



**SUPPLEMENTAL REPORT TO THE STATUTORY REVISION
COMMITTEE'S NOVEMBER 15, 2016 REPORT TO THE
COLORADO GENERAL ASSEMBLY**

FEBRUARY 7, 2017

STATUTORY REVISION COMMITTEE

Supplemental Report

February 7, 2017

Table of Contents

Introductory Remarks	3
• Committee members	
• Committee history and charge	
• Review of Committee's work	
• Acknowledgments	
Bill Descriptions	5
Bill Draft A	11
Bill Draft B	18
Bill Draft C	27
Bill Draft D	32
Bill Draft E	40
Bill Draft F	51
Bill Draft G	57
Bill Draft H	64
Bill Draft I	67
Bill Draft J	75
Bill Draft K	80

2016 Committee Members¹

Representative Dominick Moreno, Chair
Representative Timothy Dore, Vice-Chair
Representative Jeni James Arndt
Senator Andy Kerr
Senator Beth Martinez Humenik
Senator Pat Steadman
Senator Jack Tate
Representative Dan Thurlow
Committee Member Patrice Bernadette Collins, Esq.
Committee Member Brad Ramming, Esq.

Committee History and Charge

The Statutory Revision Committee was formed as a result of the passage of HB 16-1077. A revival of the committee of the same name, which functioned from 1977 to 1985, the duties of the Committee are as follows:²

1. To make an ongoing examination of the statutes of the state and current, non-pending judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms;
2. To receive, solicit, and consider proposed changes in the law recommended by the American Law Institute, local and state bar associations, and other learned bodies;
3. To recommend, upon the vote of five legislative members of the Committee, legislation to effect necessary changes in the law in order to modify or eliminate antiquated, redundant, or contradictory rules of law and to bring the laws of this state into harmony with modern conditions;
4. To propose legislation only to streamline, reduce, or repeal provisions of the Colorado Revised Statutes and to endeavor to recommend legislation that cumulatively has no net increase in the number of laws, or pages of the laws, in the Colorado Revised Statutes; and
5. To report its findings and recommendations on or before November 15 of each year to the General Assembly and, if it chooses, to attach to this report copies of any proposed bills intended to carry out its recommendations.

¹ Section 2-3-901, C.R.S.

² Section 2-3-902, C.R.S.

The Committee is staffed by the Office of Legislative Legal Services. Any person interested in reporting defects in the law or antiquated, redundant, or contradictory law may contact Committee staff by e-mailing StatutoryRevision.ga@state.co.us or by calling (303) 866-2045.

Review of Committee's Work

In 2016, the Committee met three times³ and issued its [Annual Report to the Colorado General Assembly](#) on November 15, 2016, in accordance with the statutory deadline for such report. This supplemental report details the suggestions for legislation that were considered in December of 2016, after the Annual Report was submitted to the General Assembly.

At the meeting on December 13, 2016, the Committee unanimously approved for introduction 11 bills, each of which is described *infra* and attached in full.

Respectfully submitted,



Senator Dominick Moreno

Chairperson, 2016

³ To view the agendas and meeting packets from previous committee meetings, please visit: <http://leg.colorado.gov/agencies/office-legislative-legal-services/statutory-revision-committee-meeting-archive>

Bill Descriptions⁴

Bill Draft A (SB 17-031 / LLS 17-0265.01)⁵

This bill and the six that follow were originally requested by Representative Thurlow, who asked for a series of bill drafts that align the judicial branch and executive branch statutory reporting requirements with section 24-1-136 (11), Colorado Revised Statutes, which provides for repeal of such reports after three years unless otherwise provided. In earlier Committee meetings, Susan Liddle of the Legislative Council Staff testified that the Colorado Revised Statutes includes 387 statutorily required reports; after reaching out to all departments involved, and per Representative Thurlow's request that the drafts be organized by the department required to submit the report, 17 drafts were completed. The remaining 10 drafts addressing these reporting requirements will be considered at the January 20, 2017, meeting of the Committee.

Christina Rosendahl, Assistant Director of Intergovernmental Relations and Legislative Liaison to the Department of Corrections, provided written remarks and testimony during the meeting in response to the reports included in the initial bill draft addressing reports the Department of Corrections is required to submit to the General Assembly, the Judiciary and Transportation Committees of the House of Representatives and Senate, and other agencies.

- **C.R.S. title/Department affected:** Titles 17, 18, and 42, Colorado Revised Statutes; Department of Corrections
- **Quantitative effect of bill:** Of the 11 reports included in the bill as approved for introduction, four reports are repealed or scheduled for repeal in accordance with section 24-1-136 (11), C.R.S. The remaining reports are continued indefinitely but, in some cases, will no longer be submitted to the legislative recipients.

Bill Draft B (HB 17-1060 / LLS 17-0268.01)⁶

This bill addresses reports that the Department of Health Care Policy and Financing is required to submit to the General Assembly, the Joint Budget Committee, and other

⁴ The bills included in the appendices are in bill paper form and reflect the changes requested by Committee members and those made by staff, who were given permission to make nonsubstantive technical changes as approved by the Committee at its December 13, 2016, meeting.

⁵ See **Appendix A** for the bill draft.

⁶ See **Appendix B** for the bill draft.

legislative committees. Zack Lynkiewicz, Legislative Liaison to the Department of Health Care Policy and Financing, provided testimony during the meeting in response to the reports included in the initial bill draft.

- **C.R.S. title/Department affected:** Title 25.5, Colorado Revised Statutes; Department of Health Care Policy and Financing
- **Quantitative effect of bill:** Of the 13 reports included in the bill as approved for introduction, four reports are repealed or scheduled for repeal in accordance with section 24-1-136 (11), C.R.S. The remaining reports are continued indefinitely but, in some cases, will no longer be submitted to the legislative recipients.

Bill Draft C (HB 17-1047 / LLS 17-0275.01)⁷

This bill addresses reports the Department of Local Affairs is required to submit to the General Assembly and the Transportation Legislative Review Committee. Bruce Eisenhauer, Legislative Liaison to the Department of Local Affairs, provided testimony during the meeting in response to the reports included in the initial bill draft.

- **C.R.S. title/Department affected:** Titles 24, 34, 39, and 43, Colorado Revised Statutes; Department of Local Affairs
- **Quantitative effect of bill:** Of the six reports included in the bill as approved for introduction, four are repealed; the remaining reports are continued indefinitely.

Bill Draft D (HB 17-1058 / LLS 17-0278.01)⁸

This bill addresses reports the Department of Personnel and Administration is required to submit to the General Assembly, the Joint Budget Committee, the Legislative Council, and other legislative committees. Jack Wylie, Director of Intergovernmental Affairs and Legislative Liaison to the Department of Personnel and Administration, provided written remarks and testified during the meeting in response to the reports included in the initial bill draft.

- **C.R.S. title/Department affected:** Title 24, Colorado Revised Statutes; Department of Personnel and Administration

⁷ See **Appendix C** for the bill draft.

⁸ See **Appendix D** for the bill draft.

- **Quantitative effect of bill:** Of the 11 reports included in the bill as approved for introduction, six reports are repealed or scheduled for repeal in accordance with section 24-1-136 (11), C.R.S. The remaining reports are continued indefinitely but, in some cases, will no longer be submitted to the legislative recipients.

Bill Draft E (SB 17-056 / LLS 17-0476.01)⁹

This bill addresses reports the Department of Public Health and Environment is required to submit to the General Assembly, the Joint Budget Committee, and other legislative committees. Michael Nicoletti, Legislative Liaison to the Department of Public Health and Environment, provided testimony during the meeting in response to the reports included in the initial bill draft.

- **C.R.S. title/Department affected:** Titles 25 and 30, Colorado Revised Statutes; Department of Public Health and Environment
- **Quantitative effect of bill:** Of the 15 reports included in the bill as approved for introduction, three reports are repealed or scheduled for repeal in accordance with section 24-1-136 (11), C.R.S. The remaining reports are continued indefinitely but, in some cases, will no longer be submitted to the legislative recipients.

Bill Draft F (HB 17-1059 / LLS 17-0279.01)¹⁰

This bill addresses reports the Department of Public Safety is required to submit to the General Assembly, the Joint Budget Committee, and the Judiciary and Education Committees of the House of Representatives and Senate. Gabby Reed, Legislative Liaison to the Department of Public Safety, provided written remarks and testimony during the meeting in response to the reports included in the initial bill draft.

- **C.R.S. title/Department affected:** Titles 16, 18, and 24, Colorado Revised Statutes; Department of Public Safety
- **Quantitative effect of bill:** Of the nine reports included in the bill as approved for introduction, six reports are repealed or scheduled for repeal in accordance with section 24-1-136 (11), C.R.S. The remaining reports are continued indefinitely but, in some cases, will no longer be submitted to the legislative recipients.

⁹ See **Appendix E** for the bill draft.

¹⁰ See **Appendix F** for the bill draft.

Bill Draft G (SB 17-044 / LLS 17-0280.01)¹¹

This bill addresses reports the Department of Regulatory Agencies is required to submit to the General Assembly, the Senate Business, Labor, and Technology Committee, the Business Affairs and Labor Committee of the House of Representatives, and the Joint Transportation Committees. Ginny Brown, Legislative Liaison to the Department of Regulatory Agencies, and Dianne Ray, the State Auditor, provided testimony during the meeting in response to the reports included in the initial bill draft.

- **C.R.S. title/Department affected:** Titles 8, 10, and 40, Colorado Revised Statutes; Department of Regulatory Agencies
- **Quantitative effect of bill:** Of the nine reports included in the bill as approved for introduction, 4 reports are repealed or scheduled for repeal in accordance with section 24-1-136 (11), C.R.S. The remaining reports are continued indefinitely but, in some cases, will no longer be submitted to the legislative recipients.

Bill Draft H (SB 17-046 / LLS 17-0263.01)¹²

Currently, the State Treasurer and Controller are required to *physically* post a list of all warrants and uncashed checks to be paid by the state during the previous fiscal year; the bill repeals this obsolete provision concerning the physical posting of the list, but does not prevent any individual or organization from requesting an electronic copy. This issue was brought to the attention of committee staff by the State Controller and Department of Personnel.

- **C.R.S. title/Department affected:** Title 24, Colorado Revised Statutes; State Treasurer
- **Quantitative effect of bill:** The introduced bill removes approximately 72 words, total, from statute.

¹¹ See **Appendix G** for the bill draft.

¹² See **Appendix H** for the bill draft.

Bill Draft I (SB 17-052 / LLS 17-0258.01)¹³

The bill, requested by the Department of Education, changes incorrect references in Title 22 to “October 1” as the “pupil enrollment count day”, when the reference should solely be “pupil enrollment count day”, to take into account occurrences when October 1 falls on a holiday or a weekend. The bill also removes references to “accredited nonpublic school” and “accredited independent school”, because the State Board of Education provides no such accreditation to these schools.

- **C.R.S. title/Department affected:** Title 22, Colorado Revised Statutes; Department of Education
- **Quantitative effect of bill:** The introduced bill removes 37 words, total, from statute.

Bill Draft J (HB 17-1005 / LLS 17-0262.01)¹⁴

The bill, requested by the State Auditor’s Office, modernizes laws affecting the Office and the Legislative Audit Committee by repealing obsolete and outdated reporting and auditing requirements, as well as the payment of a ten-cent recording fee for specific county bonds created in the nineteenth century, which has been rarely, if ever, used in the century since its addition to the statutes.

- **C.R.S. title/Department affected:** Titles 2, 24, 30, and 32, Colorado Revised Statutes; Office of the State Auditor
- **Quantitative effect of bill:** The introduced bill removes 305 words, total, from statute.

Bill Draft K (HB 17-1067 / LLS 17-0261.01)¹⁵

The bill addresses out-of-date references to American National Standards Institute (ANSI) standards, which govern the construction of accessible housing. The issue, brought to staff’s attention by staff for the Capital Development Committee and former state Representative Cheri Gerou, current Manager of the State Building Program in the Office of the State Architect, pertains to multiple references to standards adopted in 1998, when the State Architect, who

¹³ See **Appendix I** for the bill draft.

¹⁴ See **Appendix J** for the bill draft.

¹⁵ See **Appendix K** for the bill draft.

sets the building codes according to federal law, uses more recently adopted standards. To remedy this issue, references to ANSI standards directly affecting accessible housing refer to the general rule adopted, without specifying the specific year.

- **C.R.S. title/Department affected:** Title 9, Colorado Revised Statutes; Office of the State Architect
- **Quantitative effect of bill:** The change in word count in the affected statutes is negligible.

Bill Draft A

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0265.01 Kip Kolkmeier x4510

SENATE BILL 17-031

SENATE SPONSORSHIP

Tate, Kerr, Moreno

HOUSE SPONSORSHIP

Arndt, Thurlow

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF CORRECTIONS TO THE GENERAL ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement.

