

HOUSE COMMITTEE OF REFERENCE REPORT

March 22, 2022

Chair of Committee

Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB22-1240 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

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

3 "SECTION 1. In Colorado Revised Statutes, **amend** 19-3-302 as
4 follows:

5 **19-3-302. Legislative declaration.** (1) The general assembly
6 declares that the complete reporting of child abuse is a matter of public
7 concern and that, in enacting this part 3, it is the intent of the general
8 assembly to protect the best interests of children of this state and to offer
9 protective services in order to prevent any further harm to a child
10 suffering from abuse. It is also the intent of the general assembly that if
11 a county or group of counties decides to establish a child protection team,
12 that the child protection teams publicly discuss public agencies' responses
13 to child abuse and neglect reports so that the public and the general
14 assembly are better informed concerning the operation and administration
15 of this part 3.

16 (2) (a) THE GENERAL ASSEMBLY FURTHER DECLARES THAT
17 REQUIRING PEOPLE TO REPORT KNOWN OR SUSPECTED CHILD ABUSE OR
18 NEGLECT PURSUANT TO THIS PART 3 IMPACTS THE PEOPLE REPORTING AS
19 WELL AS CHILDREN AND FAMILIES. AS A RESULT OF IMPLICIT BIAS,
20 UNDER-RESOURCED COMMUNITIES, COMMUNITIES OF COLOR, AND PERSONS
21 WITH DISABILITIES ARE DISPROPORTIONATELY IMPACTED BY THE
22 MANDATORY REPORTING SYSTEM. TO CREATE A MORE EQUITABLE
23 MANDATORY REPORTING SYSTEM, PEOPLE REQUIRED TO REPORT CHILD
24 ABUSE OR NEGLECT MUST HAVE ACCESS TO NECESSARY RESOURCES TO
25 REPORT CHILD ABUSE OR NEGLECT, INCLUDING BUT NOT LIMITED TO:

26 (I) SPECIALIZED TRAINING TO ADDRESS AND DECREASE THE
27 DISPROPORTIONATE IMPACT ON UNDER-RESOURCED COMMUNITIES,

1 COMMUNITIES OF COLOR, AND PERSONS WITH DISABILITIES;
2 (II) STANDARDIZED TRAINING AND MATERIALS; AND
3 (III) INFORMATION REGARDING OBLIGATIONS AND PROTECTIONS
4 PURSUANT TO THE LAW.
5 (b) ADDITIONALLY, THROUGH THE CREATION OF A MANDATORY
6 REPORTER TASK FORCE IN THIS PART 3, DIVERSE REPRESENTATIVES FROM
7 STATEWIDE ORGANIZATIONS SERVING FAMILIES AND YOUTH SHALL
8 ANALYZE BEST PRACTICES AND MAY RECOMMEND CHANGES TO TRAINING
9 MATERIALS AND REPORTING PROCEDURES.
10 **SECTION 2.** In Colorado Revised Statutes, **add 19-3-304.2** as
11 follows:
12 **19-3-304.2. Mandatory reporter task force - creation -**
13 **reporting - definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS
14 THE CONTEXT OTHERWISE REQUIRES:
15 (a) "IMPLICIT BIAS" MEANS A BIAS OR PREJUDICE THAT IS PRESENT
16 TOWARD AN INDIVIDUAL OR A GROUP OF PEOPLE WITHOUT CONSCIOUS
17 KNOWLEDGE.
18 (b) "MANDATORY REPORTER" MEANS A PERSON WHO IS REQUIRED
19 TO REPORT CHILD ABUSE OR NEGLECT PURSUANT TO SECTION 19-3-304.
20 (c) "MEDICAL CHILD ABUSE" MEANS WHEN A CHILD RECEIVES
21 UNNECESSARY AND HARMFUL OR POTENTIALLY HARMFUL MEDICAL CARE
22 DUE TO A CAREGIVER'S OVERT ACTIONS, INCLUDING EXAGGERATING THE
23 CHILD'S MEDICAL SYMPTOMS, LYING ABOUT THE CHILD'S MEDICAL HISTORY
24 OR FABRICATING THE CHILD'S MEDICAL HISTORY, OR INTENTIONALLY
25 INDUCING ILLNESS IN THE CHILD.
26 (2) THERE IS CREATED IN THE OFFICE OF THE CHILD PROTECTION
27 OMBUDSMAN, ESTABLISHED PURSUANT TO SECTION 19-3.3-102, THE
28 MANDATORY REPORTER TASK FORCE, REFERRED TO IN THIS SECTION AS
29 THE "TASK FORCE". THE PURPOSE OF THE TASK FORCE IS TO ANALYZE BEST
30 PRACTICES AND RECOMMEND CHANGES TO TRAINING REQUIREMENTS AND
31 REPORTING PROCEDURES. THE TASK FORCE SHALL ANALYZE THE
32 EFFECTIVENESS OF MANDATORY REPORTING AND ITS RELATIONSHIP WITH
33 SYSTEMIC ISSUES, INCLUDING THE DISPROPORTIONATE IMPACT OF
34 MANDATORY REPORTING ON UNDER-RESOURCED COMMUNITIES,
35 COMMUNITIES OF COLOR, AND PERSONS WITH DISABILITIES. THE TASK
36 FORCE SHALL FOCUS ON SERVING UNDER-RESOURCED COMMUNITIES,
37 COMMUNITIES OF COLOR, AND PERSONS WITH DISABILITIES WHO ARE
38 DISPROPORTIONATELY IMPACTED BY THE MANDATORY REPORTING
39 SYSTEM. THE TASK FORCE MAY PROPOSE CLARIFICATIONS TO THE LAW TO
40 HELP IMPLEMENT ITS RECOMMENDATIONS. THE TASK FORCE MAY MAKE
41 FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY, THE
42 GOVERNOR, AND THE STATE DEPARTMENT ON ADMINISTRATIVE AND
43 LEGISLATIVE CHANGES TO UPDATE MANDATORY REPORTER TRAINING

