

Revisor's Changes

House Bill 17-1073



2016 Colorado Revised Statutes

Prepared by the Office of Legislative Legal Services

REVISOR'S NOTE

In the preparation of the 2016 Colorado Revised Statutes, the Office of Legislative Legal Services has compiled, edited, and arranged the statutes to include changes made at the 2016 Regular Session and in accordance with article 5 of title 2, Colorado Revised Statutes.

In 2016, the Office of Legislative Legal Services, in accordance with the authority set forth in section 2-5-103, Colorado Revised Statutes, to "modernize terminology" changed "website" to "websites" and "on-line" to "online" throughout the statutes to conform those terms to generally accepted spelling practices.

Itemized below are the changes to the 2016 Colorado Revised Statutes made in accordance with the authority set forth in section 2-5-103 to "improve the style and clarity of the laws, yet preserve the intent, effect, and meaning of each statutory provision".

- a. **Punctuation.** A uniform system of punctuation was used in the preparation of C.R.S., and the punctuation has been changed accordingly.
- b. **Capitalization.** A uniform system of capitalization was used, and changes were made accordingly.
- c. **Present tense.** Language in the statutes has been changed to the present tense.
- d. **Short title and definition sections.** Language and format in short title and introductory portions of definition sections were standardized.
- e. **Effective date.** References to "the effective date of said section (article/part)" were changed to the actual date when the section (article/part) became effective.
- f. **Provisos.** The term "provided that" was changed to "except that" or "if" to conform to statutory format.
- g. **Grammatical changes.** In some instances, language was rewritten to correct grammar without changing substantive meaning.
- h. **Form Numbering changes.** Changes were made in C.R.S. numbering or in numbering or wording of internal references to conform to C.R.S. numbering system and statutory format.
- i. **"C.R.S. 1973" and "C.R.S." changes.** References to "C.R.S. 1973" or to

"C.R.S." were corrected to conform to H.B. No. 1291, 1983 Session, and added "C.R.S." to or deleted "C.R.S." from internal references to conform to statutory format.

- j. **Spelling.** Misspelled words were corrected.
- k. **Move "and" or "or" at the end of a paragraph, subparagraph, sub-subparagraph.** Moved an "and" or "or" to the next to last paragraph, subparagraph, or sub-subparagraph when a paragraph, subparagraph, or sub-subparagraph is added or repealed to conform to statutory format.
- l. **Richard B. Russell.** In 1999, Public Law 106-78 changed the name of the federal "National School Lunch Act" (42 U.S.C. sec. 1751 et seq.) to the federal "Richard B. Russell National School Lunch Act". Section 1 of Senate Bill 15-264 directs the Revisor of Statutes to change all the references from the old name of the act to the new name in the Colorado Revised Statutes. Section 1 also requires that all name changes be reported in the "Grey Book". The directive remains in effect until August 6, 2018.

TITLE 1

- 1-2-502 (2), Senate Bill 16-142 harmonized with Senate Bill 16-189.
- 1-2-510 (3), Senate Bill 16-142 harmonized with Senate Bill 16-189.

TITLE 2

- 2-3-1203 Amendments to this section by Senate Bill 16-062, Senate Bill 16-077, Senate Bill 16-115, House Bill 16-1014, House Bill 16-1171, House Bill 16-1172, House Bill 16-1177, House Bill 16-1182, House Bill 16-1236, House Bill 16-1255, and House Bill 16-1328 were harmonized with House Bill 16-1192 and renumbered, pursuant to section 2-3-702.5, as follows:
 - (3)(cc)(I), House Bill 16-1171, renumbered as (3)(a)(I).
 - (3)(cc)(II), House Bill 16-1236, renumbered as (3)(a)(II).
 - (3)(cc)(III), House Bill 16-1177, renumbered as (3)(a)(III).
 - (3)(cc)(IV), House Bill 16-1182, renumbered as (3)(a)(IV).
 - (3)(ff)(VI), House Bill 16-1172, renumbered as (8)(a)(VI).
 - (3)(hh.5)(II), House Bill 16-1236, renumbered as (12)(a)(II).
 - (3)(hh.5)(II), House Bill 16-1255, renumbered as (12)(a)(III).
 - (3)(hh.5)(II), House Bill 16-1171, renumbered as (12)(a)(IV).
 - (3)(hh.5)(II), House Bill 16-1177, renumbered as (12)(a)(V).