Shading denotes HOUSE amendment; Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Sections 1, 4, 5, 7, and 9 continue indefinitely the reporting requirements contained in those statutory sections.

Sections 2 and 3 repeal reports related to corrections that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Sections 6 and 8 of the bill add a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, 17-1-104.3, **amend**
3 (5) as follows:

4 **17-1-104.3. Correctional facilities - locations - security level.**

5 (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), monthly the
6 department shall submit a project status report on construction and A
7 monthly population and capacity report to the office of state planning and
8 budgeting, the joint budget committee, the capital development
9 committee, and THE legislative council. The monthly population and
10 capacity report shall MUST include information on state and private
11 contract facilities, including but not limited to operational capacity for the
12 previous month, the month just ending and capacity changes, on grounds
13 population, and operational capacity for this period in the previous year.
14 The department shall include total beds occupied in each facility, state or
15 private contract, by custody level and by gender. The report shall itemize
16 operational capacities for jail backlog, community corrections, parole,
17 youthful offenders, escapees, and revocations.

18 **SECTION 2.** In Colorado Revised Statutes, 17-1-113.9, **repeal**
19 (1) as follows:

20 **17-1-113.9. Use of administrative segregation for state**
21 **inmates.** (1) On or before January 1, 2012, and each January 1 thereafter;

1 ~~the executive director shall provide a written report to the judiciary~~
2 ~~committees of the senate and house of representatives, or any successor~~
3 ~~committees, concerning the status of administrative segregation;~~
4 ~~reclassification efforts for offenders with mental illnesses or~~
5 ~~developmental disabilities, including duration of stay, reason for~~
6 ~~placement, and number and percentage discharged; and any internal~~
7 ~~reform efforts since July 1, 2011.~~

8 **SECTION 3.** In Colorado Revised Statutes, 17-1-115.7, **repeal**
9 (2) as follows:

10 **17-1-115.7. Prevention of sexual assaults on youthful inmates**
11 **- compliance with federal law - definitions.** (2) ~~On or before October~~
12 ~~1, 2013, and on or before each October 1 thereafter, the department shall~~
13 ~~report to the judiciary committees of the house of representatives and~~
14 ~~senate, or any successor committees, concerning the implementation of~~
15 ~~the policies described in subsection (1) of this section within the youth~~
16 ~~offender system described in section 18-1.3-407.5, C.R.S.~~

17 **SECTION 4.** In Colorado Revised Statutes, 17-1-115.8, **amend**
18 (1) introductory portion as follows:

19 **17-1-115.8. Corrections officer staffing - double shift criteria**
20 **- definitions.** (1) ~~NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the~~
21 ~~department shall prepare a report for the members of the general assembly~~
22 ~~by January 15, 2014, and by January 15 each year thereafter, regarding~~
23 ~~corrections officer staffing levels. The report must include:~~

24 **SECTION 5.** In Colorado Revised Statutes, 17-1-201, **amend** (2)
25 as follows:

26 **17-1-201. Duties of department.** (2) ~~NOTWITHSTANDING SECTION~~
27 ~~24-1-136 (11)(a)(I), no later than December 1 of each fiscal year,~~

1 beginning with the 1996-97 fiscal year, the executive director shall submit
2 a report to the speaker of the house of representatives and the president
3 of the senate concerning the status of contracts in effect, and, with respect
4 to completed prisons, the effectiveness of each private contract prison
5 governed by a contract with the department.

6 **SECTION 6.** In Colorado Revised Statutes, 17-2-102, **amend**
7 (13) as follows:

8 **17-2-102. Division of adult parole - general powers, duties, and**
9 **functions - definitions - repeal.** (13) (a) On or before January 1, 2016,
10 and on or before January 1 each year thereafter, the division of adult
11 parole shall provide to the judiciary committees of the senate and the
12 house of representatives, or any successor committees, a status report on
13 the effect on parole outcomes and the use of any money allocated
14 pursuant to Senate Bill 15-124, enacted in 2015.

15 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
16 (13) IS REPEALED, EFFECTIVE JANUARY 2, 2019.

17 **SECTION 7.** In Colorado Revised Statutes, 17-2-201, **amend**
18 (3.5) as follows:

19 **17-2-201. State board of parole - definitions.**
20 (3.5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the chairperson
21 shall annually make a presentation to the judiciary committees of the
22 house of representatives and the senate, or any successor committees,
23 regarding the operations of the board. ~~and the information required by~~
24 ~~section 17-22.5-404.5 (4).~~

25 **SECTION 8.** In Colorado Revised Statutes, 17-33-101, **amend**
26 (8) as follows:

27 **17-33-101. Reentry planning and programs for adult parole**

1 - grant program - rules - reports - repeal. (8) (a) On and after January
2 1, 2016, during its annual presentation before the joint judiciary
3 committee of the general assembly, or any successor joint committee,
4 pursuant to section 2-7-203, ~~C.R.S.~~, the department shall include a status
5 report regarding the progress and outcomes of the initiatives developed
6 and implemented by the department pursuant to this section during the
7 preceding year.

8 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
9 (8) IS REPEALED, EFFECTIVE JANUARY 2, 2019.

10 **SECTION 9.** In Colorado Revised Statutes, 18-1.3-1011, amend
11 (1) introductory portion as follows:

12 **18-1.3-1011. Annual report.** (1) NOTWITHSTANDING SECTION
13 24-1-136 (11)(a)(I), on or before November 1, 2000, and on or before
14 each November 1 thereafter, the department of corrections, the
15 department of public safety, and the judicial department shall submit a
16 report to the judiciary committees of the house of representatives and the
17 senate, or any successor committees, and to the joint budget committee
18 of the general assembly specifying, at a minimum:

19 **SECTION 10.** In Colorado Revised Statutes, 18-3-414.5, amend
20 (4) introductory portion as follows:

21 **18-3-414.5. Sexually violent predators - assessment annual**
22 **report.** (4) On or before January 15, 2008, and on or before January 15
23 each year thereafter, the judicial department and the department of
24 corrections shall jointly submit to the ~~judiciary committees of the senate~~
25 ~~and the house of representatives, or any successor committees, to the~~
26 division of criminal justice in the department of public safety and to the
27 governor a report specifying the following information:

1 **SECTION 11.** In Colorado Revised Statutes, 42-3-301, amend
2 (2)(a) as follows:

3 **42-3-301. License plate cash fund - license plate fees.**

4 (2) (a) The fees imposed pursuant to subsection (1) of this section shall
5 be limited to the amount necessary to recover the costs of the production
6 and distribution of any license plates, decals, or validating tabs issued
7 pursuant to this article ARTICLE 3 and the related support functions
8 provided to the department of revenue by the division. The correctional
9 industries advisory committee, established pursuant to section 17-24-104
10 (2), C.R.S., shall annually review and recommend to the director of the
11 division the amounts of the fees to be imposed pursuant to subsection (1)
12 of this section. The director of the division, in cooperation and
13 consultation with the department of revenue and the office of state
14 planning and budgeting, shall annually establish the amounts of the fees
15 imposed pursuant to subsection (1) of this section to recover the division's
16 costs pursuant to this subsection (2). ~~On or before March 1, 2010, and on~~
17 ~~or before March 1 every five years thereafter, the director of the division~~
18 ~~shall file a written report with the transportation and energy committee of~~
19 ~~the house of representatives, or any successor committee, and the~~
20 ~~transportation committee of the senate, or any successor committee,~~
21 ~~concerning any change within the preceding five years in the amount of~~
22 ~~the fee imposed pursuant to subsection (1) of this section and the reason~~
23 ~~for the change in the fee.~~

24 **SECTION 12. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2018 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.

Bill Draft B

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0268.01 Kip Kolkneier x4510

HOUSE BILL 17-1060

HOUSE SPONSORSHIP

Thurlow, Arndt

SENATE SPONSORSHIP

Tate, Kerr, Moreno

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO THE
103 GENERAL ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

acting by bill, continues the requirement.

Sections 2, 6, 7, 9, and 10 continue indefinitely the reporting requirements contained in those statutory sections.

Sections 1, 3, and 4 of the bill repeal reports from the state department and subsidiary officials that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

Sections 5 and 8 add a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** 25.5-1-113.5
3 as follows:

4 **25.5-1-113.5. Children's access to health care - reports.** ~~(1) On~~
5 ~~or before January 1, 2008, and on or before each January 1 thereafter, the~~
6 ~~state department shall submit a report to the health and human services~~
7 ~~committees of the senate and the house of representatives, or any~~
8 ~~successor committees, on measures of access to and quality of health care~~
9 ~~for children eligible for programs pursuant to this title, including but not~~
10 ~~limited to data showing whether:~~

11 ~~(a) Providers for children are participating in the programs and are~~
12 ~~accepting eligible children as patients on a regular basis;~~

13 ~~(b) Eligible children are enrolling in programs under this title and~~
14 ~~are remaining enrolled so that the children have continuity of care;~~

15 ~~(c) Eligible children are receiving the early and periodic~~
16 ~~screening, diagnosis, and treatment services required by federal law;~~
17 ~~including but not limited to regular preventive care and, when~~
18 ~~appropriate, timely specialty care, and that providers are accurately~~
19 ~~reporting the data from these visits; and~~

20 ~~(d) Providers are using other appropriate measures of access and~~

1 ~~quality to improve health outcomes and maximize the expenditure of~~
2 ~~health care resources:~~

3 **SECTION 2.** In Colorado Revised Statutes, 25.5-1-115.5, **amend**
4 (1) introductory portion as follows:

5 **25.5-1-115.5. Medical assistance client fraud - report.**
6 (1) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I),
7 on or before January 15, 2013, and on or before January 15 each year
8 thereafter, the state department shall submit a written report to the
9 judiciary committee and the health and environment committee of the
10 house of representatives, or their successor committees, and to the
11 judiciary committee and the health and human services committee of the
12 senate, or their successor committees, relating to fraudulent receipt of
13 medicaid benefits including, at a minimum:

14 **SECTION 3.** In Colorado Revised Statutes, 25.5-1-123, **repeal**
15 (3) as follows:

16 **25.5-1-123. Medical homes for children - legislative**
17 **declaration - duties of the department.** (3) ~~On or before January 30,~~
18 ~~2008, and every January 30 thereafter, the state department shall report~~
19 ~~to the health and human services committees of the house of~~
20 ~~representatives and the senate, or any successor committees, on progress~~
21 ~~made toward maximizing the number of children with a medical home~~
22 ~~who are enrolled in the state medical assistance program or the children's~~
23 ~~basic health plan.~~

24 **SECTION 4.** In Colorado Revised Statutes, 25.5-1-204, **amend**
25 (4) and (5)(h) as follows:

26 **25.5-1-204. Advisory committee to oversee the all-payer health**
27 **claims database - legislative declaration - creation - members - duties**

1 - **creation of all-payer health claims database - rules.** (4) The
2 administrator shall seek funding for the creation of the all-payer health
3 claims database and develop a plan for the financial stability of the
4 database. On or before March 1, 2011, the administrator shall report to
5 the governor ~~and the general assembly~~ on the status of the funding effort
6 and on the status of the recommendations of the advisory committee. The
7 report shall include the final data elements recommended by the advisory
8 committee, the final provisions contemplated to comply with the "Health
9 Insurance Portability and Accountability Act of 1996", Pub.L. 104-191,
10 as amended, and any other final recommendations that are ready at the
11 time of the report. If sufficient funding is received through gifts, grants,
12 and donations on or before January 1, 2012, as determined by the
13 executive director, the administrator shall, in consultation with the
14 advisory committee, create the Colorado all-payer claims database. The
15 Colorado all-payer claims database shall be operational no later than
16 January 1, 2013.

17 (5) If sufficient funding is received, the executive director shall
18 direct the administrator to create the database and the administrator shall:

19 (h) Report to the governor ~~and the general assembly~~ on or before
20 March 1 of each year on the status of implementing the database and any
21 recommendations for statutory or regulatory changes, with input from the
22 advisory committee or its successor governance entity, that would
23 advance the purposes of this section;

24 **SECTION 5.** In Colorado Revised Statutes, 25.5-1-206, amend
25 (6) as follows:

26 **25.5-1-206. School-based substance abuse prevention and**
27 **intervention program - creation - reporting - legislative declaration**

1 - definitions - repeal. (6)(a) On or before November 1 in any fiscal year
2 in which the state department awards grants pursuant to this section, the
3 state department shall submit a report to the joint budget committee; the
4 public health care and human services and the health, insurance, and
5 environment committees of the house of representatives, or any successor
6 committees; and the health and human services committee of the senate,
7 or any successor committee, summarizing all grants awarded pursuant to
8 the grant program. At a minimum, the report must include the grant
9 recipient and the amount of the grant, a description of the program or
10 strategies delivered by the grant recipient, the outcomes achieved or
11 proposed to be achieved by the program or strategies, and any other
12 information relating to the success of the grant program in reducing or
13 preventing the use of marijuana and alcohol and the misuse of
14 prescription drugs by youth who are twelve to nineteen years of age.