1 REQUIREMENTS AND REPORTING PROCEDURES FOR REPORTING CHILD
2 ABUSE OR NEGLECT AND TO CREATE AN EQUITABLE MANDATORY
3 REPORTING SYSTEM FOR ALL COLORADO FAMILIES AND CHILDREN,
4 INCLUDING HOW TO DETERMINE THE EFFECTIVENESS OF MANDATORY
5 REPORTING AND MITIGATE THE IMPACT OF MANDATORY REPORTING ON
6 UNDER-RESOURCED COMMUNITIES, COMMUNITIES OF COLOR, AND PERSONS
7 WITH DISABILITIES.

8 (3) (a) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

9 (I) THE CHILD PROTECTION OMBUDSMAN, AS DESCRIBED IN
10 SECTION 19-3.3-102, OR THE CHILD PROTECTION OMBUDSMAN'S DESIGNEE;

11 (II) ONE MEMBER REPRESENTING THE STATE DEPARTMENT TO BE
12 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT, OR
13 THE EXECUTIVE DIRECTOR'S DESIGNEE;

14 (III) ONE MEMBER REPRESENTING THE DEPARTMENT OF PUBLIC
15 SAFETY TO BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
16 DEPARTMENT OF PUBLIC SAFETY, OR THE EXECUTIVE DIRECTOR'S
17 DESIGNEE;

18 (IV) ONE MEMBER REPRESENTING THE DEPARTMENT OF
19 REGULATORY AGENCIES TO BE APPOINTED BY THE EXECUTIVE DIRECTOR
20 OF THE DEPARTMENT OF REGULATORY AGENCIES, OR THE EXECUTIVE
21 DIRECTOR'S DESIGNEE;

22 (V) ONE MEMBER REPRESENTING THE DEPARTMENT OF EDUCATION
23 TO BE APPOINTED BY THE COMMISSIONER OF EDUCATION OF THE
24 DEPARTMENT OF EDUCATION, OR THE COMMISSIONER OF EDUCATION'S
25 DESIGNEE; AND

26 (VI) THE FOLLOWING MEMBERS, WHO SHALL BE APPOINTED BY THE
27 CHILD PROTECTION OMBUDSMAN OR THE CHILD PROTECTION
28 OMBUDSMAN'S DESIGNEE:

