFICER makes an arrest of an offender with or without a warrant, or the offender is otherwise arrested, the offender shall be held in a county jail or program pending action by the ~~agent~~ COMMUNITY PAROLE OFFICER or the director of the community corrections program.

(6) A community ~~corrections program agent~~ PAROLE OFFICER shall seek out and arrest any fugitive from a correctional facility when called upon and assist other agencies in the apprehension of fugitives from jurisdictions throughout the state.

(7) Notwithstanding any other provision of this section, each ~~agent~~ COMMUNITY PAROLE OFFICER, or the director acting as ~~an agent~~ A COMMUNITY PAROLE OFFICER,

shall notify the local law enforcement agency when the ~~agent~~ COMMUNITY PAROLE OFFICER is operating or intends to operate anywhere within the local law enforcement agency's jurisdiction and shall cooperate with such agency during the conduct of the investigation.

SECTION 40. In Colorado Revised Statutes, 18-18-102, **amend** (34.5) (b) (VII) as follows:

18-18-102. Definitions. As used in this article:

(34.5) (b) "Synthetic cannabinoid" includes but is not limited to the following substances:

(VII) JWH-250: 1-pentyl-3-(2-methoxyphenylacetyl)indole, also known as 2-(2-methoxyphenyl)-1-(1-~~pentylindol~~ PENTYLINDOL-3-yl)ethanone; and

SECTION 41. In Colorado Revised Statutes, 19-7-101, **amend** (1) as follows:

19-7-101. Legislative declaration. (1) The general assembly hereby finds and declares that youth in foster care, excluding those in the custody of the division of youth corrections or a state mental hospital, should enjoy the following:

(a) ~~To receive~~ RECEIVING appropriate and reasonable adult guidance, support, and supervision in a safe, healthy, and comfortable environment where he or she is treated with respect and dignity;

(b) ~~To be~~ BEING free from physical, sexual, emotional, or other abuse or corporal punishment;

(c) ~~To receive~~ RECEIVING adequate and healthy food, adequate clothing, and an adequate allowance, as appropriate;

(d) ~~To receive~~ RECEIVING medical, dental, vision, and mental health services as needed;

(e) ~~To be~~ BEING free of the administration of prescription medication or other chemical substances, unless authorized by a physician;

(f) ~~To be~~ BEING free to contact those persons working on his or her behalf, including but not limited to, case workers, attorneys, foster youth advocates and supporters, court-appointed special advocates, and probation officers;

(g) ~~To be~~ BEING free to contact the child protection ombudsman, county department of social services, or the department of human services regarding any questions, concerns, or violations of the rights set forth in this article, AND to speak to representatives of those offices privately, and ~~to be~~ BEING free from threats or punishment for making complaints;

(h) As appropriate, ~~to make and receive~~ MAKING AND RECEIVING confidential telephone calls and ~~to send and receive~~ SENDING AND RECEIVING unopened mail in accordance with his or her permanency goals;

- (i) ~~To be~~ BEING free to attend religious services and activities;
- (j) ~~To be~~ BEING allowed to maintain an emancipation bank account and manage personal income, consistent with the youth's age and developmental level, unless prohibited by his or her case plan;
- (k) ~~To be~~ BEING free from being abandoned or locked in a room;
- (l) ~~To receive~~ RECEIVING an appropriate education, ~~have~~ HAVING access to transportation, and ~~participate~~ PARTICIPATING in extracurricular, cultural, and personal enrichment activities consistent with the youth's age and developmental level;
- (m) As appropriate, ~~to be~~ BEING free to work and develop job skills that are in accordance with his or her permanency goals;
- (n) As appropriate, ~~to be~~ BEING free to have social contacts with people outside the foster care system, such as teachers, church members, mentors, and friends in accordance with his or her permanency goals;
- (o) ~~To be~~ BEING free to attend independent living classes if he or she meets program and age requirements;
- (p) ~~To consult~~ CONSULTING with the court conducting the youth's permanency hearing, in an age-appropriate manner, regarding the youth's permanency plan, pursuant to section 19-3-702 (3.7);
- (q) ~~To have~~ HAVING a safe place to store personal belongings;
- (r) As appropriate to his or her age and developmental level, ~~to be~~ BEING allowed to participate in and review his or her own case plan, if he or she is twelve years of age or older, and to receive information about his or her out-of-home placement and case plan, including being informed of any changes to the case plan;
- (s) ~~To~~ Confidentiality of all juvenile court records, consistent with existing law;
- (t) ~~To have~~ HAVING fair and equal access to available services, placement, care, treatment, and benefits based on his or her treatment plan and ~~to not be~~ NOT BEING subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group, national origin, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status;
- (u) At sixteen years of age or older, ~~to have~~ HAVING access to existing information regarding the educational options available to him or her, including, but not limited to, the course work necessary for vocational and postsecondary educational programs, and information regarding financial aid available for postsecondary education;
- (v) ~~To have~~ HAVING school stability that presumes the youth will remain in the school in which he or she is enrolled at the time of placement, unless remaining in that school is not in his or her best interests;

(w) ~~To remain~~ REMAINING in the custody of his or her parent or legal guardian unless his or her welfare and safety or the protection of the public would be otherwise endangered and, IN EITHER CASE, the right that the court proceed with all possible speed to a legal determination that will serve his or her best interests pursuant to section 19-1-102;

(x) ~~To be~~ BEING placed in a home where the foster caregiver is aware of and understands the youth's unique history as it relates to his or her care;

(y) ~~To receive~~ RECEIVING effective case management and planning that will prioritize the safe return of the youth to his or her family or move the youth on to other forms of permanent placement;

(z) As appropriate to the youth's developmental level and if he or she is twelve years of age or older, ~~to be~~ BEING involved in meetings at which decisions are made about his or her future and ~~to have~~ HAVING the child welfare agency bring together his or her family group and other supporters to decision-making meetings at which the group creates a plan for the youth's future;

(aa) ~~To~~ Placement in the least restrictive setting appropriate to the youth's needs;

(bb) ~~To have~~ HAVING a guardian ad litem appointed to represent the youth's best interests; and

(cc) ~~To live~~ LIVING with or ~~be~~ BEING visited by his or her siblings.

SECTION 42. In Colorado Revised Statutes, 22-9.7-102, **repeal** (4) as follows:

22-9.7-102. Scholarship program - rules - criteria for awards. (4) ~~The department shall assign an educator identifier pursuant to section 22-68.5-102 to each recipient of a stipend pursuant to this section.~~

SECTION 43. In Colorado Revised Statutes, **amend** 22-32-128 as follows:

22-32-128. Use of school vehicles by residents of district. At times to be specified by the board of education of each school district, school vehicles used for the transportation of pupils pursuant to the provisions of section 22-32-113 shall be available to groups of five or more residents of the district who are sixty-five years of age or older for use within or without the district. The board of education of each school district of the state shall adopt policies regarding the reasonable use of such vehicles by groups of persons with special consideration being given those residents who are sixty-five years of age or older. Such school vehicles shall be covered by an insurance policy similar to, with limits not less than, the insurance coverage ~~which~~ THAT is in effect while said school vehicles are used for the transportation of pupils. To the extent that such policies provide for the reimbursement to the school district of all the expenses of the operation of such school vehicles as determined by the school district auditor, no such reimbursement shall constitute compensation, and it shall not subject the school district to the provisions of article ~~10 or 11~~ 10.1 of title 40, C.R.S. The miles traveled and the costs expended under this article shall not be allowable for the computation of benefits accruing to a school district under the provisions of article 51 of this title.

SECTION 44. In Colorado Revised Statutes, 23-31-313, **amend** (6) (a) (II) as follows:

23-31-313. Healthy forests - vibrant communities - funds created - repeal. (6) **Community watershed restoration.** (a) In order to support communities and land managers in moving from risk reduction to long-term ecological restoration so that the underlying condition of Colorado's forests supports a variety of values, particularly public water supply and high-quality wildlife habitat, the forest service shall:

(II) Facilitate and work collaboratively with landowners, local governments, including conservation districts created pursuant to article 70 of title 35, C.R.S., and county noxious weed program administrators and other appropriate parties, including any electric, gas, and water utilities in the affected area, to design ~~and safely implement~~ prescribed fire projects and to encourage increased responsible use of prescribed fire as a tool for restoring healthy forest conditions consistent with programs established pursuant to section 25-7-106 (7) and (8), C.R.S. The forest service shall emphasize providing training and technical assistance for landowners, local communities, and state agencies.

SECTION 45. In Colorado Revised Statutes, 23-41-104, **amend** (6) as follows:

23-41-104. Control - management. (6) The provisions of this section shall not affect the tax liability on property leased as authorized by this section or leasehold interest resulting therefrom of individuals or corporations which do not qualify for tax exemption pursuant to the provisions of sections 39-3-106 to ~~39-3-113~~ 39-3-113.5 or 39-3-116, C.R.S.

SECTION 46. In Colorado Revised Statutes, 24-1-114, **amend** (4) (b) as follows:

24-1-114. Department of higher education - creation. (4) For the purposes of section 22 of article IV of the state constitution, the following are allocated to the department of higher education but shall otherwise continue to be administered as provided by law:

(b) The board of governors of the Colorado state university system, created by part 1 of article 30 of title 23, C.R.S.; Colorado state university, created by article 31 of title 23, C.R.S.; and Colorado state university - Pueblo, created by article ~~55~~ 31.5 of title 23, C.R.S.;

SECTION 47. In Colorado Revised Statutes, 24-1-120, **amend** (5) (k) as follows:

24-1-120. Department of human services - creation - repeal. (5) The department of human services shall include the following:

(k) The board of commissioners of state ~~and~~ veterans nursing homes, created in section 26-12-402, C.R.S. Said board and its powers, duties, and functions are transferred by a **type 2** transfer to the department of human services.

SECTION 48. In Colorado Revised Statutes, 24-1-124, **repeal** (2.1) (b) as follows:

24-1-124. Department of natural resources - creation - divisions - repeal. (2.1) The department of natural resources shall include, as a part of the office of the executive director:

~~(b) The Colorado coordination council, created by part 3 of article 33 of this title. The Colorado coordination council shall exercise its powers and perform its duties and functions as prescribed by law as if the same were transferred by a type 2 transfer to the department of natural resources and allocated to the office of the executive director.~~

SECTION 49. In Colorado Revised Statutes, 24-4-102, **amend** (3) (a) as follows:

24-4-102. Definitions. As used in this article, unless the context otherwise requires:

(3) "Agency" means any board, bureau, commission, department, institution, division, section, or officer of the state, except those in the legislative branch or judicial branch and except:

(a) State educational institutions administered pursuant to title 23, C.R.S., except ~~articles 8 and 9~~ ARTICLE 8, parts 2 and 3 of article 21, and parts 2 to 4 of article ~~30~~ 31 OF TITLE 23, C.R.S.;

SECTION 50. In Colorado Revised Statutes, 24-6-301, **amend** (1.7) (a) as follows:

24-6-301. Definitions - legislative declaration. As used in this part 3, unless the context otherwise requires:

(1.7) "Covered official" means:

(a) For the type of lobbying defined in subparagraphs (I) ~~(H)~~; and (III) of paragraph (a) of subsection (3.5) of this section, the governor, the lieutenant governor, or a member of the general assembly;

SECTION 51. In Colorado Revised Statutes, 24-10-103, **amend** (4) (a) as follows:

24-10-103. Definitions. As used in this article, unless the context otherwise requires:

(4) (a) "Public employee" means an officer, employee, servant, or authorized volunteer of the public entity, whether or not compensated, elected, or appointed, but does not include an independent contractor or any person who is sentenced to participate in any type of useful public service. For the purposes of this subsection (4), "authorized volunteer" means a person who performs an act for the benefit of a public entity at the request of and subject to the control of such public entity and

includes a qualified volunteer as defined in section ~~24-32-2202(6)~~ 24-33.5-802(9).

SECTION 52. In Colorado Revised Statutes, 24-30-2114, **amend** (4) (a) as follows:

24-30-2114. Surcharge - collection and distribution - address confidentiality program surcharge fund - creation - definitions. (4) (a) There is hereby created in the state treasury the address confidentiality program surcharge fund, which shall consist of moneys received by the state treasurer pursuant to this section. ~~and any moneys received pursuant to section 24-30-2104(2).~~ The moneys in the fund shall be subject to annual appropriation by the general assembly to the department for the purpose of paying for the costs incurred by the executive director or his or her designee in the administration of the program. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. Any moneys not appropriated by the general assembly shall remain in the fund and shall not be transferred or revert to the general fund at the end of any fiscal year.

SECTION 53. In Colorado Revised Statutes, 24-32-723, **amend** (3) introductory portion as follows:

24-32-723. Office of homeless youth services - creation - function - duties - definitions. (3) There is hereby created the office of homeless youth services in the state department OF LOCAL AFFAIRS for the purpose of providing information, coordination, and support services to public and private entities serving the homeless youth of Colorado. The office of homeless youth services shall seek to:

SECTION 54. In Colorado Revised Statutes, 24-33.5-202, **amend** (4), (6), and (7) as follows:

24-33.5-202. Definitions. As used in this part 2, unless the context otherwise requires:

(4) "Member" means any employee of the Colorado state patrol, whether a commissioned officer, noncommissioned officer, ~~patrolman~~ TROOPER, or civilian employee.

(6) "Officer" means the chief and any commissioned or noncommissioned officer and ~~patrolman~~ TROOPER of the Colorado state patrol.

(7) "~~Patrolman~~" "TROOPER" means a uniformed member of the Colorado state patrol other than commissioned or noncommissioned officers.

SECTION 55. In Colorado Revised Statutes, **amend** 24-33.5-206 as follows:

24-33.5-206. Personnel - appointment. Pursuant to section 13 of article XII of the state constitution and state personnel system laws, the chief shall appoint the necessary commissioned and noncommissioned officers in staff and command or supervisory positions and ~~patrolmen~~ TROOPERS to permit the Colorado state patrol to adequately and efficiently perform its duties and functions and such necessary civilian employees as are essential to conduct an efficient patrol administration twenty-four hours daily. All members of the Colorado state patrol shall be under the

immediate direction and control of the chief, and shall perform such duties as are specifically assigned by the chief under the job specifications and regulations of the state personnel director, and shall receive such compensation as is commensurate with the specified grade assigned to the individual position by the state personnel director.

SECTION 56. In Colorado Revised Statutes, **amend** 24-33.5-207 as follows:

24-33.5-207. Personnel - qualifications - salary. (1) All commissioned and noncommissioned officers and ~~patrolmen~~ TROOPERS of the Colorado state patrol, before promotion, shall be required to serve the designated period of time in each grade as provided in this section. A ~~patrolman~~ TROOPER shall serve a period of three years as such before ~~he~~ THE TROOPER is eligible to compete in the examination for promotion to a noncommissioned officer's rank. All commissioned and noncommissioned officers shall serve a period of one year in a grade before they are eligible to compete in promotional examinations. All commissioned and noncommissioned officers and ~~patrolmen~~ TROOPERS shall fulfill all requirements as set forth in the job specifications for their particular positions by the state personnel director.