15 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
16 (6) IS REPEALED, EFFECTIVE NOVEMBER 2, 2017.

17 **SECTION 6.** In Colorado Revised Statutes, amend 25.5-3-107
18 as follows:

19 **25.5-3-107. Report concerning the program.**
20 NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), the
21 executive director shall prepare an annual report concerning the status of
22 the medically indigent program to be submitted to the health and human
23 services committees of the senate and the house of representatives, or any
24 successor committees, no later than February 1 of each year. The report
25 shall be prepared following consultation with providers in the program,
26 state department personnel, and other agencies, organizations, or
27 individuals as the executive director deems appropriate in order to obtain

1 comprehensive and objective information about the program.

2 **SECTION 7.** In Colorado Revised Statutes, 25.5-3-405, amend
3 (2) as follows:

4 **25.5-3-405. Program reporting.** (2) NOTWITHSTANDING THE
5 PROVISIONS OF SECTION 24-1-136 (11)(a)(I), on or before November 1,
6 2016, and each November 1 thereafter, the state department shall submit
7 a report to the joint budget committee of the general assembly and to the
8 health and human services committee of the senate and the public health
9 care and human services committee of the house of representatives, or
10 any successor committees, on the operation and effectiveness of the
11 program, including an itemization of the department's administrative
12 expenditures in implementing and administering the program and any
13 recommendations for legislative changes to the program.

14 **SECTION 8.** In Colorado Revised Statutes, 25.5-4-211, amend
15 (3) as follows:

16 **25.5-4-211. Medicaid management information system -**
17 **appropriation in annual general appropriation act - expenditure in**
18 **next fiscal year - repeal.** (3) (a) On or before January 2, 2015, and on
19 or before January 2 of each year thereafter, the state department shall
20 report to the joint budget committee the amount of the appropriation from
21 the prior fiscal year that remains available for the current fiscal year and
22 the purpose for which the money are being used.

23 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
24 (3) IS REPEALED, EFFECTIVE JANUARY 3, 2018.

25 **SECTION 9.** In Colorado Revised Statutes, 25.5-4-401.5, amend
26 (2)(a) and (2)(d) as follows:

27 **25.5-4-401.5. Review of provider rates - advisory committee**

1 - **recommendations - repeal.** (2) (a) In the first phase of the review
2 process, the state department shall conduct an analysis of the access,
3 service, quality, and utilization of each service subject to a provider rate
4 review. The state department shall compare the rates paid with available
5 benchmarks, including medicare rates and usual and customary rates paid
6 by private pay parties, and use qualitative tools to assess whether
7 payments are sufficient to allow for provider retention and client access
8 and to support appropriate reimbursement of high-value services.
9 NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), on
10 or before May 1, 2016, and each May 1 thereafter, the state department
11 shall provide a report on the analysis required by this paragraph (a) to the
12 advisory committee, the joint budget committee, and any stakeholder
13 groups identified by the state department whose rates are reviewed.

14 (d) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136
15 (11)(a)(I), on or before November 1, 2016, and each November 1
16 thereafter, the state department shall submit a written report to the joint
17 budget committee and the advisory committee containing its
18 recommendations on all of the provider rates reviewed pursuant to this
19 section and all of the data relied upon by the state department in making
20 its recommendations. The joint budget committee shall consider the
21 recommendations in formulating the budget for the state department.

22 **SECTION 10.** In Colorado Revised Statutes, 25.5-10-207.5,
23 **amend** (2) and (3)(a) as follows:

24 **25.5-10-207.5. Strategic plan for services and supports - joint**
25 **hearing - reporting - legislative declaration.** (2) During each regular
26 session of the general assembly, the joint budget committee and the health
27 and human services committees of the senate and the house of

1 representatives, or any successor committees, shall hold a joint hearing
2 and take public testimony on the status of the waiting lists for persons
3 with intellectual and developmental disabilities who are waiting for
4 enrollment into a home- and community-based services program or a
5 program provided pursuant to this ~~article~~ ARTICLE 10 and the availability
6 of general fund money to reduce the number of persons on the waiting
7 lists and the amount of time eligible persons wait for such services.
8 NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), the
9 state department shall present testimony, including the information
10 provided in the report pursuant to subsection (3) of this section, as well
11 as information concerning the ongoing implementation of the strategic
12 plan required pursuant to subsection (4) of this section, including any
13 revisions to the strategic plan. Additionally, the state department,
14 community-centered boards, and providers shall report on the use and
15 effectiveness of any money appropriated in the preceding state fiscal year
16 for increasing system capacity. The goal of the hearing is to propose an
17 appropriation from the general fund to the intellectual and developmental
18 disabilities services cash fund.

19 (3) (a) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136
20 (11)(a)(I), on or before November 1, 2014, and November 1 of each year
21 thereafter, in accordance with section 24-1-136 (9), ~~C.R.S.~~, the state
22 department shall report to the general assembly the total number of
23 persons with intellectual and developmental disabilities who are waiting
24 at the time of the report for enrollment into a home- and
25 community-based services program or a program provided pursuant to
26 this ~~article~~ ARTICLE 10. The report must also include information
27 concerning the ongoing implementation of the strategic plan required

1 pursuant to subsection (4) of this section, including any revisions to the
2 strategic plan.

3 **SECTION 11. Effective date.** (1) Except as otherwise provided
4 in this section, this act takes effect upon passage.

5 (2) Section 10 of this act takes effect November 2, 2017.

6 **SECTION 12. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.

Bill Draft C

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0275.01 Kristen Forrester x4217

HOUSE BILL 17-1047

HOUSE SPONSORSHIP

Thurlow, Arndt

SENATE SPONSORSHIP

Tate, Kerr, Moreno

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF LOCAL AFFAIRS TO THE GENERAL ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due, unless the general assembly, acting by bill, continues the requirement.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

The bill addresses reporting requirements of the department of local affairs.

Sections 1, 2, and 6 repeal reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates listed in the organic statutes.

Sections 3, 4, and 5 continue indefinitely the reporting requirements contained in those statutory sections.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-32-723, repeal
3 (4)(c) as follows:

4 **24-32-723. Office of homeless youth services - creation -**
5 **function - duties - definitions.** (4) (c) ~~On or before January 15, 2012,~~
6 ~~and on or before each January 15 thereafter, the office of homeless youth~~
7 ~~services, in conjunction with the prevention services division in the~~
8 ~~department of public health and environment and the department of~~
9 ~~education, shall submit a consolidated report to the general assembly of~~
10 ~~existing reports relating to prevention, intervention, and treatment~~
11 ~~services provided to homeless youth eighteen years of age to twenty-one~~
12 ~~years of age by the department of human services, county departments of~~
13 ~~social services, and other state departments that operate prevention,~~
14 ~~intervention, and treatment programs serving youth eighteen years of age~~
15 ~~to twenty-one years of age. The report shall also include the data that the~~
16 ~~department of education annually compiles on the number of homeless~~
17 ~~youth enrolled in public schools in the state, the type of homelessness,~~
18 ~~and the list of services that are provided to such homeless youth. The~~
19 ~~consolidated report shall include the number of youth served, the types of~~
20 ~~services provided, and the outcomes derived from such services.~~

21 **SECTION 2.** In Colorado Revised Statutes, 24-32-1707, repeal
22 (9) as follows:

1 **24-32-1707. Statewide balance.** (9) ~~The executive director shall~~
2 ~~file with the general assembly before February 1 of each year a detailed~~
3 ~~accounting of the distribution and use of bond allocations for the prior~~
4 ~~year.~~

5 **SECTION 3.** In Colorado Revised Statutes, 34-63-102, **amend**
6 **(5)(c)** as follows:

7 **34-63-102. Creation of mineral leasing fund - distribution -**
8 **advisory committee - local government permanent fund created -**
9 **definitions - transfer of money - repeal.** (5) (c) NOTWITHSTANDING
10 SECTION 24-1-136 (11)(a)(I), the executive director of the department of
11 local affairs shall deliver to the state auditor and file with the general
12 assembly annually before February 1 a detailed report accounting for the
13 distribution of all funds for the previous year. The energy impact
14 assistance advisory committee shall review the report prior to it being
15 delivered and filed.

16 **SECTION 4.** In Colorado Revised Statutes, 39-29-110, **amend**
17 **(3)** as follows:

18 **39-29-110. Local government severance tax fund - creation -**
19 **administration - definitions.** (3) NOTWITHSTANDING SECTION 24-1-136
20 (11)(a)(I), the executive director of the department of local affairs shall
21 deliver to the state auditor and file with the general assembly annually
22 before February 1 a detailed report accounting for the distribution of all
23 funds for the previous year. The energy impact assistance advisory
24 committee shall review the report prior to it being delivered and filed.

25 **SECTION 5.** In Colorado Revised Statutes, 43-4-514, **repeal** (3)
26 and (4) as follows:

27 **43-4-514. Notice - coordination of information.** (3) ~~(a)~~ The

1 ~~division shall file an annual report with the transportation legislation~~
2 ~~review committee concerning the activities of authorities created pursuant~~
3 ~~to this part 5. Such report shall detail how many authorities have been~~
4 ~~created, describe their boundaries, and specify the public highways which~~
5 ~~are being constructed and how they are being financed.~~

6 ~~(b) The division shall notify the transportation legislation review~~
7 ~~committee either in the report required by paragraph (a) of this subsection~~
8 ~~(3) or by letter, if it deems that immediate notification is warranted, of~~
9 ~~any situation relating to the creation of an authority or value capture area,~~
10 ~~the imposition of any fee, or the issuance of any bonds by an authority~~
11 ~~that the division believes or has reason to believe will adversely affect the~~
12 ~~tax-raising ability or the credit or bond rating of any governmental unit or~~
13 ~~any school district.~~

14 ~~(4) The authority shall report annually in the month of August to~~
15 ~~the transportation legislation review committee on its activities during the~~
16 ~~preceding twelve months and on its proposed activities during the~~
17 ~~succeeding twelve months. The board and staff of the authority shall~~
18 ~~cooperate with the transportation legislation review committee in carrying~~
19 ~~out its duties pursuant to section 43-2-145 (1.5).~~

20 **SECTION 6. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

Bill Draft D

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0278.01 Kristen Forrester x4217

HOUSE BILL 17-1058

HOUSE SPONSORSHIP

Thurlow, Arndt

SENATE SPONSORSHIP

Kerr, Moreno, Tate

House Committees
Business Affairs and Labor

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF PERSONNEL TO THE GENERAL ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses reporting

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

requirements of the department of personnel and administration.

Sections 1, 2, 6, 8, and 10 repeal reports that are scheduled to repeal according to section 24-1-136 (1)(a)(I). Currently there are no repeal dates in the organic statutes.

Sections 3, 4, 5, 7, and 9 continue indefinitely the reporting requirements contained in those statutory sections.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-201, amend
3 (1) introductory portion; and repeal (1)(l) as follows:

4 **24-30-201. Accounts and control - controller.** (1) The powers,
5 duties, and functions concerning accounts and control as set forth in this
6 part 2 ~~shall be~~ ARE the responsibility of the state controller. The controller
7 ~~shall be appointed by the executive director of the department of~~
8 ~~personnel SHALL APPOINT THE CONTROLLER,~~ subject to the provisions of
9 section 13 of article XII of the state constitution. The controller shall
10 MUST be bonded in such amount as the executive director shall fix. The
11 powers and duties of the controller ~~shall be~~ ARE:

12 (l) ~~To make available to each member of the general assembly by~~
13 ~~November 1 of each year a report on all capital leases having a total value~~
14 ~~of five hundred thousand dollars or more, concerning real property~~
15 ~~pursuant to sections 24-82-102, 24-82-801, and 24-82-1204, concerning~~
16 ~~personal property pursuant to the "Procurement Code", articles 101 to 112~~
17 ~~of this title, and concerning lease-purchase agreements pursuant to section~~
18 ~~24-82-801. The controller shall notify, in the most cost-effective manner~~
19 ~~available, each member of the general assembly of the availability of the~~
20 ~~report and offer to provide the members with copies of the report. The~~
21 ~~controller shall require and each department and agency of the executive~~
22 ~~branch shall submit to the controller by October 1 of each year a report on~~

1 capital leases having a total value of five hundred thousand dollars or
2 more, concerning real property pursuant to section 24-82-102, concerning
3 personal property pursuant to the "Procurement Code", articles 101 to 112
4 of this title, and concerning lease-purchase agreements pursuant to section
5 24-82-801, the payments of which are financed by appropriated funds to
6 which the department or agency is a party. For the purpose of this
7 paragraph (1), "capital lease" means a capital lease as defined in the
8 generally accepted accounting principles issued by the governmental
9 accounting standards board that the controller prescribes for the state as
10 specified in section 24-30-202 (12).