- (3)(hh.5)(II), Senate Bill 16-077, renumbered as (12)(a)(VI).
- (3)(ii.5)(III), Senate Bill 16-115, renumbered as (13)(a)(III).
- (3)(kk)(V), House Bill 16-1328, renumbered as (15)(a)(V).
- (3)(ll)(III), House Bill 16-1182, renumbered as (16)(a)(III).
- (3)(mm)(II), House Bill 16-1014, renumbered as (17)(a)(II).
- (3)(mm)(II), Senate Bill 16-062, renumbered as (17)(a)(III).

TITLE 8

- 8-2-122 (1)(b), House Bill 16-1323 superseded by House Bill 16-1114.
- 8-14.3-204 Deleted "cash fund created in section 39-28.8-501, C.R.S.," to correct an inadvertent repetition of the language in House Bill 16-1267.
- 8-83-212.5 (1)(c), changed "American Disabilities Act" to "Americans with Disabilities Act" to accurately reflect the name of the act as created in the United States Code.
- 8-83-303 (9), inserted "Colorado" before "office of economic development" to accurately reflect the name of the office as created in section 24-48.5-101.
- 8-84-106 (3)(d)(I), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.
- 8-84-302 (1)(a), changed "Pub. L." to "Pub.L." to conform to the preferred method of citing federal public law.

TITLE 11

- 11-35-101 (1), House Bill 16-1129 harmonized with Senate Bill 16-036.

TITLE 12

- 12-36-106 (1)(e), deleted "or" at the end of the paragraph to conform to statutory format.
- 12-43.4-103 (1), House Bill 16-1261 harmonized with Senate Bill 16-040.
(21.5), House Bill 16-1211 harmonized with House Bill 16-1261.
- 12-43.4-306 (1)(f), House Bill 16-1041 harmonized with House Bill 16-1261.

- 12-43.4-401 (1)(f), House Bill 16-1261 superseded by House Bill 16-1211.
- 12-47-202 (2)(a)(I)(S), added "This sub-subparagraph (S) is repealed, effective January 1, 2019." on revision to reflect the future repeal of this sub-subparagraph created by sections 7 and 19 of Senate Bill 16-197.
- 12-47-901 (8), added paragraph (b) on revision to reflect the future repeal of this subsection created by sections 16 and 19 of Senate Bill 16-197.

TITLE 17

- 17-1-115.7 (1), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.
- 17-1-115.8 (4), changed "U.S.C.A." to "U.S.C." to conform to the preferred method of citing federal law.

TITLE 18

- 18-1.3-702 IP(4) and (4)(a) to (4)(h), appeared as subsections IP(4)(a) and (4)(a)(I) to (4)(a)(VIII), respectively, in House Bill 16-1311 but were renumbered on revision to conform to statutory format.

TITLE 22

- 22-30.5-513 (5.5)(a), changed "22-305-112" to "22-30.5-112" to correct a typographical error made to the article number.

TITLE 23

- 23-1-106 (5)(a), Senate Bill 16-204 harmonized with House Bill 16-1082.
(6), (7)(c)(I), and (9), Senate Bill 16-204 harmonized with House Bill 16-1459.
- 23-18-308 Senate Bill 16-189 superseded by Senate Bill 16-196.
- 23-19.9-102 (1)(b), House Bill 16-1082 harmonized with House Bill 16-1229.
- 23-71-102 (1)(b)(II), changed "Colorado commission of higher" to "Colorado commission on higher education" to accurately reflect the name of the commission.