(2) In addition to the compensation provided by section 24-33.5-206 and by the provisions of other laws concerning the state personnel system and because of the number of hours and the extraordinary service performed by members of the Colorado state patrol, each member of such patrol and each member of the administrative staff of such patrol shall be reimbursed for maintenance and ordinary expenses incurred in the performance of his OR HER duties in an amount to be determined by the executive director, but the amount so authorized for any such member of the patrol or staff shall not exceed the sum of one hundred dollars per month.

SECTION 57. In Colorado Revised Statutes, 24-33.5-208, **amend** (1) (d) as follows:

24-33.5-208. Bonds. (1) The members of the Colorado state patrol shall be required to give bond to the state in the amount indicated in this section, to be approved and paid for by the state. The bonds shall be issued by a surety company authorized to do business in the state in the following amounts:

(d) All ~~patrolmen~~ TROOPERS, five thousand dollars.

SECTION 58. In Colorado Revised Statutes, **amend** 24-33.5-209 as follows:

24-33.5-209. Trooper - age qualifications. Each ~~patrolman~~ TROOPER appointed according to the provisions of this part 2, at the time of his OR HER appointment, shall be at least twenty-one years of age.

SECTION 59. In Colorado Revised Statutes, **amend** 24-33.5-220 as follows:

24-33.5-220. Costs of administration. Except as otherwise provided in section 24-33.5-226 (3) (c), the cost of administration of this part 2 and of all payrolls and salaries of the chief, commissioned and noncommissioned officers, ~~patrolmen~~

TROOPERS, and office personnel and the cost of clerical work, stationery, postage, uniforms, badges, all supplies and equipment, and necessary travel and subsistence allowances shall be appropriated by the general assembly out of the moneys in the highway users tax fund. The expenses and salaries provided for in this section are declared to be for the administration and enforcement of the several statutes referred to in this part 2 and for the construction, maintenance, and supervision of the public highways. Expenses and salaries shall be paid by the state treasurer upon warrants of the controller issued upon vouchers provided by the chief and shall be charged against net collection of highway users taxes as an expense of construction, maintenance, and supervision of public highways and the administration of the laws of the state governing the public highways and their use. The expenditures of the Colorado state patrol shall be audited and approved from time to time by the executive director and the state auditor.

SECTION 60. In Colorado Revised Statutes, 24-33.5-706, **repeal** (2) (b) as follows:

24-33.5-706. Financing - legislative intent - repeal. (2) (b) ~~(H) The governor may make a one-time transfer of up to six hundred thousand dollars from the disaster emergency fund to the wildfire emergency response fund created in section 24-33.5-1226. The governor shall notify the revisor of statutes in writing promptly after making the transfer.~~

~~(H) This paragraph (b) is repealed, effective upon the revisor of statute's receipt of the notice.~~

SECTION 61. In Colorado Revised Statutes, 24-33.5-1212, **repeal** (5) (c) as follows:

24-33.5-1212. Training for directors of fire protection districts - pilot program - advisory board - training fund - repeal. (5) (c) ~~The division shall coordinate with the Colorado state forest service, as that term is defined in section 23-31-302, C.R.S., in determining how to allocate state funding focused on firefighter training.~~

SECTION 62. In Colorado Revised Statutes, 24-34-803, **amend** (7) (b) as follows:

24-34-803. Rights of persons with assistance dogs. (7) As used in this section, unless the context otherwise requires:

(b) "Disability" has the same meaning as set forth in the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12102, ~~(2)~~; as amended.

SECTION 63. In Colorado Revised Statutes, 24-50-104, **amend** (1) (a) (III) and (7) (d) as follows:

24-50-104. Job evaluation and compensation - state employee reserve fund - created - definitions. (1) **Total compensation philosophy.** (a) (III) (A) The methodologies used for purposes of determining and maintaining prevailing compensation for state ~~troopers~~ LAW ENFORCEMENT OFFICERS employed by the

Colorado state patrol shall be the same as the methodologies established pursuant to subparagraph (II) of this paragraph (a); except that the amount of salary shall be at least ninety-nine percent of the actual average salary provided to the top three law enforcement agencies within the state that have both more than one hundred commissioned officers and the highest actual average salary.

(B) As used in this subparagraph (III), "~~state trooper~~" LAW ENFORCEMENT OFFICER" means the chief and any commissioned or noncommissioned officer and ~~patrolman~~ TROOPER of the Colorado state patrol.

(7) **Leaves.** (d) An employee certified as a disaster service volunteer of the American red cross may be granted paid leave for specialized disaster relief services. Such leave shall not exceed five days for a local disaster or fifteen days for a national disaster in a twelve-month period. Such leave may not be accumulated. During this period of leave, an employee shall not be deemed to be an employee for purposes of the "Workers' Compensation Act of Colorado", as provided in articles 40 to 47 of title 8, C.R.S. The leave authorized by this paragraph (d) shall run concurrent with and shall not be in addition to any paid leave of absence required by law for service by a member in a Colorado civil air patrol mission as provided in section 28-1-104, C.R.S., or for qualified volunteer service in a disaster as provided in section ~~24-32-2225~~ 24-33.5-825.

SECTION 64. In Colorado Revised Statutes, 24-72-204, **repeal** (3) (a) (XX) as follows:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions. (3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, shall be available to the person in interest under this subsection (3):

(XX) ~~All proprietary information submitted by a provider of broadband service in connection with the broadband inventory authorized by section 24-37.5-106 (3);~~

SECTION 65. In Colorado Revised Statutes, 24-75-402, **amend** (5) (aa) as follows:

24-75-402. Cash funds - limit on uncommitted reserves - reduction in amount of fees - exclusions. (5) Notwithstanding any provision of this section to the contrary, the following cash funds are excluded from the limitations specified in this section:

(aa) The emergency fire fund created in section 24-33.5-1220 (2), the wildland fire equipment repair CASH fund created in section 24-33.5-1220 (3), and the wildland fire cost recovery fund created in section ~~24-33.5-1220 (3)~~ 24-33.5-1220 (4).

SECTION 66. In Colorado Revised Statutes, 24-77-104, **amend** (3) (b) and (4) as follows:

24-77-104. State emergency reserve - creation - declaration of emergency.

(3) The state emergency reserve may be expended in any given fiscal year upon:

(b) The declaration of a disaster emergency by the governor pursuant to section ~~24-32-2104 (4)~~ 24-33.5-704 (4).

(4) Nothing in this section shall be construed to limit, modify, or abridge the powers and duties of the governor to respond to disasters as provided for in part ~~21~~ 7 of article ~~32~~ 33.5 of this title.

SECTION 67. In Colorado Revised Statutes, 24-101-401, **amend** (1) as follows:

24-101-401. Public access to procurement information - repeal. (1) Except as provided in section ~~24-103-202 (4)~~ 24-103-203 (4), procurement information is a public record and is available to the public as provided in sections 24-72-203 and 24-72-204.

SECTION 68. In Colorado Revised Statutes, **amend** 25-1-104 as follows:

25-1-104. State board - organization. The board shall elect from its members a president, a vice-president, and such other board officers as it shall determine. The executive director of the department, in the discretion of the board, may serve as secretary of the board but shall not be eligible to appointment as a member. All board officers shall hold their offices at the pleasure of the board. Regular meetings of the board shall be held not less than once every three months at such times as may be fixed by resolution of the board. Special meetings may be called by the president, by the executive director of the department, or by a majority of the members of the board at any time on three days' prior notice by mail or, in case of emergency, on twenty-four hours' notice by telephone or ~~telegraph~~ OTHER TELECOMMUNICATIONS DEVICE. The board shall adopt, and at any time may amend, bylaws in relation to its meetings and the transaction of its business. A majority shall constitute a quorum of the board. Members shall receive the same per diem compensation and reimbursement of expenses as those provided for members of boards and commissions in the division of professions and occupations pursuant to section 24-34-102 (13), C.R.S. All meetings of the board, in every suit and proceeding, shall be taken to have been duly called and regularly held, and all orders and proceedings of the board to have been authorized, unless the contrary is proved.

SECTION 69. In Colorado Revised Statutes, 25-1-108, **amend** (1) (c) (VI) as follows:

25-1-108. Powers and duties of state board of health. (1) In addition to all other powers and duties conferred and imposed upon the state board of health by the provisions of this part 1, the board has the following specific powers and duties:

(c) (VI) To adopt rules and to establish such standards as the board may deem necessary or proper to assure that hospitals, other acute care facilities, county, district, and municipal public health agencies, trauma centers, area trauma advisory councils, and managed care organizations are prepared for an emergency epidemic, as defined in section ~~24-32-2103 (1.7)~~ 24-33.5-703 (4), C.R.S., that is declared to be a disaster emergency, including the immediate investigation of any case of a

suspected emergency epidemic.

SECTION 70. In Colorado Revised Statutes, 25-1-901, **amend** (1) (d) as follows:

25-1-901. Legislative declaration. (1) The general assembly hereby finds and declares that:

(d) The creation of ~~an advisory~~ THE commission on family medicine is a desirable, necessary, and economic means of addressing the needs described in paragraphs (a) and (b) of this subsection (1).

SECTION 71. In Colorado Revised Statutes, 25-1-902, **amend** (3) as follows:

25-1-902. Commission created - composition - terms of office. (3) The commission shall elect a chairman and a vice-chairman from among its members. ~~Administrative, staff, and clerical services shall be provided to the commission by the Colorado academy of family physicians, as determined necessary by the academy.~~ Members of the commission shall serve without compensation, but members described in paragraphs (b), (c), and (d) of subsection (1) of this section shall be entitled to their actual and necessary expenses incurred in the performance of their duties. The commission shall meet on call of the chairman, but not less than once every three months. A majority of the members of the commission constitutes a quorum for the transaction of business.

SECTION 72. In Colorado Revised Statutes, 25-1.5-102, **amend** (1) (b) (I) as follows:

25-1.5-102. Epidemic and communicable diseases - powers and duties of department. (1) The department has, in addition to all other powers and duties imposed upon it by law, the powers and duties provided in this section as follows:

(b) (I) To investigate and monitor the spread of disease that is considered part of an emergency epidemic as defined in section ~~24-32-2103 (1.7)~~ 24-33.5-703 (4), C.R.S., to determine the extent of environmental contamination resulting from the emergency epidemic, and to rapidly provide epidemiological and environmental information to the governor's expert emergency epidemic response committee, created in section ~~24-32-2104 (8)~~ 24-33.5-704 (8), C.R.S.

SECTION 73. In Colorado Revised Statutes, 25-1.5-103, **amend** (5) (a) as follows:

25-1.5-103. Health facilities - powers and duties of department - limitations on rules promulgated by department. (5) (a) This subsection (5) applies to construction, including substantial renovation, and ongoing compliance with article 33.5 of title 24, C.R.S., of a health care facility building or structure on or after July 1, 2013. All health facility buildings and structures shall be constructed in conformity with the standards adopted by the director of the division of fire prevention and control in the ~~office of preparedness, security, and fire safety within the~~ department of public safety.

SECTION 74. In Colorado Revised Statutes, 25-1.5-107, **amend** (2) (a) (III) as follows:

25-1.5-107. Pandemic influenza - purchase of antiviral therapy - definitions.

(2) As used in this section, unless the context otherwise requires:

(a) "Authorized purchaser" means an entity licensed by the department pursuant to section 25-1.5-103 (1) (a), a local public health agency, or a health maintenance organization, as defined in section 10-16-102 (23), C.R.S., authorized to operate in this state pursuant to part 4 of article 16 of title 10, C.R.S., that:

(III) Agrees to stockpile the antiviral therapy for use in an epidemic emergency declared a disaster emergency pursuant to section ~~24-32-2104~~ 24-33.5-704, C.R.S., and to use the antiviral therapy only in accordance with state and federal requirements and for no other purpose.

SECTION 75. In Colorado Revised Statutes, 25-3-102, **amend** (3) (a) as follows:

25-3-102. License - application - issuance - certificate of compliance required. (3) (a) Notwithstanding any provision of law to the contrary, the department of public health and environment shall not issue or renew any license described in section 25-3-101 for a facility covered by section 25-1.5-103 (5) unless the department receives a certificate of compliance for the applicant's building or structure from the division of fire prevention and control in the ~~office of preparedness, security, and fire safety within the~~ department of public safety in accordance with part 12 of article 33.5 of title 24, C.R.S.

SECTION 76. In Colorado Revised Statutes, 25-5-1106, **amend** (3) as follows:

25-5-1106. Acceptance of gifts, grants, and donations - lead hazard reduction cash fund. (3) The general assembly shall make appropriations from the fund to the department for the implementation of this part 11 AND THE IMPLEMENTATION OF PART 11 of article 7 of this title.

SECTION 77. In Colorado Revised Statutes, 25-7-133, **amend** (2) (c) as follows:

25-7-133. Legislative review and approval of state implementation plans and rules - legislative declaration. (2) (c) Until such February 15 as provided in paragraph (b) of this subsection (2), the commission may only submit an addition or change to the SIP or any element thereof, as defined in section 110 of the federal act, any rule which is a part thereof, or any revision thereto as specified in subsection (1) of this section to the administrator for conditional approval or temporary approval. If legislative council review is requested as to any addition or change to a SIP element under paragraph (a) of this subsection (2), then no such SIP, revision, rule required by the SIP or revision, or rule related to the implementation of the SIP or revision so submitted to the administrator may take effect for purposes of federal enforceability, or enforcement of any kind at the state level against any person or entity based only on the commission's general authority to adopt a SIP under section 25-7-105 (1), unless expiration of the SIP, rule required

for the SIP, or addition or change to a SIP element has been postponed by the general assembly acting by bill in the same manner as provided in section 24-4-103 (8) (c) and (8) (d), C.R.S. Any member of the general assembly may introduce a bill to modify or delete all or a portion of the SIP or any rule or additions or changes to SIP elements which are a component thereof. Any bill introduced under this paragraph (c) shall not be counted against the number of bills to which members of the general assembly are limited by law or joint rule of the senate and the house of representatives. Any committee of reference of the senate or the house of representatives to which a bill introduced under this paragraph (c) is referred shall conduct as part of consideration of any such bill on the merits the review provided for under paragraph (a) of this subsection (2). If any bill is introduced under paragraph (a) of this subsection (2) or under this paragraph (c) to postpone the expiration of any addition or change to a SIP element described in a report submitted under subsection (1) of this section, ~~or paragraph (d) of this subsection (2);~~ and any such bill does not become law, the addition or change to a SIP element addressed in such bill may be submitted to the administrator of the federal environmental protection agency for final approval and incorporation into the SIP under paragraph (b) of this subsection (2).

SECTION 78. In Colorado Revised Statutes, 25-10-105, **amend** (1) as follows:

25-10-105. Minimum standards - variances. (1) Rules adopted by local boards of health under section 25-10-104 (2) or (4) or promulgated by the ~~department~~ COMMISSION under section 25-10-104 (1) govern all aspects of the location, design, construction, performance, alteration, installation, and use of on-site wastewater treatment systems and must include minimum standards established by the commission.

