

DIGEST OF BILLS

Enacted at the First Regular Session
Of the Sixty-sixth General Assembly



E PLURIBUS UNUM was the first national motto of the United States of America. Translated from Latin, it means "From many, one" or "Out of many, one" It referred to the integration of the 13 independent colonies into one united country, and has taken on an additional meaning, given the pluralistic nature of American society from immigration. The motto itself symbolically has thirteen letters. The motto was selected by the first Great Seal committee in 1776, at the beginning of the American Revolution. Pierre Eugene DuSimitière originally suggested *E pluribus unum* as the motto. In 1956, "In God We Trust" replaced *E pluribus unum* as the national motto according to United States Code, Title 36, Section 302. President Dwight D. Eisenhower signed the resolution into law on 30 July 1956.

June 2007

Prepared by
the Office of Legislative Legal Services

DIGEST

SENATE AND HOUSE BILLS ENACTED
BY THE
SIXTY-SIXTH GENERAL ASSEMBLY
OF THE
STATE OF COLORADO
(2007 - First Regular Session)

NOTE: The Digest is available on the Official Colorado State Legislative
Home Page at: www.leg.state.co.us

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PREFACE

Publication of the Colorado Revised Statutes occurs several months following the end of each regular legislative session. Prior to such publication, the Office of Legislative Legal Services prepares the Digest of Bills and Concurrent Resolutions as required under section 2-3-504, C.R.S. The Digest consists of summaries of all bills and concurrent resolutions enacted by the Sixty-fourth General Assembly at its Second Regular Session ending May 4, 2007. The summaries include the dates bills are approved and the effective dates of the bills. The Digest also includes an alphabetical subject index and several reference tables. The Digest is not a substitute for the text of the bills or for provisions of the Colorado Revised Statutes, but gives the user notice of and summary information on recent changes to the statutes.

HOW TO USE THE DIGEST

1. The summaries of bills and proposed state constitutional amendments begin on page 1. To determine the page on which the summary of a particular bill may be found, refer to the Conversion Table, beginning on page xv.
2. To identify bills by subject area, refer to the bill summaries section for that subject area or the subject index, beginning on page 1.
3. To determine the approval date and the effective date of a particular bill, refer to the information immediately following the bill summary. To determine the effective date, you may also refer to the Conversion Table, beginning on page xv.
4. To convert a particular bill number to a chapter number in the Session Laws, refer to the Conversion Table, beginning on page xv.
5. To identify bills that were vetoed by the Governor or that became law without the Governor's signature, refer to page viii.
6. To identify bills that were enacted without a safety clause, refer to page ix.
7. To identify bills that were originally recommended by a 2006 interim committee, refer to page x and xi.
8. For statistics concerning the number of bills and concurrent resolutions introduced and passed in the 2007 session compared to the two prior sessions, see the Legislative Statistical Summary, page vii.
9. To identify bills that have effective dates of July 1 and later, see the listings

beginning on page xii.

10. The general assembly adjourned sine die on the 115th legislative day, May 4, 2007. Accordingly, the 90-day period following adjournment in which referendum petitions may be filed in accordance with section 1 of article V of the state constitution for bills that do not contain a safety clause expires on Thursday, August 2, 2007. The effective date for such bills is therefore 12:01 a.m., on Friday, August 3, 2007, the day following the expiration of the 90-day period. However, in accordance with section 1-1-106 (5), Colorado Revised Statutes, the Secretary of State has indicated that any referendum petitions must be filed on or before Thursday, August 2, 2007.

Individual copies of enacted bills and concurrent resolutions may be obtained from the House Services Office (for House material) and the Senate Services Office (for Senate material) in the State Capitol Building and will also be published in the Session Laws of Colorado 2007.

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LEGISLATIVE STATISTICAL SUMMARY

	2007		2006		2005	
	Intro	Passed	Intro	Passed	Intro	Passed
House Bills	379	270	239	164	249	180
Senate Bills	263	204	412	276	353	222
Concurrent Resolutions	4	1	22	2	18	1
Bills signed by Governor	464		381		343	
Bills becoming law without Governor's signature	1		9		12	
Bills partially vetoed by the Governor	1		4		2	
Bills vetoed by the Governor	8		44		47	
Bills referred to the People	0		2		2	

BILLS VETOED BY THE GOVERNOR:

H.B. 07-1072 H.B. 07-1122 H.B. 07-1313 S.B. 07-024
H.B. 07-1107 H.B. 07-1216 H.B. 07-1356 S.B. 07-084

BILLS BECOMING LAW WITHOUT GOVERNOR'S SIGNATURE:

S.B. 07-005

BILLS WITH PORTIONS VETOED BY THE GOVERNOR:

S.B. 07-239

BILLS ENACTED WITHOUT A SAFETY CLAUSE:*

H.B. 07-1009	H.B. 07-1148	H.B. 07-1256	S.B. 07-005	S.B. 07-095
H.B. 07-1012	H.B. 07-1149	H.B. 07-1260	S.B. 07-006	S.B. 07-107
H.B. 07-1018	H.B. 07-1156	H.B. 07-1262	S.B. 07-016	S.B. 07-128
H.B. 07-1025	H.B. 07-1161	H.B. 07-1274	S.B. 07-019	S.B. 07-132
H.B. 07-1027	H.B. 07-1169	H.B. 07-1275	S.B. 07-025	S.B. 07-144
H.B. 07-1030	H.B. 07-1173	H.B. 07-1282	S.B. 07-027	S.B. 07-145
H.B. 07-1034	H.B. 07-1175	H.B. 07-1285	S.B. 07-039	S.B. 07-149
H.B. 07-1039	H.B. 07-1190	H.B. 07-1286	S.B. 07-042	S.B. 07-152
H.B. 07-1042	H.B. 07-1195	H.B. 07-1289	S.B. 07-045	S.B. 07-155
H.B. 07-1045	H.B. 07-1196	H.B. 07-1299	S.B. 07-051	S.B. 07-156
H.B. 07-1046	H.B. 07-1200	H.B. 07-1310	S.B. 07-052	S.B. 07-157
H.B. 07-1050	H.B. 07-1201	H.B. 07-1312	S.B. 07-054	S.B. 07-194
H.B. 07-1063	H.B. 07-1202	H.B. 07-1328	S.B. 07-066	S.B. 07-202
H.B. 07-1073	H.B. 07-1204	H.B. 07-1330	S.B. 07-067	S.B. 07-217
H.B. 07-1077	H.B. 07-1206	H.B. 07-1331	S.B. 07-079	S.B. 07-228
H.B. 07-1078	H.B. 07-1209	H.B. 07-1337	S.B. 07-083	S.B. 07-231
H.B. 07-1088	H.B. 07-1213	H.B. 07-1342	S.B. 07-084v	S.B. 07-237
H.B. 07-1092	H.B. 07-1214	H.B. 07-1344	S.B. 07-086	S.B. 07-251
H.B. 07-1095	H.B. 07-1220	H.B. 07-1351	S.B. 07-090	S.B. 07-252
H.B. 07-1097	H.B. 07-1225	H.B. 07-1352		
H.B. 07-1099	H.B. 07-1229	H.B. 07-1354		
H.B. 07-1102	H.B. 07-1232	H.B. 07-1355		
H.B. 07-1105	H.B. 07-1239	H.B. 07-1361		
H.B. 07-1106	H.B. 07-1246	H.B. 07-1364		
H.B. 07-1113	H.B. 07-1252	H.B. 07-1376		
H.B. 07-1119	H.B. 07-1253	H.B. 07-1377		
H.B. 07-1120	H.B. 07-1254	H.B. 07-1379		
H.B. 07-1145				

* These bills become effective on August 3, 2007, or on the date otherwise specified in the bill. For further explanation concerning the effective date, see page vi of this digest.

v - vetoed

BILLS RECOMMENDED BY 2006 INTERIM AND STATUTORY COMMITTEES THAT WERE ENACTED:

CAPITAL DEVELOPMENT COMMITTEE

H.B. 07-1299 S.B. 07-194
H.B. 07-1316 S.B. 07-202
S.B. 07-214
S.B. 07-222

LEGISLATIVE AUDIT COMMITTEE

H.B. 07-1017 S.B. 07-005
S.B. 07-101
S.B. 07-108

COMMITTEE ON LEGAL SERVICES

H.B. 07-1053
H.B. 07-1167
H.B. 07-1367

MENTAL ILLNESS IN THE CRIMINAL JUSTICE SYSTEM

H.B. 07-1057 S.B. 07-003

HEALTH CARE TASK FORCE

H.B. 07-1021 S.B. 07-002
H.B. 07-1022

POLICE OFFICER'S AND FIREFIGHTER'S PENSION REFORM COMMISSION

H.B. 07-1024 S.B. 07-007
H.B. 07-1028
H.B. 07-1029
H.B. 07-1030
H.B. 07-1031

JOINT BUDGET COMMITTEE (OTHER THAN SUPPLEMENTALS)

H.B. 07-1198 S.B. 07-110
H.B. 07-1217 S.B. 07-113
H.B. 07-1221 S.B. 07-126
H.B. 07-1237 S.B. 07-132
H.B. 07-1238 S.B. 07-133
H.B. 07-1324 S.B. 07-241
H.B. 07-1346 S.B. 07-255
H.B. 07-1357 S.B. 07-260

v - vetoed

(cont.)

**STATE AND VETERANS NURSING
HOMES**

H.B. 07-1211 S.B. 07-014

**TRANSPORTATION LEGISLATION
REVIEW COMMITTEE**

H.B. 07-1018 S.B. 07-006

H.B. 07-1019

H.B. 07-1020

H.B. 07-1065

**SUNSET/SUNRISE REVIEW
PROCESSES**

S.B. 07-119

S.B. 07-183

S.B. 07-191

S.B. 07-192

S.B. 07-208

S.B. 07-213

S.B. 07-218

S.B. 07-221

**WATER RESOURCES REVIEW
COMMITTEE**

H.B. 07-1056 S.B. 07-008

H.J.R. 07-1004

v - vetoed

ACTS WITH JULY 1, 2007, AND LATER EFFECTIVE DATES:

JULY 1, 2007

HOUSE BILLS

H.B. 07-1003	H.B. 07-1126	H.B. 07-1212	H.B. 07-1266	H.B. 07-1329
H.B. 07-1017	H.B. 07-1131	H.B.07-1216*v	H.B. 07-1270	H.B. 07-1343
H.B. 07-1019	H.B. 07-1141	H.B. 07-1219	H.B. 07-1277	H.B. 07-1350
H.B. 07-1020	H.B. 07-1146	H.B. 07-1235	H.B. 07-1288	H.B. 07-1362
H.B. 07-1021	H.B. 07-1163	H.B. 07-1244	H.B. 07-1292	H.B. 07-1367*
H.B. 07-1074	H.B. 07-1166	H.B. 07-1248	H.B. 07-1297	
H.B. 07-1081	H.B. 07-1183*	H.B. 07-1249	H.B. 07-1298	
H.B. 07-1100	H.B. 07-1198	H.B. 07-1261	H.B. 07-1306	
H.B. 07-1107v	H.B. 07-1211	H.B. 07-1265	H.B. 07-1326	
H.B. 07-1117				

SENATE BILLS

S.B. 07-004*	S.B. 07-070	S.B. 07-129	S.B. 07-187*	S.B. 07-221
S.B. 07-014	S.B. 07-087	S.B. 07-133	S.B. 07-191	S.B. 07-235
S.B. 07-018	S.B. 07-088	S.B. 07-136	S.B. 07-208	S.B. 07-241
S.B. 07-024v	S.B. 07-096	S.B. 07-154	S.B. 07-211*	S.B. 07-247
S.B. 07-041	S.B. 07-101	S.B. 07-158*	S.B. 07-213	S.B. 07-259
S.B. 07-043	S.B. 07-114	S.B. 07-183	S.B. 07-215	S.B. 07-260
S.B. 07-055	S.B. 07-117	S.B. 07-185	S.B. 07-216	S.B. 07-262
S.B. 07-062	S.B. 07-119	S.B. 07-186	S.B. 07-219	