29 (A) ONE MEMBER REPRESENTING A STATEWIDE EDUCATION
30 ORGANIZATION THAT INCLUDES RURAL AREAS;

31 (B) ONE MEMBER REPRESENTING LAW ENFORCEMENT AGENCIES;

32 (C) ONE MEMBER REPRESENTING RURAL COUNTY DEPARTMENTS;

33 (D) ONE MEMBER REPRESENTING URBAN COUNTY DEPARTMENTS;

34 (E) ONE MEMBER REPRESENTING COURT-APPOINTED SPECIAL
35 ADVOCATES, AS DEFINED IN SECTION 13-91-103;

36 (F) ONE MEMBER REPRESENTING THE OFFICE OF THE CHILD'S
37 REPRESENTATIVE, AS ESTABLISHED IN SECTION 13-91-104;

38 (G) ONE MEMBER REPRESENTING A CHILD ADVOCACY CENTER, AS
39 DEFINED IN SECTION 19-1-103;

40 (H) ONE MEMBER REPRESENTING PROSECUTING ATTORNEYS;

41 (I) ONE MEMBER REPRESENTING THE OFFICE OF THE STATE PUBLIC
42 DEFENDER, AS CREATED IN SECTION 21-1-101, OR THE OFFICE OF THE
43 ALTERNATE DEFENSE COUNSEL, AS CREATED IN SECTION 21-2-101;

- 1 (J) ONE MEMBER REPRESENTING A COUNTY ATTORNEY'S OFFICE OR
2 A STATEWIDE ORGANIZATION REPRESENTING COUNTY ATTORNEYS'
3 OFFICES;
- 4 (K) ONE MEMBER REPRESENTING THE OFFICE OF THE RESPONDENT
5 PARENTS' COUNSEL, AS CREATED IN SECTION 13-92-103;
- 6 (L) ONE MEMBER REPRESENTING A STATEWIDE
7 NONGOVERNMENTAL ORGANIZATION SPECIALIZING IN THE PREVENTION OF
8 CHILD MALTREATMENT;
- 9 (M) ONE MEMBER FROM A STATEWIDE ORGANIZATION
10 REPRESENTING HOSPITALS;
- 11 (N) ONE MEMBER FROM A STATEWIDE ORGANIZATION
12 REPRESENTING MEDICAL PROFESSIONALS;
- 13 (O) ONE MEMBER FROM A STATEWIDE ORGANIZATION
14 REPRESENTING MENTAL HEALTH PROFESSIONALS;
- 15 (P) ONE MEMBER FROM A STATEWIDE ORGANIZATION
16 REPRESENTING CHILDREN AND YOUTH;
- 17 (Q) ONE MEMBER FROM A STATEWIDE ORGANIZATION
18 REPRESENTING PEOPLE WITH DISABILITIES;
- 19 (R) FIVE MEMBERS REPRESENTING INDIVIDUALS WITH LIVED
20 EXPERIENCE IN THE MANDATORY REPORTING SYSTEM;
- 21 (S) ONE MEMBER FROM A STATEWIDE ORGANIZATION SERVING
22 UNDER-RESOURCED COMMUNITIES;
- 23 (T) ONE MEMBER WHO IS AN ACADEMIC EXPERT ON THE
24 MANDATORY REPORTING SYSTEM EMPLOYED AT A STATE INSTITUTION OF
25 HIGHER EDUCATION;
- 26 (U) ONE MEMBER REPRESENTING A STATEWIDE ORGANIZATION
27 SERVING OR REPRESENTING VICTIMS AND SURVIVORS OF DOMESTIC
28 VIOLENCE;
- 29 (V) ONE MEMBER REPRESENTING A STATEWIDE ORGANIZATION
30 SERVING OR REPRESENTING VICTIMS AND SURVIVORS OF SEXUAL
31 VIOLENCE;
- 32 (W) ONE MEMBER REPRESENTING CONFIDENTIAL VICTIM
33 ADVOCATES; AND
- 34 (X) ONE MEMBER REPRESENTING A STATE-LICENSED CHILD CARE
35 PROVIDER, AS DEFINED IN SECTION 26-6-102 (6).
- 36 (b) THE APPOINTING AUTHORITIES SHALL MAKE APPOINTMENTS ON
37 OR BEFORE DECEMBER 1, 2022. IN MAKING APPOINTMENTS, THE
38 APPOINTING AUTHORITIES SHALL SELECT MEMBERS WHO REPRESENT
39 DIVERSE GEOGRAPHIC LOCATIONS, GENDERS, RELIGIONS, SOCIOECONOMIC
40 STATUSES, IMMIGRATION STATUSES, AND LANGUAGES. THE TERM OF THE
41 APPOINTMENT IS FOR THE DURATION OF THE TASK FORCE. THE APPOINTING
42 AUTHORITIES SHALL FILL ANY VACANCY SUBJECT TO THE SAME
43 QUALIFICATIONS AS THE INITIAL APPOINTMENT.