SECTION 79. In Colorado Revised Statutes, 25-11-303, **repeal** (1) (d) (IV) as follows:

25-11-303. Authorization to participate - implementation. (1) The general assembly hereby authorizes the department of public health and environment to participate in federal implementation of the "Uranium Mill Tailings Radiation Control Act of 1978", and for such purpose the department has the authority to:

~~(d) (IV) This paragraph (d) is repealed, effective upon the acquisition of all of the nine currently designated sites, as certified by the executive director of the department, for purposes of participating in the federal "Uranium Mill Tailings Radiation Control Act of 1978";~~

SECTION 80. In Colorado Revised Statutes, 25.5-1-204, **repeal** (10) as follows:

25.5-1-204. Advisory committee to establish an all-payer health claims database - creation - members - duties - creation of all-payer health claims database - rules. (10) ~~This section is repealed, January 1, 2012, unless the executive director notifies the revisor of statutes on or before such date that sufficient funding to create the database, as determined by the executive director, advisory committee, and administrator, has been received through gifts, grants, and donations.~~

SECTION 81. In Colorado Revised Statutes, 25.5-5-412, **repeal** (3) (f) as follows:

25.5-5-412. Program of all-inclusive care for the elderly - legislative declaration - services - eligibility. (3) The general assembly declares that the purpose of this section is to provide services that would foster the following goals:

~~(f) To assure that capitation payments amount to no more than ninety-five percent of the amount paid under the medicaid fee-for-service structure for an actuarially similar population.~~

SECTION 82. In Colorado Revised Statutes, **repeal** 26-2-136 as follows:

26-2-136. Personal identification systems for public assistance - committee to select methods.

~~(1) Repealed.~~

~~(2) The personal identification committee shall study and recommend what security measures, such as individual personal identification numbers, photo identification, fingerprint identification, or retinal scanning, should be used to identify applicants for purposes of determining whether a person applying for public assistance is eligible to receive such benefits. In making such recommendations, the committee shall consider the extent of the security problem, the cost of possible security measures, which measures, if any, will be most cost-effective, and which will be the most successful at preventing and detecting fraud and duplicate participation.~~

~~(3) In addition to the security measures selected pursuant to subsection (2) of this section, the state department shall use social security numbers to the extent allowable under federal law as a method of personal identification for every person applying for public assistance.~~

SECTION 83. In Colorado Revised Statutes, 26-7.5-105, **amend** (1) (b) as follows:

26-7.5-105. Funding of domestic abuse programs. (1) (b) Moneys generated from fees collected pursuant to section 14-2-106 (1) (a), C.R.S., or transferred pursuant to section ~~13-21-101~~ 13-32-101 (5) (a) (X) or (5) (b) (II), C.R.S., shall be used to reimburse domestic abuse programs that provide services as provided in section 26-7.5-103 to married, separated, or divorced persons or their families.

SECTION 84. In Colorado Revised Statutes, **amend** 26-12-101 as follows:

26-12-101. Short title. This article shall be known and may be cited as the "State and Veterans Nursing Homes Act".

SECTION 85. In Colorado Revised Statutes, **amend** 26-12-401 as follows:

26-12-401. Definitions. As used in this part 4, unless the context otherwise requires:

(1) "Board of commissioners" means the board of commissioners of state ~~and~~ veterans nursing homes created in section 26-12-402.

(2) "Division" means the division of state ~~and~~ veterans nursing homes, or its successor agency, in the state department.

SECTION 86. In Colorado Revised Statutes, 26-12-402, **amend** (1), (2), (7) (a), (7) (c), (7) (d), (7) (e), (7) (f), (7) (g), and (8) as follows:

26-12-402. Board of commissioners of state veterans nursing homes - creation - powers and duties. (1) There is hereby created the board of commissioners of state ~~and~~ veterans nursing homes within the state department. The board of commissioners shall exercise its powers, duties, and functions under the state department as if it were transferred to the state department by a **type 2** transfer under the provisions of the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

(2) The functions of the board of commissioners are to:

(a) Advise the division and the STATE veterans nursing homes located in Homelake, Florence, Rifle, Aurora, and Walsenburg, Colorado;

(b) Provide continuity, predictability, and stability in the operation of the state ~~and~~ veterans nursing homes; and

(c) Provide guidance to future administrators at the state ~~and~~ veterans nursing homes based on the collective institutional memory of the board of commissioners.

(7) The board of commissioners shall:

(a) Endeavor to ensure that the highest quality of care is being provided at the state ~~and~~ veterans nursing homes and that the financial status of the homes is maintained on a sound basis;

(c) Have direct access to any consulting contractor working with the state ~~and~~ veterans nursing homes and obtain written and oral reports;

(d) Have direct access to the executive director of the state department and the state board for the purposes of alerting state department policymakers of potential problems in state ~~and~~ veterans nursing homes and establishing effective working relationships and lines of communication with the state department and state board at all levels;

(e) Have the authority to visit and review the operation of the state ~~and~~ veterans nursing homes;

(f) Participate in any request for proposal panel that selects division-wide consulting firms for the state ~~and~~ veterans nursing homes;

(g) Have authority to review and comment on rules promulgated by the state department and the state board concerning the state ~~and~~ veterans nursing homes

before the rules are submitted for public comment;

(8) Nothing in this part 4 shall be construed to abridge, amend, or supersede any provision of a contractual agreement that the state department has entered into with any of the state ~~and~~ veterans nursing homes.

SECTION 87. In Colorado Revised Statutes, 27-90-111, **amend** (3) (e) as follows:

27-90-111. Employment of personnel - screening of applicants - disqualifications from employment. (3) The employment screening and disqualification requirements in this section apply to the following facilities or programs operated by the department:

(e) State ~~and~~ veterans nursing homes operated pursuant to article 12 of title 26, C.R.S.;

SECTION 88. In Colorado Revised Statutes, 28-5-703, **amend** (4) (a) as follows:

28-5-703. Rules - duties. (4) The board shall serve in an advisory capacity to:

(a) The state board of human services and the department of human services regarding the operations and maintenance of state ~~and~~ veterans nursing homes operated pursuant to article 12 of title 26, C.R.S.;

SECTION 89. In Colorado Revised Statutes, 28-5-709, **repeal** (1) (b) (I.5) as follows:

28-5-709. Colorado state veterans trust fund - created - report. (1) (b) The moneys in the trust fund shall be used for:

~~(I.5) Costs incurred by the legislative oversight committee and the state and veterans nursing home commission created in part 3 of article 12 of title 26, C.R.S., to evaluate the quality of care provided to veterans and their families at certain state and veterans nursing homes;~~

SECTION 90. In Colorado Revised Statutes, 29-2-106.1, **amend** (8) (d) as follows:

29-2-106.1. Deficiency notice - dispute resolution. (8) (d) An appeal pursuant to ~~paragraph (c)~~ of this subsection (8) shall be conducted in the same manner as provided in section 39-21-105, C.R.S.; except that venue shall be in the district court of the county wherein the local government whose decision is being appealed is located.

SECTION 91. In Colorado Revised Statutes, 29-3.5-101, **amend** (3) as follows:

29-3.5-101. Definitions. As used in this article, unless the context otherwise requires:

(3) "State agency" means any board, bureau, commission, department, institution, division, section, or officer of the state, except those in the legislative branch or judicial branch and except state educational institutions administered pursuant to title 23, C.R.S., except ~~articles 8 and 9~~ ARTICLE 8, parts 2 and 3 of article 21, and parts 2 to 4 of article ~~30~~ 31 OF TITLE 23, C.R.S.

SECTION 92. In Colorado Revised Statutes, 29-20-105.5, **amend** (2) (a) as follows:

29-20-105.5. Intergovernmental cooperation - intergovernmental agreements to address wildland fire mitigation - land owned by municipality for utility purposes - legislative declaration. (2) As used in this section, unless the context otherwise requires:

(a) "Fire department" shall have the same meaning as set forth in section ~~24-33.5-1202 (3.5)~~ 24-33.5-1202 (3.7), C.R.S., and includes a fire department that uses paid firefighters, volunteer firefighters, or both. The term includes, without limitation, a not-for-profit nongovernmental entity that is organized to provide firefighting services.

SECTION 93. In Colorado Revised Statutes, 29-22.5-102, **amend** (1); and **add** (1.3) and (1.7) as follows:

29-22.5-102. Definitions. As used in this article, unless the context otherwise requires:

(1) ~~"Forest service" means the Colorado state forest service identified in section 23-31-302, C.R.S.~~ "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF FIRE SAFETY AND CONTROL.

(1.3) "DIVISION" MEANS THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY CREATED IN SECTION 24-33.5-1201, C.R.S.

(1.7) "FOREST SERVICE" MEANS THE COLORADO STATE FOREST SERVICE IDENTIFIED IN SECTION 23-31-302, C.R.S.

SECTION 94. In Colorado Revised Statutes, 29-22.5-103, **amend** (2) (c) and (3) as follows:

29-22.5-103. Wildland fires - general authority and responsibilities. (2) (c) In the case of a wildfire that exceeds the capability of the county to control or extinguish, the sheriff shall be responsible for seeking the assistance of the state, by requesting assistance from the ~~forest service~~ DIVISION. The sheriff and the ~~state forester~~ DIRECTOR shall enter into an agreement concerning the transfer of authority and responsibility for fire suppression and the retention of responsibilities under a unified command structure.

(3) (a) The ~~forest service~~ DIVISION shall be the lead state agency for wildland fire suppression as identified in the Colorado state emergency operations plan and in accordance with the provisions of section 23-31-301, C.R.S.

(b) The forest service may provide land management and THE DIVISION MAY PROVIDE wildland fire management services to other state agencies by means of memoranda of understanding or related forms of cooperative agreements.

(c) In case of a wildland fire that exceeds the capability of the county to control or extinguish, the ~~forest service~~ DIVISION may assist the sheriff in controlling or extinguishing such fires, and may assume command of such incidents with the concurrence of the sheriff under a unified command structure.

(d) At the request of the sheriff, the ~~forest service~~ DIVISION may assist in the development or modification of the county wildfire preparedness plan.

SECTION 95. In Colorado Revised Statutes, 29-22.5-104, **amend** (5) as follows:

29-22.5-104. County wildfire preparedness plan. (5) At the request of the sheriff, the ~~forest service~~ DIVISION may assist in the development or updating of the county wildfire preparedness plan pursuant to subsection (1) of this section.

SECTION 96. In Colorado Revised Statutes, 30-10-409, **amend** (6) (b) as follows:

30-10-409. Reception book - form - contents - acceptance for recording. (6) (b) As used in this subsection (6), "extenuating circumstance" means a disaster, as defined in section ~~24-32-2103 (1.5)~~ 24-33.5-703 (3), C.R.S., or a technical difficulty related to computer hardware or software that is outside the control of the clerk and recorder.

SECTION 97. In Colorado Revised Statutes, 30-10-513, **amend** (1) (d) and (2) as follows:

30-10-513. Duties of sheriff - coordination of fire suppression efforts for forest, prairie, or wildland fire - expenses. (1) (d) When a wildfire exceeds the capability of the county to control or extinguish, the sheriff shall be responsible for seeking the assistance of the state by requesting assistance from the ~~forest service~~ DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY. The sheriff and the ~~state forester~~ DIRECTOR OF THE DIVISION OF FIRE PREVENTION AND CONTROL shall enter into an agreement concerning the transfer of authority and responsibility for fire suppression and the retention of responsibilities under a unified command structure.

(2) The ~~state forester~~ DIRECTOR OF THE DIVISION OF FIRE PREVENTION AND CONTROL may assume any duty or responsibility given to the sheriff under this section with the concurrence of the sheriff.

SECTION 98. In Colorado Revised Statutes, 30-15-401, **amend** (1) (n.5) (II) introductory portion as follows:

30-15-401. General regulations - definitions. (1) In addition to those powers granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of this article, the board of county commissioners has the power to adopt ordinances for control or licensing of those matters of purely local concern that are described in the

following enumerated powers:

(n.5) (II) Subject to subparagraph (IV) of this paragraph (n.5), the board of county commissioners in each county that has a substantial forested area shall, by January 1, 2012, develop an open burning permit system for the purpose of safely disposing of slash. In developing an open burning permit system, the board is encouraged to consult with the ~~Colorado state forest service established in section 23-31-302~~ DIVISION OF FIRE PREVENTION AND CONTROL, ESTABLISHED IN SECTION 24-33.5-1201, C.R.S., and shall:

SECTION 99. In Colorado Revised Statutes, 30-20-1304, **repeal** (2) (b) as follows:

30-20-1304. Power to create federal mineral lease districts. (2) A board of county commissioners shall create a district by duly adopting, by majority vote, a resolution to that effect, and the resolution shall set forth:

~~(b) The names of any municipalities to be included in the proposed district if such municipalities have enacted ordinances as specified in subsection (3) of this section;~~

SECTION 100. In Colorado Revised Statutes, 31-30-1131, **amend** (3) as follows:

31-30-1131. Volunteer firefighter - employment termination restricted. (3) Notwithstanding the provisions of this section, if a volunteer firefighter is called to an emergency pursuant to ~~part 22 of article 32 of~~ PART 8 OF ARTICLE 33.5 OF title 24, C.R.S., the provisions of section ~~24-32-2225 or 24-32-2226~~ 24-33.5-825 OR 24-33.5-826, C.R.S., shall control regarding the volunteer firefighters absence or leave from work. Under no circumstances shall a volunteer firefighter's leave exceed the amount allowed pursuant to section ~~24-32-2225 or 24-32-2226~~ 24-33.5-825 OR 24-33.5-826, C.R.S.

SECTION 101. In Colorado Revised Statutes, 31-31-803, **amend** (3) (b) as follows:

31-31-803. Retirement for disability. (3) (b) For the purposes of this subsection (3), ~~the terms "addiction" SHALL HAVE THE SAME MEANING AS SET FORTH IN PART 8 OF ARTICLE 43 OF TITLE 12, C.R.S., and "controlled substance" shall have the same meanings as such terms have~~ MEANING AS SET FORTH in part 2 of article 80 of title 27, C.R.S.

SECTION 102. In Colorado Revised Statutes, 33-13-111, **amend** (1) (b) (I) as follows:

33-13-111. Authority to close waters - rules. (1) (b) For purposes of this subsection (1), "vessels" shall not include whitewater canoes and kayaks except in the case of:

(I) A state of disaster emergency pursuant to section ~~24-32-2104~~ 24-33.5-704 or ~~24-32-2109~~ 24-33.5-709, C.R.S.;

SECTION 103. In Colorado Revised Statutes, **amend** 34-46-104 as follows:

34-46-104. When transportation prohibited except by railroad. It is unlawful to transport any used mining equipment except by railroad transportation without first obtaining written evidence of ownership or right of possession thereof by the person transporting the same, or satisfying the local sheriff or other peace officers of the county in which machinery is located that the person desiring to move such used machinery or equipment as defined in section 34-46-101 is responsible and has a legal right to move such used machinery or equipment. Such evidence shall, upon demand of any peace officer or Colorado state ~~patrolman~~ TROOPER, be exhibited, and unless so exhibited, any such officer shall take possession of such mining equipment at the expense, if any, of the shipper and shall hold the same until the provisions of this article have been complied with.

SECTION 104. In Colorado Revised Statutes, 34-63-102, **amend** (1) (a) (II), (5.3) (a) introductory portion, and (5.4) introductory portion as follows:

34-63-102. Creation of mineral leasing fund - distribution - advisory committee - local government permanent fund created - definitions - repeal.