* - portions only

v - vetoed

ACTS WITH JULY 1, 2007, AND LATER EFFECTIVE DATES (cont):

AUGUST 3, 2007**

HOUSE BILLS

H.B. 07-1009	H.B. 07-1092	H.B. 07-1175	H.B. 07-1239	H.B. 07-1312
H.B. 07-1012	H.B. 07-1095	H.B. 07-1195	H.B. 07-1246	H.B. 07-1328
H.B. 07-1018	H.B. 07-1097	H.B. 07-1196	H.B. 07-1253	H.B. 07-1330
H.B. 07-1025	H.B. 07-1099	H.B. 07-1200	H.B. 07-1254	H.B. 07-1337
H.B. 07-1027	H.B. 07-1105	H.B. 07-1201	H.B. 07-1256	H.B. 07-1342
H.B. 07-1030	H.B. 07-1106	H.B. 07-1202	H.B. 07-1260	H.B. 07-1344
H.B. 07-1034	H.B. 07-1113	H.B. 07-1204	H.B. 07-1262	H.B. 07-1351
H.B. 07-1042	H.B. 07-1120	H.B. 07-1206	H.B. 07-1274	H.B. 07-1352
H.B. 07-1045	H.B. 07-1145	H.B. 07-1209	H.B. 07-1275	H.B. 07-1361
H.B. 07-1046	H.B. 07-1148	H.B. 07-1213	H.B. 07-1282	H.B. 07-1364
H.B. 07-1050	H.B. 07-1149	H.B. 07-1214	H.B. 07-1285	H.B. 07-1367*+
H.B. 07-1063	H.B. 07-1156	H.B. 07-1220	H.B. 07-1286	H.B. 07-1376
H.B. 07-1073	H.B. 07-1161	H.B. 07-1225	H.B. 07-1289	H.B. 07-1379
H.B. 07-1077	H.B. 07-1169	H.B. 07-1229	H.B. 07-1299	
H.B. 07-1078	H.B. 07-1173	H.B. 07-1232	H.B. 07-1310	

SENATE BILLS

S.B. 07-005	S.B. 07-045	S.B. 07-084v	S.B. 07-149	S.B. 07-228
S.B. 07-006	S.B. 07-052	S.B. 07-095	S.B. 07-152	S.B. 07-231
S.B. 07-019	S.B. 07-054	S.B. 07-107	S.B. 07-155	S.B. 07-237
S.B. 07-025	S.B. 07-066	S.B. 07-128	S.B. 07-156	S.B. 07-251
S.B. 07-027	S.B. 07-067	S.B. 07-132	S.B. 07-194	S.B. 07-252
S.B. 07-039	S.B. 07-079	S.B. 07-144	S.B. 07-202	
S.B. 07-042	S.B. 07-083	S.B. 07-145	S.B. 07-217	

** These bills do not have a safety clause and do not have an effective date specified in the bill. For further explanation concerning the effective date, see page vi of this digest.

* - portions only

+ - this bill had a safety clause with portions effective on 8/3/2007

v - vetoed

ACTS WITH JULY 1, 2007, AND LATER EFFECTIVE DATES (cont):

SEPTEMBER 1, 2007

HOUSE BILLS	SENATE BILLS
H.B. 07-1119	S.B. 07-051
H.B. 07-1252	S.B. 07-086
H.B. 07-1354	S.B. 07-090
	S.B. 07-157

OCTOBER 1, 2007

HOUSE BILLS
H.B. 07-1295*
H.B. 07-1349*

JANUARY 1, 2008

HOUSE BILLS	SENATE BILLS
H.B. 07-1039	S.B. 07-004*
H.B. 07-1088	S.B. 07-036
H.B. 07-1102	S.B. 07-057
H.B. 07-1157*	S.B. 07-078
H.B. 07-1176	S.B. 07-123
H.B. 07-1190	S.B. 07-137
H.B. 07-1234	S.B. 07-187*
H.B. 07-1269	S.B. 07-196*
H.B. 07-1301*	S.B. 07-203
H.B. 07-1331	S.B. 07-211*
H.B. 07-1349*	S.B. 07-256
H.B. 07-1355*	
H.B. 07-1377	

JULY 1, 2008

HOUSE BILLS	SENATE BILLS
H.B. 07-1022*	S.B. 07-016
H.B. 07-1216*v	
H.B. 07-1349*	
H.B. 07-1373	

JANUARY 1, 2009

HOUSE BILLS
H.B. 07-1355*

REFERRED MEASURES:

HOUSE BILLS
H.C.R. 07-1002

* - portions only

v - vetoed

TABLE OF ENACTED HOUSE BILLS -- 2007

BILL NO.	PRIME SPONSOR	SHORT TITLE	GOVERNOR'S ACTION	EFFECTIVE DATE	SESSION LAWS CHAPTER	PAGE OF DIGEST
1001	MARSHALL, FITZ-GERALD	MINIMUM WAGE IMPLEMENT AMENDMENT 42	APPROVED 3/14/2007	3/14/2007	16	149
1003	ROBERTS, PENRY	OMNIBUS PROBATE CODE	APPROVED 3/21/2007	7/1/2007	37	168
1004	SUMMERS, BACON	SEX OFFENDER REPORT REQUIREMENTS	APPROVED 5/31/2007	5/31/2007	357	29
1005	SOPER, MORSE	DD MISSING PERSON ALERT PROGRAM	APPROVED 2/16/2007	2/16/2007	3	95
1008	CERBO, FITZ-GERALD	WORKERS' COMP COVERAGE FIREFIGHTER CANCER	APPROVED 5/17/2007	5/17/2007	245	149
1009	WHITE, ISGAR	REPEAL TOURISM FUNDING LIMITATION	APPROVED 4/9/2007	NO SAFETY CLAUSE	100	177
1010	MAROSTICA, MORSE	EMAIL SEARCH AND ARREST WARRANT PROCESS	APPROVED 3/1/2007	3/1/2007	6	29
1012	MCNULTY, SCHWARTZ	PROTECT INSTREAM FLOW LOANED WATER RIGHT	APPROVED 3/14/2007	NO SAFETY CLAUSE	17	203
1014	CURRY, SCHWARTZ	WESTERN STATE COLLEGE GRADUATE PROGRAMS	APPROVED 3/9/2007	3/9/2007	14	55
1015	BORODKIN, TAYLOR	INTL STATE TRADE REP BRIEF GA	APPROVED 3/21/2007	3/21/2007	38	96
1017	KERR J., TAKIS	EXAM RQMNTS MENTAL HEALTH PROFL	APPROVED 3/21/2007	7/1/2007	40	177
1018	ROSE, WILLIAMS	TRANSPORTATION LEGISLATION REVIEW CMT	APPROVED 4/2/2007	NO SAFETY CLAUSE	87	200
1019	GREEN, HAGEDORN	CARRIERS EXEMPT PUBLIC UTILITIES	APPROVED 5/10/2007	7/1/2007	201	189
1020	McFADYEN, HAGEDORN	MOTOR VEHICLE TEMP TAG FRAUD	APPROVED 5/31/2007	7/1/2007	369	159
1021	FRANGAS, KELLER	MEDICATION MANAGEMENT	APPROVED 5/31/2007	7/1/2007	377	128
1022	BUTCHER, SANDOVAL	RURAL HEALTH CARE NEEDS	APPROVED 6/4/2007	PORTIONS ON 6/4/2007 AND 7/1/2008	436	117
1024	CERBO, TOCHTROP	FPPA PROPERTY TAX EXEMPTION	APPROVED 5/31/2007	5/31/2007	356	77
1025	JAHN, BOYD	FUNDING CHILD WELFARE SERVICES	APPROVED 4/26/2007	NO SAFETY CLAUSE	167	137
1026	KEFALAS, BACON	HEALTH INSURANCE HIGHER EDUCATION	APPROVED 3/15/2007	3/15/2007	27	55
1027	WITWER, TAYLOR	ENTERPRISE ZONES	APPROVED 4/2/2007	NO SAFETY CLAUSE	88	96
1028	LISTON, TOCHTROP	FPPA PENSION OPTIONS RETIREES WHO MARRY	APPROVED 3/14/2007	3/14/2007	18	77
1029	McGIHON, TOCHTROP	FPPA DISABILITY & SURVIVOR BENEFITS	APPROVED 3/29/2007	3/29/2007	62	77
1030	RIESBERG, TAYLOR	CONTRIBUTIONS TIMING	APPROVED 3/29/2007	NO SAFETY CLAUSE	63	77
1031	WITWER, TOCHTROP	VOLUNTEER SERVICE AWARD ACT	APPROVED 3/26/2007	3/26/2007	51	78
1034	MADDEN, SHAFFER	LAW STUDENT PRACTICE ARBITRATION PANEL	APPROVED 3/2/2007	NO SAFETY CLAUSE	8	177

BILL NO.	PRIME SPONSOR	SHORT TITLE	GOVERNOR'S ACTION	EFFECTIVE DATE	SESSION LAWS CHAPTER	PAGE OF DIGEST
1035	BALMER, SANDOVAL	MONEY TRANSMITTERS EXCH INFO US TREASURY	APPROVED 4/2/2007	4/2/2007	89	66
1037	LEVY, FITZ-GERALD	NATURAL GAS UTILITY ENERGY EFFICIENCY	APPROVED 5/22/2007	5/22/2007	253	189
1039	SWALM, TOCHTROP	LONG-TERM CARE PARTNERSHIPS	APPROVED 3/26/2007	NO SAFETY CLAUSE 1/1/2008	52	144
1040	STEPHENS, KOPP	WARRANTS AND BONDS FOR ILLEGAL IMMIGRANT	APPROVED 6/1/2007	6/1/2007	397	29
1042	LABUDA, KESTER	MENTAL HLTH REG Bds MEMBERS TERMS	APPROVED 3/21/2007	NO SAFETY CLAUSE	39	177
1045	KERR J., KELLER	INCREASE SIZE COUNTY PLANNING COMMISSION	APPROVED 3/2/2007	NO SAFETY CLAUSE	10	70
1046	PRIMAVERA, WARD	DOR STATUTORY CLEANUP	APPROVED 3/2/2007	NO SAFETY CLAUSE	9	96
1047	MASSEY, VEIGA	REAL ESTATE AGENT CONTINUING EDUCATION	APPROVED 3/14/2007	3/14/2007	19	178
1048	MERRIFIELD, WINDELS	LONGITUDINAL ANALYSIS OF ASSESSMENTS	APPROVED 2/6/2007	2/6/2007	2	45
1049	LISTON, McELHANY	FAST GROWING SCH DIST BONDED DEBT LIMIT	APPROVED 3/30/2007	3/30/2007	74	45
1050	TODD, WILLIAMS	DISPLAY OF FLAGS	APPROVED 4/9/2007	NO SAFETY CLAUSE	110	30
1051	FISCHER, SANDOVAL	NOTICE TO DELINQUENT PROPERTY OWNERS	APPROVED 2/20/2007	2/20/2007	4	195
1053	CERBO, GROFF	ENACTMENT OF 2006 C.R.S.	APPROVED 2/20/2007	2/20/2007	5	194
1054	CARROLL T., SHAFFER	INCREASE NUMBER OF COURT JUDGES	APPROVED 5/31/2007	5/31/2007	355	23
1056	BUTCHER, ISGAR	INCREASE WATER DIST DIRECTOR PER DIEM	APPROVED 4/2/2007	4/2/2007	90	203
1057	STAFFORD, WINDELS	JUVENILE JUSTICE FAMILY ADVOCATE PROGRAM	APPROVED 5/30/2007	5/30/2007	325	24
1059	MASSEY, SHAFFER	SCHOOL SECURITY GRANT PROGRAM	APPROVED 5/3/2007	5/3/2007	186	45
1060	RIESBERG, SHAFFER	BIOSCIENCE RESEARCH GRANTS	APPROVED 5/23/2007	5/23/2007	276	55
1062	SOLANO, WILLIAMS	EARLY CHILDHOOD COUNCILS	APPROVED 5/31/2007	5/31/2007	378	137
1063	VAAD, TAKIS	UNINSURED MOTORIST DATABASE INFORMATION	APPROVED 3/26/2007	NO SAFETY CLAUSE	53	159
1064	MITCHELL V., SANDOVAL	FIND/SAVE PROGRAMS COGNITIVELY DISABLED	APPROVED 5/30/2007	5/30/2007	329	97
1065	POMMER, WILLIAMS	PASSENGER CARRIERS CRIM HIST CHECK	APPROVED 5/30/2007	5/30/2007	330	190
1066	MASSEY, SCHWARTZ	ON-LINE EDUCATION COURSES REIMBURSEMENT	APPROVED 5/23/2007	5/23/2007	271	46
1067	BENEFIELD, BOYD	SEX OFFENDER RESIDENCE REGISTRATION	APPROVED 3/26/2007	3/26/2007	54	30
1069	McKINLEY, KESTER	WITHDRAW CONSENT FED EMINENT DOMAIN	APPROVED 5/3/2007	5/3/2007	183	97
1072	GARCIA, VEIGA	ALL-UNION AGREEMENT APPROVAL VOTE	VETOED 2/9/2007			150
1073	JUDD, KELLER	CONTRACTOR NEW HIRES BASIC PILOT PROGRAM	APPROVED 3/16/2007	NO SAFETY CLAUSE	34	150
1074	CARROLL M., TUPA	CLEAN CAMPAIGN ACT OF 2007	APPROVED 5/24/2007	7/1/2007	289	62

