

HB1107_L.002

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.HB16-1107 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 24-4-102, **add**
4 (13.5) as follows:

5 **24-4-102. Definitions.** As used in this article, unless the context
6 otherwise requires:

7 (13.5) "PROFESSIONS AND OCCUPATIONS LICENSING AUTHORITY"
8 MEANS ANY AGENCY IN THE DIVISION OF PROFESSIONS AND OCCUPATIONS
9 IN THE DEPARTMENT OF REGULATORY AGENCIES.

10 **SECTION 2.** In Colorado Revised Statutes, 24-4-104, **add** (5.5)
11 as follows:

12 **24-4-104. Licenses - issuance, suspension or revocation,**
13 **renewal - division of professions and occupations - department of**
14 **regulatory agencies disciplinary proceedings - time frames.**

15 (5.5) (a) (I) EXCEPT FOR CONDUCT TO WHICH A PERSON ENTERS A PLEA OF
16 GUILTY OR NOLO CONTENDERE (NO CONTEST) IN A CRIMINAL PROCEEDING
17 FOR A CLAIM BEFORE A PROFESSIONS AND OCCUPATIONS LICENSING
18 AUTHORITY, A COMPLAINT MUST BE FILED WITHIN SEVEN YEARS AFTER
19 THE ALLEGED ACTION OR FAILURE TO ACT.

20 (II) EXCEPT FOR CONDUCT TO WHICH A PERSON ENTERS A PLEA OF
21 GUILTY OR NOLO CONTENDERE (NO CONTEST) IN A CRIMINAL PROCEEDING
22 FOR A CLAIM BEFORE A PROFESSIONS AND OCCUPATIONS LICENSING
23 AUTHORITY CONCERNING A PERSON UNDER EIGHTEEN YEARS OF AGE OR
24 OTHER PERSON UNDER DISABILITY, AS DEFINED IN SECTION 13-81-101 (3),
25 C.R.S., A COMPLAINT MUST BE FILED WITHIN SEVEN YEARS AFTER THE
26 PERSON'S EIGHTEENTH BIRTHDAY OR WITHIN SEVEN YEARS AFTER THE
27 PERSON IS NO LONGER UNDER A DISABILITY.

28 (b) THE PROFESSIONS AND OCCUPATIONS LICENSING AUTHORITY
29 SHALL RENDER A FINAL DECISION WITHIN THREE YEARS AFTER THE FILING
30 OF A COMPLAINT UNLESS, UPON GOOD CAUSE SHOWN TO THE
31 ADMINISTRATIVE LAW JUDGE, ADDITIONAL TIME IS REQUIRED.

32 **SECTION 3. Act subject to petition - effective date -**
33 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
34 the expiration of the ninety-day period after final adjournment of the
35 general assembly (August 10, 2016, if adjournment sine die is on May 11,
36 2016); except that, if a referendum petition is filed pursuant to section 1
37 (3) of article V of the state constitution against this act or an item, section,



1 or part of this act within such period, then the act, item, section, or part
2 will not take effect unless approved by the people at the general election
3 to be held in November 2016 and, in such case, will take effect on the
4 date of the official declaration of the vote thereon by the governor.

5 (2) This act applies to disciplinary proceedings before agencies in
6 the division of professions and occupations in the department of
7 regulatory agencies on or after the applicable effective date of this act."

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