(1) (a) (II) On and after July 1, 2008, all moneys, including any interest and income derived therefrom, received by the state treasurer pursuant to the provisions of the federal "Mineral Lands Leasing Act" of February 25, 1920, as amended, except those moneys described in section 34-63-104, shall be deposited by the state treasurer into the mineral leasing fund, WHICH FUND IS HEREBY CREATED, for use by state agencies, public schools, and political subdivisions of the state as described in subsections (5.3) and (5.4) of this section and for transfer to the higher education federal mineral lease revenues fund created in section 23-19.9-102 (1) (a), C.R.S., the higher education maintenance and reserve fund created in section 23-19.9-102 (2) (a), C.R.S., and the local government permanent fund created in sub-subparagraph (A) of subparagraph (I) of paragraph (a) of subsection (5.3) of this section, as required by this section and section 23-19.9-102, C.R.S.

(5.3) (a) Bonus payments credited to the mineral leasing fund created in subparagraph (†) (II) of paragraph (a) of subsection (1) of this section shall be distributed on a quarterly basis for each quarter commencing on July 1, October 1, January 1, or April 1 of any state fiscal year as follows:

(5.4) Except as otherwise provided in subsection (5.5) of this section, on and after July 1, 2008, all moneys other than bonus payments, as defined in paragraph (b) of subsection (5.3) of this section, credited to the mineral leasing fund created in subparagraph (†) (II) of paragraph (a) of subsection (1) of this section shall be distributed on a quarterly basis for quarters beginning on July 1, October 1, January 1, and April 1 of each state fiscal year as follows:

SECTION 105. In Colorado Revised Statutes, 35-1-105, **amend** (2) as follows:

35-1-105. State agricultural commission - creation - composition. (2) The commission shall elect from its members a chairman, vice-chairman, and such other commission officers as it shall determine. The commissioner of agriculture, in the discretion of the commission, may serve as secretary of the commission but shall not be eligible to appointment as a member. All commission officers shall hold their

offices at the pleasure of the commission. Regular meetings of the commission shall be held not less than once every three months at such times as may be fixed by resolution of the commission. Special meetings may be called by the chairman, by the commissioner, or by a majority of members of the commission at any time on at least three days' prior notice by mail or, in cases of emergency, on twenty-four hours' notice by telephone or ~~telegraph~~ OTHER TELECOMMUNICATIONS DEVICE. The commission shall adopt, and at any time may amend, bylaws in relation to its meetings and the transaction of its business. A majority shall constitute a quorum of the commission. Members shall serve without compensation but shall be reimbursed for their actual and necessary traveling and subsistence expenses when absent from their places of residence in attendance at meetings.

SECTION 106. In Colorado Revised Statutes, 35-4-110, **amend** (3) as follows:

35-4-110. Quarantine and control of pests. (3) The commissioner is authorized, pursuant to the provisions of this article, to apply such control or eradication measures as may be necessary to prevent the migration of exotic pests not previously found in the United States, pests known to cause high levels of economic damage under similar conditions of climate and natural habitat in other areas outside the state, or pests known to have caused high levels of economic damage in the past within this state that threaten to become established in this state and that endanger agricultural or horticultural industries in this state. The actual costs to offset the cash funds expended for services performed by the commissioner in imposing the quarantine and such control or eradication measures shall be recovered from the producers of any crop protected by such quarantine pursuant to rules promulgated by the commissioner. If the governor declares an emergency pursuant to section 35-4-110.5, the commissioner's costs may be recovered from the disaster emergency fund, created in section ~~24-32-2106~~ 24-33.5-706, C.R.S. The commissioner is authorized to accept assistance, services, facilities, and grants tendered by federal or local governmental units or other persons.

SECTION 107. In Colorado Revised Statutes, 35-12-104, **amend** (1) introductory portion as follows:

35-12-104. Registration. (1) Each product shall be registered by the person whose name appears on the label before being distributed in, into, or for use in this state. The application for registration shall be submitted to the commissioner on forms furnished by the commissioner and shall be accompanied by a fee established by the commission. ~~Except as provided in subsection (1.5) of this section,~~ For each fiscal year, commencing on July 1, fifty percent of the department's direct and indirect costs of administering and enforcing this article shall be funded from the general fund. The commission shall establish a fee schedule to cover any direct and indirect costs not funded from the general fund. All registrations shall expire annually on the date specified by rule of the commissioner. Applications for renewal of registrations must be submitted on or before such date. Each application for registration or renewal of registration shall include the following information:

SECTION 108. In Colorado Revised Statutes, 35-12-106, **amend** (8) (a) as follows:

35-12-106. Distribution fees. (8) (a) ~~Except as provided in paragraph (b) of this~~

~~subsection (8)~~; For each fiscal year, commencing July 1, fifty percent of the direct and indirect costs of administering and enforcing this article shall be funded from the general fund. The commission shall establish a fee schedule to cover any direct and indirect costs not funded from the general fund. All moneys collected pursuant to this section shall be transmitted to the state treasurer, who shall credit the same to the inspection and consumer services cash fund created in section 35-1-106.5.

SECTION 109. In Colorado Revised Statutes, 35-14-128, **amend** (2) (a) as follows:

35-14-128. Laboratory approval - service - condemnation. (2) (a) The laboratory may require that specified weights, measures, or standards submitted for calibration be cleaned or sanded, scraped, and painted before submission. The fee for any metrology service shall be established by the commission. ~~Except as provided in paragraph (b) of this subsection (2)~~; For each fiscal year, commencing on July 1, seventy-five percent of the direct and indirect costs associated with metrology laboratory services, including the regulation of weighing and measuring device sales, installation, and service persons, shall be funded from the general fund. The commission shall establish a fee schedule to cover any direct and indirect costs not funded from the general fund.

SECTION 110. In Colorado Revised Statutes, 35-33-104, **amend** (6) as follows:

35-33-104. Commissioner of agriculture - powers and duties. (6) When the commissioner has reasonable cause to believe that any meat or meat product is being held, slaughtered, or processed in violation of this article or the rules promulgated under this article, and when such product endangers the public health, safety, or welfare, he or she may issue and enforce a written retention order, prohibiting any person from moving or otherwise disposing of the retained product in any manner without written permission of the commissioner. Within five days after the issuance of any retention order, the commissioner shall hold a hearing to determine whether the retained product should be condemned or released to the owner. If the product is found to be adulterated, and the product cannot be brought into compliance with this article, the commissioner shall order that the retained product is inedible meat and shall be disposed of. ~~in accordance with article 59 of this title.~~

SECTION 111. In Colorado Revised Statutes, 35-46-105, **amend** (2) as follows:

35-46-105. Grazing on roads and in municipalities - penalty. (2) Any person violating this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than two hundred dollars for each offense. It is the duty of every Colorado state ~~patrolman~~ TROOPER, sheriff, or other peace officer to prefer charges against any person violating this section and take custody of such livestock and place them on feed and water. Such livestock may be placed by such officer in the custody of a responsible person who shall care for the same pending disposition of any court action under this section. The livestock may be held in case of conviction of the owner or other person in charge for the payment of any reasonable costs of handling, care, and feed and of court and for the payment of all fines which may be levied against said owner or other person in charge. In the event such costs and fine are not paid within ten days after the

entry of judgment, such court, after reasonable notice to such owner and any known persons in interest as determined by the court, may order sufficient numbers of such livestock sold to pay such costs and fine.

SECTION 112. In Colorado Revised Statutes, 36-1-147.5, **amend** (3) (a) as follows:

36-1-147.5. Leasing arrangements for renewable energy resources development - legislative declaration - definitions. (3) (a) ~~Except as specified in paragraph (b) of this subsection (3);~~ The state board of land commissioners shall examine property currently under the direction, control, and disposition of the board to identify land suitable and appropriate for development of renewable energy resources. In identifying such property, the board shall collaborate with the national renewable energy laboratory, university of Colorado, Colorado state university, and Colorado school of mines. The board shall also work with federal land management agencies to pursue any state and federal collaboration for the development of renewable energy resources.

SECTION 113. In Colorado Revised Statutes, 37-47-137, **amend** (3) as follows:

37-47-137. Conduct of election. (3) An elector of the district may vote in any election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in article 8 of title 1, C.R.S., of the ~~"Colorado Election Code of 1980"~~ "UNIFORM ELECTION CODE OF 1992" for general elections, except as specifically modified in this article.

SECTION 114. In Colorado Revised Statutes, 37-92-305, **amend** (6) (c) as follows:

37-92-305. Standards with respect to rulings of the referee and decisions of the water judge. (6) (c) Any application in water division 3 that involves new withdrawals of groundwater that will affect the rate or direction of movement of water in the confined aquifer system ~~referred to in section 37-90-102 (3)~~ shall be permitted pursuant to a plan of augmentation that, in addition to all other lawful requirements for such plans, shall recognize that unappropriated water is not made available and injury is not prevented as a result of the reduction of water consumption by nonirrigated native vegetation. In any such augmentation plan decree, the court shall also retain jurisdiction for the purpose of revising such decree to comply with the rules and regulations promulgated by the state engineer pursuant to section 37-90-137 (12) (b) (I), AS IT EXISTED PRIOR TO JULY 1, 2004.

SECTION 115. In Colorado Revised Statutes, 38-33.3-209.4, **amend** (4) as follows:

38-33.3-209.4. Public disclosures required - identity of association - agent - manager - contact information. (4) Notwithstanding section ~~38-33.3-117 (1) (h.5)~~ 38-33.3-117 (1.5) (c), this section shall not apply to a unit, or the owner thereof, if the unit is a time-share unit, as defined in section 38-33-110 (7).

SECTION 116. In Colorado Revised Statutes, 39-1-102, **amend** (14.4) (a) as follows:

39-1-102. Definitions. As used in articles 1 to 13 of this title, unless the context otherwise requires:

(14.4) (a) "Residential land" means a parcel or contiguous parcels of land under common ownership upon which residential improvements are located and that is used as a unit in conjunction with the residential improvements located thereon. The term includes parcels of land in a residential subdivision, the exclusive use of which land is established by the ownership of such residential improvements. The term includes land upon which residential improvements were destroyed by natural cause after the date of the last assessment as established in section 39-1-104 (10.2). The term also includes two acres or less of land on which a residential improvement is located where the improvement is not integral to an agricultural operation conducted on such land. The term does not include any portion of the land that is used for any purpose that would cause the land to be otherwise classified, except as provided for in section 39-1-103 (10.5). ~~The term also does not include land underlying a residential improvement located on agricultural land.~~

SECTION 117. In Colorado Revised Statutes, 39-2-117, **amend** (1) (a) (I), (1) (b) (I), (1) (b) (II), (2), (3) (a) (I), (3) (a) (II), (3) (b) (I), and (3) (b) (II) (A) as follows:

39-2-117. Applications for exemption - review - annual reports - procedures - rules. (1) (a) (I) Every application filed on or after January 1, 1990, claiming initial exemption of real and personal property from general taxation pursuant to the provisions of sections 39-3-106 to ~~39-3-113~~ 39-3-113.5 and 39-3-116 shall be made on forms prescribed and furnished by the administrator, shall contain such information as specified in paragraph (b) of this subsection (1), and shall be signed by the owner of such property or his or her authorized agent under the penalty of perjury in the second degree and, except as otherwise provided in this paragraph (a), shall be accompanied by a payment of one hundred seventy-five dollars, which shall be credited to the property tax exemption fund created in subsection (8) of this section. The administrator shall examine and review each application submitted, and, if it is determined that the exemption therein claimed is justified and in accordance with the intent of the law, the exemption shall be granted, the same to be effective upon such date in the year of application as the administrator shall determine, but in no event shall the exemption apply to any year prior to the year preceding the year in which application is made. The decision of the administrator shall be issued in writing and a copy thereof furnished to the applicant and to the assessor, treasurer, and board of county commissioners of the county in which the property is located.

(b)(I) Any users of real and personal property for which exemption from general taxation is requested pursuant to any of the provisions of sections 39-3-107 to ~~39-3-113~~ 39-3-113.5 may be required to provide such information as the property tax administrator determines to be necessary.

(II) Except as otherwise provided in this subparagraph (II), any application filed pursuant to paragraph (a) of this subsection (1) claiming exemption from taxation pursuant to section 39-3-106 or 39-3-106.5 shall contain the following information: The legal description and address of the real property or the address of the personal property being claimed as exempt; the name and address of the owner of such

property; the name and telephone number of the agent of such property; the date the owner acquired such property; the date the owner commenced using the property for religious purposes; a complete list of all uses of the property other than by the owner thereof during the previous twelve months; the total amount of gross income specified in section 39-3-106.5 (1) (b) (I) and the total amount of gross rental income resulting to the owner of such property during the previous twelve months from uses for purposes other than the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5; and the total number of hours during the previous twelve months that such property was used for purposes other than the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5. For purposes of this subparagraph (II), if the owner did not own the property being claimed as exempt during the entire twelve-month period prior to filing such application, the application shall contain the required information for that portion of the twelve-month period for which such property was owned by the owner making application. Such application shall also include a declaration that sets forth the religious mission and religious purposes of the owner of the property being claimed as exempt and the uses of such property that are in the furtherance of such mission and purposes. Such declaration shall be presumptive as to the religious purposes for which such property is used. If the administrator is unable to determine whether the property qualifies for exemption based solely on the information specified in this subparagraph (II), the administrator may require additional information, but only to the extent that the additional information is necessary to determine the exemption status of the property. The administrator may challenge any declaration included in the application only upon the grounds that the religious mission and purposes are not religious beliefs sincerely held by the owner of such property, that the property being claimed as exempt is not actually used for the purposes set forth in such application, or that the property being claimed as exempt is used for private gain or corporate profit.

(2) No assessor shall classify any real or personal property as being exempt from taxation pursuant to the provisions of sections 39-3-106 to ~~39-3-113~~ 39-3-113.5 or 39-3-116 in any year unless the application for exemption for the current year has been reviewed and has been granted as provided for by law, nor shall any assessor classify any real or personal property as being taxable after having been notified in writing that such property has been determined to be exempt from taxation by the property tax administrator.

(3) (a) (I) On and after January 1, 1990, and no later than April 15 of each year, every owner of real or personal property for which exemption from general taxation has previously been granted shall file a report with the administrator upon forms furnished by the division, containing such information relative to the exempt property as specified in paragraph (b) of this subsection (3), and signed under the penalty of perjury in the second degree. Each such annual report shall be accompanied by a payment of seventy-five dollars, which shall be credited to the property tax exemption fund created in subsection (8) of this section. Each such annual report filed later than April 15, but prior to July 1, shall be accompanied by a late filing fee of two hundred fifty dollars; except that the administrator shall have the authority to waive all or a portion of the late filing fee for good cause shown as determined by the administrator by rules adopted pursuant to subsection (7) of this section. On and after January 1, 1990, every owner of real or personal property for which exemption from general taxation has previously been granted pursuant to the provisions of section 39-3-111 and that is used for any purpose other than the

purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5 for less than two hundred eight hours during the calendar year or if the use of the property for such purposes results in annual gross rental income to such owner of less than twenty-five thousand dollars shall not be required to file any annual report pursuant to the provisions of this subsection (3). In order to claim such exemption, in lieu of such annual report, the owner shall annually file with the administrator a declaration stating that the property is used for such purposes for less than two hundred eight hours during the calendar year or such use results in annual gross rental income to the owner of less than twenty-five thousand dollars.