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1077	CASSO, TUPA	TUTORING SERVICES PROVIDERS STANDARDS	APPROVED 4/9/2007	NO SAFETY CLAUSE	106	46
1078	SOPER, BACON	COUNTY REGUL BLDG CONTRACTORS	APPROVED 4/9/2007	NO SAFETY CLAUSE	101	70
1079	GALLEGOS, KESTER	LOTTERY SALES AGENTS IMMUNITY	APPROVED 3/14/2007	3/14/2007	20	98
1081	MAROSTICA, TOCHTROP	POWERSPORTS MOTOR VEHICLE DEALERS	APPROVED 6/1/2007	7/1/2007	405	178
1087	KERR A., ROMER	WIND FOR SCHOOLS GRANT PROGRAM	APPROVED 4/16/2007	4/16/2007	148	98
1088	BUESCHER, PENRY	GRAND VALLEY DRAINAGE DISTRICT	APPROVED 3/22/2007	NO SAFETY CLAUSE 1/1/2008	42	203
1090	CARROLL T., BOYD	ADOPTION BY PERSONS CONVICTED OF FELONY	APPROVED 5/3/2007	5/3/2007	188	13
1091	GAGLIARDI, WINDELS	EXTEND ALTERNATIVE TEACHER CONTRACTS	APPROVED 3/14/2007	3/14/2007	21	46
1092	CERBO, WIENS	COUNTY AUTHORITY TO REGULATE FIREWORKS	APPROVED 4/16/2007	NO SAFETY CLAUSE	132	72
1093	CARROLL T., BACON	SEXUAL ASSAULTS IN PENAL INSTITUTIONS	APPROVED 5/31/2007	5/31/2007	358	19
1095	BALMER, TAPIA	EXEMPT TRAIL GRANTS ENCUMBRANCE DEADLINE	APPROVED 4/16/2007	NO SAFETY CLAUSE	133	164
1096	FISCHER, BACON	CO WATER RESOURCES RESEARCH INSTITUTE	APPROVED 5/31/2007	5/31/2007	359	204
1097	ROSE, PENRY	ORIGINAL PLATES MOTOR VEHICLE COLLECTOR	APPROVED 5/30/2007	NO SAFETY CLAUSE	337	159
1099	GAGLIARDI, WINDELS	REPEAL COLORADO INSTITUTE OF TECHNOLOGY	APPROVED 3/14/2007	NO SAFETY CLAUSE	22	56
1100	RIESBERG, MORSE	INCREASE FUNDS FOR OLDER CO CASH FUND	APPROVED 5/30/2007	7/1/2007	326	98
1101	BUTCHER, TAPIA	PUEBLO HEALTH INSURANCE COSTS STUDY	APPROVED 6/4/2007	6/4/2007	437	145
1102	GAGLIARDI, JOHNSON	NURSING PEER HLTH ASST PROGRAM	APPROVED 5/7/2007	NO SAFETY CLAUSE 1/1/2008	198	179
1103	BUESCHER, VEIGA	MALT BEVERAGE SUPPLIERS & WHOLESALERS	APPROVED 3/26/2007	3/26/2007	55	179
1104	BUTCHER, TAPIA	REGULATE INS REFER PROPERTY REPAIR	APPROVED 5/18/2007	5/18/2007	249	145
1105	ROBERTS, PENRY	KOREAN WAR VETERAN SPECIAL LICENSE PLATE	APPROVED 4/9/2007	NO SAFETY CLAUSE	113	159
1106	GALLEGOS, BACON	ELDERLY & DISABLED ASSISTANCE GRANTS	APPROVED 5/30/2007	NO SAFETY CLAUSE	327	195
1107	CERBO, BACON	SEALING OF CRIMINAL JUSTICE RECORDS	VETOED 6/1/2007			25
1113	BORODKIN, SPENCE	MOTOR VEHICLE TITLE INFORMATION	APPROVED 4/16/2007	NO SAFETY CLAUSE	134	159
1114	FRANGAS, ROMER	TAXICAB REGULATION CERTIFICATE FEES	APPROVED 5/24/2007	5/24/2007	292	190
1117	PRIMAVERA, GORDON	MOTORCYCLE HELMET REQUIREMENT	APPROVED 5/31/2007	7/1/2007	344	160
1118	TODD, TUPA	HIGH SCHOOL GRADUATION REQUIREMENTS	APPROVED 5/2/2007	5/2/2007	182	47

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1119	PENISTON, JOHNSON	COUNTY CLERK & RECORDER FEE AS DOR AGENT	APPROVED 5/18/2007	NO SAFETY CLAUSE 9/1/2007	250	72
1120	FRANGAS, TOCHTROP	ITALIAN-AMERICAN SPECIAL LICENSE PLATE	APPROVED 5/18/2007	NO SAFETY CLAUSE	247	160
1122	BENEFIELD, TUPA	LICENSED PHYS ED TEACHERS IN SCHOOLS	VETOED 4/9/2007			47
1126	McGIHON, JOHNSON	ANIMAL PHYSICAL THERAPY	APPROVED 4/16/2007	7/1/2007	147	180
1129	MERRIFIELD, MORSE	JUVENILE RESTORATIVE JUSTICE PROGRAMS	APPROVED 3/29/2007	3/29/2007	64	13
1130	GIBBS, FITZ-GERALD	FOREST RESTORATION PILOT PROGRAM	APPROVED 5/29/2007	5/29/2007	311	164
1131	KEFALAS, BACON	HEMODIALYSIS TECHNICIANS TRAINING STDS	APPROVED 5/31/2007	7/1/2007	375	118
1132	McFADYEN, SCHWARTZ	WATER QUALITY TERM IN CHANGE DECREE	APPROVED 3/12/2007	3/12/2007	15	204
1133	CARROLL M., HAGEDORN	HEALTH CARE WORKER PATIENT SAFETY INFO	APPROVED 3/29/2007	3/29/2007	67	150
1135	WITWER, SHAFFER	BUSINESS ENTITY MERGER CONVERSION	APPROVED 3/26/2007	5/29/2007	56	18
1139	CURRY, PENRY	SEVERANCE TAX DISTRIBUTION TO LOCAL GOVS	APPROVED 5/29/2007	5/29/2007	315	196
1141	TODD, WILLIAMS	PURCHASE OF METALS RECORD KEEPING	APPROVED 5/14/2007	7/1/2007	203	30
1142	CURRY, ISGAR	ACCESS TO OIL & GAS STATEMENTS	APPROVED 4/16/2007	4/16/2007	135	72
1145	MERRIFIELD, GORDON	RENEWABLE ENERGY DEV ON STATE LANDS	APPROVED 4/26/2007	NO SAFETY CLAUSE	168	98
1146	LEVY, GORDON	ENERGY CONSERVATION BUILDING CODES	APPROVED 5/3/2007	7/1/2007	189	75
1147	GARCIA, SPENCE	WITNESS PROTECTION RECORDS CONFIDENTIAL	APPROVED 3/5/2007	3/5/2007	11	26
1148	RICE, WILLIAMS	EXP MULTIPLE VEHICLE REGISTRATIONS	APPROVED 4/16/2007	NO SAFETY CLAUSE	136	160
1149	RICE, WARD	ABSENTEE VOTING BY OVERSEAS RESIDENTS	APPROVED 5/22/07	NO SAFETY CLAUSE	266	63
1150	GARDNER C., KESTER	ELECTRIC TRANSMISSION RENEWABLE ENERGY	APPROVED 5/23/2007	5/23/2007	280	191
1156	LOOPER, GORDON	DISCLOSE SOURCE RESIDENTIAL WATER SUPPLY	APPROVED 5/14/2007	NO SAFETY CLAUSE	219	185
1157	GARCIA, VEIGA	REAL ESTATE FORECLOSURE	APPROVED 6/1/2007	PORTIONS ON 6/1/2007 AND 1/1/2008	404	185
1159	SUMMERS, WILLIAMS	SPECIAL DISTRICT BALLOT ISSUE ELECTIONS	APPROVED 5/17/2007	5/17/2007	234	80
1161	LABUDA, BOYD	JUVENILE RISK ASSESSMENT TRAINING	APPROVED 5/23/2007	NO SAFETY CLAUSE	273	13
1163	McNULTY, KOPP	IN-STATE TUITION FOR MILITARY	APPROVED 5/31/2007	7/1/2007	374	56
1166	KERR J., VEIGA	DRIVER'S LICENSE RESTRAINTS	APPROVED 4/16/2007	7/1/2007	137	160
1167	McGIHON, VEIGA	RULE REVIEW BILL	APPROVED 5/10/2007	5/10/2007	200	1