11 SECTION 2. In Colorado Revised Statutes, 24-30-202, amend
12 (26) as follows:

13 24-30-202. Procedures - vouchers, warrants, and checks -
14 rules - penalties. (26) The controller shall promulgate equitable fiscal
15 rules concerning travel policies applicable to state employees, including
16 methods of transportation, travel advances, reimbursements, travel
17 allowances, use of travel agents, and use of state or privately owned
18 vehicles, and may promulgate such rules for the implementation of a state
19 travel policy as he deems necessary to assure fair and reasonable
20 expenditures. The controller shall make available a report no later than
21 February 1 of each year to the governor the joint budget committee, and
22 the legislative audit committee regarding the travel expenses of state
23 employees for the prior fiscal year. Such THE report shall MUST include
24 but shall not be limited to, an itemized list of the travel expenses of each
25 department including in-state travel, out-of-state travel, and
26 out-of-country travel. The controller shall notify THE GOVERNOR in the
27 most cost-effective manner available, the governor the joint budget

1 ~~committee, and the legislative audit committee~~ of the availability of the
2 report and offering OFFER to provide copies of the report.

3 **SECTION 3.** In Colorado Revised Statutes, 24-30-204, **amend**
4 (1) as follows:

5 **24-30-204. Fiscal year.** (1) The fiscal year of the state
6 government shall commence on July 1 and end on June 30 of each year.
7 This fiscal year shall be followed in making appropriations and in
8 financial reporting and shall be uniformly adopted by all departments,
9 institutions, and agencies in the state government except the department
10 of transportation, which shall prepare and submit its budget as required
11 by law. Financial statements for the fiscal year shall be submitted by each
12 department, institution, or agency to the controller no later than August
13 25. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the controller shall
14 prepare financial statements in accordance with generally accepted
15 accounting principles and submit these financial statements to the
16 governor and the general assembly no later than September 20. The
17 controller may grant an extension, not to exceed twenty days, to any
18 department, institution, or agency because of administrative hardship in
19 complying with this section.

20 **SECTION 4.** In Colorado Revised Statutes, 24-30-1104, **amend**
21 (2) introductory portion, (2)(c)(II) introductory portion, and (2)(c)(V),
22 introductory portion follows:

23 **24-30-1104. Central services functions of the department -**
24 **definitions.** (2) In addition to the county-specific functions set forth in
25 subsection (1) of this section, the department of personnel shall take such
26 steps as are necessary to fully implement a central state motor vehicle
27 fleet system by January 1, 1993. The provisions of the motor vehicle fleet

1 system created pursuant to this subsection (2) shall apply to the executive
2 branch of the state of Colorado, its departments, its institutions, and its
3 agencies; except that the governing board of each institution of higher
4 education, by formal action of the board, and the Colorado commission
5 on higher education, by formal action of the commission, may elect to be
6 exempt from the provisions of this subsection (2) and may obtain a motor
7 vehicle fleet system independent of the state motor vehicle fleet system.
8 Under the direction of the executive director, the department of personnel
9 shall perform the following functions pertaining to the motor vehicle fleet
10 system throughout the state:

11 (c) (II) By January 1, 2008, the executive director shall adopt a
12 policy to significantly increase the utilization of alternative fuels and that
13 establishes increasing utilization objectives for each following year. To
14 encourage compliance with this policy, the rules promulgated pursuant to
15 this paragraph (c) SUBSECTION (2)(c) may establish progressively more
16 stringent percentage mileposts and, for fiscal years commencing after July
17 1, 2004, require the collection of data concerning the annual percentage
18 of state-owned bi-fueled vehicles that were fueled exclusively with an
19 alternative fuel. For the years commencing on January 1, 2008, and
20 January 1, 2009, the executive director shall purchase flexible fuel
21 vehicles or hybrid vehicles, subject to availability, unless the increased
22 cost of such vehicle is more than ten percent over the cost of a
23 comparable dedicated petroleum fuel vehicle. Beginning on January 1,
24 2010, the executive director shall purchase motor vehicles that operate on
25 compressed natural gas, plug-in hybrid electric vehicles, or vehicles that
26 operate on other alternative fuels, subject to their availability and the
27 availability of adequate fuel and fueling infrastructure, if either the

1 increased base cost of such vehicle or the increased life-cycle cost of such
2 vehicle is not more than ten percent over the cost of a comparable
3 dedicated petroleum fuel vehicle. The executive director shall adopt a
4 policy to allow some vehicles to be exempted from this requirement.
5 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the executive director
6 or the director's designee shall submit an annual report to the
7 transportation committees of the senate and the house of representatives,
8 or any successor committees, and the joint budget committee of the
9 general assembly, detailing the items specified in subparagraph (V) of this
10 paragraph ~~(c)~~ SUBSECTION (2)(c)(V) OF THIS SECTION. As used in this
11 subparagraph ~~(H)~~ SUBSECTION (2)(c)(II):

12 (V) NOTWITHSTANDING SECTION 24-1-136(11)(a)(I), on or before
13 November 1, 2013, and each November 1 thereafter, the executive
14 director or the director's designee shall submit a report to the general
15 assembly as specified in subparagraph ~~(H)~~ of this paragraph ~~(c)~~
16 SUBSECTION (2)(c)(II) OF THIS SECTION. The report must include, but need
17 not be limited to, the following:

18 SECTION 5. In Colorado Revised Statutes, 24-30-1303.5,
19 amend (6) and (7) as follows:

20 24-30-1303.5. Office of the state architect to prepare and
21 maintain inventory of state property - vacant facilities.

22 (6) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the office shall
23 prepare an annual report of the acquisitions and dispositions of real
24 property subject to this section and make the report available to the
25 members of the capital development committee. Such report must include
26 a description of the real property and its present use and value.

27 (7) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the office

1 revenues in excess of the limitation on state fiscal year spending imposed
2 by section 20 (7)(a) of article X of the state constitution, if any, for such
3 fiscal year and the state revenues in excess of such limitation that the state
4 is authorized to retain and spend pursuant to voter approval of section
5 24-77-103.6.

6 **SECTION 10.** In Colorado Revised Statutes, 24-102-205, repeal
7 (7) as follows:

8 **24-102-205. Centralized contract management system -**
9 **personal services contracts - legislative declaration - definitions.**

10 ~~(7) (a) Commencing on September 30, 2007, until such time as the~~
11 ~~development of the system created in paragraph (a) of subsection (3) of~~
12 ~~this section is complete, the department shall provide reports on a~~
13 ~~quarterly basis to the joint budget committee of the general assembly~~
14 ~~concerning the status of the development of the system:~~

15 ~~(b) The department shall annually report information on personal~~
16 ~~services contracts contained in the centralized contract management~~
17 ~~system created in paragraph (a) of subsection (3) of this section to the~~
18 ~~standing legislative committees of reference in each house of the general~~
19 ~~assembly with oversight responsibilities over the department's affairs:~~

20 ~~(c) With respect to any sole-source personal services contract~~
21 ~~identified in the system required to be maintained by the department~~
22 ~~pursuant to paragraph (a) of subsection (3) of this section, the department~~
23 ~~shall submit an annual report to the legislative council of the general~~
24 ~~assembly created in section 2-3-301 (1), C.R.S., concerning any new~~
25 ~~contract entered into by the state during the prior calendar year. Each~~
26 ~~report shall describe, without limitation, the following:~~

27 ~~(i) The number and aggregate value of the sole-source personal~~

1 services contracts for each category of services specified in subsection (4)
2 of this section; and

3 (H) ~~The justification provided by the governmental body for the~~
4 ~~use of the sole-source contracting provisions in section 24-103-205 and~~
5 ~~the steps taken to determine if a vendor is the only available source for~~
6 ~~the required supply, service, or construction item.~~

7 **SECTION 11. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2018 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.

Bill Draft E

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0476.01 Kristen Forrester x4217

SENATE BILL 17-056

SENATE SPONSORSHIP

Kerr, Tate, Moreno

HOUSE SPONSORSHIP

Arndt, Thurlow

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO THE
103 GENERAL ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement. The bill addresses reporting requirements of the department of public health and environment.

Sections 1, 6, 7, 8, 12, and 15 of the bill continue indefinitely the reporting requirements contained in those statutory sections.

Sections 2 to 5, 9, 10, 11, and 13 repeal reports that are or were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there are no repeal dates listed in the organic statute.

Section 14 adds a repeal date in the organic statute that coincides with the scheduled repeal date specified in section 24-1-136 (11)(a)(I).

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-1.5-101, **amend**
3 (1)(w)(III)(A) as follows:

4 **25-1.5-101. Powers and duties of department - laboratory cash**
5 **fund.** (1) The department has, in addition to all other powers and duties
6 imposed upon it by law, the powers and duties provided in this section as
7 follows:

8 (w) (III) (A) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), as
9 part of its duties as coordinator for suicide prevention programs, on or
10 before each November 1, the department shall submit to the chairs of the
11 senate health and human services committee and the house of
12 representatives health, INSURANCE, and environment committee, or their
13 successor committees, and to the members of the joint budget committee,
14 a report listing all suicide prevention programs in the state and describing
15 the effectiveness of the department acting as the coordinator for suicide
16 prevention programs. For the report submitted in 2013 and each year
17 thereafter, the department shall include any findings and
18 recommendations it has to improve suicide prevention in the state.

19 **SECTION 2.** In Colorado Revised Statutes, **amend** 25-1.5-110
20 as follows:

1 **25-1.5-110. Monitor health effects of marijuana.** The
2 department shall monitor changes in drug use patterns, broken down by
3 county and race and ethnicity, and the emerging science and medical
4 information relevant to the health effects associated with marijuana use.
5 The department shall appoint a panel of health care professionals with
6 expertise in cannabinoid physiology to monitor the relevant information.
7 The panel shall provide a report by January 31, 2015, and every two years
8 thereafter to the state board of health AND the department of revenue. and
9 the general assembly. The department shall make the report available on
10 its website. The panel shall establish criteria for studies to be reviewed,
11 reviewing studies and other data, and making recommendations, as
12 appropriate, for policies intended to protect consumers of marijuana or
13 marijuana products and the general public. The department may collect
14 Colorado-specific data that reports adverse health events involving
15 marijuana use from the all-payer claims database, hospital discharge data,
16 and behavioral risk factors. The department and panel are not required to
17 perform the duties required by this section until the marijuana cash fund,
18 created in section 12-43.3-501, ~~C.R.S.~~ has received sufficient revenue to
19 fully fund the appropriations made to the department of revenue related
20 to articles 43.3 and 43.4 of title 12 ~~C.R.S.~~, and the appropriation to the
21 division of criminal justice related to section 24-33.5-516 ~~C.R.S.~~, and the
22 general assembly has appropriated sufficient moneys MONEY from the
23 fund to the department to pay for the monitoring required by this section.

24 **SECTION 3.** In Colorado Revised Statutes, **repeal** 25-3-603 as
25 follows:

26 **25-3-603. Department reports.** ~~(1) On or before January 15,~~
27 ~~2008, and each January 15 thereafter, the department shall submit to the~~

1 health and human services committees of the house of representatives and
2 of the senate a report summarizing the risk-adjusted health-facility data.
3 The department shall post the report on its website.

4 (2) The department shall issue semi-annual informational bulletins
5 summarizing all or part of the information submitted in the health-facility
6 reports.

7 (3) (a) All data in reports issued by the department shall be
8 risk-adjusted consistent with the standards of the national healthcare
9 safety network.

10 (b) The annual report shall compare the risk-adjusted,
11 hospital-acquired infection rates, collected under section 25-3-602, for
12 each individual health facility in the state. The department, in consultation
13 with the advisory committee, shall make this comparison as easy to
14 comprehend as possible. The report shall include an executive summary,
15 written in plain language, that includes, but is not limited to, a discussion
16 of findings, conclusions, and trends concerning the overall state of
17 hospital-acquired infections in the state, including a comparison to prior
18 years when available. The report may include policy recommendations as
19 appropriate.

20 (c) The department shall publicize the report and its availability
21 as widely as practical to interested parties, including but not limited to
22 health facilities, providers, media organizations, health insurers, health
23 maintenance organizations, purchasers of health insurance, organized
24 labor, consumer or patient advocacy groups, and individual consumers.
25 The annual report shall be made available to any person upon request.

26 (d) A health-facility report or department disclosure may not
27 contain information identifying a patient, employee, or licensed health

1 ~~care professional in connection with a specific infection incident.~~

2 **SECTION 4.** In Colorado Revised Statutes, 25-3-702, amend
3 (2)(b) as follows:

4 **25-3-702. Comprehensive hospital information system -**
5 **executive director - duties - definitions.** (2) In order to implement this
6 section the executive director or his or her designee shall:

7 (b) On or before May 15, 2007, submit an initial plan and an
8 annual update to the plan and a report on the status of implementation to
9 the governor ~~the president of the senate, and the speaker of the house of~~
10 ~~representatives with copies to all members of the general assembly and~~
11 ~~available to the public, on an internet~~ VIA A website. The plan shall
12 identify the process and time frames for implementation, barriers to
13 implementation, and recommendations of changes in the law that may be
14 enacted by the general assembly to eliminate the barriers.