(II) In the event an annual report is not received by June 1 from an owner of real or personal property for which an exemption was granted for the previous year pursuant to the provisions of sections 39-3-107 to ~~39-3-113~~ 39-3-113.5 or 39-3-116, the administrator shall give notice in writing to such property owner by June 15 that failure to comply by July 1 shall operate as a forfeiture of any right to claim exemption of previously exempt property from general taxation for the current year. Failure to timely file such annual report on or before July 1 shall operate as a forfeiture of any right to claim exemption of such property from general taxation for the year in which such failure occurs, unless an application is timely filed and an exemption granted pursuant to the provisions of paragraph (a) of subsection (1) of this section. The administrator shall review each report filed to determine if such property continues to qualify for exemption, and, if it is determined that the property does not so qualify, the owner of such property shall be notified in writing of the disqualification, and the assessor, treasurer, and board of county commissioners of the county in which the property is located shall also be so notified.

(b) (I) Any user of property which has been exempted pursuant to the provisions of sections 39-3-107 to ~~39-3-113~~ 39-3-113.5 may be required to provide such information as the property tax administrator determines to be necessary in order to ascertain whether the users and usages of the property are in compliance with the provisions of said sections.

(II) (A) Except as otherwise provided in sub-subparagraph (B) of this subparagraph (II), any annual report filed pursuant to paragraph (a) of this subsection (3) claiming exemption from taxation pursuant to section 39-3-106 or 39-3-106.5 shall contain the following information: The legal description or address of the property being claimed as exempt; the name and address of the owner of such property; a complete list of all uses of such property other than by the owner thereof during the previous calendar year; the amount of total gross income specified in section 39-3-106.5 (1) (b) (I) and the total amount of gross rental income resulting from uses of such property that are not for the purposes set forth in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5; and the total number of hours that such property was used for purposes other than the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5. Such annual report shall also include a declaration of the religious mission and purposes of the owner of such property claimed as being exempt and the uses of such property that are in the furtherance of such mission and purposes. Such declaration shall be presumptive as to the religious mission and religious purposes of the owner of such property. If the administrator is unable to determine whether the property continues to qualify for exemption based solely on the information specified in this subparagraph (II), the administrator may require additional information, but only to the extent that the additional information is

necessary to determine the exemption status of the property. The administrator may challenge any declaration included in such annual report only upon the grounds that the religious mission and purposes are not religious beliefs sincerely held by the owner of such property, that such property is not actually used for the purposes set forth in the annual report, or that the property being claimed as exempt is used for private gain or corporate profit.

SECTION 118. In Colorado Revised Statutes, 39-3-106.5, **amend** (1) introductory portion, (1.5) introductory portion, (2) introductory portion, and (3) as follows:

39-3-106.5. Tax-exempt property - incidental use - exemption - limitations.

(1) If any property, real or personal, which is otherwise exempt from the levy and collection of property tax pursuant to the provisions of section 39-3-106, is used for any purpose other than the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5, such property shall be exempt from the levy and collection of property tax if:

(1.5) Notwithstanding the provisions of subsection (1) of this section, for property tax years commencing on or after January 1, 1994, if any property, real or personal, which is otherwise exempt from the levy and collection of property tax pursuant to the provisions of section 39-3-106, is used for any purpose other than the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5, such property shall be exempt from the levy and collection of property tax if:

(2) Except as otherwise provided in section 39-3-108 (3) and subsection (3) of this section, if any property, real or personal, that is otherwise exempt from the levy and collection of property tax pursuant to the provisions of sections 39-3-107 to ~~39-3-113~~ 39-3-113.5 is used on an occasional, noncontinuous basis for any purpose other than the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5, such property shall be exempt from the levy and collection of property tax if:

(3) The requirement that property be used on an occasional basis in order to qualify for the exemption set forth in subsection (2) of this section shall not apply to property, real or personal, that is otherwise exempt from the levy and collection of property tax pursuant to the provisions of section 39-3-111 that is used for any purpose other than the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5.

SECTION 119. In Colorado Revised Statutes, 39-3-108, **amend** (3) (a) as follows:

39-3-108. Property - nonresidential - health care facility - water company - charitable purposes - exemption - limitations. (3) (a) When any property of a health care facility, real or personal, or any portion thereof, which is otherwise exempt from the levy and collection of property tax pursuant to the provisions of paragraph (b) of subsection (1) of this section, is used for any purpose other than the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5, such property or portion thereof shall be exempt from the levy and collection of property tax if the use of the property or portion thereof does not result in gross income derived from any unrelated trade or business to the owner which is in excess of fifteen percent of

the total gross revenues derived from the operation of the property. Gross income derived from any unrelated trade or business shall be determined pursuant to the provisions of sections 511 through 513 of the federal "Internal Revenue Code of 1986", as amended.

SECTION 120. In Colorado Revised Statutes, 39-3-116, **amend** (1) and (2) as follows:

39-3-116. Combination use of property - charitable, religious, and educational purposes - exemption - limitations. (1) Except as otherwise provided in this section, property, real and personal, which is owned and used by the owner thereof or by any other person or organization solely and exclusively for any combination of the purposes specified in sections 39-3-106 to ~~39-3-113~~ 39-3-113.5, subject to the limitations and requirements in said sections, including but not limited to the requirement that property not be owned or used for private or corporate gain or profit, shall be exempt from the levy and collection of property tax. No requirement shall be imposed that use of property which is otherwise exempt pursuant to any of said sections shall benefit the people of Colorado in order to qualify for said exemption. Property which is otherwise exempt pursuant to the provisions of this section shall be subject to the provisions of section 39-3-129 relating to the proportional valuation of exempt property if such property is partially leased, loaned, or otherwise made available for a portion of any calendar year to any business conducted for profit.

(2) In the event that such property is used by any person or organization other than the owner:

(a) The use of the property by the owner, if any, must qualify pursuant to the provisions of this section or pursuant to any of the provisions of sections 39-3-106 to ~~39-3-113~~ 39-3-113.5, and, in addition, the owner must qualify for an exemption pursuant to the provisions of section 39-2-117;

(b) The use of the property by the person or organization other than the owner is a use described in the provisions of this section or in any of the provisions of sections 39-3-106 to ~~39-3-113~~ 39-3-113.5 or such person or organization is otherwise exempt from the payment of property taxes; and

(c) The amount received by the owner for the use of such property specified in sections 39-3-107 to ~~39-3-113~~ 39-3-113.5, other than from any shareholder or member of the owner or from any person or organization controlled by an organization which also controls such shareholder or member, shall not exceed one dollar per year plus an equitable portion of the reasonable expenses incurred in the operation and maintenance of the property so used. For purposes of this paragraph (c), reasonable expenses shall include interest expenses but shall not include depreciation or any amount expended to reduce debt.

SECTION 121. In Colorado Revised Statutes, 39-3-123, **amend** (1) (b) as follows:

39-3-123. Works of art, literary materials, and artifacts - on loan - exemption - limitations - definitions. (1) Works of art, literary materials, and

artifacts shall be exempt from the levy and collection of property tax if such works of art, literary materials, and artifacts are loaned to and are in the custody and control of:

(b) A library or any art gallery or museum which is owned or operated by a charitable organization whose property is irrevocably dedicated to charitable purposes and whose assets shall not inure to the benefit of any private person upon the liquidation, dissolution, or abandonment by the owner, and which uses such works of art, literary materials, and artifacts for charitable purposes. This exemption shall apply only for the period of time during which such works of art, literary materials, and artifacts are actually on loan and shall be in addition to such exemptions provided for in sections 39-3-108 to ~~39-3-113~~ 39-3-113.5.

SECTION 122. In Colorado Revised Statutes, **amend** 39-3-128 as follows:

39-3-128. Exempt property listed and valued. It is the duty of the assessor to list, appraise, and value all real property exempted from the levy and collection of property tax pursuant to the provisions of sections 39-3-106 to ~~39-3-113~~ 39-3-113.5 or 39-3-116 and all property otherwise exempt but taxable pursuant to the provisions of section 39-3-135, and such information shall be entered in the same detail as required for taxable property.

SECTION 123. In Colorado Revised Statutes, 39-3-137, **amend** (1) (a) as follows:

39-3-137. Organizations with tax-exempt status - forgiveness of taxes owed.

(1) Subject to the provisions of subsection (2) of this section, any organization that, as of August 5, 2008, owes taxes that have been levied on real or personal property shall not be required to pay the balance of the taxes owed on or after August 5, 2008, if the organization meets the following requirements:

(a) The organization is a religious, charitable, or educational organization exempt from general taxation on real and personal property pursuant to sections 39-3-106 to ~~39-3-113~~ 39-3-113.5 and 39-3-116;

SECTION 124. In Colorado Revised Statutes, 39-10-114, **amend** (1) (c) as follows:

39-10-114. Abatement - cancellation of taxes. (1) (c) Notwithstanding any other provision of this section, if a county, board of assessment appeals, court of competent jurisdiction, or the property tax administrator determines that a property is exempt from taxation under sections 39-3-106 to ~~39-3-113~~ 39-3-113.5 or section 39-3-116, and if the county, board, court, or administrator finds competent evidence that said property became or remained subject to taxation for a period as a result of an error or omission made by the taxpayer, then the county, the board of assessment appeals, court of competent jurisdiction, or the property tax administrator may award refund interest or any other type of interest for not greater than two property tax years. Any interest awarded pursuant to this paragraph (c) shall be at the same rate as provided in section 39-10-104.5.

SECTION 125. In Colorado Revised Statutes, 39-22-516, **repeal as it will**

become effective **January 1, 2014**, (2.6) (a) (VI) as follows:

39-22-516. Tax credit for purchase of vehicles using alternative fuels - repeal. (2.6) (a) As used in this subsection (2.6), unless the context otherwise requires:

(VI) "~~Category 4" means light duty passenger vehicle, light duty truck, and medium duty truck compressed natural gas or liquefied petroleum gas conversions certified by the United States environmental protection agency and original equipment manufacturer compressed natural gas vehicles.~~

SECTION 126. In Colorado Revised Statutes, 39-22-3901, **amend** (2) as follows:

39-22-3901. Legislative declaration. (2) In order to assist Goodwill - Colorado, a collaboration of Goodwill Industries of Colorado Springs and Goodwill Industries of Denver, which are both registered nonprofit organizations pursuant to section 501 (c) (3) of the internal revenue code, in fulfilling its mission, the general assembly recognizes that many citizens of Colorado may be willing to provide moneys to assist in its efforts. It is therefore the intent of the general assembly to provide Coloradans the opportunity to support the efforts of ~~Goodwill Industries of Colorado Springs~~ GOODWILL - COLORADO by allowing citizens to make a voluntary contribution on their state income tax return form to the Goodwill Industries fund for such a purpose.

SECTION 127. In Colorado Revised Statutes, **amend** 39-22-3902 as follows:

39-22-3902. Voluntary contribution designation - procedure - effective date. For the five consecutive income tax years immediately following the year in which the executive director files written certification with the revisor of statutes as specified in section ~~39-22-1001 (8) (b)~~ 39-22-1001 (8) THAT A LINE HAS BECOME AVAILABLE AND THE GOODWILL INDUSTRIES FUND VOLUNTARY CONTRIBUTION IS NEXT IN THE QUEUE, the Colorado state individual income tax return form shall contain a line whereby each individual taxpayer may designate the amount of the contribution, if any, the individual wishes to make to the Goodwill Industries fund created in section 39-22-3903 (1).

SECTION 128. In Colorado Revised Statutes, **amend** 39-22-3904 as follows:

39-22-3904. Repeal of part. This part 39 is repealed, effective January 1 of the sixth income tax year following the year in which the executive director files written certification with the revisor of statutes as specified in section ~~39-22-1001 (8) (b)~~ 39-22-1001 (8) THAT A LINE HAS BECOME AVAILABLE AND THE GOODWILL INDUSTRIES FUND VOLUNTARY CONTRIBUTION IS NEXT IN THE QUEUE, unless the voluntary contribution to the Goodwill Industries fund established by this part 39 is continued or reestablished by the general assembly acting by bill prior to said date.

SECTION 129. In Colorado Revised Statutes, **amend** 39-22-4202 as follows:

39-22-4202. Voluntary contribution designation - procedure. For the five

consecutive income tax years immediately following the year in which the executive director files written certification with the revisor of statutes as specified in section 39-22-1001 (8) ~~as enacted by House Bill 11-1097, enacted in 2011~~, that a line has become available and the public education fund voluntary contribution is next in the queue, the Colorado state individual income tax return form shall contain a line whereby each individual taxpayer may designate the amount of the contribution, if any, the individual wishes to make to the public education fund created in section 39-22-4203 (1).

SECTION 130. In Colorado Revised Statutes, **amend** 39-22-4204 as follows:

39-22-4204. Repeal of part. This part 42 is repealed, effective January 1 of the sixth income tax year following the year in which the executive director files written certification with the revisor of statutes as specified in section 39-22-1001 (8) ~~as enacted by House Bill 11-1097, enacted in 2011~~, that a line has become available and the public education fund voluntary contribution is next in the queue, unless the voluntary contribution to the public education fund established by this part 42 is continued or reestablished by the general assembly acting by bill prior to said date.

SECTION 131. In Colorado Revised Statutes, 39-29-110, **amend** (1) (a) (III) as follows:

39-29-110. Local government severance tax fund - creation - administration - definitions. (1) (a) (III) ~~After making any distributions pursuant to subparagraph (H) of this paragraph (a);~~ The executive director of the department of local affairs shall distribute any ~~remaining~~ moneys and make loans from such fund in accordance with the purposes and priorities provided in paragraph (b) of this subsection (1). ~~The executive director shall not distribute any moneys or make any loans from such fund unless sufficient moneys remain in the fund to be distributed to each county pursuant to subparagraph (H) of this paragraph (a).~~

SECTION 132. In Colorado Revised Statutes, 40-15-208, **amend** (2) (a) (I) as follows:

40-15-208. High cost support mechanism - Colorado high cost administration fund - creation - purpose - operation - rules. (2) (a) (I) The commission is hereby authorized to establish a mechanism for the support of universal service, also referred to in this section as the "high cost support mechanism", which shall operate in accordance with rules adopted by the commission. The primary purpose of the high cost support mechanism is to provide financial assistance as a support mechanism to local exchange providers to help make basic local exchange service affordable and allow such providers to be fully reimbursed for the difference between the reasonable costs incurred in making basic service available to their customers within a rural, high cost geographic support area and the price charged for such service, after taking into account any amounts received by such providers under price support mechanisms established by the federal government and by this state. ~~The high cost support mechanism may also be used, to the extent necessary, to supplement any gifts, grants, and donations received pursuant to section 24-37.5-106 (3) (f), C.R.S., in assisting the office of information technology in preparing the statewide inventory of available broadband services as provided in section 24-37.5-106 (3), C.R.S.~~

SECTION 133. In Colorado Revised Statutes, 40-15-503, **amend** (2) (b) (V) as follows:

40-15-503. Opening of competitive local exchange market - process of negotiation and rule-making - issues to be considered by commission. (2) (b) In adopting rules under paragraph (a) of this subsection (2), the commission shall adopt rules governing, and shall establish methods of paying for, without limitation, the following:

(V) Appropriate means of assessing, collecting, and distributing contributions to the Colorado high cost ADMINISTRATION fund created in section 40-15-208 and any other financial support mechanisms adopted by the commission under section 40-15-502 (4); and

SECTION 134. In Colorado Revised Statutes, 40-17-104, **repeal** (4) (d) as follows:

40-17-104. Colorado disabled telephone users fund - creation - purpose. (4) (d) ~~Notwithstanding any provision of subsection (1) of this section to the contrary, the general assembly shall make annual appropriations from the Colorado disabled telephone users fund to cover authorized expenses associated with the Colorado commission for individuals who are blind or visually impaired, created in article 8.7 of title 26, C.R.S. Any annual appropriation made from the Colorado disabled telephone users fund by the general assembly shall not exceed an amount of one hundred twelve thousand sixty-seven dollars.~~

SECTION 135. In Colorado Revised Statutes, **repeal** 42-2-312 as follows:

42-2-312. County jail identification processing unit fund. ~~The department of revenue is authorized to accept gifts, grants, or donations from private or public sources for the purposes of implementing section 42-2-311; except that no gift, grant, or donation may be accepted by the state treasurer if it is subject to conditions that are inconsistent with this article or any other law of the state. All moneys collected pursuant to this section shall be transmitted to the state treasurer, who shall credit the same to the county jail identification processing unit fund, which fund is hereby created and referred to in this section as the "fund". The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of section 42-2-311. Any moneys in the fund not expended for the purpose of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund.~~

SECTION 136. In Colorado Revised Statutes, 42-3-245, **amend** (1) as follows:

42-3-245. Special plates - wildlife sporting. (1) Beginning the earlier of January 1, 2013, or when the department is able to issue the plates, the department shall issue special license plates to qualified applicants under this section for motorcycles, passenger cars, trucks, or noncommercial or recreational motor

vehicles that do not exceed sixteen thousand pounds empty weight; except that the department shall not issue the license plate until the proponents comply with section ~~42-3-207(2)~~ 42-3-207 (6).