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1168	WHITE, FITZ-GERALD	FOREST IMPROVEMENT SPECIAL DISTRICTS	APPROVED 4/9/2007	4/9/2007	111	81
1169	SOLANO, SHAFFER	COOPERATIVE ELECTRIC ASSN NET METERING	APPROVED 5/23/2007	NO SAFETY CLAUSE	277	192
1170	SONNENBERG, MORSE	COMPENSATION OF ELECTED DAS	APPROVED 5/31/2007	5/31/2007	372	35
1171	GREEN, TUPA	SEX OFFENDER PRESENTENCE REPORT	APPROVED 3/26/2007	3/26/2007	57	31
1172	GREEN, TUPA	SEXUALLY VIOLENT PREDATOR REPORT TO GA	APPROVED 3/26/2007	3/26/2007	58	31
1173	MAROSTICA, MORSE	RESERVE PEACE OFFICER STATUS	APPROVED 3/16/2007	NO SAFETY CLAUSE	35	31
1174	WHITE, BACON	REPEAL SUNSET CONCEALED CARRY DATABASE	APPROVED 5/14/2007	5/14/2007	206	31
1175	MADDEN, FITZ-GERALD	NO LOAN INDUS BANK COMMERCIAL LOCATION	APPROVED 3/14/2007	NO SAFETY CLAUSE	23	67
1176	CARROLL M., TOCHTROP	INJURED WORKER CHANGE SELECT PHYSICIAN	APPROVED 5/14/2007	1/1/2008	204	150
1177	JUDD, SANDOVAL	ADJUST RESIDENTIAL VALUATION ASSESSMENT	APPROVED 5/31/2007	5/31/2007	354	196
1178	BUTCHER, SPENCE	CHARTER SCHOOL PURCHASE FACILITIES	APPROVED 5/31/2007	5/31/2007	367	47
1180	WHITE, ISGAR	MEASURE WELLHEAD OIL & GAS ACCURATELY	APPROVED 5/29/2007	5/29/2007	317	165
1181	POMMER, WILLIAMS	CHILD ABUSE INVESTIGATION SURCHARGE FUND	APPROVED 4/16/2007	4/16/2007	138	14
1182	CURRY, ISGAR	SPECIES CONSERVATION TRUST FUND	APPROVED 5/31/2007	5/31/2007	368	165
1183	WHITE, ISGAR	NURSING FACILITY REIMBURSEMENT STUDY	APPROVED 6/1/2007	PORTIONS ON 6/1/2007 AND 7/1/2007	400	128
1184	ROMANOFF, GROFF	SUDAN DIVESTMENT PUBLIC PENSION FUNDS	APPROVED 4/19/2007	4/19/2007	149	99
1185	MAROSTICA, MORSE	BANK ACCOUNT ENTITY FINANCIAL INST	APPROVED 4/2/2007	4/2/2007	91	67
1186	KERR J., TAKIS	RTD AREA INCORPORATED COUNTY INCLUSION	APPROVED 4/26/2007	4/26/2007	169	82
1187	VAAD, KESTER	COUNTY EMPLOYEE SALARY INFORMATION	APPROVED 3/26/2007	3/26/2007	59	72
1190	LISTON, SCHWARTZ	REGIONAL TRANSP AUTH TAX COLLECTION COST	APPROVED 5/18/2007	NO SAFETY CLAUSE 1/1/2008	251	82
1195	GAGLIARDI, BOYD	LOCAL GOVERNMENT RETIREMENT SYSTEMS	APPROVED 4/9/2007	NO SAFETY CLAUSE	102	72
1196	MAY M., BOYD	ALLOW SMOKING DESIG AREA ASSISTED LIVING	APPROVED 4/9/2007	NO SAFETY CLAUSE	103	119
1197	FISCHER, BACON	COUNTIES COMPLY STORMWATER GEN PERMIT	APPROVED 4/9/2007	4/9/2007	104	120
1198	POMMER, JOHNSON	INSPECTION CONSUMER SERVICES AGRICULTURE	APPROVED 6/1/2007	7/1/2007	411	2
1199	MCGIHON, SHAFFER	UNIF EMERG VOLUNTEER HLTH PRACTITIONERS	APPROVED 5/22/2007	5/22/2007	258	180
1200	LISTON, TOCHTROP	AIR FORCE RESERVE SPECIAL LICENSE PLATE	APPROVED 6/4/2007	NO SAFETY CLAUSE	435	161

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1201	PENISTON, TAYLOR	EXTEND PET OVERPOPULATION FUND CHECKOFF	APPROVED 4/2/2007	NO SAFETY CLAUSE	92	196
1202	BORODKIN, ROMER	ECON DEVELOPMENT FUND MINIMUM STANDARDS	APPROVED 4/16/2007	NO SAFETY CLAUSE	139	100
1203	FISCHER, ROMER	ENERGY MANAGEMENT CONSERVATION STUDIES	APPROVED 5/23/2007	5/23/2007	279	100
1204	GAGLIARDI, TOCHTROP	INPATIENT ADMISSION APPRAISAL PODIATRIST	APPROVED 4/9/2007	NO SAFETY CLAUSE	115	120
1205	CASSO, RENFROE	LADEN TRUCK TRAILER	APPROVED 3/29/2007	3/29/2007	66	161
1206	MASSEY, HAGEDORN	INCREASE GAMING MONEYS FOR FILM COMMN	APPROVED 5/24/2007	NO SAFETY CLAUSE	285	101
1207	GARDNER B., KESTER	RECLASSIFICATION OF FREMONT COUNTY	APPROVED 4/2/2007	4/2/2007	93	26
1208	JAHN, JOHNSON	CHANGES TO UNFAIR PRACTICES ACT	APPROVED 4/16/2007	4/16/2007	140	16
1209	BORODKIN, SANDOVAL	BONDS FOR HISTORICALLY UNDERUTILIZED BUS	APPROVED 5/24/2007	NO SAFETY CLAUSE	286	101
1211	JAHN, TOCHTROP	BD STATE & VETERANS NURSING HOMES	APPROVED 4/9/2007	7/1/2007	116	138
1212	JAHN, PENRY	LOCAL BD STATE & VETERANS NURSING HOMES	APPROVED 3/29/2007	7/1/2007	65	139
1213	LABUDA, BOYD	CO HEALTH FACILITIES AUTH ACT UPDATE	APPROVED 4/9/2007	NO SAFETY CLAUSE	107	120
1214	CERBO, SHAFFER	UNIF COMMERCIAL CODE DOC TITLE FINAL	APPROVED 4/2/2007	NO SAFETY CLAUSE	94	16
1216	FRANGAS, SHAFFER	ENHANCE MEDICAID FUNDING	VETOED 6/1/2007			129
1217	BUESCHER, JOHNSON	PARKS OUTDOOR RECREATION FINES PENALTIES	APPROVED 5/17/2007	5/17/2007	241	165
1219	ROBERTS, BOYD	HEALTH CARE SPECIAL DISTRICTS	APPROVED 5/24/2007	7/1/2007	283	82
1220	KEFALAS, GROFF	PREFERENCE PURCHASE ENVTL PRODUCTS	APPROVED 4/25/2007	NO SAFETY CLAUSE	166	102
1221	POMMER, JOHNSON	DPHE FEE SCHEDULE ADMIN ENFORCE COSTS	APPROVED 5/17/2007	5/17/2007	242	121
1225	KERR J., TAPIA	LAND SURVEYS	APPROVED 3/30/2007	NO SAFETY CLAUSE	70	186
1228	GARDNER C., SHAFFER	RENEWABLE FUEL CROPS BTU CREDITS EXCISE	APPROVED 6/1/2007	6/1/2007	394	151
1229	GIBBS, FITZ-GERALD	CHAIN LAWS COMMERCIAL MOTOR VEHICLES	APPROVED 5/29/2007	NO SAFETY CLAUSE	313	161
1232	MERRIFIELD, TAPIA	MILITARY DEPENDANT SUPPL PUPIL AID	APPROVED 6/4/2007	NO SAFETY CLAUSE	434	47
1234	CARROLL M., TOCHTROP	PUBLIC NOTICE INSURANCE RATES INCREASE	APPROVED 6/1/2007	1/1/2008	424	145
1235	STAFFORD, GORDON	CRUELTY TO ANIMALS	APPROVED 5/5/2007	7/1/2007	197	32
1237	POMMER, KELLER	TECHNICAL MOD TO STATE PUB SCHOOL FUND	APPROVED 4/26/2007	4/26/2007	170	48
1238	WHITE, TAPIA	SMALL ATTENDANCE CENTER AID	APPROVED 6/1/2007	6/1/2007	403	49
1239	HODGE, TAKIS	TEMPORARY SCHOOL BOND CAP INCREASE	APPROVED 4/26/2007	NO SAFETY CLAUSE	171	49
1242	LEVY, VEIGA	HIGHER ED PUBLIC SERVICE LOAN REPAYMENT	APPROVED 4/9/2007	4/9/2007	112	57

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1243	TODD, WILLIAMS	SCIENCE & MATH AFTER SCHOOL GRANT PROG	APPROVED 5/2/2007	5/2/2007	181	49
1244	PENISTON, WILLIAMS	EDUCATION GIFTED STUDENTS	APPROVED 6/1/2007	7/1/2007	395	50
1246	LEVY, TOCHTROP	GUIDELINES PREDICT LAND USE DECISIONS	APPROVED 4/25/2007	NO SAFETY CLAUSE	165	75
1247	JUDD, TUPA	RECOVER WAGES DUE ATTORNEY FEES	APPROVED 5/31/2007	5/31/2007	381	152
1248	BENEFIELD, KESTER	DRUG AND ALCOHOL AFTER SCHOOL PROGRAMS	APPROVED 5/31/2007	7/1/2007	345	14
1249	PRIMAVERA, SPENCE	REGULATE MOVERS HOUSEHOLD GOODS	APPROVED 6/1/2007	7/1/2007	412	192
1251	GALLEGOS, WIENS	REFERENDUM E IMPLEMENTING LEGISLATION	APPROVED 4/15/2007	4/15/2007	128	196
1252	ROBERTS, ISGAR	OIL & GAS SURFACE OWNERS & OPERATORS	APPROVED 5/29/2007	NO SAFETY CLAUSE 9/1/2007	314	166
1253	MADDEN, SHAFFER	HEALTH COVERAGE UNIFORMED SERVICES	APPROVED 4/2/2007	NO SAFETY CLAUSE	95	145
1254	PENISTON, JOHNSON	CSU RECODIFICATION	APPROVED 4/16/2007	NO SAFETY CLAUSE	141	57
1255	MCGIHON, GORDON	UNIFORM CHILD ABDUCTION PREVENTION ACT	APPROVED 5/14/2007	5/14/2007	205	14
1256	MASSEY, WILLIAMS	IN-STATE TUITION ECON DEV INCENTIVE	APPROVED 6/1/2007	NO SAFETY CLAUSE	402	57
1258	PRIMAVERA, HAGEDORN	MEDICALLY INDIGENT PROGRAM CHANGES	APPROVED 4/16/2007	4/16/2007	146	129
1259	FRANGAS, SANDOVAL	CDPHE LICENSING AIR AMBULANCE SERVICES	APPROVED 4/2/2007	4/2/2007	96	121
1260	KEFALAS, RENFROE	REVIEW REPEAL NURSING CHIROPRACTORS	APPROVED 4/2/2007	NO SAFETY CLAUSE	97	180
1261	BENEFIELD, TOCHTROP	PAYMENT PLAN FOR DEFERRED DEPOSIT LOANS	APPROVED 4/2/2007	7/1/2007	98	17
1262	SOPER, KESTER	PLUMBERS BOARD RULES REGULATORY AGENCIES	APPROVED 4/16/2007	NO SAFETY CLAUSE	142	180
1263	RICE, MORSE	DCJ TRAINING FEE AUTHORIZATION	APPROVED 5/31/2007	5/31/2007	348	103
1265	MCNULTY, TOCHTROP	FORM TO REQUEST RELEASE OF DEED OF TRUST	APPROVED 4/9/2007	7/1/2007	105	187
1266	MCGIHON, SHAFFER	UNIFORM ANATOMICAL GIFT ACT	APPROVED 5/14/2007	7/1/2007	207	181
1269	MCGIHON, GORDON	SMOKE-FREE CASINOS	APPROVED 6/1/2007	1/1/2008	391	121
1270	STEPHENS, SHAFFER	EDUCATION DATA SYSTEMS REVIEW AND STUDY	APPROVED 5/23/2007	7/1/2007	268	50
1271	KERR A., TUPA	FAMILY LITERACY EDUCATION PROGRAM	APPROVED 5/30/2007	5/30/2007	331	50
1272	RICE, MORSE	COLD CASE TEAM IN CBI	APPROVED 6/1/2007	6/1/2007	408	103
1274	RICE, WILLIAMS	COMMN FOR VISUALLY IMPAIRED INDIVIDUALS	APPROVED 5/24/2007	NO SAFETY CLAUSE	288	139
1275	RICE, PENRY	CO NATIONAL GUARD RECEIVE FORFEITED PROP	APPROVED 4/9/2007	NO SAFETY CLAUSE	117	155
1277	JAHN, VEIGA	SALES & USE TAX EXEMPTION FOR CLEANROOMS	APPROVED 5/31/2007	7/1/2007	371	196