1 (4) EACH MEMBER OF THE TASK FORCE SERVES WITHOUT
2 COMPENSATION. NONGOVERNMENTAL MEMBERS MAY BE REIMBURSED FOR
3 REASONABLE EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES
4 PURSUANT TO THIS SECTION.

5 (5) THE CHILD PROTECTION OMBUDSMAN OR THE CHILD
6 PROTECTION OMBUDSMAN'S DESIGNEE SHALL SERVE AS THE CHAIR, AND
7 THE TASK FORCE SHALL SELECT A VICE-CHAIR FROM AMONG ITS MEMBERS.
8 THE CHAIR AND THE VICE-CHAIR SHALL SERVE FOR THE DURATION OF THE
9 TASK FORCE AS THE CHAIR AND THE VICE-CHAIR.

10 (6) (a) THE CHILD PROTECTION OMBUDSMAN, OR THE CHILD
11 PROTECTION OMBUDSMAN'S DESIGNEE, SHALL CONVENE THE FIRST
12 MEETING OF THE TASK FORCE NO LATER THAN JANUARY 1, 2023. THE TASK
13 FORCE SHALL MEET AT LEAST ONCE EVERY OTHER MONTH UNTIL THE TASK
14 FORCE SUBMITS ITS FINAL REPORT. THE CHAIR MAY CALL ADDITIONAL
15 MEETINGS AS NECESSARY FOR THE TASK FORCE TO FULFILL ITS DUTIES.
16 THE TASK FORCE SHALL ESTABLISH PROCEDURES TO ALLOW MEMBERS OF
17 THE TASK FORCE TO PARTICIPATE IN MEETINGS REMOTELY.

18 (b) THE CHILD PROTECTION OMBUDSMAN, OR THE CHILD
19 PROTECTION OMBUDSMAN'S DESIGNEE, SHALL OPEN THE MEETINGS TO THE
20 PUBLIC, PROVIDE ADVANCE PUBLIC NOTICE OF THE MEETINGS, AND ALLOW
21 PUBLIC COMMENTS AT THE MEETINGS. THE CHILD PROTECTION
22 OMBUDSMAN, OR THE CHILD PROTECTION OMBUDSMAN'S DESIGNEE, SHALL
23 CONDUCT OUTREACH AND ENCOURAGE COMMUNITY PARTICIPATION IN THE
24 PUBLIC MEETINGS.

25 (7) (a) PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE TASK
26 FORCE, AT A MINIMUM, SHALL ANALYZE:

27 (I) WHETHER A STUDY SHOULD BE CONDUCTED TO DETERMINE THE
28 EFFECTIVENESS OF MANDATORY REPORTING IN SERVING CHILDREN AND
29 FAMILIES AND DETERMINE THE NECESSARY FUNDING FOR A STUDY. IF THE
30 TASK FORCE DETERMINES THERE SHOULD BE A STUDY, THE STUDY MUST
31 INCLUDE AN ANALYSIS ON WHETHER ENHANCED SCREENING TECHNIQUES
32 FOR ACCEPTING REPORTS MAY MITIGATE THE DISPROPORTIONATE IMPACT
33 OF MANDATORY REPORTING ON UNDER-RESOURCED COMMUNITIES,
34 COMMUNITIES OF COLOR, AND PERSONS WITH DISABILITIES.