SECTION 137. In Colorado Revised Statutes, 42-4-230, **amend** (4) as follows:

42-4-230. Emergency lighting equipment - who must carry. (4) No motor vehicle operating as a ~~wrecking-car~~ TOW TRUCK, AS DEFINED IN SECTION 40-10.1-101 (21), C.R.S., at the scene of an accident shall move or attempt to move any wrecked vehicle without first complying with those sections of the law concerning emergency lighting.

SECTION 138. In Colorado Revised Statutes, 42-4-304, **amend** (3) (b) as follows:

42-4-304. Definitions relating to automobile inspection and readjustment program. As used in sections 42-4-301 to 42-4-316, unless the context otherwise requires:

(3) (b) (I) The certification of emissions control will be issued to the vehicle owner at the time of sale or transfer except as provided in section 42-4-310 (1) (a) (I). The certification of emissions control will be in effect for twenty-four months for 1982 and newer model vehicles. ~~as defined in section 42-3-106 (4). Except as provided in paragraph (c) of this subsection (3);~~ FOR 1981 and older model vehicles and all vehicles inspected by the fleet-only air inspection stations shall be issued certifications of emissions control valid for twelve months.

(II) Except as provided in ~~paragraph (c) of this subsection (3) and in~~ section 42-4-309, a biennial inspection schedule shall be established for 1982 and newer model vehicles and an annual schedule shall be established for 1981 and older model vehicles.

SECTION 139. In Colorado Revised Statutes, **amend as amended by House Bill 13-1091** 42-4-407 (1) as follows:

42-4-407. Requirements for a diesel emission-opacity inspection - licensure as diesel emissions inspection station - licensure as emissions inspector.

(1) Unless a diesel emissions inspector performs an inspection at a licensed diesel inspection station or self-certification fleet station, as ~~defined~~ DESCRIBED in section 42-4-414, a diesel emission-opacity inspection shall not be performed and a certification of diesel emissions control shall not be issued; except that a certification of diesel emissions control may be issued for a heavy-duty fleet vehicle maintained in compliance with any rules the commission promulgates under section 42-4-414 (2) (b.5).

SECTION 140. In Colorado Revised Statutes, 42-8-102, **amend** (3) as follows:

42-8-102. Definitions. As used in this article, unless the context otherwise requires:

(3) "Port of entry officer" means a uniformed member of the Colorado state patrol

who is not a ~~patrolman~~ TROOPER and whose powers and duties are described in section 42-8-104 (2).

SECTION 141. In Colorado Revised Statutes, 43-1-106, **amend** (6) as follows:

43-1-106. Transportation commission - powers and duties. (6) The commission shall meet regularly not less than eight times a year, but special meetings may be called by the governor, the chairman of the commission, the executive director, or a majority of the members of the commission on three days' prior notice by mail or, in case of emergency, on twenty-four hours' notice by telephone or ~~telegraph~~ OTHER TELECOMMUNICATIONS DEVICE. The commission shall adopt rules in relation to its meetings and the transaction of its business. Six members shall constitute a quorum of the commission. All meetings of the commission, in any suit or proceedings, shall be presumed to have been duly called and regularly held, and all orders, rules, ~~and regulations~~, and proceedings of the commission to have been authorized, unless the contrary is proved. Each member of the commission shall receive seventy-five dollars per day for each regular or special meeting of the commission actually attended and shall be reimbursed for his or her necessary expenses incurred in the discharge of such member's official duties. Mileage rates shall be computed in accordance with section 24-9-104, C.R.S.

SECTION 142. In Colorado Revised Statutes, 43-1-420, **repeal** (5) as follows:

43-1-420. Specific information signs and tourist-oriented directional signs authorized - rules. (5) ~~Notwithstanding any provision of this section to the contrary, the department may erect, administer, and maintain signs within highway rights-of-way for the display of advertising and information of interest to the traveling public, pursuant to the federal authority set forth in 23 U.S.C. secs. 109 (d), 131 (f), and 315 and 49 CFR 1.48 (b).~~

SECTION 143. In Colorado Revised Statutes, 43-2-145, **amend** (1.3) (a) (II) as follows:

43-2-145. Transportation legislation review - committee. (1.3) (a) (II) The term "agency" includes, without limitation, the department of transportation, the regional transportation district, ~~the Colorado intermountain fixed guideway authority~~, and the Denver regional council of governments.

SECTION 144. In Colorado Revised Statutes, 43-4-402, **amend** (2) (a) as follows:

43-4-402. Source of revenues - allocation of moneys. (2) (a) The general assembly shall make an annual appropriation out of the moneys in the fund to the department of public health and environment in an amount sufficient to pay for the costs of laboratory services and implied consent specialists, which costs were previously paid out of the highway users tax fund. Of the moneys remaining in the fund, eighty percent shall be deposited in a special drunken driving account within the fund, which account is hereby created, and shall be available immediately, without further appropriation, for allocation by the transportation commission to the office of transportation safety, which shall allocate such moneys in accordance with the provisions of section 43-4-404 (1) and (2). The remaining twenty percent shall

be appropriated by the general assembly to the unit in the department of human services that administers behavioral health programs and services, including those related to mental health and substance abuse, which shall use such moneys for the purposes stated in section 43-4-404 (3). The office of transportation safety and the unit in the department of human services that administers behavioral health programs and services, including those related to mental health and substance abuse, may use such amounts from the moneys allocated or appropriated to them by this subsection (2) as may be necessary for the purpose of paying the costs incurred by the office and ~~the division~~ UNIT in administering the programs established pursuant to this part 4; except that neither the office of transportation safety nor said unit may use for such purpose an amount which exceeds eight percent of the moneys allocated or appropriated.

SECTION 145. In Colorado Revised Statutes, 22-30.5-520, **amend** (3) as follows:

22-30.5-520. Parent involvement - policy - communications - incentives - notice of funding through gifts, grants, and donations - repeal. (3) (a) The institute board may solicit, accept, and expend public or private gifts, grants, or donations to implement all or a portion of the parent involvement programs implemented under a policy adopted pursuant to this section.

(b) (I) IN SEEKING OR ACCEPTING GIFTS, GRANTS, OR DONATIONS, THE INSTITUTE BOARD SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS FOR THE PARENT INVOLVEMENT PROGRAMS AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3), C.R.S.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE AUGUST 10, 2014.

SECTION 146. In Colorado Revised Statutes, 24-30-2115, **amend** (2) as follows:

24-30-2115. Address confidentiality program grant fund - creation - notice of funding through gifts, grants, and donations - repeal. (2) (a) The department is authorized to seek, accept, and expend gifts, grants, and donations from private or public sources for the implementation of the program. All private and public funds received through gifts, grants, and donations shall be transmitted to the state treasurer, who shall credit the same to the fund.

(b) (I) IN SEEKING OR ACCEPTING GIFTS, GRANTS, OR DONATIONS, THE DEPARTMENT SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS FOR THE PROGRAM AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3).

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JUNE 2, 2014.

SECTION 147. In Colorado Revised Statutes, 24-30-2203, **amend** (5) as follows:

24-30-2203. Disabled-benefit support contract committee - notice of funding through gifts, grants, and donations - repeal. (5) (a) The committee is authorized to seek and accept grants or donations from private or public sources for the purposes of this part 22; except that the committee shall not accept a gift, grant, or donation that is subject to conditions that are inconsistent with this part 22 or part 13 of article 75 of this title regarding the status of grants and donations made to state agencies. The committee shall transmit the moneys to the disability-benefit support fund.

(b) (I) IN SEEKING OR ACCEPTING GIFTS, GRANTS, OR DONATIONS, THE COMMITTEE SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS FOR THIS PART 22 AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3).

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE APRIL 26, 2014.

SECTION 148. In Colorado Revised Statutes, 24-33.5-513, **add** (5) (c) (I.5) as follows:

24-33.5-513. Prostitution enforcement resources grant program - application process - cash fund - reports - rules - notice of funding through gifts, grants, and donations - repeal. (5) (c) (I.5) (A) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION, THE DIVISION SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS TO IMPLEMENT THIS SECTION AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3).

(B) THIS SUBPARAGRAPH (I.5) IS REPEALED, EFFECTIVE AUGUST 10, 2014.

SECTION 149. In Colorado Revised Statutes, **amend** 26-6-605 as follows:

26-6-605. Department of defense quality child care standards pilot program - funding - notice of funding through gifts, grants, and donations - repeal. (1) It is the intent of the general assembly that the pilot program shall be funded by gifts, grants, and donations; federal moneys; and any fees collected pursuant to section 26-6-604 (7). Payment for child care services for a child of a member of the military shall be made by the family and shall include any child care benefit or stipend received by the child care facility from the federal department of defense. The state department and the local public health agency may access other already appropriated state funds to enhance the quality of care and education of children in the implementation of the quality rating and improvement system. Moneys from fees collected pursuant to section 26-6-604 (7) may be used to administer a pilot site licensing unit. The state department and the local public health agency shall not be obligated to implement the provisions of section 26-6-604 until such time as sufficient funds are available.

(2) (a) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION, THE STATE DEPARTMENT SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR DONATIONS TO IMPLEMENT THIS PART 6 AND SHALL INCLUDE IN THE NOTIFICATION THE

INFORMATION SPECIFIED IN SECTION 24-75-1303 (3), C.R.S.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE MARCH 17, 2014.

SECTION 150. In Colorado Revised Statutes, 42-1-403, **amend** (5) (d) as follows:

42-1-403. License plate auction group - notice of funding through gifts, grants, and donations - repeal. (5) The group has the following duties and powers:

(d) (I) To accept any gifts, grants, and loans of money, property, or other aid from the federal government, the state, any state agency, or any other source if the group complies with this part 4 and part 13 of article 75 of ~~this~~ title 24, C.R.S.;

(II) (A) IN SEEKING OR ACCEPTING ANY GIFTS, GRANTS, AND LOANS, THE GROUP SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR OTHER SOURCES FOR THE IMPLEMENTATION OF THIS PART 4 AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3), C.R.S.

(B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE APRIL 26, 2014.

SECTION 151. Capital construction appropriations to the department of higher education for the fiscal year beginning July 1, 2006. In Session Laws of Colorado 2011, section 1 of chapter 334, (SB 11-155), **amend** the headnotes as follows:

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	<i>CAPITAL</i> <i>CONSTRUCTION</i> <i>FUND</i> <i>EXEMPT</i>	CASH FUNDS	REAPPROPRIATED FUNDS CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 152. Capital construction appropriations to the department of higher education for the fiscal year beginning July 1, 2007. In Session Laws of Colorado 2011, section 2 of chapter 334, (SB 11-155), **amend** the headnotes as follows:

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	<i>CAPITAL</i> <i>CONSTRUCTION</i> <i>FUND</i> <i>EXEMPT</i>	CASH FUNDS	REAPPROPRIATED FUNDS CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

SECTION 153. In Colorado Revised Statutes, 17-22.5-403.5, **amend** (1) introductory portion as follows:

17-22.5-403.5. Special needs parole. (1) Notwithstanding any provision of law to the contrary, a special needs offender, as defined in section ~~17-2-102 (7.5) (a)~~ 17-1-102 (7.5) (a), may be eligible for parole prior to or after the offender's parole eligibility date pursuant to this section if:

SECTION 154. Act subject to petition - effective date. (1) Except as otherwise provided in this section, this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 14 of this act takes effect only if House Bill 13-1266 does not become law.

(3) Sections 28, 29, and 30 of this act takes effect only if Senate Bill 13-162 does not become law.

(4) Section 143 of this act takes effect only if House Bill 13-1299 does not become law.

(5) Sections 145 to 150 of this act shall not take effect if Senate Bill 13-268 is enacted and becomes law.

Approved: May 28, 2013

APPENDIX

C.R.S. Section	Section in bill	Reason
1-2-213 (2)(e)	1	Corrects errors in internal references made in a conforming amendment appearing in the House State, Veterans, and Military Affairs Committee Report to the introduced version of HB11-1080. (See the 2011 House Journal for February 25, pages 471 through 473 and 485, lines 38 through 48, and HB11-1080, chapter 256, pages 1109, 1110, and 1123.)
2-3-1203 (3)(y)(II), (3)(dd)(III), and (3)(dd)(IV)	2	<ul style="list-style-type: none"> ● Section 26-8.7-107 provided for the repeal of article 8.7 of title 26, effective July 1, 2012; therefore, subsection (3)(y)(II) is being repealed as obsolete. (See HB07-1274, chapter 288, page 1221.) ● Senate Bill 09-056 authorized the sale of the only non-veterans nursing home operated by the state; therefore, references to "state and veterans nursing homes" are being changed to "state veterans nursing homes". (See SB09-056, chapter 177, page 783.)
2-3-1502 (2) and (6)	3	Makes conforming amendments missed in a strike below amendment adopted by the Senate Judiciary Committee that amended the reengrossed version of HB12-1283. (See the 2012 Senate Journal for May 1, pages 970 to 1016, and HB12-1283, chapter 240, page 1065.)
2-3-1503 (2)	4	See section 2-3-1502 (2) and (6).
3-1-132 (4)(c)	5	Repeals this provision as obsolete because of the cessation of Unites States' jurisdiction over Lowry air force base. (See SB94-145, chapter 121, page 648.)
4-9.7-106 (d), (e)(1)(B), and (e)(1)(C)	6	The House Business Affairs and Labor Committee Report amending the introduced version of HB06-1266 struck subsection (c) resulting in the relettering of subsection (d) to subsection (c); however, the conforming amendments were missed. (See the House Journal for February 19, page 481, lines 5 through 7, and HB08-1266, chapter 84, pages 270 and 271.)