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1279	McKINLEY, ROMER	MACHINERY EXEMPT FROM SALES & USE TAX	APPROVED 5/23/2007	5/23/2007	281	197
1281	POMMER, SCHWARTZ	INCREASE RENEWABLE ENERGY STANDARD	APPROVED 3/27/2007	3/27/2007	60	193
1282	GAGLIARDI, BOYD	NOTICE OF PAYMENT PUBLIC WORKS CONTRACTS	APPROVED 4/9/2007	NO SAFETY CLAUSE	108	187
1283	GAGLIARDI, BOYD	BOARD OF HEALTH RULES RADIATION MACHINES	APPROVED 4/16/2007	4/16/2007	143	121
1285	RICE, VEIGA	TIMELINESS UNEMPL CLAIMS APPEALS RECEIPT	APPROVED 5/14/2007	NO SAFETY CLAUSE	208	152
1286	PRIMAVERA, KELLER	DOC AFF UI BENEFITS INTERSTATE AGRMNT	APPROVED 4/26/2007	NO SAFETY CLAUSE	172	152
1288	SOLANO, SHAFFER	SUSTAIN RESOURCE ECON OPPORTUNITY	APPROVED 5/23/2007	7/1/2007	278	103
1289	McFADYEN, GROFF	COMPOUNDING DRUG PHARMACY	APPROVED 5/14/2007	NO SAFETY CLAUSE	209	181
1292	TODD, WINDELS	CONTENT STANDARDS HUMAN SEXUALITY	APPROVED 5/14/2007	7/1/2007	212	50
1294	ROBERTS, MORSE	LIMITED NAME CHECK EMT CERTIFICATION	APPROVED 4/26/2007	4/26/2007	173	122
1295	WEISSMANN, TAKIS	RTD AREA	APPROVED 5/14/2007	PORTIONS ON 5/14/2007 AND 10/1/2007	213	83
1297	MARSHALL, ROMER	WORKERS' COMP DISFIGUREMENT AWARDS	APPROVED 4/26/2007	7/1/2007	174	153
1298	GIBBS, TOCHTROP	CONSERVE WILDLIFE HABITAT OIL & GAS DEV	APPROVED 5/29/2007	7/1/2007	312	166
1299	RIESBERG, BACON	CDC MEMBERS-ELECT	APPROVED 5/17/2007	NO SAFETY CLAUSE	235	68
1301	BUESCHER, WILLIAMS	CERVICAL CANCER IMMUNIZATIONS	APPROVED 5/29/2007	PORTIONS ON 5/29/2007 AND 1/1/2008	318	122
1305	MASSEY, SCHWARTZ	EXTEND ARKANSAS RIVER WATER BANK PROGRAM	APPROVED 4/9/2007	4/9/2007	109	204
1306	HODGE, TOCHTROP	PEST CONTROL COMPACT ORDER PLANT	APPROVED 5/17/2007	7/1/2007	236	3
1307	GALLEGOS, TOCHTROP	COLORADO SEED ACT	APPROVED 4/26/2007	4/26/2007	175	3
1308	CURRY, ISGAR	BRAND STOCK INSPECTORS LATE FEE CATTLE	APPROVED 4/26/2007	4/26/2007	176	3
1309	WEISSMANN, TUPA	OIL & GAS INTEREST SCH ENERGY EFFICIENCY	APPROVED 5/30/2007	5/30/2007	332	197
1310	McNULTY, TOCHTROP	SCOPE OF FACTORY-BUILT STRUCTURE REGUL	APPROVED 4/9/2007	NO SAFETY CLAUSE	114	106
1311	MARSHALL, TOCHTROP	SHORTEN SUNRISE REVIEW PROCESS	APPROVED 5/30/2007	5/30/2007	338	107
1312	McGIHON, VEIGA	EMPLOYEE LEASING Co & WORK-SITE EMPLOYER	APPROVED 4/16/2007	NO SAFETY CLAUSE	144	153
1313	MARSHALL, SANDOVAL	IDENTITY DOCUMENTS EVIDENCE	VETOED 6/1/2007			161
1314	CERBO, GROFF	EXTEND RULES FOR PUBLIC BENEFITS	APPROVED 3/1/2007	3/1/2007	7	107

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1315	CARROLL T., SHAFFER	CRIMINAL PROCEDURAL MATTERS	APPROVED 4/16/2007	4/16/2007	145	32
1316	RIESBERG, BACON	FINANCES OF STATE PARKS DIVISION	APPROVED 5/3/2007	5/3/2007	190	166
1317	PRIMAVERA, TUPA	ED INFO RE REGISTERED SEX OFFENDERS	APPROVED 4/26/2007	4/26/2007	177	32
1319	WHITE, BOYD	MEDICAID AUDIT PROCEDURES	APPROVED 5/30/2007	5/30/2007	339	129
1320	BENEFIELD, BACON	STATE ED DATA TECHNOLOGY SYSTEM	APPROVED 5/23/2007	5/23/2007	269	50
1321	HODGE, SANDOVAL	CONT REGUL WHOLESALE FOOD MANUFACTURER	APPROVED 5/31/2007	5/31/2007	362	122
1322	MARSHALL, GROFF	MORTGAGE FRAUD PREVENTION ACT	APPROVED 6/1/2007	6/1/2007	386	181
1323	GREEN, GORDON	CORPS & LLCs UNDER FCPA	APPROVED 6/1/2007	6/1/2007	396	64
1324	WHITE, KELLER	INTEREST OLDER AMERICANS ACT PROGRAMS	APPROVED 5/22/2007	5/22/2007	254	140
1326	KERR A., SANDOVAL	SEX OFFENDER REGISTER EMAIL ADDRESS	APPROVED 5/31/2007	7/1/2007	382	32
1327	STEPHENS, MORSE	CREDITOR NOTICE DELINQUENCY CHARGE	APPROVED 5/14/2007	5/14/2007	217	17
1328	FISCHER, VEIGA	EDUCATE PUBLIC STORM WATER QUALITY	APPROVED 5/25/2007	NO SAFETY CLAUSE	294	123
1329	CURRY, BOYD	WATER QUALITY PERMIT DRINKING WATER FEES	APPROVED 5/30/2007	7/1/2007	335	123
1330	MADDEN, VEIGA	SECOND PARENT ADOPTION	APPROVED 5/14/2007	NO SAFETY CLAUSE	214	14
1331	CARROLL M., TOCHTROP	MICHAEL SKOLNIK MEDICAL TRANSPARENCY ACT	APPROVED 5/24/2007	NO SAFETY CLAUSE 1/1/2008	284	182
1333	CURRY, SCHWARTZ	CONSERVATION DIST POLITICAL SUBDIVISIONS	APPROVED 5/14/2007	5/14/2007	211	4
1334	CADMAN, MAY R.	STATEWIDE INTERNET PORTAL AUTH AUDITS	APPROVED 5/3/2007	5/3/2007	191	76
1335	MCGIHON, ROMER	SUPP LOW-INCOME STATE EMPLOYEE BENEFITS	APPROVED 5/31/2007	5/31/2007	380	108
1336	MCGIHON, BACON	REPORTING REQUIREMENTS REPEAL	APPROVED 5/10/2007	5/10/2007	202	108
1337	SONNENBERG, TAYLOR	FARM PRODUCTS COMMODITY HANDLERS	APPROVED 5/14/2007	NO SAFETY CLAUSE	218	183
1338	POMMER, VEIGA	HOMEOWNER PROTECTION ACT OF 2007	APPROVED 4/20/2007	4/20/2007	164	26
1340	GARDNER B., VEIGA	CLARIFYING CHANGES TO VICTIMS' RIGHTS	APPROVED 5/14/2007	5/14/2007	215	109
1341	CURRY, ISGAR	MODIFY MEMBERSHIP OIL & GAS COMMN	APPROVED 5/29/2007	5/29/2007	320	167
1342	JAHN, TAPIA	IPD METHODS & PUBLIC PROJECTS	APPROVED 6/1/2007	NO SAFETY CLAUSE	401	110
1343	KING, MITCHELL S.	DNA TESTING FOR ALL FELONS	APPROVED 5/31/2007	7/1/2007	373	33
1344	MERRIFIELD, KESTER	PUB SAFETY & LOCAL IMPROV SALES TAXES	APPROVED 5/30/2007	NO SAFETY CLAUSE	336	76
1345	MASSEY, WINDELS	SCHOOL ACCOUNTABILITY	APPROVED 5/23/2007	5/23/2007	267	51

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1346	BUESCHER, TAPIA	PREPAID INPATIENT HEALTH PLANS MCOS	APPROVED 5/29/2007	5/29/2007	319	130
1347	KERR A., SHAFFER	IMMUNIZATION REGISTRY ACT	APPROVED 4/26/2007	4/26/2007	179	123
1348	MASSEY, WINDELS	EXTEND INITIAL ACCREDITATION CONTRACTS	APPROVED 5/14/2007	5/14/2007	216	52
1349	KEFALAS, WARD	CHILD SUPPORT OBLIGATIONS	APPROVED 5/31/2007	PORTIONS ON 5/31/2007, 10/1/2007, 1/1/2008, AND 7/1/2008	379	140
1350	ROMANOFF, TUPA	VICTIM ADDRESS CONFIDENTIALITY PROGRAM	APPROVED 5/31/2007	7/1/2007	385	111
1351	RICE, SPENCE	METROPOLITAN DISTRICT BUSINESS SERVICES	APPROVED 5/17/2007	NO SAFETY CLAUSE	237	83
1352	RICE, WARD	SERVICE MEMBER LICENSE PLATE	APPROVED 5/26/2007	NO SAFETY CLAUSE	310	162
1354	PRIMAVERA, GROFF	BREAST CANCER INCOME TAX CHECKOFF	APPROVED 5/31/2007	NO SAFETY CLAUSE 9/1/2007	349	197
1355	MCGIHON, HAGEDORN	DETERMINE SMALL EMPLOYER CARRIER PREMIUM	APPROVED 6/1/2007	NO SAFETY CLAUSE PORTIONS ON 1/1/2008 AND 1/1/2009	392	146
1356	CADMAN, VEIGA	STAT MODIF REQ'D BY ARTICLE XXIX	VETOED 6/1/2007			112
1357	BUESCHER, JOHNSON	HAZARDOUS SUBSTANCE RESPONSE FUND	APPROVED 5/31/2007	5/31/2007	350	124
1358	CARROLL T., GORDON	COLORADO COMMN ON CRIM & JUV JUSTICE	APPROVED 5/23/2007	5/23/2007	272	33
1359	BUESCHER, FITZ-GERALD	ACCEL USE OF STRATEG CONTRIB FUND MONEYS	APPROVED 6/1/2007	6/1/2007	423	112
1360	MASSEY, SHAFFER	BLUE RIBBON COMMN HEALTH CARE REFORM	APPROVED 6/1/2007	6/1/2007	422	146
1361	MADDEN, ISGAR	VERIFY CONSERVATION EASEMENT TAX CREDITS	APPROVED 5/24/2007	NO SAFETY CLAUSE	290	198
1362	LEVY, MORSE	COMMON INTEREST DECLARATION PLAT MAP	APPROVED 6/1/2007	7/1/2007	399	187
1363	CARROLL M., TAPIA	DEFENDANT HEARING TERMINATE CRIM ACTION	APPROVED 6/1/2007	6/1/2007	393	34
1364	RICE, ROMER	LIFE INSURANCE SALES MILITARY PERSONNEL	APPROVED 6/1/2007	NO SAFETY CLAUSE	420	146
1365	HICKS, MORSE	CHALLENGER LEARNING CTR PERA EMPLOYER	APPROVED 6/1/2007	6/1/2007	430	113
1366	SOPER, TOCHTROP	WORKERS' COMP CONSTRUCTION CONTRACTORS	APPROVED 6/1/2007	6/1/2007	429	154