35 (II) THE DISPROPORTIONATE IMPACT OF MANDATORY REPORTING
36 ON UNDER-RESOURCED COMMUNITIES, COMMUNITIES OF COLOR, AND
37 PERSONS WITH DISABILITIES;

38 (III) STANDARDIZED TRAINING THAT ADDRESSES IMPLICIT BIAS;

39 (IV) ALTERNATIVE PROCESSES AND SERVICES FOR FAMILIES WHO
40 DO NOT PRESENT MANDATORY REPORTERS WITH CHILD ABUSE OR NEGLECT
41 CONCERNS BUT WHO WOULD BENEFIT FROM ALTERNATIVE SERVICES;

42 (V) STANDARDIZED TRAINING THAT ADDRESSES THE
43 REQUIREMENTS OF THE LAW PURSUANT TO THIS PART 3;

- 1 (VI) THE DEFINITION OF "IMMEDIATELY" AND HOW REPORTING
2 TIME FRAMES AFFECT MANDATORY REPORTERS FROM DIFFERENT
3 PROFESSIONS;
- 4 (VII) REPORTING TIME FRAMES FOR MANDATORY REPORTERS WHO
5 ARE CREATING A SAFETY PLAN FOR VICTIMS OF DOMESTIC VIOLENCE,
6 SEXUAL ASSAULT, OR STALKING TO ENSURE THE SAFETY OF THE VICTIM
7 AND THE VICTIM'S FAMILY MEMBERS WHILE CREATING THE SAFETY PLAN;
- 8 (VIII) MEDICAL CHILD ABUSE AND THE PROCESS TO REPORT
9 MEDICAL CHILD ABUSE;
- 10 (IX) WHETHER MANDATORY REPORTERS SHOULD REPORT
11 INCIDENTS OBSERVED OUTSIDE OF A MANDATORY REPORTER'S
12 PROFESSIONAL CAPACITY;
- 13 (X) WHETHER A MANDATORY REPORTER WHO IS EMPLOYED BY, AN
14 AGENT OF, OR A CONTRACTOR FOR AN ATTORNEY WHO IS PROVIDING
15 LEGAL REPRESENTATION IS EXEMPT FROM THE REPORTING REQUIREMENTS
16 DESCRIBED IN SECTION 19-3-304;
- 17 (XI) MANDATORY REPORTING REQUIREMENTS FOR MANDATORY
18 REPORTERS WHO HAVE KNOWLEDGE OR REASONABLE CAUSE TO KNOW OR
19 SUSPECT THAT A CHILD OR YOUTH IS THE VICTIM OF DATING VIOLENCE OR
20 SEXUAL ASSAULT;
- 21 (XII) A REPORTING PROCESS FOR TWO OR MORE MANDATORY
22 REPORTERS TO REPORT CHILD ABUSE OR NEGLECT WHO HAVE JOINT
23 KNOWLEDGE OR JOINT REASONABLE CAUSE TO MAKE A REPORT OF CHILD
24 ABUSE OR NEGLECT;
- 25 (XIII) WHETHER THE DUTY TO REPORT REMAINS WITH THE
26 MANDATORY REPORTER WHO HAS REASONABLE CAUSE TO KNOW OR
27 SUSPECT THAT A CHILD HAS BEEN SUBJECTED TO CHILD ABUSE OR
28 NEGLECT;
- 29 (XIV) WHETHER INSTITUTIONS THAT EMPLOY MANDATORY
30 REPORTERS MAY DEVELOP PROCEDURES TO ASSIST MANDATORY
31 REPORTERS IN FULFILLING REPORTING REQUIREMENTS, AS DESCRIBED IN
32 SECTION 19-3-307;
- 33 (XV) TRAINING REQUIREMENTS FOR PEOPLE APPLYING FOR OR
34 RENEWING A PROFESSIONAL LICENSE FOR A PROFESSION THAT IS
35 IDENTIFIED AS A PROFESSION REQUIRED TO REPORT CHILD ABUSE OR
36 NEGLECT PURSUANT TO SECTION 19-3-304;
- 37 (XVI) THE PERSONAL INFORMATION OF A CHILD, AS SET FORTH IN
38 SECTION 19-3-307 (2), THAT IS COLLECTED FOR A REPORT;
- 39 (XVII) STANDARDIZED TRAINING REGARDING THE COUNTY
40 DEPARTMENTS' PROCESS TO DETERMINE WHICH REPORTS MEET THE
41 THRESHOLD FOR ASSESSMENT AND INVESTIGATION;
- 42 (XVIII) THE BENEFITS OF AN ELECTRONIC REPORTING PLATFORM
43 FOR THE STATE; AND