6-16-104 (6)(a)	7	Changes internal references to federal provisions describing persons who are exempt from filing a federal annual information return to correspond with the reorganization of the section by Public Law 109-222 and to correct an oversight in SB09-292. (See Public Law 109-222 and SB09-292, chapter 369, page 1986.)
7-90-102 (61.3) and (61.4)	8	Conforms this section to standard drafting format by placing the defined terms in alphabetical order.
7-90-203.7 IP(1) and IP(2)	9	House Bill 07-1135 relocated the provisions establishing when entities' plans of merger should be approved from section 7-90-203 to section 7-90-203.4; however, the conforming amendments in this section were missed. (See HB07-1135, chapter 56, page 239.)
8-73-114 (8)(a)(II)	10	The self-employment assistance program was never created; therefore, this provision is being deleted as inoperative. (See HB12-1272, chapter 265, page 1380.)
9-5.5-114 (6)	11	Corrects an error originating in the introduced version of HB10-1231 in which the internal reference to the statute establishing procedures to enact rules to set fees to approximate the costs of issuing certificates of operation was incorrect. (See HB10-1231, chapter 75, page 256.)
10-2-706	12	Corrects internal references to the bail bond insurance producer provisions to correct errors in the Senate Finance Committee Report amending the reengrossed version of HB12-1266. (See the 2012 Senate Journal for May 3, page 1065, lines 56 to 62, and HB12-1266, chapter 280, page 1500.)
10-4-633.5 IP(3)	13	To correct an error in the House Business Affairs and Labor Committee Report to the introduced version of HB10-1166, an internal reference is being changed to clarify that subsection (3) is further explaining the formatting requirements of the report described in subsections (1) and (2). (See the 2010 House Journal for March 11, page 745, lines 54 through 56, page 746, lines 1 and 55, and page 747, lines 1 and 2, and HB10-1166, chapter 143, page 487.)

10-16-104 (5) and (7)(c)(II)	14	Conforms subsection (5) to standard drafting format to correct an error originating in the introduced version of SB92-104, and makes a conforming change in subsection (7)(c)(II). (See SB92-104, chapter 207, page 1621.)
10-16-107.3 IP(3)	15	See section 10-4-633.5 IP(3).
11-71-103 (1)(e) and (1)(f)	16	Relocates the definition of "electronic computing device" to subsection (1)(e) to pair the defined term with the text that uses the term and defines "electronic computer device" using the exact definition formerly in section 13-21-603 (2) prior to the repeal of part 6 of article 21 of title 13 in HB11-1303.
12-6-537	17	Changes internal references to provisions governing the unlawful termination of vehicle and powersports vehicle franchise agreements to correct errors in the House Economic and Business Development Committee Report amending the introduced version of HB11-1188. (See the 2011 House Journal for February 16, page 302, lines 35 to 50, and HB11-1188, chapter 175, page 662.)
12-16-105 (1)(b)(I)	18	Subsection (1)(b)(II)(B) provided for the repeal of subsection (1)(b)(II), effective July 1, 2012; therefore, the internal reference to this provision is being deleted as obsolete. (See HB10-1377, chapter 212, page 923.)
12-16-217 (2)(a)	19	Subsection (2)(b)(II) provided for the repeal of subsection (2)(b), effective July 1, 2012; therefore, the internal reference to this provision is being repealed as obsolete. (See HB10-1377, chapter 212, page 924.)
12-29.3-102 (3) and (4)	20	See section 2-3-1502 (2) and (6).
12-40-108 (1)(b)	21	Recognition at the federal level of a professional accrediting agency is a function of the Secretary of Education. (See <u>InfoUSA U.S. Department of State. "Accreditation in the United States."</u> 29 Nov. 2012 < http://infousa.state.gov/education/overview/accreditation.html >)
12-41-107 IP(1)(b)	22	Senate Bill 11-169 modified and relocated the language within the section describing the written examination physical therapists must take to become licensed by the state. The conforming amendment in this provision was missed. (See SB11-169, chapter 172, pages 613 and 614.)

12-41-109 (3)(a)	23	See section 12-41-107 IP(1)(b).
12-43-211 (1)(b)(V) and (1)(b)(VI)	24	Senate Bill 11-187 relocated the definition of the practice of licensed professional counseling and addiction counseling; however, the conforming amendments in these provisions were missed. (See SB11-187, chapter 285, pages 1297, 1318, and 1321.)
12-43.3-307 (1)(m)	25	Deletes "except that" due to the repeal of the exception, effective July 1, 2012, and repeals subsection (1)(m)(I) to follow standard statutory format regarding introductory portions. (See the Legislative Assistant Manual, Office of Legislative Legal Services, November 2010 Issue, Updated May 29, 2012, page 5-10.)
12-43.3-402 (5)	26	Replaces a generic term with that of the defined term to correct an error in the House Judiciary Committee Report amending the introduced version of HB10-1284. (See section 25-1.5-106 (2)(e), C.R.S. 2012, the 2010 House Journal for March 23, page 925, lines 54 to 56 and page 926, lines 1 and 2, and HB10-1284, chapter 355, page 1668.)
12-47-503 (1)(b)(III)	27	Subsection (1)(b)(I)(B) provided for the repeal of subsection (1)(b), effective July 1, 2000; therefore, the internal reference to this provision is being deleted as obsolete. (See HB97-1076, chapter 80, page 274.)
12-58-102	28	Conforms this section to standard drafting format by placing the defined terms in alphabetical order and making conforming amendments, grammatical corrections, and deleting obsolete and duplicative language.
12-58-104.5 (1)	29	See section 12-58-102.
12-58-106.5	30	See section 12-58-102.
12-64-105 (13)	31	Senate Bill 11-169 transferred the rule-making authority regarding the physical therapy of animals from the director of the division of registrations to the state board of veterinary medicine; however, the conforming amendment in this provision was not made. (See SB11-169, chapter 172, page 631, and section 12-41-103.6 (2)(b)(II).)
13-21-108.3 (2)(b) and (3)(c)	32	See section 2-3-1502 (2) and (6).

13-32-101 (7)(c)	33	Errors in the Senate Judiciary Committee Report amending the introduced version of SB08-206 incorrectly reference the department of personnel, created in section 24-1-128, as the department of personnel and administration. (See the 2008 Senate Journal for March 25, page 666, lines 36 through 54, and SB08-206, chapter 417, pages 2114 and 2129.)
13-80-101 (1)(o)(II)	34	Repeals this provision as obsolete because of the repeal of part 6 of article 21 of title 13 by HB11-1303. (See HB11-1303, chapter 264, page 1153.)
14-10-122 (1.5)(c)(I)	35	Changes an internal reference to the federal definition of "financial institution" appearing in the House Appropriations Committee Report to the introduced version of HB97-1205. (See the 1997 House Journal for March 27, page 1029, lines 35 through 48, and HB97-1205, chapter 236, page 1266.)
15-10-106.5 (1) and (2)(b)(IX)	36	See section 2-3-1502 (2) and (6).
15-11-1215	37	Changes an internal reference to the recording requirements for disclaimers of interest in real property to correct an error first appearing in the introduced version of SB11-166. (See SB11-166, chapter 203, page 868.)
17-27-102 (3.5)	38	Replaces "community corrections program agent" with "community parole officer" to parallel the terminology in statute with the terminology used by the department of corrections and to follow the general assembly's intent when they adopted SB08-172. (See SB08-172, chapter 187, page 654.)
17-27-105.5 (1)(a), (2), IP(3), IP(4), (5), (6), and (7)	39	See section 17-27-102 (3.5).
18-18-102 (34.5)(b)(VII)	40	Corrects the spelling of a chemical compound to fix an error originating in the introduced version of SB11-134. (See SB11-134, chapter 261, page 1138.)
19-7-101 (1)	41	Corrects grammatical errors originating in the introduced version of SB11-120. (See SB11-120, chapter 102, page 319.)

22-9.7-102 (4)	42	Section 22-68.5-104 provided for the repeal of article 68.5 of title 22, effective July 1, 2012; therefore, this provision is being repealed as obsolete. (See HB09-1065, chapter 289, page 1405.)
22-32-128	43	House Bill 11-1198 repealed articles 10 and 11 of title 40 and reorganized and combined them into a new article 10.1 of title 40. The conforming amendment in this provision was missed. (See HB11-1198, chapter 127, pages 395 and 416.)
23-31-313 (6)(a)(II)	44	See section 2-3-1502 (2) and (6).
23-41-104 (6)	45	House Bill 11-1241 created a new property tax exemption for property used by a nonprofit housing provider for low-income housing. The exemption was added as a new section 39-3-113.5; however, the conforming amendments reflecting the added exemption were not included in the bill. (See HB11-1241, chapter 248, page 1082.)
24-1-114 (4)(b)	46	House Bill 07-1254 relocated Colorado State University - Pueblo from article 55 of title 23 to article 31.5 of title 23. The conforming amendment in this provision was missed. (See HB07-1254, chapter 141, page 547.)
24-1-120 (5)(k)	47	See section 2-3-1203 (3)(y)(II), (3)(dd)(III), and (3)(dd)(IV).
24-1-124 (2.1)(b)	48	Section 24-33-304 provided for the repeal of part 3 of article 33 of title 24, effective July 1, 2013; therefore, this provision is being repealed as obsolete. (See SB04-239, chapter 316, page 1200.)
24-4-102 (3)(a)	49	Senate Bill 06-049 repealed article 9 of title 23 and HB07-1254 relocated parts 2 to 4 of article 30 of title 23 to parts 2 to 4 of article 31 of title 23. The conforming amendments for these sections were missed. (See SB06-049, chapter 333, page 1659, and HB07-1254, chapter 141, pages 531 to 538.)
24-6-301 (1.7)(a)	50	Section (3.5)(a)(II) was repealed, effective June 7, 1984, in HB84-1329; however, this conforming amendment was missed. (See HB84-1329, chapter 323, pages 1121 and 1131.)
24-10-103 (4)(a)	51	See section 2-3-1502 (2) and (6).

24-30-2114 (4)(a)	52	Corrects an error in the State, Veterans, and Military Affairs Committee Report amending the introduced version of HB11-1080 by repealing an incorrect internal reference to specific one-time monetary transfers made to the address confidentiality program in 2008 and 2009. Those transfers were repealed as obsolete by HB11-1080. (See the 2011 House Journal for February 25, page 484, lines 44 to 48, and page 486, lines 14 to 29, and HB11-1080, chapter 256, pages 1121 and 1123.)
24-32-723 IP(3)	53	A senate second reading floor amendment to the reengrossed version of HB11-1230 relocated the office of youth services from the department of human services to the department of the local affairs but inadvertently missed this conforming amendment. (See the 2011 Senate Journal for April 12, page 723, lines 12 through 72, and page 724, lines 1 through 13, and HB11-1230, chapter 170, page 588.)
24-33.5-202 (4), (6), and (7)	54	Updates an antiquated term.
24-33.5-206	55	See section 24-33.5-202 (4), (6), and (7).
24-33.5-207	56	<ul style="list-style-type: none"> ● See section 24-33.5-202 (4), (6), and (7). ● Inserts gender neutral terminology in subsection (2) to conform to standard drafting practices.
24-33.5-208	57	See section 24-33.5-202 (4), (6), and (7).
24-33.5-209	58	<ul style="list-style-type: none"> ● See section 24-33.5-202 (4), (6), and (7). ● Inserts gender neutral terminology in subsection (2) to conform to standard drafting practices.
24-33.5-220	59	See section 24-33.5-202 (4), (6), and (7).
24-33.5-706 (2)(b)	60	Repeals this provision as obsolete because the referenced transfer was made on July 31, 2009.
24-33.5-1212 (5)(c)	61	See section 2-3-1502 (2) and (6).
24-34-803 (7)(b)	62	Changes an internal reference to the federal definition of "persons with disabilities" to correspond with the reorganization of the section by Public Law 110-325.
24-50-104 (1)(a)(III) and (7)(d)	63	<ul style="list-style-type: none"> ● See section 24-33.5-202 (4), (6), and (7). ● See section 2-3-1502 (2) and (6).

24-72-204 (3)(a)(XX)	64	Section 24-37.5-106 (3)(g) provided for the repeal of section 24-37.5-106 (3), effective January 1, 2010; therefore, this provision is being repealed as obsolete. (See SB09-162, chapter 423, page 2361.)
24-75-402 (5)(aa)	65	See section 2-3-1502 (2) and (6).
24-77-104 (3)(b) and (4)	66	See section 2-3-1502 (2) and (6).
24-101-401 (1)	67	To correct an error originating in the introduced version of SB81-130, an internal reference is being changed to properly cite the provision that exempts certain information from public record. (See SB81-130, chapter 319, pages 1262, 1266 to 1268.)
25-1-104	68	Replaces an antiquated form of notification of special or emergency meetings with the option of using a variety of telecommunication devices.
25-1-108 (1)(c)(VI)	69	See section 2-3-1502 (2) and (6).
25-1-901 (1)(d)	70	Senate Bill 89-011 changed the name of the advisory commission on family medicine to the commission on family medicine; however, the conforming amendment in this provision was missed. (See SB89-011, chapter 232, page 1146.)
25-1-902 (3)	71	The commission on family medicine has not requested staff or clerical assistance from the Colorado academy of family physicians since 1993; therefore, the provision requiring the academy to provide these services upon the commission's request is being repealed as obsolete. (See SB79-353, chapter 261, page 1001.)
25-1.5-102 (1)(b)(I)	72	See section 2-3-1502 (2) and (6).
25-1.5-103 (5)(a)	73	Deletes the reference to the office of preparedness, security, and fire safety added to this provision by HB12-1268 because HB12-1283 eliminated the office and transferred its functions to the division of fire prevention and control in the department of public safety. (See HB12-1268, chapter 234, page 1024, and HB12-1283, chapter 240, pages 1065 and 1070.)
25-1.5-107 (2)(a)(III)	74	See section 2-3-1502 (2) and (6).

25-3-102 (3)(a)	75	See section 25-1.5-103 (5)(a).
25-5-1106 (3)	76	Inserts language adopted in SB97-136 that was inadvertently omitted during the printing of the 1997 Colorado Revised Statutes. (See SB97-136, chapter 210, page 1085.)
25-7-133 (2)(c)	77	Subsection (2)(d)(II) provided for the repeal of subsection (2)(d), effective July 1, 2001; therefore, the internal reference to this provision is being deleted as obsolete. (See HB00-1172, chapter 61, page 187.)
25-10-105 (1)	78	Senate Bill 06-171 amended section 25-10-104 (1) to transfer the authority to promulgate guidelines for rules that provide minimum standards for individual sewage disposal systems to the water quality control commission; however, the conforming amendment in this provision was missed. (See SB06-171, chapter 247, page 1129.)
25-11-303 (1)(d)(IV)	79	Subsection (1)(d)(IV) provides for the repeal of subsection (1)(d) when the nine designated uranium processing sites are acquired by the state in accordance with the federal "Uranium Mill Tailings Radiation Control Act of 1978" (UMTRCA). The federal UMTRCA, USC §§ 7901 - 7942, allows states to acquire properties that the department of energy (DOE) is planning to remediate if certain conditions are met. The DOE determined that two of the nine sites do not qualify for remediation. Since the requirements of subsection (1)(d)(IV) will not be met, subsection (1)(d)(IV) is being repealed.
25.5-1-204 (10)	80	Subsection (10) is being repealed as obsolete. Notice was delivered to the revisor of statutes on November 22, 2011, that sufficient funding had been received through gifts, grants, and donations to create the all-payer health claims database. (See HB10-1330, chapter 299, page 1406.)
25.5-5-412 (3)(f)	81	House Bill 08-1374 repealed the cap on the capitated rate under the program of all-inclusive care for the elderly; however, the conforming amendment in this provision was missed. (See HB08-1374, chapter 376, page 1749.)
26-2-136	82	Subsection (1)(b) provided for the repeal of the personal identification committee established in subsection (1), effective July 1, 1998; therefore repeals the entire section as obsolete. (See HB97-1065, chapter 99, page 345.)