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1367	WITWER, SHAFFER	REVISOR'S BILL	APPROVED 6/1/2007	PORTIONS ON 6/1/2007, 7/1/2007, AND 8/3/2007	428	194
1369	STAFFORD, MORSE	CONTINUE INMATE APPLICATION ASSISTANCE	APPROVED 6/1/2007	6/1/2007	421	19
1370	MCGIHON, BOYD	COORDINATED CARE PILOT PROGRAM	APPROVED 6/1/2007	6/1/2007	427	130
1371	CARROLL M., MORSE	MILITARY FAMILY RELIEF FUND GRANTS	APPROVED 6/4/2007	6/4/2007	433	156
1372	CURRY, ISGAR	SEVERENCE TAX OPERATIONAL ACCT RESERVE	APPROVED 6/1/2007	6/1/2007	406	199
1373	POMMER, JOHNSON	STATE EMPLOYEE SALARY CAP ADJUSTMENTS	APPROVED 6/1/2007	7/1/2008	409	113
1374	FRANGAS, MITCHELL S.	PROMOTING COMMUNITY LONG-TERM SERVICES	APPROVED 5/30/2007	5/30/2007	328	130
1375	PRIMAVERA, BACON	REPORT SEX CRIMES LICENSED PROFESSIONALS	APPROVED 5/23/2007	5/23/2007	274	34
1376	GARCIA, SHAFFER	PRECINCT CAUCUS DAY IN PRESIDENTIAL YEAR	APPROVED 6/1/2007	NO SAFETY CLAUSE	419	65
1377	POMMER, GORDON	HIGHER ED & STATE RETIREMENT PLANS	APPROVED 6/1/2007	NO SAFETY CLAUSE 1/1/2008	426	113
1378	CURRY, PENRY	RETIREMENT GROUP SPECIAL LICENSE PLATES	APPROVED 6/1/2007	6/1/2007	418	162
1379	WEISSMANN, TUPA	COUNTY ENVIRONMENTAL SUSTAINABILITY PROG	APPROVED 5/30/2007	NO SAFETY CLAUSE	340	73

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001	HAGEDORN, MADDEN	GENERIC & NONPATENTED RX DRUG PROGRAM	APPROVED 2/5/2007	2/5/2007	1	125
002	SANDOVAL, STAFFORD	MEDICAID ELIGIBILITY FOSTER CARE	APPROVED 5/15/2007	5/15/2007	228	125
003	KESTER, JAHN	CRIMINAL COMPETENCY EVALUATION BOARD	APPROVED 3/8/2007	3/8/2007	13	20
004	SHAFFER, TODD	EARLY INTERVENTION SERV COORDINATED PMT	APPROVED 5/15/2007	PORTIONS ON 7/1/2007 AND 1/1/2008	227	132
005	TAKIS, KERR J.	OBSOLETE PROVISION IN CO WORKS	BECAME LAW 3/17/2007 APPROVED 3/19/2007	NO SAFETY CLAUSE	36	135
006	TAKIS, KERR J.	REDUNDANT RAILROAD CROSSINGS	APPROVED 4/2/2007	NO SAFETY CLAUSE	75	188
007	TAYLOR, WITWER	VOLUNTEER FIREFIGHTER DEFINITIONS	APPROVED 4/2/2007	4/2/2007	76	77
008	TAYLOR, CURRY	EXPAND WATER EFFICIENCY GRANT PROGRAM.	APPROVED 6/1/2007	6/1/2007	407	202
012	WILLIAMS, SOLANO	INVESTIGATION FAMILY CHILD CARE PROVIDER	APPROVED 4/2/2007	4/2/2007	77	135
014	TAYLOR, BALMER	STATE NURSING HOME FUNDING	APPROVED 5/25/2007	7/1/2007	305	135
015	BOYD, BENEFIELD	CHILD SUPPORT RECODIFICATION	APPROVED 3/16/2007	3/16/2007	29	12
016	TAPIA, BUTCHER	MINIMUM COMPULSORY SCHOOL AGE	APPROVED 3/16/2007	NO SAFETY CLAUSE 7/1/2008	28	36
017	HARVEY, CERBO	COUNTY MEMBERS SEX OFFENDER MGT BOARD	APPROVED 3/16/2007	3/16/2007	30	27
018	SANDOVAL, STAFFORD	RELINQUISHMENT OF CHILDREN PROCEDURE	APPROVED 3/16/2007	7/1/2007	31	12
019	SPENCE, KERR A.	REVIEW TEACHER PREPARATION PROGRAMS	APPROVED 3/16/2007	NO SAFETY CLAUSE	32	53
020	WINDELS, MERRIFIELD	COMMISSIONER OF EDUCATION QUALIFICATIONS	APPROVED 3/22/2007	3/22/2007	48	36
022	VEIGA, FRANGAS	PUC LOW INCOME REGULATORY CONSIDERATION	APPROVED 4/2/2007	4/2/2007	78	188
024	WILLIAMS, RIESBERG	REGULATE PRACTICE ATHLETIC TRAINING	VETOED 6/4/2007			169
025	VEIGA, MADDEN	SEXUAL ORIENTATION EMPL DISCRIMINATION	APPROVED 5/25/2007	NO SAFETY CLAUSE	295	84
026	BACON, POMMER	LOCAL REVENUES FOR FULL-DAY KINDERGARTEN	APPROVED 3/7/2007	3/7/2007	12	36
027	TUPA, WITWER	COAST GUARD SPECIAL LICENSE PLATE	APPROVED 4/30/2007	NO SAFETY CLAUSE	180	157

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028	TAKIS, WITWER	METRO SEWAGE DISPOSAL DISTRICT BOARDS	APPROVED 3/22/2007	3/22/2007	43	79
031	TAYLOR, MCFADYEN	PETROLEUM PRODUCT REGULATION	APPROVED 4/3/2007	4/3/2007	99	147
033	BROPHY, FRANGAS	ADOPTION OF HIGH-RISK CHILDREN	APPROVED 5/31/2007	5/31/2007	351	135
034	MORSE, MADDEN	RECIPROCITY CONCEALED WEAPONS PERMITS	APPROVED 5/17/2007	5/17/2007	243	27
035	SHAFFER, WITWER	HOSPICE PHYSICIAN EMPLOYMENT	APPROVED 4/11/2007	4/11/2007	120	114
036	KELLER, STAFFORD	MANDATORY COVERAGE MENTAL DISORDERS ICD9	APPROVED 5/30/2007	1/1/2008	323	142
037	GROFF, WITWER	CONTINUE ORGAN TISSUE DONATION FUND	APPROVED 3/30/2007	3/30/2007	73	126
039	BROPHY, GARDNER C.	PROTECT LANDOWNER SALVAGE GAS PIPELINE	APPROVED 3/22/2007	NO SAFETY CLAUSE	44	147
040	TOCHTROP, MARSHALL	BRANCH BANK NONFINANCIAL AFFILIATE	APPROVED 3/16/2007	3/16/2007	33	66
041	SCHWARTZ, MASSEY	PUBLIC SCHOOL FACILITIES EQUITY ACT	APPROVED 5/25/2007	7/1/2007	306	36
042	KOPP, HODGE	M.O.S.T. PROG FOR MILITARY	APPROVED 5/14/2007	NO SAFETY CLAUSE	220	200
043	MITCHELL S., TODD	EMERGENCY HLTH CARE PROVIDER LIAB EXEMPT	APPROVED 4/2/2007	7/1/2007	79	20
045	MCELHANY, MCGIHON	FEES FOR COPIES OF PUBLIC RECORDS	APPROVED 4/19/2007	NO SAFETY CLAUSE	150	84
048	BACON, FISCHER	MULTI-YEAR CONTRACTS HIGHER EDUCATION	APPROVED 3/15/2007	3/15/2007	25	53
049	ISGAR, MCGIHON	COVERCOLORADO SUPPL INS MEDICARE ELIGIBL	APPROVED 4/19/2007	4/19/2007	151	142
050	RENFROE, SUMMERS	TRUANCY PROCEEDINGS REPRESENTATION	APPROVED 3/22/2007	3/22/2007	45	37
051	GORDON, WITWER	HIGH PERFORMANCE STATE BUILDINGS	APPROVED 4/16/2007	NO SAFETY CLAUSE 9/1/2007	129	85
052	TAPIA, MCFADYEN	CSU BOARD OF GOVERNORS MEMBERSHIP	APPROVED 4/11/2007	NO SAFETY CLAUSE	122	53
054	SCHWARTZ, FISCHER	RESEARCH BLDG FUNDS BOND LIMITS	APPROVED 3/15/2007	NO SAFETY CLAUSE	26	53
055	BOYD, GREEN	FUND FOR CRIME VICTIM SERVICES	APPROVED 5/23/2007	7/1/2007	275	27
057	VEIGA, CARROLL T.	REGULATE DEBT SETTLEMENT SERVICES	APPROVED 6/1/2007	1/1/2008	416	16
059	SANDOVAL, MADDEN	START SMART NUTRITION PROGRAM	APPROVED 5/15/2007	5/15/2007	229	38
060	BOYD, MCGIHON	EMERGENCY CONTRACEPTION FOR SURVIVORS	APPROVED 3/15/2007	3/15/2007	24	114
062	WINDELS, ROSE	MOTOR CARRIERS REGISTRATION PENALTY	APPROVED 5/14/2007	7/1/2007	221	157
064	KELLER, FRANGAS	CHILD FOSTER CARE ADOPTION TASK FORCE	APPROVED 3/30/2007	3/30/2007	69	136
066	GORDON, MADDEN	PAY JUDGEMENTS HLTH CARE AVAILABILITY ACT	APPROVED 3/22/2007	NO SAFETY CLAUSE	49	20
067	BROPHY, CARROLL T.	SHARE ROAD BICYCLE SPECIAL LICENSE PLATE	APPROVED 6/3/2007	NO SAFETY CLAUSE	431	157