15 **SECTION 5.** In Colorado Revised Statutes, 25-3.5-704, amend
16 (2)(h)(I) introductory portion and (2)(h)(I)(F) as follows:

17 **25-3.5-704. Statewide emergency medical and trauma care**
18 **system - development and implementation - duties of department -**
19 **rules adopted by board.** (2) The board shall adopt rules for the
20 statewide emergency medical and trauma care system, including but not
21 limited to the following:

22 (h) (I) **Continuing quality improvement system (CQI).** These
23 rules require the department to oversee a continuing quality improvement
24 system for the statewide emergency medical and trauma care system. The
25 board shall specify the methods and periods for assessing the quality of
26 regional emergency medical and trauma systems and the statewide
27 emergency medical and trauma care system. These rules ~~MUST~~ include ~~but~~

1 ~~are not limited to~~; the following requirements:

2 (E) That the department be allowed access to prehospital, hospital,
3 and coroner records of emergency medical and trauma patients to assess
4 the continuing quality improvement system for the area and state-based
5 injury prevention and public information and education programs
6 pursuant to ~~paragraph (g) of this subsection (2)~~ SUBSECTION (2)(g) OF
7 THIS SECTION. All information provided to the department shall be
8 confidential pursuant to ~~subparagraph (h) of this paragraph (h)~~ THIS
9 SUBSECTION (2)(h). To the greatest extent possible, patient-identifying
10 information shall not be gathered. If patient-identifying information is
11 necessary, the department shall keep such information strictly
12 confidential, and such information may only be released outside of the
13 department upon written authorization of the patient. The department
14 shall prepare an annual report that includes an evaluation of the statewide
15 emergency medical and trauma services system. Such report shall be
16 distributed to all designated trauma centers, ambulance services, and
17 service agencies, ~~and to the chairpersons of the health and human services~~
18 ~~committees of the house of representatives and the senate, or any~~
19 ~~successor committees.~~

20 **SECTION 6.** In Colorado Revised Statutes, **amend** 25-8-305 as
21 follows:

22 **25-8-305. Annual report.** NOTWITHSTANDING SECTION 24-1-136
23 (11)(a)(I), on or before October 1 of each year, the division through the
24 executive director shall report to the commission on the effectiveness of
25 ~~the provisions of this article~~ and shall include in such report ~~such~~ ANY
26 recommendations as it may have with respect to any regulatory or
27 legislative changes that may be needed or desired. ~~Such~~ THE report ~~shall~~

1 MUST include the then current information that has been obtained
2 pursuant to section 25-8-303 and information concerning the status of the
3 division's implementation of the discharge permit program established in
4 part 5 of this article. The report shall be filed with the house agriculture,
5 livestock, and natural resources committee and the senate agriculture,
6 natural resources, and energy committee, or any successor committees.

7 **SECTION 7.** In Colorado Revised Statutes, 25-8-502, amend
8 (1.7)(a) introductory portion as follows:

9 **25-8-502. Application - definitions - fees - water quality**
10 **control fund - animal feeding operation fund - public participation -**
11 **repeal.** (1.7) (a) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I),
12 commencing in 2016, the department of public health and environment
13 shall report annually to:

14 **SECTION 8.** In Colorado Revised Statutes, 25-15-301.5, amend
15 (3) as follows:

16 **25-15-301.5. Additional powers of department - legislative**
17 **declaration - report.** (3) NOTWITHSTANDING SECTION 24-1-136
18 (11)(a)(I), the department is directed to submit a report to the general
19 assembly on or before February 1, 2002, and annually on or before each
20 February 1 thereafter that describes the status of the hazardous waste
21 control program, the department's efforts to carry out its statutory
22 responsibilities at the lowest possible cost without jeopardizing the intent
23 stated in subsection (1) of this section, and the department's
24 implementation of the authority to accept environmental covenants
25 created pursuant to section 25-15-321.

26 **SECTION 9.** In Colorado Revised Statutes, 25-16.5-105, amend
27 (1)(m)(I) as follows:

1 **25-16.5-105. Powers and duties of advisory board.** (1) The
2 advisory board has the following powers and duties:

3 (m) (I) In accordance with the provisions of ~~subparagraph (II) of~~
4 ~~this paragraph (m);~~ SUBSECTION (1)(m)(II) OF THIS SECTION, to submit an
5 annual report to the department of local affairs, the department, AND the
6 Colorado energy office created in section 24-38.5-101. ~~C.R.S. and the~~
7 ~~standing committee of reference in each house of the general assembly~~
8 ~~exercising jurisdiction over matters concerning public health and the~~
9 ~~environment;~~

10 **SECTION 10.** In Colorado Revised Statutes, 25-17-405, **repeal**
11 **(3)(b)** as follows:

12 **25-17-405. Paint stewardship program requirements - annual**
13 **reports - customer information.** (3) (b) ~~The executive director shall~~
14 ~~annually compile the results of the reports received pursuant to paragraph~~
15 ~~(a) of this subsection (3) into a general report describing the progress of~~
16 ~~the paint stewardship programs. The executive director shall annually~~
17 ~~present the report to the health and human services committee of the~~
18 ~~senate and the public health care and human services committee of the~~
19 ~~house of representatives, or their successor committees;~~

20 **SECTION 11.** In Colorado Revised Statutes, 25-20.5-108,
21 **amend (6)** as follows:

22 **25-20.5-108. Prevention, intervention, and treatment program**
23 **requirements - reports - reviews - annual review summary.** (6) The
24 division shall annually prepare or oversee the preparation of an executive
25 summary of the prevention, intervention, and treatment program reviews
26 conducted during the preceding year and submit such summary to the
27 governor, ~~to the general assembly;~~ to each state department that operates

1 a prevention, intervention, and treatment program, and to each entity that
2 received state or federal funds for operation of a prevention, intervention,
3 and treatment program during the fiscal year for which the summary is
4 prepared. In addition, the division shall provide copies of the summary to
5 any person upon request.

6 **SECTION 12.** In Colorado Revised Statutes, 25-20.5-407,
7 **amend (1)(g)** as follows:

8 **25-20.5-407. State review team - duties - definitions.** (1) The
9 state review team shall:

10 (g) Report to the governor and to the public health care and
11 human services committee and the judiciary committee of the house of
12 representatives and the health and human services committee and the
13 judiciary committee of the senate of the Colorado general assembly, or
14 any successor committees, concerning any recommendations for changes
15 to any law, rule, or policy that the state review team has determined will
16 promote the safety and well-being of children. NOTWITHSTANDING
17 SECTION 24-1-136 (11)(a)(I), the state review team shall report annually
18 on or before July 1, 2014, and on or before July 1 each year thereafter. In
19 its report, the state review team shall provide a list of system strengths
20 and weaknesses identified through the review process and
21 recommendations for preventive actions to promote the safety and
22 well-being of children. The annual report must include an analysis of the
23 state review team's recommendations from the previous year and state
24 what policy changes, if any, were made to improve child safety and
25 well-being. The state review team shall make the annual report publicly
26 available and will conduct outreach efforts to educate members of the
27 child protection community on report findings.

1 **SECTION 13.** In Colorado Revised Statutes, **amend 25-25-131**
2 as follows:

3 **25-25-131. Annual report.** The authority shall submit to the
4 governor ~~and the general assembly~~ within six months after the end of the
5 fiscal year a report which shall set forth a complete and detailed operating
6 and financial statement of the authority during such year. Also included
7 in the report shall be any recommendations with reference to additional
8 legislation or other action that may be necessary to carry out the purposes
9 of the authority.

10 **SECTION 14.** In Colorado Revised Statutes, 25-44-102, **amend**
11 (6) as follows:

12 **25-44-102. Comprehensive human sexuality education grant**
13 **program - creation - application for federal money - notification to**
14 **schools - rules - repeal.** (6) (a) On or before January 30, 2017, and every
15 year thereafter in which grants have been awarded pursuant to this article,
16 the department shall submit a report concerning the outcomes of the
17 program to the state board of education, the department of education, and
18 the education committees of the senate and house of representatives, the
19 health and human services committee of the senate. and the public health
20 care and human services committee of the house of representatives, or
21 any successor committees. The report must include, at a minimum:

22 ~~(a)~~ (I) The number of public schools and school districts that
23 received a grant under the program;

24 ~~(b)~~ (II) The number of students reached and the curriculum
25 utilized;

26 ~~(c)~~ (III) The amount of each grant awarded;

27 ~~(d)~~ (IV) The average amount of all grants awarded; and

1 (e) (V) The source and amount of each gift, grant, or donation
2 received by the department for the implementation of this article.

3 (b) PURSUANT TO SECTION 24-1-136 (11)(a)(I), THIS SUBSECTION
4 (6) IS REPEALED, EFFECTIVE JULY 2, 2020.

5 **SECTION 15.** In Colorado Revised Statutes, 30-20-101.5,
6 **amend** (3) as follows:

7 **30-20-101.5. Additional powers of the department - legislative**
8 **declaration.** (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or
9 before February 1, 2008, and not later than February 1 of each year
10 thereafter, the department shall submit a report to the standing committee
11 of reference in each house of the general assembly exercising jurisdiction
12 over matters concerning public health and the environment that describes
13 the status of the solid waste management program, the department's
14 efforts to satisfy its statutory responsibilities at the lowest possible cost
15 while meeting the legislative intent specified in subsection (1) of this
16 section, and the department's implementation of the authority to accept
17 environmental covenants created pursuant to section 25-15-321. ~~C.R.S.~~

18 **SECTION 16. Effective date.** (1) Except as otherwise provided
19 in this section, this act takes effect upon passage.

20 (2) Section 2 of this act takes effect February 1, 2018.

21 **SECTION 17. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.

Bill Draft F

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0279.01 Kristen Forrestal x4217

HOUSE BILL 17-1059

HOUSE SPONSORSHIP

Thurlow, Arndt

SENATE SPONSORSHIP

Tate, Kerr, Moreno

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF PUBLIC SAFETY TO THE GENERAL ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Sections 1, 3, and 4 continue indefinitely the reporting requirements contained in those statutory sections.

Sections 2, 5, 6, and 7 repeal reporting requirements by the department of public safety that were scheduled to repeal according to section 24-1-136 (11)(a)(1). Currently there is no repeal date listed in the organic statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 16-11.7-109, amend
3 (2) as follows:

4 **16-11.7-109. Reporting requirements - legislative declaration.**

5 (2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before
6 January 31, 2012, and on or before January 31 each year thereafter, the
7 board shall prepare and present to the judiciary committees of the senate
8 and the house of representatives, or any successor committees, a written
9 report concerning best practices for the treatment and management of
10 adult sex offenders and juveniles who have committed sexual offenses,
11 including any evidence-based analysis of treatment standards and
12 programs as well as information concerning any new federal legislation
13 relating to the treatment and management of adult sex offenders and
14 juveniles who have committed sexual offenses. The report may include
15 the board's recommendations for legislation to carry out the purpose and
16 duties of the board to protect the community.

17 **SECTION 2.** In Colorado Revised Statutes, 18-1.3-407, repeal
18 (10)(b) as follows:

19 **18-1.3-407. Sentences - youthful offenders - legislative
20 declaration - powers and duties of district court - authorization for
21 youthful offender system - powers and duties of department of
22 corrections - definitions.** (10) (b) ~~The division of criminal justice shall~~

1 ~~independently monitor and evaluate, or contract with a public or private~~
2 ~~entity to independently monitor and evaluate, the youthful offender~~
3 ~~system. On or before November 1, 2002, and on or before November 1~~
4 ~~every two years thereafter, the division of criminal justice shall report its~~
5 ~~findings, or the findings of the contract entity, to the judiciary committees~~
6 ~~of the senate and the house of representatives. The department of~~
7 ~~corrections shall cooperate in providing the necessary data to the division~~
8 ~~of criminal justice or an entity designated by the division of criminal~~
9 ~~justice to complete the evaluation required in this section.~~

10 **SECTION 3.** In Colorado Revised Statutes, **amend 18-1.3-1011**
11 (1) introductory portion as follows:

12 **18-1.3-1011. Annual report.** (1) NOTWITHSTANDING SECTION
13 24-1-136 (11)(a)(I), on or before November 1, 2000, and on or before
14 each November 1 thereafter, the department of corrections, the
15 department of public safety, and the judicial department shall submit a
16 report to the judiciary committees of the house of representatives and the
17 senate, or any successor committees, and to the joint budget committee
18 of the general assembly specifying, at a minimum:

19 **SECTION 4.** In Colorado Revised Statutes, **amend 18-6-803.9**
20 as follows:

21 **18-6-803.9. Assaults and deaths related to domestic violence**
22 **- report.** NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the Colorado
23 bureau of investigation shall prepare a report by November 1, 1995, and
24 by November 1 of each year thereafter, ~~to FOR the governor the president~~
25 ~~of the senate, and the speaker of the house of representatives~~ AND THE
26 MEMBERS OF THE GENERAL ASSEMBLY on the number of assaults related
27 to and the number of deaths caused directly by domestic violence,

1 including, but not limited to, homicides of victims, self-defense killings
2 of alleged perpetrators, and incidental killings of children, peace officers,
3 persons at work, neighbors, and bystanders in the course of episodes of
4 domestic violence.