26-7.5-105 (1)(b)	83	Corrects an internal reference to the statute that authorizes the transfer of certain fees to reimburse domestic abuse programs. (See HB11-1303, chapter 264, page 1170).
26-12-101	84	See section 2-3-1203 (3)(y)(II), (3)(dd)(III), and (3)(dd)(IV).
26-12-401	85	See section 2-3-1203 (3)(y)(II), (3)(dd)(III), and (3)(dd)(IV).
26-12-402 (1), (2), (7)(a), (7)(c), (7)(d), (7)(e), (7)(f), (7)(g), and (8)	86	See section 2-3-1203 (3)(y)(II), (3)(dd)(III), and (3)(dd)(IV).
27-90-111 (3)(e)	87	See section 2-3-1203 (3)(y)(II), (3)(dd)(III), and (3)(dd)(IV).
28-5-703 (4)(a)	88	See section 2-3-1203 (3)(y)(II), (3)(dd)(III), and (3)(dd)(IV).
28-5-709 (1)(b)(I.5)	89	Section 26-12-306 provided for the repeal of part 3 of article 12 of title 26, effective July 1, 2007; therefore, subsection (1)(b)(I.5) is being repealed. (See HB05-1336, chapter 168, page 597.)
29-2-106.1 (8)(d)	90	In keeping with the legislative intent of the general assembly, changes the reference appearing in the introduced version of SB11-086 by which a taxpayer who has exhausted local remedies as a condition precedent to filing an appeal may appeal a deficiency notice or refund claim denial issued by a county or municipality in connection with the imposition of a sales or use tax by such government in accordance with section 39-21-105 to include all of the provisions of subsection (8). (See SB11-086, chapter 52, page 135.)
29-3.5-101 (3)	91	See section 24-4-102 (3)(a).
29-20-105.5 (2)(a)	92	The Senate Judiciary Committee Report amending HB12-1283 relocated the definition of fire department; however, the conforming amendment in this provision was missed. (See the 2012 Senate Journal for May 1, page 998, lines 55 to 58, and HB12-1283, chapter 240, page 1107.)
29-22.5-102 (1), (1.3), and (1.7)	93	See section 2-3-1502 (2) and (6).

29-22.5-103 (2)(c) and (3)	94	See section 2-3-1502 (2) and (6).
29-22.5-104 (5)	95	See section 2-3-1502 (2) and (6).
30-10-409 (6)(b)	96	See section 2-3-1502 (2) and (6).
30-10-513 (1)(d) and (2)	97	See section 2-3-1502 (2) and (6).
30-15-401 IP(1)(n.5)(II)	98	See section 2-3-1502 (2) and (6).
30-20-1304 (2)(b)	99	County resolutions authorizing the creation of a federal mineral lease district are no longer required to include a listing of municipalities within the county that have enacted ordinances proposing to join the district due to the repeal of section 30-20-1304 (3) by SB12-031; therefore, this provision is being repealed as obsolete. (See SB12-031, chapter 84, page 276.)
31-30-1131 (3)	100	See section 2-3-1502 (2) and (6).
31-31-803 (3)(b)	101	Inserts the proper citation for the definition of "addiction" to correct an error originating in SB85-082 and carried forward in SB96-011 and HB12-1311. (See SB85-082, chapter 257, page 1080; SB96-011, chapter 183, page 927, and HB12-1311, chapter 281, page 1630.)
33-13-111 (1)(b)(I)	102	See section 2-3-1502 (2) and (6).
34-46-104	103	See section 24-33.5-202 (4), (6), and (7).
34-63-102 (1)(a)(II), IP(5.3)(a), and IP(5.4)	104	Senate Bill 11-238 relocated the language creating the mineral leasing fund to section 34-63-102 (1)(a)(II); however, the conforming amendments were not included in the introduced or subsequent versions of the bill. (See SB11-238, chapter 300, page 1441.)
35-1-105 (2)	105	See section 25-1-104.
35-4-110 (3)	106	See section 2-3-1502 (2) and (6).
35-12-104 IP(1)	107	Subsection (1.5)(b) provided for the repeal of subsection (1.5), effective July 1, 2012; therefore, the internal reference to this provision is being deleted as obsolete. (See HB10-1377, chapter 212, page 921.)

35-12-106 (8)(a)	108	Subsection (8)(b)(II) provided for the repeal of subsection (8)(b), effective July 1, 2012; therefore, the internal reference to this provision is being deleted as obsolete. (See HB10-1377, chapter 212, page 922.)
35-14-128 (2)(a)	109	Subsection (2)(b)(II) provided for the repeal of subsection (2)(b), effective July 1, 2012; therefore, the internal reference to this provision is being deleted as obsolete. (See HB10-1377, chapter 212, page 922.)
35-33-104 (6)	110	House Bill 12-1158 repealed article 59 of title 35; however, the conforming amendment was missed in this provision. (See HB12-1158, chapter 13, page 33.)
35-46-105 (2)	111	See section 24-33.5-202 (4), (6), and (7).
36-1-147.5 (3)(a)	112	Subsection (3)(b)(II) provided for the repeal of subsection (3)(b), effective December 1, 2007; therefore this reference is being deleted as obsolete. (See HB07-1145, chapter 168, page 622.)
37-47-137 (3)	113	House Bill 92-1333 recodified and renamed the "Colorado Election Code of 1980" as the "Uniform Election Code of 1992"; however, the conforming amendment in subsection (3) was missed. (See HB92-1333, chapter 118, page 624.)
37-92-305 (6)(c)	114	<ul style="list-style-type: none"> ● Section 37-90-102 (3)(b) provided for the repeal of section 37-90-102 (3), effective July 1, 2004; therefore the reference to this section is being deleted as obsolete. (See HB03-1005, chapter 239, page 1596.) ● For historical purposes, language is being added to follow the reference to section 37-90-137 (12)(b)(I) to explain that this section was repealed, effective July 1, 2004, pursuant to section 37-90-137 (12)(b)(II).
38-33.3-209.4 (4)	115	The first report of the first conference committee amending the rerevised version of SB05-100 moved section 38-33.3-117 (1) (h.5) to section 38-33.3-117 (1.5) (c); however, the conforming amendment was missed in this provision. (See the 2005 House Journal for May 6, pages 1660 and 1661, and SB05-100, chapter 308, page 1378.)
39-1-102 (14.4)(a)	116	House Bill 11-1146 modified the definition of residential land to include land that was formerly classified as agricultural land if certain criteria are met. The conforming amendment in this provision was missed. (See HB11-1146, chapter 166, page 571.)

39-2-117 (1)(a)(I), (1)(b)(I), (1)(b)(II), (2), (3)(a)(I), (3)(a)(II), (3)(b)(I), and (3)(b)(II)(A)	117	See section 23-41-104 (6).
39-3-106.5 IP(1), IP(1.5), IP(2), and (3)	118	See section 23-41-104 (6).
39-3-108 (3)(a)	119	See section 23-41-104 (6).
39-3-116 (1) and (2)	120	See section 23-41-104 (6).
39-3-123 (1)(b)	121	See section 23-41-104 (6).
39-3-128	122	See section 23-41-104 (6).
39-3-137 (1)(a)	123	See section 23-41-104 (6).
39-10-114 (1)(c)	124	See section 23-41-104 (6).
39-22-516 (2.6)(a)(VI)	125	Effective January 1, 2014, House Bill 11-1081 amended subsection (2.6)(a)(VI) to include liquefied petroleum gas (also known as propane) conversion vehicles in the definition of "category 4" vehicles that qualify for an income tax credit for purchases of alternative fuel vehicles pursuant to subsection (2.6)(b)(II); however, that income tax credit was only available in the 2010 and 2011 tax years, making the amended version of subsection (2.6)(a)(VI) obsolete. (See HB11-1081, chapter 262, page 1142.)
39-22-3901 (2)	126	House Bill 11-1097 created a new voluntary contribution benefiting Goodwill-Colorado, a collaborative of Goodwill Industries of Colorado Springs and Goodwill Industries of Denver; however, this reference was inadvertently overlooked in the introduced version of the bill. (See HB11-1097, chapter 140, pages 486.)

39-22-3902	127	A Senate Finance Committee Report to the reengrossed version of HB11-1097 established a queue system for new voluntary contributions created by the general assembly in 39-22-1001 (8); however, language indicating that a line has become available and that the contribution is next in the queue was inadvertently omitted from this provision. (See the 2011 Senate Journal for March 11, page 436, lines 41 through 69, and page 437, lines 1 through 42, and HB11-1097, chapter 140, page 487.)
39-22-3904	128	See section 39-22-3902.
39-22-4202	129	Conforms the voluntary contribution language added in a House Appropriations Committee Report to the reengrossed version of SB11-109 to the voluntary contribution language appearing in 39-22-3902 and 39-22-3904. (See the 2011 House Journal for May 9, page 1344, lines 22 through 46, and SB11-109, chapter 284, page 1272.)
39-22-4204	130	See section 39-22-4202.
39-29-110 (1)(a)(III)	131	Senate Bill 11-238 repealed section 39-29-110 (1)(a)(II) but did not make the conforming amendments in this provision. (See SB11-238, chapter 300, page 1446.)
40-15-208 (2)(a)(I)	132	See section 24-72-204 (3)(a)(XX).
40-15-503 (2)(b)(V)	133	Senate Bill 98-177 repealed the existing high cost fund and transferred the unencumbered balance remaining on July 1, 1998, to a new fund, designated as the high cost administration fund; however, the conforming amendment updating the name of the fund was missed in this provision. (See SB98-177, chapter 204, page 702).
40-17-104 (4)(d)	134	See section 2-3-1203 (3)(y)(II), (3)(dd)(III), and (3)(dd)(IV).
42-2-312	135	Repeals this provision as inoperative and obsolete because it provides funding for the county jail identification processing unit, which was repealed, effective July 1, 2012. (See SB09-006, chapter 403, page 2217.)

42-3-245 (1)	136	Section 42-3-207 (2) was repealed by SB12-007 at the same time that section 42-3-245 was added by HB12-1275. The provision for collecting the signatures of at least three thousand people committed to purchasing the proposed license plate is now located in section 42-3-207 (6). (See SB12-007, chapter 88, page 288, and HB12-1275, chapter 194, page 773.)
42-4-230 (4)	137	Updates an antiquated term.
42-4-304 (3)(b)	138	<ul style="list-style-type: none"> ● This reference first appeared in a 1989 Transportation Committee amendment and was carried forward, renumbered, and amended with the recodification of title 42 in 1994; however, since there are no terms being defined in section 42-3-106 (4), this reference is being deleted. (See the 1989 Senate Journal for May 3, 1989, page 1105, lines 53 through 62, and HB89-1312, chapter 355, page 1578.) ● A strike below amendment in the Senate Transportation Committee Report repealed section 42-4-304 (3)(c) but did not include the conforming amendments in this provision. (See the 2011 Senate Journal for February 1, page 167, lines 24 through 33, and SB11-031, chapter 86, page 245.)
42-4-407 (1)	139	"Self-certification fleet" procedures are described rather than defined in section 42-4-407.
42-8-102 (3)	140	See section 24-33.5-202 (4), (6), and (7).
43-1-106 (6)	141	See section 25-1-104.
43-1-420 (5)	142	Corrects an error originating in the introduced version of HB12-1108. The bill repealed the restrictions on the placement of department of transportation signs in urbanized areas on the interstate system. Removing the restrictions created two nearly identical provisions in subsections (1)(a) and (5). To correct the problem, subsection (5) is being repealed. (See HB12-1108, chapter 187, page 713.)
43-2-145 (1.3)(a)(II)	143	Section 32-16-109 provided for the repeal of the Colorado intermountain fixed guideway authority, effective January 1, 2004; therefore, the reference to the authority is being deleted from this provision as obsolete. (See HB98-1335, chapter 242, page 913.)

43-4-402 (2)(a)	144	House Bill 11-1303 renamed the division of alcohol and drug abuse to the unit in the department of human services that administers behavioral health programs, including those related to mental health and substance abuse. The conforming amendment in this provision was missed. (See HB11-1303, chapter 264, page 1184.)
22-30.5-520 (3)	145	Effective January 1, 2011, section 24-75-1304 (2), enacted in HB10-1178, requires each new bill enacted by the general assembly to include a notice of funding requirement if the new bill creates a program, service, study, interim committee, or other function of state government that is funded entirely or in any part by grant moneys. Notice of funding language is being added to the statutory sections that failed to include the specific language required by HB10-1178. (See HB10-1178, chapter 173, page 625.)
24-30-2115 (2)	146	See section 22-30.5-520 (3).
24-30-2203 (5)	147	See section 22-30.5-520 (3).
24-33.5-513 (5)(c)(1.5)	148	See section 22-30.5-520 (3).
26-6-605	149	See section 22-30.5-520 (3).
42-1-403 (5)(d)	150	<ul style="list-style-type: none"> ● See section 22-30.5-520 (3). ● Changes an internal reference to the statutes governing the status of gifts, grants, and donations made to state agencies to correct an error originating in the introduced version of HB11-1216. (See HB11-1216, chapter 131, page 461.)

Session Laws of Colorado 2011, section 1 of chapter 334	151	In 2011, the supplemental appropriation act for funding capital construction projects (Senate Bill 11-155) amended section 3 of the long bill (HB06-1385), chapter 394, Session Laws of Colorado 2006, to repeal the amount appropriated to Colorado state university for allocation to the veterinary teaching hospital, food animal care facility construction; however incorrect column headings were used based on the Joint Budget Committee's change from Capital Construction Fund Exempt to Reappropriated Funds, approved by the Joint Budget Committee October 7, 2009, instead of using the column headings as they appeared in the 2006 long bill. Also, the Capital Construction Fund Exempt column heading was omitted in the 2011 act and is included as it appeared in the 2006 long bill.
Session Laws of Colorado 2011, section 2 of chapter 334	152	In 2011, the supplemental appropriation act for funding capital construction projects (Senate Bill 11-155) amended section 3 of the long bill (SB07-239), chapter 466, Session Laws of Colorado 2007, to repeal the amount appropriated to Colorado state university at Fort Collins for allocation to the alumni and welcome center building; however incorrect column headings were used based on the Joint Budget Committee's change from Capital Construction Fund Exempt to Reappropriated Funds, approved by the Joint Budget Committee October 7, 2009, instead of using the column headings as they appeared in the 2007 long bill. Also, the Capital Construction Fund Exempt column heading was omitted in the 2011 act and is included as it appeared in the 2007 long bill.
17-22.5-403.5 IP(1)	153	Corrects an internal reference to a defined term.