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070	TAKIS, MAROSTICA	MOTOR VEHICLE RECYCLERS GARAGES DEALERS	APPROVED 5/31/2007	7/1/2007	376	157
074	SHAFFER, MASSEY	EKG EMERGENCY NETWORK	APPROVED 5/25/2007	5/25/2007	296	143
076	FITZ-GERALD, ROMANOFF	LEGISLATIVE APPTS TO BDS & COMMNS	APPROVED 3/22/2007	3/22/2007	50	85
077	TAKIS, MAROSTICA	DRIVER'S EDUCATION PERMIT TRAINING	APPROVED 4/20/2007	4/20/2007	155	158
078	WILLIAMS, ROBERTS	RESTORE MANDATORY OFFER HOSPICE CARE	APPROVED 4/11/2007	1/1/2008	119	143
079	JOHNSON, ROMANOFF	STANDARD HEALTH CARE PROVIDER CONTRACTS	APPROVED 3/30/2007	NO SAFETY CLAUSE	71	114
082	ROMER, GIBBS	FUND HABITAT PARTNERSHIP PROGRAM	APPROVED 3/22/2007	3/22/2007	46	163
083	TUPA, WEISSMANN	CONDUCT OF ELECTIONS	APPROVED 6/1/2007	NO SAFETY CLAUSE	417	58
084	MC ELHANY, JAHN	REGISTERED INTERIOR DESIGNERS DATA BASE	VETOED 6/1/2007			169
085	VEIGA, MASSEY	PROTECT CONSUMER REAL ESTATE TRANSACTION	APPROVED 6/1/2007	6/1/2007	387	170
086	KOPP, BALMER	WAR ON TERRORISM MEMORIAL	APPROVED 5/26/2007	NO SAFETY CLAUSE 9/1/2007	309	86
087	TAPIA, FISCHER	SHIFT FIN RESPONSIBILITY CONSTR AGRMT	APPROVED 4/11/2007	7/1/2007	118	20
088	VEIGA, RICE	RTD PARKING FACILITIES	APPROVED 5/22/2007	7/1/2007	256	79
090	KOPP, KERR J.	COUNTY AUTHORITY TO VEST VACATED ROADWAY	APPROVED 4/20/2007	NO SAFETY CLAUSE 9/1/2007	156	200
091	SCHWARTZ, MASSEY	RENEWABLE RESOURCE GENERATION DEV AREAS	APPROVED 5/29/2007	5/29/2007	316	188
095	MAY R., BORODKIN	REPEAL CDOT FTE CAP	APPROVED 4/20/2007	NO SAFETY CLAUSE	157	200
096	SPENCE, CARROLL T.	THEFT FROM AT-RISK INDIVIDUALS	APPROVED 6/1/2007	7/1/2007	425	27
097	FITZ-GERALD, MADDEN	ALLOCATE TOBACCO SETTLEMENT MONEYS	APPROVED 3/22/2007	3/22/2007	41	86
098	FITZ-GERALD, WHITE	CTY OPEN SPACE & PARK SALES & USE TAX	APPROVED 3/30/2007	3/30/2007	72	70
099	KESTER, MCKINLEY	STATE FLEET EXCLUSION HIGHER ED BUSES	APPROVED 5/25/2007	5/25/2007	297	200
100	FITZ-GERALD, MCFADYEN	ENERGY RESOURCE ZONES TRANSMISSION DEVEL	APPROVED 3/27/2007	3/27/2007	61	189
101	ISGAR, BUTCHER	FOREIGN CAPITAL DEPOSITORIES	APPROVED 4/20/2007	7/1/2007	158	66
104	SHAFFER, POMMER	MEMBERS BLUE RIBBON HEALTH COMMISSION	APPROVED 3/22/2007	3/22/2007	47	143
107	TAPIA, BORODKIN	LICENSE LANDSCAPE ARCHITECTS	APPROVED 5/30/2007	NO SAFETY CLAUSE	334	170
108	TAYLOR, MARSHALL	ALTERNATE DEFENSE COUNSEL COMMISSION	APPROVED 4/2/2007	4/2/2007	80	21
110	TAPIA, BUESCHER	NATURAL RESOURCE DAMAGE ASSESSMENT COST	APPROVED 4/2/2007	4/2/2007	81	115

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111	JOHNSON, MAROSTICA	SALES TAX LIMIT EXEMPT MARKETING DIST	APPROVED 4/19/2007	4/19/2007	152	79
112	TAKIS, MCFADYEN	SUPERVISED LENDERS MOTOR VEHICLE SALES	APPROVED 4/19/2007	4/19/2007	154	172
113	TAPIA, BUESCHER	USE OF TOBACCO SETTLE DEF ACCOUNT MONEYS	APPROVED 5/25/2007	5/25/2007	298	87
114	SHAFFER, CARROLL T.	SUBSTANTIVE CRIMINAL OMNIBUS	APPROVED 5/31/2007	7/1/2007	383	28
115	SHAFFER, CARROLL T.	CRIMINAL PROCEDURAL OMNIBUS	APPROVED 4/2/2007	4/2/2007	82	28
117	BACON, CARROLL T.	UNFAIR EMPL PRACTICES PREVAILING PARTY	APPROVED 5/14/2007	7/1/2007	222	21
118	SHAFFER, KING	COURT SECURITY CASH FUND	APPROVED 5/25/2007	5/25/2007	299	21
119	ROMER, MAROSTICA	SUNSET DIV RACING EVENTS & COMMISSION	APPROVED 5/25/2007	7/1/2007	307	172
122	ISGAR, CURRY	WATER CONSERVATION Bd CONSTRUCTION FUND	APPROVED 5/31/2007	5/31/2007	352	202
123	TAKIS, KERR A.	REGULATE CONVEYANCES & MECHANICS	APPROVED 5/30/2007	1/1/2008	333	147
124	ISGAR, MARSHALL	COLO HOUSING AND FINANCE AUTHORITY	APPROVED 5/3/2007	5/3/2007	192	74
126	KELLER, POMMER	APPROP RENEW ENERGY AUTH THRU GOVERNOR	APPROVED 4/16/2007	4/16/2007	131	88
128	PENRY, KING	HOMELESS YOUTH SHELTERS	APPROVED 3/29/2007	NO SAFETY CLAUSE	68	136
129	GROFF, CARROLL T.	INFLATION ADJUSTMENT DAMAGES STATUTES	APPROVED 4/2/2007	7/1/2007	83	22
130	BOYD, CARROLL M.	MEDICAL HOME FOR CHILDREN	APPROVED 5/31/2007	5/31/2007	346	126
132	KELLER, WHITE	REPEAL GOEBEL MENTAL HEALTH REFERENCE	APPROVED 4/2/2007	NO SAFETY CLAUSE	84	136
133	TAPIA, BUESCHER	HCPF CASH SYSTEM OF ACCOUNTING	APPROVED 4/11/2007	7/1/2007	123	126
134	WINDELS, MASSEY	HIGHER ED MINERAL LEASE MONEYS	APPROVED 4/11/2007	4/11/2007	126	54
136	MORSE, ROMANOFF	COURT JURISDICTION PROTECTION ORDERS	APPROVED 5/17/2007	7/1/2007	238	22
137	TOCHTROP, WHITE	LICENSE REGULATE PLUMBERS APPRENTICE	APPROVED 5/17/2007	1/1/2008	240	172
139	TAYLOR, CURRY	LEGISLATIVE PER DIEM INCREASE	APPROVED 5/25/2007	5/25/2007	308	68
140	SPENCE, BENEFIELD	TEACHER IDENTIFIER SYSTEM AND COMMISSION	APPROVED 4/11/2007	4/11/2007	121	38
144	KESTER, JAHN	CONSUMER LOAN PREPAY REFUND CALCULATION	APPROVED 5/3/2007	NO SAFETY CLAUSE	193	16
145	TUPA, GIBBS	RENEWABLE ENERGY FIXTURES INCENTIVES	APPROVED 4/16/2007	NO SAFETY CLAUSE	130	74
146	MORSE, RICE	VETERANS MENTAL HEALTH SERVICES PILOT	APPROVED 6/4/2007	6/4/2007	432	155
148	ROMER, CASSO	FAST COLLEGE FAST JOBS PROGRAM	APPROVED 4/2/2007	4/2/2007	85	38
149	BACON, BUESCHER	ALCOHOL LICENSING PERMIT FEES	APPROVED 4/20/2007	NO SAFETY CLAUSE	159	173
152	SCHWARTZ, BALMER	DENTIST HYGIENIST VOLUNTEER SERVICES	APPROVED 5/3/2007	NO SAFETY CLAUSE	187	173

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153	MORSE, GAGLIARDI	LOCAL HEALTH OFFICE QUARANTINE ISOLATION	APPROVED 4/20/2007	4/20/2007	160	115
154	MORSE, RIESBERG	DRUNK DRIVER BAC TEST ELECTION	APPROVED 5/22/2007	7/1/2007	261	158
155	SCHWARTZ, RICE	BANKING ATM FEES FOREIGN BANK	APPROVED 4/20/2007	NO SAFETY CLAUSE	161	66
156	HARVEY, SWALM	STATE DEFINED & DEFERRED CONTRIB PLANS	APPROVED 5/3/2007	NO SAFETY CLAUSE	194	88
157	WARD, RICE	EMINENT DOMAIN & URBAN RENEWAL AUTH	APPROVED 5/22/2007	NO SAFETY CLAUSE 9/1/2007	257	75
158	BOYD, CERBO	EXEMPT ASSETS DEBT COLLECTION BANKRUPTCY	APPROVED 5/14/2007	PORTIONS ON 5/14/2007 AND 7/1/2007	226	23
159	TAPIA, BUESCHER	SUPPL APPROP DEPT OF AGRICULTURE	APPROVED 3/22/2007	3/22/2007	441	5
160	TAPIA, BUESCHER	SUPPL APPROP DEPT OF CORRECTIONS	APPROVED 3/22/2007	3/22/2007	442	5
161	TAPIA, BUESCHER	SUPPL APPROP DEPT OF EDUCATION	APPROVED 3/22/2007	3/22/2007	443	5
162	TAPIA, BUESCHER	SUPPL APPROP DEPT OF GOV, LT GOV, & OSPB	APPROVED 3/30/2007	3/30/2007	444	5
163	TAPIA, BUESCHER	SUPPL APPROP DEPT OF HEALTH CARE POL & FIN	APPROVED 3/22/2007	3/22/2007	446	5
164	TAPIA, BUESCHER	SUPPL APPROP DEPT OF HIGHER ED	APPROVED 3/22/2007	3/22/2007	447	6
165	TAPIA, BUESCHER	SUPPL APPROP DEPT OF HUMAN SERVICES	APPROVED 3/22/2007	3/22/2007	448	6
166	TAPIA, BUESCHER	SUPPL APPROP JUDICIAL DEPARTMENT	APPROVED 3/22/2007	3/22/2007	449	6
167	TAPIA, BUESCHER	SUPPL APPROP DEPT OF LABOR & EMPLOYMENT	APPROVED 3/22/2007	3/22/2007	450	6
168	TAPIA, BUESCHER	SUPPL APPROP DEPT OF LAW	APPROVED 3/22/2007	3/22/2007	451	7
169	TAPIA, BUESCHER	SUPPL APPROP DEPT OF LEGISLATURE	APPROVED 3/22/2007	3/22/2007	452	7
170	TAPIA, BUESCHER	SUPPL APPROP DEPT OF LOCAL AFFAIRS	APPROVED 3/22/2007	3/22/2007	453	7
171	TAPIA, BUESCHER	SUPPL APPROP DEPT OF MILITARY AFFAIRS	APPROVED 3/22/2007	3/22/2007	454	7
172	TAPIA, BUESCHER	SUPPL APPROP DEPT OF NATURAL RESOURCES	APPROVED 3/22/2007	3/22/2007	455	7
173	TAPIA, BUESCHER	SUPPL APPROP DEPT OF PERSONNEL	APPROVED 3/22/2007	3/22/2007	456	7
174	TAPIA, BUESCHER	SUPPL APPROP DEPT OF PUB HEALTH & ENVIR	APPROVED 3/22/2007	3/22/2007	457	7
175	TAPIA, BUESCHER	SUPPL APPROP DEPT OF PUBLIC SAFETY	APPROVED 3/22/2007	3/22/2007	458	8
176	TAPIA, BUESCHER	SUPPL APPROP DEPT OF REG AGENCIES	APPROVED 3/22/2007	3/22/2007	459	8
177	TAPIA, BUESCHER	SUPPL APPROP DEPT OF REVENUE	APPROVED 3/22/2007	3/22/2007	460	8