1 (XIX) A PROCESS FOR INTER- AND INTRA-AGENCY
2 COMMUNICATIONS, CONFIRMING RECEIPT OF REPORTS, AND, IN SOME
3 CIRCUMSTANCES, SHARING THE OUTCOME OF REPORTS WITH CERTAIN
4 MANDATORY REPORTERS.

5 (b) THE TASK FORCE MAY ESTABLISH STANDING SUBCOMMITTEES
6 TO STUDY THE ISSUES IDENTIFIED IN SUBSECTION (7)(a) OF THIS SECTION.

7 (8) THE TASK FORCE SHALL ANALYZE NATIONAL BEST PRACTICES
8 AND CONSULT WITH ADDITIONAL STAKEHOLDERS AS NEEDED TO ADDRESS
9 ALL ADDITIONAL QUESTIONS NECESSARY TO FINALIZE ITS FINDINGS AND
10 RECOMMENDATIONS FOR MANDATORY REPORTER TRAINING
11 REQUIREMENTS, REPORTING PROCEDURES, AND CREATING A MORE
12 EQUITABLE MANDATORY REPORTING SYSTEM FOR UNDER-RESOURCED
13 COMMUNITIES, COMMUNITIES OF COLOR, AND PERSONS WITH DISABILITIES
14 WHO ARE DISPROPORTIONATELY IMPACTED BY MANDATORY REPORTING.

15 (9) ON OR BEFORE JANUARY 1, 2024, THE TASK FORCE SHALL
16 SUBMIT ITS FIRST-YEAR STATUS REPORT, INCLUDING ITS INITIAL FINDINGS
17 AND RECOMMENDATIONS ON ISSUES IDENTIFIED IN SUBSECTION (7) OF THIS
18 SECTION, TO THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL
19 HEALTH AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND
20 HUMAN SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES; THE
21 GOVERNOR; AND THE STATE DEPARTMENT.

22 (10) ON OR BEFORE JANUARY 1, 2025, THE TASK FORCE SHALL
23 SUBMIT ITS FINAL REPORT, INCLUDING ITS FINDINGS AND
24 RECOMMENDATIONS ON THE ISSUES IDENTIFIED IN SUBSECTION (7) OF THIS
25 SECTION, TO THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL
26 HEALTH AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND
27 HUMAN SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES; THE
28 GOVERNOR; AND THE STATE DEPARTMENT.

29 (11) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

30 **SECTION 3.** In Colorado Revised Statutes, 19-3-304.2, **amend**
31 **as added by House Bill 22-1240** (3)(a)(VI)(X) as follows:

32 **19-3-304.2. Mandatory reporter task force - creation -**
33 **reporting - definitions - repeal.** (3) (a) The task force consists of the
34 following members:

35 (VI) The following members, who shall be appointed by the child
36 protection ombudsman or the child protection ombudsman's designee:

37 (X) One member representing a state-licensed child care provider,
38 as defined in ~~section 26-6-102(6)~~ SECTION 26.5-5-303 (4).

39 **SECTION 4. Act subject to petition - effective date.** (1) Except
40 as otherwise provided in subsection (2) of this section, this act takes
41 effect at 12:01 a.m. on the day following the expiration of the ninety-day
42 period after final adjournment of the general assembly; except that, if a
43 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2022 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.

6 (2) Section 3 of this act takes effect only if House Bill 22-1295
7 becomes law, in which case section 3 takes effect upon the effective date
8 of this act or House Bill 22-1295, whichever is later."

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