5 **SECTION 5.** In Colorado Revised Statutes, **amend**
6 24-33.5-415.2 as follows:

7 **24-33.5-415.2. Receipt of proceeds from forfeited property.**

8 The division of the Colorado bureau of investigation is authorized to
9 accept, receive, and expend proceeds allocated to the division after sale
10 of forfeited property pursuant to part 3 or 5 of article 13 of title 16 C.R.S.;
11 or article 17 of title 18, C.R.S.; and such funds shall be in addition to the
12 moneys MONEY appropriated to the division by the general assembly. ~~The~~
13 ~~executive director shall submit an annual report to the joint budget~~
14 ~~committee at the time the annual budget request is submitted providing~~
15 ~~information on the amounts received under this section, if any, and the~~
16 ~~uses made thereof.~~

17 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-424, **repeal**
18 (3.5)(f) as follows:

19 **24-33.5-424. National instant criminal background check**
20 **system - state point of contact - fee - grounds for denial of firearm**
21 **transfer - appeal - rule-making - unlawful acts - instant criminal**
22 **background check cash fund - creation. (3.5) (f) ~~On January 15, 2014,~~**
23 **and on January 15 of each calendar year thereafter, the bureau shall report**
24 **to the joint budget committee concerning:**

25 (f) ~~The number of full-time employees used by the bureau in the~~
26 ~~preceding year for the purpose of performing background checks pursuant~~
27 ~~to this section; and~~

1 (H) ~~The calculations used by the bureau to determine the amount~~
2 ~~of the fee imposed pursuant to this subsection (3.5):~~

3 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-503, amend
4 (2)(a)(II); and repeal (1)(s) and (1)(v) as follows:

5 **24-33.5-503. Duties of division.** (1) The division has the
6 following duties:

7 (s) ~~To report, on or before January 15, 2011, and every five years~~
8 ~~thereafter, in consultation with the state economist, to the judiciary~~
9 ~~committees of the senate and the house of representatives, or any~~
10 ~~successor committees, recommendations for changes to value-based~~
11 ~~crimes based upon inflationary changes during the previous five years;~~

12 (v) ~~To provide to the judiciary committees of the senate and the~~
13 ~~house of representatives, or any successor committees, a status report on~~
14 ~~the effect on parole outcomes and use of any moneys allocated pursuant~~
15 ~~to House Bill 10-1360, enacted in 2010;~~

16 (2) (a) (II) ~~The division shall submit the report to the education~~
17 ~~and judiciary committees of the house of representatives and the senate;~~
18 ~~or any successor committees. The division shall provide the report to any~~
19 ~~member of the public upon request, in a manner that does not include any~~
20 ~~identifying information regarding any student. If the division provides the~~
21 ~~information to a member of the public upon request pursuant to this~~
22 ~~paragraph (a) SUBSECTION (2)(a), the division may charge a fee to the~~
23 ~~person, which fee shall not exceed the direct and indirect costs incurred~~
24 ~~by the division in providing the information. ~~Provided that~~ If the division~~
25 ~~adheres to all state and federal privacy and confidentiality laws~~
26 ~~concerning student information, the division may provide the aggregate~~
27 ~~data gathered by a law enforcement agency to any independent research~~

1 or community-based organization working to analyze school-based
2 criminal behavior and the response to that behavior by the juvenile and
3 criminal justice systems. The data provided must not include any
4 information that would identify any individual student.

5 **SECTION 8. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2018 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.

Bill Draft G

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0280.01 Kristen Forrestal x4217

SENATE BILL 17-044

SENATE SPONSORSHIP

Kerr, Moreno, Tate

HOUSE SPONSORSHIP

Arndt, Thurlow

Senate Committees
Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE
102 DEPARTMENT OF REGULATORY AGENCIES TO THE GENERAL
103 ASSEMBLY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

acting by bill, continues the requirement.

Section 1 repeals reporting requirements by the department of regulatory agencies that were scheduled to repeal according to section 24-1-136 (11)(a)(I); except that it continues the reporting requirement to the state auditor. Currently there is no repeal date listed in the organic statute.

Sections 2, 3, and 4 continue indefinitely the reporting requirements contained in those statutory sections.

Sections 5, 6, and 7 repeal reporting requirements by the department of regulatory agencies that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-45-121, **amend** (4)
3 as follows:

4 **8-45-121. Visitation of fund by commissioner of insurance -**
5 **annual audit - examination.** (4) At least once every three years, the
6 commissioner of insurance shall conduct an examination of ~~said~~ THE
7 fund, ~~such examination~~ to be conducted in the same manner as an
8 examination of a private insurance carrier. With respect to ~~such~~ THE
9 examination, ~~the provisions of section 10-1-204 C.R.S., shall be~~
10 ~~applicable~~ APPLIES. The commissioner of insurance shall transmit a copy
11 of the commissioner's examination to ~~the governor,~~ the state auditor, ~~the~~
12 ~~general assembly,~~ the executive director of the department of labor and
13 employment, and the chief executive officer.

14 **SECTION 2.** In Colorado Revised Statutes, 10-3-207, **amend**
15 (1)(f)(IV) as follows:

16 **10-3-207. Fees paid by insurance companies.** (1) Every entity
17 regulated by the division in this state shall pay the following fees to the
18 division:

19 (f) (IV) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I),

1 commencing January 1, 2009, the division shall provide annual reports to
2 the joint budget committee, the senate business, labor, and technology
3 committee, and the house business affairs and labor committee, or any
4 such successor committees, and shall post on the division's website a
5 statistical report of the number of enforcement actions taken, market
6 trends associated with title insurance and real estate transactions, and
7 consumer complaints supported by the fee in subparagraph (l) of this
8 paragraph (f).

9 SECTION 3. In Colorado Revised Statutes, 10-16-111, amend
10 (4)(c) and (4)(d) as follows:

11 10-16-111. Annual statements and reports - rules.

12 (4) Carriers. (c) The commissioner shall aggregate the data submitted
13 pursuant to paragraph (a) of this subsection (4) for all carriers and publish
14 the information on the division's website. NOTWITHSTANDING SECTION
15 24-1-136 (11)(a)(I), the commissioner shall submit a report annually to
16 the general assembly that analyzes the cost of health care and the factors
17 that drive the cost of health care on an individual and group basis in this
18 state.

19 (d) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the
20 commissioner shall report annually to the general assembly regarding
21 financial information on carriers that includes, but is not limited to,
22 benefits ratios, rate increases, and the reasons or data tracked for cost
23 increases, as applicable for health insurance provided pursuant to this
24 article.

25 SECTION 4. In Colorado Revised Statutes, amend 10-16-128 as
26 follows:

27 10-16-128. Annual report to general assembly.

1 NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), the commissioner shall
2 report to the business affairs and labor committee of the house of
3 representatives and the business, labor, and technology committee of the
4 senate, or any successor committees, no later than October 1, 2004, and
5 every October 1 thereafter. The report shall be an indication of the
6 number, nature, and outcome of complaints against insurers during the
7 preceding twelve months.

8 **SECTION 5.** In Colorado Revised Statutes, 40-2-103, repeal (2)
9 as follows:

10 **40-2-103. Director - duties - report.** (2) ~~(a) Beginning with the~~
11 ~~second regular session of the sixty-ninth general assembly, the director of~~
12 ~~the commission or the director's designee shall present an annual report~~
13 ~~to the joint house and senate transportation committees and to the house~~
14 ~~business, labor, and economic and workforce development committee and~~
15 ~~the senate business, labor, and technology committee, or any successor~~
16 ~~committees, regarding energy rate cases that came before the commission~~
17 ~~during the immediately preceding two years. The report and any~~
18 ~~accompanying materials may be prepared and submitted to the~~
19 ~~committees in hard copy form or electronically and must include a~~
20 ~~synopsis, in plain language, of the issues and the outcome of each energy~~
21 ~~utility rate case; the amount of any increase or decrease in rates that~~
22 ~~resulted from each energy utility rate case, expressed as a percentage of~~
23 ~~the total amount billed to ratepayers per month and per year; and the~~
24 ~~dollar amount of the average increase or decrease in the monthly bill paid~~
25 ~~by each class of energy utility ratepayers. In addition, the director shall~~
26 ~~make the plain-language synopsis available to the public by posting the~~
27 ~~synopsis on the commission's website.~~

1 (b) ~~The director may report on matters outside the scope of the~~
2 ~~evidence and testimony presented at a rate case hearing.~~

3 (c) ~~The report described in this subsection (2) may be presented~~
4 ~~at the same time as, and the director is encouraged to accompany it with,~~
5 ~~any other formal or informal report on the commission's operations,~~
6 ~~including a consumer savings report.~~

7 **SECTION 6.** In Colorado Revised Statutes, **repeal** 40-3.2-105 as
8 follows:

9 **40-3.2-105. Reporting requirement.** ~~By April 30, 2009, and by~~
10 ~~each April 30 thereafter, the commission shall submit a report to the~~
11 ~~business, labor, and technology committee of the senate, or its successor~~
12 ~~committee, and the business affairs and labor committee of the house of~~
13 ~~representatives, or its successor committee, on the progress made by~~
14 ~~investor-owned utilities in meeting their natural gas and electricity~~
15 ~~demand-side management goals. The report shall include any~~
16 ~~recommended statutory changes the commission deems necessary to~~
17 ~~further the intent of sections 40-3.2-103 and 40-3.2-104.~~

18 **SECTION 7.** In Colorado Revised Statutes, 40-15-208, **repeal**
19 (2)(b), (2)(c), and (2)(e) as follows:

20 **40-15-208. High cost support mechanism - Colorado high cost**
21 **administration fund - creation - purpose - operation - rules - repeal.**
22 (2) (b) ~~On or before December 1 of each year, the commission shall~~
23 ~~submit a written report to the committees of reference in the senate and~~
24 ~~house of representatives that are assigned to hear telecommunications~~
25 ~~issues, in accordance with section 24-1-136, C.R.S., accounting for the~~
26 ~~operation of the high cost support mechanism during the preceding~~
27 ~~calendar year and containing the following information, at a minimum:~~

- 1 ~~(I) The total amount of money that the commission determined~~
2 ~~should constitute the high cost support mechanism from which~~
3 ~~distributions would be made;~~
- 4 ~~(II) The total amount of money ordered to be contributed through~~
5 ~~a neutral assessment collected by each telecommunications service~~
6 ~~provider;~~
- 7 ~~(III) The basis on which the contribution of each~~
8 ~~telecommunications service provider was calculated;~~
- 9 ~~(IV) The benchmarks used and the basis on which the benchmarks~~
10 ~~were determined;~~
- 11 ~~(V) The total amount of money that the commission determined~~
12 ~~should be distributed from the high cost support mechanism;~~
- 13 ~~(VI) The total amount of money distributed to each~~
14 ~~telecommunications service provider from the high cost support~~
15 ~~mechanism;~~
- 16 ~~(VII) The basis on which the distribution to telecommunications~~
17 ~~service providers was calculated;~~
- 18 ~~(VIII) As to each telecommunications service provider receiving~~
19 ~~a distribution, the amount received by geographic support area and type~~
20 ~~of customer, the way in which the benefit of the distribution was applied~~
21 ~~or accounted for;~~
- 22 ~~(IX) The proposed benchmarks, the proposed contributions to be~~
23 ~~collected through a neutral assessment on each telecommunications~~
24 ~~provider, and the proposed total amount of the high cost support~~
25 ~~mechanism from which distributions are to be made for the following~~
26 ~~calendar year; and~~
- 27 ~~(X) The total amount of distributions made from the high cost~~

1 support mechanism, directly or indirectly, and how they are balanced by
2 rate reductions by all providers for the same period and a full accounting
3 of and justification for any difference:

4 (c) If the report submitted pursuant to paragraph (b) of this
5 subsection (2) contains a proposal for an increase in any of the amounts
6 listed in subparagraph (IX) of said paragraph (b), such increase shall be
7 suspended until March 31 of the following year:

8 (e) In addition to the annual report submitted under paragraph (b)
9 of this subsection (2) by the commission, the department of regulatory
10 agencies shall include in its presentation to the appropriate legislative
11 committee under the requirements of part 2 of article 7 of title 2, C.R.S.,
12 an update on the implementation and administration of the high cost
13 support mechanism:

14 **SECTION 8. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.