TITLE 24

- 24-21-402 (1), renumbered and relettered the provisions within subsection (1) to conform to statutory format.
- 24-33.5-516 (1), Senate Bill 16-041 harmonized with Senate Bill 16-191.
- 24-34-104 Amendments to this section by Senate Bill 16-069, Senate Bill 16-161, House Bill 16-1157, House Bill 16-1158, House Bill 16-1159, House Bill 16-1160, House Bill 16-1168, House Bill 16-1170, House Bill 16-1173, House Bill 16-1232, House Bill 16-1261, House Bill 16-1345, House Bill 16-1360, and House Bill 16-1404 were harmonized with House Bill 16-1192 and renumbered, pursuant to section 2-3-702.5, as follows:
- IP(47), House Bill 16-1168, renumbered as IP(10)(a).
 - (47)(b), House Bill 16-1170, renumbered as (10)(a)(I).
 - (47)(c), House Bill 16-1168, renumbered as (10)(a)(II).
 - (47)(d), House Bill 16-1261, renumbered as (10)(a)(III).
 - IP(47.5), House Bill 16-1232 renumbered as IP(11)(a).
 - (47.5)(b), House Bill 16-1160, renumbered as (11)(a)(I).
 - (47.5)(c), House Bill 16-1158 and House Bill 16-1159, renumbered as (11)(a)(II).
 - (47.5)(d), House Bill 16-1232, renumbered as (11)(a)(III).
 - (47.5)(e), House Bill 16-1173, renumbered as (11)(a)(IV).
 - (47.5)(f), House Bill 16-1345, renumbered as (11)(a)(V).
 - (47.5)(h), House Bill 1360, renumbered as (11)(a)(VII).
 - (50.5)(o), House Bill 16-1261, renumbered as (17)(a)(XV).
 - (51.5)(j), House Bill 16-1404, renumbered as (19)(a)(X).
 - (51.5)(j), House Bill 16-1345, renumbered as (19)(a)(XI).
 - (52.5)(f), House Bill 16-1157, renumbered as (21)(a)(VI).
 - (52.5)(f), House Bill 16-1360, renumbered as (21)(a)(VII).
 - (52.5)(f), House Bill 16-1160, renumbered as (21)(a)(VIII).
 - (52.5)(f), Senate Bill 16-161, renumbered as (21)(a)(IX).
 - (54)(b), House Bill 16-1170, renumbered as (24)(a)(II).
 - (54)(b), House Bill 16-1232, renumbered as (24)(a)(III).
 - (56)(d), House Bill 16-1168, renumbered as (26)(a)(IV).
 - (56)(d), House Bill 16-1158, renumbered as (26)(a)(V).
 - (56)(d), House Bill 16-1159, renumbered as (26)(a)(VI).
 - (56)(d), Senate Bill 16-069, renumbered as (26)(a)(VII).
 - (57)(c), House Bill 16-1173, renumbered as (27)(a)(III).
 - (57)(d), House Bill 16-1173, renumbered as (27)(a)(IV).
 - (27)(a)(III), deleted "and" at the end of the subparagraph to conform

to statutory format for this section.

(46)(k), Senate Bill 16-161 superseded by House Bill 16-1192.

(47.5)(h), Senate Bill 16-189 superseded by House Bill 16-1360.

24-46.3-103 (3)(a)(VII), House Bill 16-1287 harmonized with House Bill 16-1288.

24-72.4-103 (1)(i)(III), deleted "and" at the end of the subparagraph to conform to statutory format.

24-75-1104.5 (1)(j)(I), as amended in Senate Bill 16-146, harmonized with House Bill 16-1408 and relocated to subsection (1.7)(f).

(1)(m), as amended in Senate Bill 16-146, harmonized with House Bill 16-1408 and relocated to subsection (1.7)(g).

(3), Senate Bill 16-146 harmonized with House Bill 16-1408.

TITLE 25

25-1.5-302 (4)(b), (5)(b), (6)(b), and (7)(d) added on revision to reflect the future repeals of subsections (4), (5), (6), and (7), respectively, created by sections 3 and 6 of House Bill 16-1424.

25-4-901 (2)(a) and (3), changed "26-6-102 (1.5)" to "26-6-102 (5)", as they appeared in House Bill 16-1425, to correct the citations due to the renumbering of the subsection by Senate Bill 16-189.

25-4-1401 (7)(a), amended as section 25-4-1411 (6)(a) in House Bill 16-1408 but was relocated and harmonized with Senate Bill 16-146.

25-4-1405 (2), amended as section 25-4-1415 (2) in House Bill 16-1408, but was relocated and harmonized with Senate Bill 16-146.

25-4-1607 (14)(c), changed "The director of the department" to "The executive director of the department" to correctly reflect the title of the position created in section 25-1-102 (1).

25-16-104.5 (1.7)(b)(II), Senate Bill 16-092 harmonized with House Bill 16-1141.

TITLE 25.5

25.5-10-202 (1.8)(a), changed "at-risk adult with IDD" to "at-risk adult with an intellectual and developmental disability" to conform with defined term and for consistency throughout the article.

TITLE 26

26-20-106

IP(4), changed "26-20-111" to "26-20-110" to accurately reflect the section in which the youth seclusion working group is established.

TITLE 32

32-1-808

(5), Senate Bill 16-189 harmonized with Senate Bill 16-211.

TITLE 36

36-1-124.3

(2), (3), IP(4)(a), and (4)(b)(III), inserted "state" before "board" to accurately refer to the state board of land commissioners.

TITLE 39

39-26-707

(2)(c), deleted "and" to conform to statutory format.

39-29-109

IP(2), Senate Bill 16-174 harmonized with House Bill 16-1256.

TITLE 43

43-1-106

(17)(d), changed "2-3-1203 (3)" to "2-3-1203" to conform to statutory format when making reference to the section.