Bill Draft H

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0263.01 Kate Meyer x4348

SENATE BILL 17-046

SENATE SPONSORSHIP

Tate, Kerr, Moreno

HOUSE SPONSORSHIP

Arndt, Thurlow

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING THE MODERNIZATION OF PROCEDURES PERTAINING TO
102 WARRANTS AND CHECKS NOT YET PRESENTED TO THE STATE
103 TREASURER FOR PAYMENT.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill modernizes current practices relating to warrants and checks not timely presented to the state treasurer for payment by:

- Repealing the requirement that a list of the state's outstanding warrants and checks from the prior completed

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

fiscal year be posted in the offices of the state treasurer and controller; and

- Aligning the expiration of such warrants and checks with the "Unclaimed Property Act".

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-202, amend
3 (9)(a) as follows:

4 **24-30-202. Procedures - vouchers, warrants, and checks -**
5 **rules - penalties.** (9) (a) ~~During the month of May of each year, a list of~~
6 ~~all warrants and checks drawn and issued during the last completed fiscal~~
7 ~~year that have not then been presented to the state treasurer for payment~~
8 ~~shall be posted in a conspicuous place in the offices of the controller and~~
9 ~~the state treasurer. Such list shall recite the number, date of issue, name~~
10 ~~of payee, and amount of each such warrant and check. Every warrant and~~
11 ~~check so listed that shall remain DRAWN AND ISSUED THAT HAS NOT BEEN~~
12 ~~PRESENTED TO THE STATE TREASURER FOR PAYMENT AND REMAINS unpaid~~
13 ~~on the last working day in the month of June of each year SIX MONTHS~~
14 ~~FROM THE DATE OF ISSUANCE shall be scheduled for cancellation as of~~
15 ~~said date and expunged from the records of the controller and the state~~
16 ~~treasurer, and the amount thereof shall be credited to the general fund or,~~
17 ~~if practicable, to the account to which originally charged TRANSFERRED~~
18 ~~TO THE UNCLAIMED PROPERTY TRUST FUND CREATED IN SECTION~~
19 ~~38-13-116.5; except that the amount of any warrant or check drawn on the~~
20 ~~wildlife cash fund created in section 33-1-112 (1), C.R.S., other than a~~
21 ~~warrant or check refunding a license fee submitted as part of an~~
22 ~~unsuccessful limited license application, shall be credited to said THAT~~
23 ~~fund AND THE AMOUNT OF ANY WARRANT OR CHECK REPRESENTING~~

1 MONEY RECEIVED BY THE FEDERAL GOVERNMENT SHALL BE PROCESSED IN
2 ACCORDANCE WITH FEDERAL PROGRAM GUIDELINES FOR DISPOSITION OF
3 THOSE MONEY.

4 **SECTION 2. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2018 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.

Bill Draft I

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0258.01 Jane Ritter x4342

SENATE BILL 17-052

SENATE SPONSORSHIP

Kerr, Moreno, Tate

HOUSE SPONSORSHIP

Thurlow, Arndt

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 CONCERNING RECOMMENDATIONS RELATED TO TITLE 22 FROM THE
102 DEPARTMENT OF EDUCATION TO THE STATUTORY REVISION
103 COMMITTEE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill implements 2 recommendations related to title 22 from the department of education to the statutory revision committee.

The first recommendation is to change the single remaining statutory reference in title 22 that names October 1 as a mileage or pupil

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

enrollment count date to the "pupil enrollment count day, as defined in section 22-54-103 (10.5)" in order to conform with the rest of the references in title 22.

The second recommendation is to delete from statute the phrases "accredited independent school" and "accredited nonpublic school" because the state board of education does not accredit either type of school.

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

2 **SECTION 1.** In Colorado Revised Statutes, 22-51-105, amend
3 (1) as follows:

4 **22-51-105. Certifications by school boards, governing boards,**
5 **and facility schools - rules.** (1) On or before August 15 of each year, the
6 school board of each school district entitled to and desiring
7 reimbursement under this ~~article~~ ARTICLE 51, the state charter school
8 institute board, and each facility school entitled to and desiring
9 reimbursement under this ~~article~~ ARTICLE 51 shall certify to the state
10 board of education, on forms ~~to be~~ provided by the commissioner of
11 education, ~~such~~ ANY information ~~as the board shall deem~~ THE BOARD
12 DEEMS necessary to determine the reimbursement entitlement of the
13 district, the institute, or the facility school. ~~including, but~~ THE
14 INFORMATION INCLUDES. BUT IS not limited to. the total amount of the
15 school district's, the institute's, or the facility school's current operating
16 expenditures for pupil transportation during the preceding entitlement
17 period, the total number of miles traveled and the total number of pupils
18 transported on ~~October 1, or the school day nearest said date~~ THE PUPIL
19 ENROLLMENT COUNT DAY, AS DEFINED IN SECTION 22-54-103 (10.5),
20 during the preceding entitlement period by vehicles operated by or for the
21 school district, the institute, or the facility school in providing pupil
22 transportation, and the transportation route descriptions in effect on said

1 ~~date~~ THE PUPIL ENROLLMENT COUNT DAY.

2 **SECTION 2.** In Colorado Revised Statutes, 22-60.5-102, **amend**
3 the introductory portion, (4), (10), and (15)(a); and **repeal** (2) as follows:

4 **22-60.5-102. Definitions.** As used in this article ARTICLE 60.5,
5 unless the context otherwise requires:

6 (2) ~~"Accredited independent school" means any independent~~
7 ~~school which is accredited by the state board of education pursuant to the~~
8 ~~rules and regulations of said board.~~

9 (4) "Alternative teacher contract" means a contract, as described
10 in section 22-60.5-207, entered into for an alternative teacher position by
11 a holder of an alternative teacher license pursuant to section 22-60.5-201
12 (1)(a) and a school district ~~accredited nonpublic school~~; or board of
13 cooperative services that provides a one-year or two-year alternative
14 teacher program.

15 (10) "Designated agency" means a school district or districts, ~~an~~
16 ~~accredited nonpublic school~~; a board of cooperative services, an accepted
17 institution of higher education, or a nonprofit organization, or any
18 combination thereof, ~~which~~ THAT is responsible for the organization,
19 management, and operation of an approved alternative teacher program.

20 (15) "Mentor teacher" means:

21 (a) ~~Any teacher who is~~ A TEACHER designated by the school
22 ~~district or accredited independent school~~ employing an alternative teacher
23 and who has demonstrated outstanding teaching and school leadership
24 and can provide exemplary modeling and counseling to alternative
25 teachers participating in an alternative teacher program; or

26 **SECTION 3.** In Colorado Revised Statutes, 22-60.5-115, **amend**
27 (2) introductory portion, (2)(c) introductory portion, and (2)(c)(III) as

1 follows:

2 **22-60.5-115. Rules.** (2) The state board of education shall
3 promulgate rules ~~and regulations~~ as necessary to implement sections
4 22-60.5-201 (1)(a) and 22-60.5-205. ~~Such rules and regulations shall~~ THE
5 RULES MUST include, but need not be limited to, the following:

6 (c) Criteria relating to the designation of mentor teachers by
7 school districts ~~and accredited independent schools~~ providing alternative
8 teacher programs. ~~Such~~ THE guidelines may include ~~but shall not be~~
9 limited to; consideration of the following factors in regard to potential
10 mentor teachers:

11 (III) The general consensus of professional opinion in ~~such~~ THE
12 school district. ~~or accredited independent school.~~

13 **SECTION 4.** In Colorado Revised Statutes, 22-60.5-207, **amend**
14 (1) as follows:

15 **22-60.5-207. Alternative teacher contracts.** (1) Alternative
16 teacher contracts may include ~~but are not limited to;~~ terms and conditions
17 ~~which~~ THAT:

18 (a) Differ from any terms and conditions of contracts of ~~such~~ THE
19 school district ~~or accredited independent school~~ for first-year employees
20 who are licensed other than as alternative teachers;

21 (b) Define those conditions unique to the responsibilities and
22 duties of an alternative teacher and the alternative teacher program of
23 ~~such~~ THE school district; ~~or accredited independent school;~~

24 (c) Establish the right of the employing school district ~~or~~
25 ~~accredited independent school~~ to terminate ~~such~~ THE alternative teacher
26 contract at any time during the first three months of employment;
27 however, ~~such action shall be taken only~~ THE EMPLOYING SCHOOL.

1 DISTRICT MUST ONLY TAKE SUCH ACTION after consideration of a
2 recommendation of the alternative teacher support team for ~~such~~ THE
3 alternative teacher and ~~shall not be~~ IS NOT subject to appeal by ~~such~~ THE
4 alternative teacher.

5 **SECTION 5.** In Colorado Revised Statutes, 19-2-1002, **amend**
6 (9)(c)(I) as follows:

7 **19-2-1002. Juvenile parole. (9) Parole discharge. (c)** The board
8 may discharge a juvenile from parole before completion of the mandatory
9 six-month parole period when the board finds that the juvenile meets, at
10 a minimum, all of the following conditions of special achievement:

11 (I) Graduation from a public or ~~accredited nonpublic~~ high school
12 or successful completion of a high school equivalency examination, as
13 that term is defined in section 22-33-102 (8.5); ~~C.R.S.;~~

14 **SECTION 6.** In Colorado Revised Statutes, 22-60.5-201, **amend**
15 (1)(a)(IV) and (1)(a)(V) as follows:

16 **22-60.5-201. Types of teacher licenses issued - term.** (1) The
17 department is designated as the sole agency authorized to issue the
18 following teacher licenses to persons of good moral character:

19 (a) **Alternative teacher license. (IV)** An alternative teacher
20 license ~~shall be~~ IS valid in any school district or ~~accredited nonpublic~~
21 ~~school and shall entitle its~~ AND ENTITLES THE holder to work exclusively
22 as an alternative teacher pursuant to the terms of an alternative teacher
23 contract. A holder of an alternative teacher license is the teacher of
24 record.

25 (V) For applicants enrolled in a one-year alternative teacher
26 program, the alternative teacher license issued pursuant to this ~~paragraph~~
27 ~~(a) shall be~~ SUBSECTION (1)(a) IS valid for a period of one year after the

1 date of issuance and may be renewed for only one additional year, but
2 only upon written evidence that the employing school district ~~accredited~~
3 ~~nonpublic school~~; or board of cooperative services anticipates extending
4 the alternative teacher's contract for one additional year pursuant to ~~the~~
5 ~~provisions of~~ section 22-60.5-207 (2). For applicants enrolled in a
6 two-year alternative teacher program, the alternative teacher license
7 issued pursuant to this paragraph (a) shall be SUBSECTION (1)(a) IS valid
8 for a period of two years after the date of issuance.

9 SECTION 7. In Colorado Revised Statutes, 22-60.5-205, amend
10 (3)(b)(I) as follows:

11 22-60.5-205. One-year and two-year alternative teacher
12 programs - legislative declaration - standards and evaluation - duties
13 of department - duties of the state board of education - fees.

14 (3) (b) (I) The state board of education shall, at its discretion, approve an
15 application by a designated agency seeking to provide an alternative
16 teacher program. The application shall MUST meet the requirements of
17 this section and any rules established by the state board of education. The
18 state board of education is authorized to resolve any differences that may
19 arise between school districts ~~accredited nonpublic schools~~, and accepted
20 institutions of higher education with regard to REGARDING alternative
21 teacher programs.

22 SECTION 8. In Colorado Revised Statutes, amend 22-60.5-206
23 as follows:

24 22-60.5-206. Alternative teacher support teams - duties -
25 advisory councils. (1) THE DESIGNATED AGENCY SHALL ESTABLISH an
26 alternative teacher support team shall be established by the designated
27 agency for each holder of an alternative teacher license employed as an

1 alternative teacher through an alternative teacher program. At a minimum,
2 each alternative teacher support team ~~shall be composed of~~ MUST
3 INCLUDE an alternative teacher's mentor teacher and the principal and a
4 representative of an accepted institution of higher education, if applicable.

5 (2) The alternative teacher support team shall:

6 (a) Establish the content of the required program of planned
7 instruction and activities;

8 (b) Determine at what point in the program an alternative teacher
9 may have responsibility for classroom instruction;

10 (c) Ensure that a significant portion of the teaching assignment of
11 an alternative teacher is in the subject matter area or areas of the
12 alternative teacher's endorsement;

13 (d) Evaluate the progress and effectiveness of an alternative
14 teacher; and

15 (e) Make a recommendation to the school district ~~or accredited~~
16 ~~nonpublic school~~ that employs an alternative teacher concerning his or
17 her eligibility to receive an initial teacher license or whether he or she is
18 unable to complete the one-year alternative teacher program due to
19 unforeseen circumstances, but should apply for an extension of the
20 alternative teacher license with the expectation that he or she will
21 complete his or her program within one additional year.

22 (3) As a member of an alternative teacher support team, the
23 mentor teacher has primary responsibility for representing the faculty and
24 parents in evaluating and making recommendations regarding the
25 issuance of an initial teacher license to an alternative teacher or renewal
26 of an alternative teacher license for one additional year. In recognition of
27 the significant duties and responsibilities of mentor teachers, the

1 designating school district ~~or accredited nonpublic school~~ shall make
2 appropriate provisions as are necessary to ensure the proper discharge of
3 ~~such~~ THE duties and responsibilities by the mentor teacher.

4 (4) In addition, for purposes of carrying out any alternative
5 teacher program approved by the state board of education, any designated
6 agency shall establish an advisory council that ~~shall include~~ INCLUDES. at
7 a minimum, representatives of each school district. ~~or accredited~~
8 ~~nonpublic school~~. including at least one mentor teacher and a
9 representative of any AN accepted institution of higher education in the
10 designated agency.

11 **SECTION 9. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2018 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.

Bill Draft .I

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0262.02 Kate Meyer x4348

HOUSE BILL 17-1005

HOUSE SPONSORSHIP

Arndt, Thurlow

SENATE SPONSORSHIP

Tate, Kerr, Moreno

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MODERNIZATION OF VARIOUS LAWS RELATING TO THE
102 OFFICE OF THE STATE AUDITOR.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill updates various statutes pertaining to the office of the state auditor (OSA).

Currently, the legislative audit committee (LAC) has the discretion to direct the state auditor to conduct a performance audit of any public highway authority; except that the LAC may not do so in any year during which the interim transportation legislation review committee (TLRC)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

meets. However, the TLRC is statutorily required to meet every year. Consequently, **section 1** of the bill repeals the timing limitation so that such a performance audit can be requested at any time.

The executive director of the department of revenue (DOR) is currently required to account monthly to the state treasurer regarding working capital retained by DOR and to provide copies of this accounting to the governor and the state auditor. Because DOR does not retain working capital, **section 2** repeals this obsolete provision. Additionally, the state treasurer must provide copies of receipts for money transmitted daily from the executive director of DOR to the state auditor, in addition to providing one copy to the executive director and retaining one copy for his or her files. Section 2 also removes the requirement to provide the state auditor these copies.

Pursuant to a statute created in 1881, holders of warrants from counties with more than \$50,000 in floating indebtedness may exchange those warrants for county bonds, if the exchange is approved by election. County bonds so exchanged must be registered with OSA, and a ten-cent fee must be paid to OSA for recording each bond. Because this registration provision is obsolete, **section 3** repeals the registration and recording fee requirements.

Section 4 repeals an obsolete provision relating to an audit of the estimated actual operating costs of the enhanced emissions inspections program contractor, which audit was required to be completed by the end of 2001.

1 *Be it enacted by the General Assembly of the State of Colorado:*
2 **SECTION 1.** In Colorado Revised Statutes, **amend 2-3-121** as
3 follows:
4 **2-3-121. Performance audits of public highway authorities.** At
5 the discretion of the legislative audit committee, the state auditor shall
6 conduct or cause to be conducted a performance audit of any public
7 highway authority created and operating pursuant to part 5 of article 4 of
8 title 43, C.R.S., ~~except that the legislative audit committee may not~~
9 ~~require the state auditor to conduct such a performance audit during any~~
10 ~~year in which the transportation legislation review committee created in~~
11 ~~section 43-2-145 (1), C.R.S., is required or authorized to meet.~~ The state

1 auditor shall prepare a report and recommendations on each audit
2 conducted and shall present the report and recommendations to the
3 committee. The state auditor shall pay the costs of any audit conducted
4 pursuant to this section.

5 **SECTION 2.** In Colorado Revised Statutes, amend 24-35-106 as
6 follows:

7 **24-35-106. Deposits by executive director.** The executive
8 director of the department of revenue, before the close of each business
9 day, shall deposit with the state treasurer all sums of money collected by
10 the department of revenue. ~~The executive director may retain for the use~~
11 ~~of the department of revenue a working capital account in such~~
12 ~~reasonable amount as may be determined by the executive director and~~
13 ~~the state treasurer. In the event of disagreement or dispute between them~~
14 ~~as to the amount of working capital, the question of the reasonable~~
15 ~~amount of working capital shall be submitted for determination to the~~
16 ~~governor, whose decision shall be final. The executive director shall~~
17 ~~account to the state treasurer on or before the first day of each month for~~
18 ~~the working capital of the department of revenue thus retained, and one~~
19 ~~copy of such accounting shall be delivered to the governor, one copy to~~
20 ~~the state treasurer, and one copy to the state auditor. The state treasurer,~~
21 ~~upon receipt of any money from the executive director, shall give his~~
22 ~~receipt therefor; execute the same A RECEIPT FOR THE MONEY in triplicate;~~
23 ~~and deliver DUPLICATE, DELIVERING one copy of such THE receipt to the~~
24 ~~executive director one copy to the state auditor; and shall retain~~
25 ~~RETAINING the third OTHER copy thereof in his OR HER files.~~

26 **SECTION 3.** In Colorado Revised Statutes, 30-26-101, amend
27 (5) as follows:

1 **30-26-101. Exchange of warrants for bonds - notice.** (5) No
2 bond shall be issued of less denomination than fifty dollars and, if issued
3 for a greater amount, for some multiple of that sum. ~~Such~~ THE bonds shall
4 bear interest at a rate such that the net effective interest rate of the issue
5 of bonds does not exceed the maximum net effective interest rate
6 authorized, the interest to be paid semiannually at the office of the county
7 treasurer or at the city of New York, at the option of the holders thereof,
8 upon the production of the proper coupons for the same, ~~such~~ THE bonds
9 to be payable at the pleasure of the county after ten years from the date of
10 their issuance, but absolutely due and payable twenty years after the date
11 of issue. The whole amount of bonds issued under this part 1 shall not
12 exceed the sum of the county indebtedness at the date of the first
13 publication of the notice submitting the question of funding the county
14 indebtedness; and the amount shall be determined by the board of county
15 commissioners, and a certificate made of the same, and made a part of the
16 records of the county; and any bond issued in excess of ~~such~~ THAT sum
17 shall be void. ~~All bonds issued under the provisions of this part 1 shall be~~
18 ~~registered in the office of the state auditor, to whom a fee of ten cents~~
19 ~~shall be paid for recording each bond; except that the state auditor by rule~~
20 ~~or as otherwise provided by law may reduce the amount of the fee if~~
21 ~~necessary pursuant to section 24-75-402 (3), C.R.S., to reduce the~~
22 ~~uncommitted reserves of the fund to which all or any portion of the fee is~~
23 ~~credited. After the uncommitted reserves of the fund are sufficiently~~
24 ~~reduced, the state auditor by rule or as otherwise provided by law may~~
25 ~~increase the amount of the fee as provided in section 24-75-402 (4);~~
26 ~~C.R.S.~~

27 **SECTION 4.** In Colorado Revised Statutes, 42-4-311, **amend**

1 (6)(b) as follows:

2 **42-4-311. Operation of inspection and readjustment stations**
3 **- inspection-only facilities - fleet inspection stations - motor vehicle**
4 **dealer test facilities - enhanced inspection centers.** (6) (b) During the
5 two-year renewal of the contract entered into pursuant to section 42-4-307
6 (10), the commission shall hold a hearing to determine the maximum fee
7 that may be charged pursuant to the contract for inspections during any
8 subsequent renewal term. Such ~~THE~~ maximum fee ~~shall~~ **MUST** be based
9 on estimated actual operating costs during the life of the contract,
10 determined pursuant to the proceeding, ~~and an audit conducted by the~~
11 ~~office of the state auditor on the contractor,~~ plus a percentage to be
12 determined by the commission, not to exceed ten percent and not to
13 exceed twenty-five dollars.

14 **SECTION 5. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2018 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.

Bill Draft K

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0261.01 Kate Meyer x4348

HOUSE BILL 17-1067

HOUSE SPONSORSHIP

Thurlow, Arndt

SENATE SPONSORSHIP

Kerr, Moreno, Tate

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING UPDATING REFERENCES TO A NATIONAL STANDARD
102 SETTING FORTH TECHNICAL CRITERIA FOR ACCESSIBLE
103 HOUSING.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Statutory Revision Committee. The bill amends references to an out-of-date version of a standard, promulgated by the American national standards institute, that governs construction of accessible housing.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 9-5-101, amend the
3 introductory portion, (2), (3), (10), (11), (12), (13), and (14) as follows:

4 **9-5-101. Definitions.** As used in this ~~article~~ ARTICLE 5, unless the
5 context otherwise requires:

6 (2) "Accessible route" means an interior or exterior circulation
7 path that complies with the provisions contained in ~~"ANSI A117.1-1998"~~
8 WITH ANSI A117.1.

9 (3) ~~"ANSI A117.1-1998" means the 1998 version of the~~
10 ~~"American National Standard for Buildings and Facilities Providing~~
11 ~~Accessibility and Usability for Physically Handicapped People"~~ "ANSI
12 A117.1" MEANS THE "ACCESSIBLE AND USABLE BUILDINGS AND
13 FACILITIES" STANDARD, OR ANY SUCCESSOR STANDARD, promulgated AND
14 AMENDED FROM TIME TO TIME by the American national standards
15 institute.

16 (10) "Type A dwelling unit" means a dwelling unit designed in
17 accordance with the provisions of ~~ANSI A117.1-1998~~ WITH ANSI
18 A117.1, section 1002, OR ANY SUCCESSOR SECTION WITHIN ANSI A117.1.

19 (11) "Type A multistory dwelling unit" means a multiple story
20 dwelling unit with a ground story level designed in accordance with the
21 provisions of ~~ANSI A117.1-1998~~ WITH ANSI A117.1, section 1002, OR
22 ANY SUCCESSOR SECTION WITHIN ANSI A117.1, and, if provided,
23 accessible laundry facilities on the ground story level.

24 (12) "Type B dwelling unit" means a dwelling unit with a ground
25 floor level designed in accordance with the provisions of ~~ANSI~~
26 ~~A117.1-1998~~ WITH ANSI A117.1, section 1003, OR ANY SUCCESSOR
27 SECTION WITHIN ANSI A117.1.

1 (13) "Type B multistory dwelling unit" means a multiple-story
2 dwelling unit with a ground story level that is designed in accordance
3 with the provisions of ANSI A117.1-1998 WITH ANSI A117.1, section
4 1003, OR ANY SUCCESSOR SECTION WITHIN ANSI A117.1, and, if
5 provided, accessible laundry facilities on the ground story level.

6 (14) "Type B visitable ground floor" means a multiple-story
7 dwelling unit with an accessible entrance and toilet facility designed in
8 accordance with the provisions of ANSI A117.1-1998 WITH ANSI
9 A117.1, section 1003, OR ANY SUCCESSOR SECTION WITHIN ANSIA117.1.

10 **SECTION 2.** In Colorado Revised Statutes, 9-5-102, amend (2)
11 as follows:

12 **9-5-102. Disabilities covered - purpose. (2) Design criteria.**
13 Design criteria shall MUST comply with the 1998 version of the
14 "American National Standard for Buildings and Facilities Providing
15 Accessibility and Usability for Physically Handicapped People",
16 promulgated by the American national standard institute, commonly cited
17 as "ANSI A117.1-1998" ANSI A117.1.

18 **SECTION 3.** In Colorado Revised Statutes, 9-5-103, amend (3)
19 introductory portion and (3)(a) as follows:

20 **9-5-103. Applicability of standards - enforcement. (3)** Any
21 building or facility that would have been subject to the provisions of this
22 article THIS ARTICLE 5 but was under construction prior to July 1, 1976,
23 shall MUST comply with the following:

24 (a) If the walls or defining boundaries of an element or space are
25 altered, then the altered element or space shall comply with the applicable
26 provisions of section 9-5-105, unless such alteration is technically
27 infeasible. If full compliance with this article is technically infeasible,

1 compliance shall be implemented up to the point of technical infeasibility.
2 No alteration shall be undertaken that negatively impacts accessibility of
3 a building or facility pursuant to ~~ANSI A117.1-1998~~ TO ANSI A117.1.
4 This ~~paragraph (a)~~ SUBSECTION (3)(a) shall not be construed to require the
5 moving of any existing walls not otherwise planned to be moved.

6 **SECTION 4. Act subject to petition - effective date -**
7 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
8 the expiration of the ninety-day period after final adjournment of the
9 general assembly (August 9, 2017, if adjournment sine die is on May 10,
10 2017); except that, if a referendum petition is filed pursuant to section 1
11 (3) of article V of the state constitution against this act or an item, section,
12 or part of this act within such period, then the act, item, section, or part
13 will not take effect unless approved by the people at the general election
14 to be held in November 2018 and, in such case, will take effect on the
15 date of the official declaration of the vote thereon by the governor.

16 (2) This act applies to buildings and facilities constructed or
17 altered on or after the applicable effective date of this act.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

62