BILL NO.	PRIME SPONSOR	SHORT TITLE	GOVERNOR'S ACTION	EFFECTIVE DATE	SESSION LAWS CHAPTER	PAGE OF DIGEST
178	TAPIA, BUESCHER	SUPL APPROP DEPT OF STATE	APPROVED 3/22/2007	3/22/2007	461	8
179	TAPIA, BUESCHER	SUPL APPROP DEPT OF TRANSPORTATION	APPROVED 3/22/2007	3/22/2007	462	8
180	TAPIA, BUESCHER	SUPL APPROP TREASURY DEPT	APPROVED 3/22/2007	3/22/2007	463	9
181	TAPIA, BUESCHER	SUPL APPROP CAPITAL CONST	APPROVED 3/22/2007	3/22/2007	464	9
182	BACON, POMMER	INNOVATIVE HIGHER ED RESEARCH FUND	APPROVED 5/31/2007	5/31/2007	370	54
183	ROMER, WEISSMANN	SUNSET BOARD OF VETERANS AFFAIRS	APPROVED 4/11/2007	7/1/2007	124	155
184	FITZ-GERALD, MCGIHON	STATE TREASURER ON COVERCOLORADO BOARD	APPROVED 4/20/2007	4/20/2007	162	88
185	ISGAR, CURRY	INCREASE MINING FEES	APPROVED 5/17/2007	7/1/2007	244	163
186	SANDOVAL, FRANGAS	CHILDREN BASIC HEALTH PRIVATE INSURANCE	APPROVED 4/11/2007	7/1/2007	125	127
187	JOHNSON, MCGIHON	MODIFY COLORADO VETERINARY PRACTICE ACT	APPROVED 5/31/2007	PORTIONS ON 7/1/2007 AND 1/1/2008	366	173
191	KESTER, CARROLL M.	SUNSET CONTINUE REG LIFE INSURANCE	APPROVED 4/2/2007	7/1/2007	86	143
192	BACON, BENEFIELD	SUNSET READ-TO-ACHIEVE BOARD	APPROVED 5/22/07	5/22/2007	264	39
194	BACON, RIESBERG	CDC DUTIES	APPROVED 4/11/2007	NO SAFETY CLAUSE	127	68
195	MC ELHANY, RICE	WILDLIFE & ARMED FORCES CO RESIDENTS	APPROVED 4/19/2007	4/19/2007	153	163
196	HAGEDORN, MASSEY	HEALTH INFORMATION TECHNOLOGY	APPROVED 5/24/2007	PORTIONS ON 5/24/07 AND 1/1/2008	282	115
197	MORSE, FRANGAS	SAFE-2-TELL HOTLINE SCHOOLS	APPROVED 5/3/2007	5/3/2007	184	88
198	ISGAR, ROBERTS	SEVERANCE TAX COALBED METHANE SEEPAGE	APPROVED 5/31/2007	5/31/2007	365	163
199	WINDELS, POMMER	SCHOOL FINANCE	APPROVED 5/9/2007	5/9/2007	199	40
200	ISGAR, BUESCHER	URANIUM MILL TAILINGS REMEDIAL ACTION	APPROVED 5/29/2007	5/29/2007	322	195
201	RENFROE, MARSHALL	CONTINUOUS APPROP WORKERS' COMP FUNDS	APPROVED 4/20/2007	4/20/2007	163	148
202	WINDELS, MCFADYEN	CDC FIVE-YEAR FORECASTS	APPROVED 5/3/2007	NO SAFETY CLAUSE	195	68
203	GROFF, MARSHALL	MORTGAGE BROKER LICENSING	APPROVED 6/1/2007	1/1/2008	388	174
204	TOCHTROP, PRIMAVERA	RX DRUG MONITORING PROGRAM FEES	APPROVED 5/22/07	5/22/2007	265	174
205	WILLIAMS, POMMER	RTD UTIL RELOCATION PLAN	APPROVED 5/3/2007	5/3/2007	196	79
206	SCHWARTZ, ROSE	BIOLOGICAL PEST CONTROL CASH FUND	APPROVED 5/17/2007	5/17/2007	232	2

BILL NO.	PRIME SPONSOR	SHORT TITLE	GOVERNOR'S ACTION	EFFECTIVE DATE	SESSION LAWS CHAPTER	PAGE OF DIGEST
207	SCHWARTZ, SONNENBERG	FEED CATTLE SHEEP POULTRY GOATS SWINE	APPROVED 5/22/2007	5/22/2007	255	2
208	SCHWARTZ, GREEN	AUDIOLOGISTS & HEARING AID PROVIDERS	APPROVED 5/14/2007	7/1/2007	210	175
209	SCHWARTZ, GALLEGOS	COUNCIL FOR EXCELLENCE IN HEALTH ED	APPROVED 5/14/2007	5/14/2007	225	54
210	MC ELHANY, MARSHALL	INDEPENDENT ETHICS COMMISSION	APPROVED 4/26/2007	4/26/2007	178	89
211	HAGEDORN, MCGIHON	HEALTH CARE FOR CHILDREN	APPROVED 5/31/2007	PORTIONS ON 7/1/2007 AND 1/1/2008	347	127
212	SANDOVAL, MARSHALL	REG OF DROP-IN CHILD CARE FACILITIES	APPROVED 5/14/2007	5/14/2007	223	136
213	RENFROE, KEFALAS	SUNSET CONT LIC ADDICTION TREATMENT	APPROVED 5/22/2007	7/1/2007	263	175
214	PENRY, WITWER	CDC INCREASE EXEMPTION AMOUNTS	APPROVED 5/14/2007	5/14/2007	224	68
215	WINDELS, CARROLL T.	ON-LINE LEARNING EDUCATION	APPROVED 5/23/2007	7/1/2007	270	43
216	VEIGA, MARSHALL	MORTGAGE LOAN FRAUD ACTS PRACTICES	APPROVED 6/1/2007	7/1/2007	389	175
217	BOYD, BENEFIELD	PRESCRIPTION DRUG WHOLESALERS	APPROVED 5/25/2007	NO SAFETY CLAUSE	293	176
218	WARD, PRIMAVERA	SUNSET CONTINUE ENVT MGMT SYSTEM PROG	APPROVED 5/31/2007	5/31/2007	364	116
219	FITZ-GERALD, LEVY	FASTRACKS LIMIT RR LIAB RTD LIGHT RAIL	APPROVED 5/22/2007	7/1/2007	262	90
220	SCHWARTZ, GALLEGOS	RIO GRANDE WATER CONS SUBDIST POWERS	APPROVED 5/25/2007	5/25/2007	300	203
221	VEIGA, RICE	SUNSET MOTOR VEHICLE DEALER BOARD	APPROVED 5/31/2007	7/1/2007	363	176
222	WINDELS, RIESBERG	STATUTORY TRANSFERS CAPITAL CONSTRUCTION	APPROVED 6/1/2007	6/1/2007	415	91
223	GORDON, MADDEN	07-08 LEGISLATIVE APPROPRIATION	APPROVED 4/11/2007	4/11/2007	440	10
224	WILLIAMS, ROBERTS	AT-RISK ADULT PROTECTION TEAMS	APPROVED 5/22/2007	5/22/2007	259	136
225	SANDOVAL, RIESBERG	CO WORKS ALT EARNINGS INCOME DISREGARD	APPROVED 5/31/2007	5/31/2007	353	137
226	BOYD, RIESBERG	COMPLIANCE FED LAW PLACEMENT CHILDREN	APPROVED 5/22/2007	5/22/2007	260	12
227	SHAFFER, GAGLIARDI	IMMUNITY UNDER SAFE SCHOOL PLAN	APPROVED 5/3/2007	5/3/2007	185	44
228	GROFF, GARCIA	VENDOR PERFORM STATE CONTRACTS	APPROVED 5/24/2007	NO SAFETY CLAUSE	291	91
229	HAGEDORN, MCGIHON	EPIDEMIC EMERGENCY RESPONSE	APPROVED 5/25/2007	5/25/2007	301	116
230	KELLER, FRANGAS	CHILDREN'S MENTAL HEALTH TREATMENT ACT	APPROVED 5/30/2007	5/30/2007	324	134
231	TOCHTROP, PRIMAVERA	CANCER DRUG REPOSITORY PROGRAM	APPROVED 5/25/2007	NO SAFETY CLAUSE	302	117
232	ROMER, MASSEY	HEALTH PRO LOAN REPAYMENT PROGRAM	APPROVED 6/4/2007	6/4/2007	438	55

BILL NO.	PRIME SPONSOR	SHORT TITLE	GOVERNOR'S ACTION	EFFECTIVE DATE	SESSION LAWS CHAPTER	PAGE OF DIGEST
233	SANDOVAL, LISTON	CMS UNIFORM HEALTH CARE CLAIM FORM	APPROVED 5/17/2007	5/17/2007	233	143
234	GORDON, LEVY	VOTING BY MAIL	APPROVED 6/1/2007	6/1/2007	398	61
235	BOYD, RIESBERG	SELF-SUFFICIENCY STANDARD	APPROVED 5/17/2007	7/1/2007	246	94
236	TAPIA, BUESCHER	2ND SUPPL APPROP DEPT OF GOV, LT GOV, & OSPB	APPROVED 5/2/2007	5/2/2007	445	10
237	SHAFFER, MAY M.	SURFACE DEV NOTIFY OIL & GAS OPERATORS	APPROVED 6/4/2007	NO SAFETY CLAUSE	439	164
239	TAPIA, BUESCHER	LONG APPROPRIATIONS BILL	APPROVED IN PART AND VETOED IN PART 5/2/2007	PORTIONS ON 5/2/2007 AND ON VETO OVERRIDE ON 5/4/2007	466	10
240	TAPIA, BUESCHER	CAPITAL CONSTRUCTION FUND TRANSFERS	APPROVED 6/1/2007	6/1/2007	414	94
241	JOHNSON, POMMER	DRIVER'S & PLATE LICENSE FEES	APPROVED 5/31/2007	7/1/2007	361	158
242	GROFF, FRANGAS	CREATE HEALTH DISPARITIES OFFICE	APPROVED 5/15/2007	5/15/2007	230	117
244	ISGAR, BUESCHER	AGRICULTURE VALUE-ADDED DEVELOPMENT FUND	APPROVED 5/17/2007	5/17/2007	239	2
246	FITZ-GERALD, BUESCHER	CREATE CLEAN ENERGY FUND	APPROVED 5/29/2007	5/29/2007	321	94
247	VEIGA, FRANGAS	PETROLEUM STORAGE TANK FUND UNDERGROUND	APPROVED 5/18/2007	7/1/2007	252	149
249	VEIGA, RICE	REAL ESTATE TITLE ESCROW SETTLEMENT SERV	APPROVED 6/1/2007	6/1/2007	390	143
251	HAGEDORN, POMMER	RTD PRIVATIZATION REQUIREMENTS	APPROVED 5/18/2007	NO SAFETY CLAUSE	248	80
252	ISGAR, JUDD	FAMILY RESOURCE CENTERS	APPROVED 5/30/2007	NO SAFETY CLAUSE	343	137
253	SCHWARTZ, SONNENBERG	STABILIZE OIL & GAS PRODUCTION REVENUES	APPROVED 6/1/2007	6/1/2007	410	195
254	MAY R., BUESCHER	STATE INFO TECHNOLOGY REORGANIZATION	APPROVED 5/17/2007	5/17/2007	231	94
255	KELLER, BUESCHER	ALLOCATION OF IDEA CHILD FIND ACTIVITIES	APPROVED 5/31/2007	5/31/2007	360	44
256	SHAFFER, MADDEN	UNINSURED MOTOR VEHICLE INSURANCE	APPROVED 6/1/2007	1/1/2008	413	144
257	BACON, FISCHER	MULTI-YEAR CONTRACTS HIGHER EDUCATION	APPROVED 5/30/2007	5/30/2007	342	55
258	GROFF, RICE	WORKERS' COMPENSATION	APPROVED 5/30/2007	5/30/2007	341	149
259	GORDON, CARROLL M.	ELEC FILING FOR CAMPAIGN FINANCE	APPROVED 5/25/2007	7/1/2007	303	62
260	TAPIA, WHITE	SENTENCING PROVISIONS FOR CERTAIN CRIMES	APPROVED 5/31/2007	7/1/2007	384	28
261	TAKIS, KERR J.	VENTURE CAPITAL AUTHORITY STAFFING	APPROVED 5/24/2007	5/24/2007	287	95
262	SHAFFER, CARROLL T.	ELECTRONIC ACCESS TO ICON	APPROVED 5/25/2007	7/1/2007	304	23

BILL NO.	PRIME SPONSOR	SHORT TITLE	GOVERNOR'S ACTION	EFFECTIVE DATE	SESSION LAWS CHAPTER	PAGE OF DIGEST
263	TAPIA, BUESCHER	2ND SUPPL APPROP CAPITAL CONST	APPROVED 6/1/2007	CONTINGENT UPON REPORT DISTRIBUTION	465	10

ADMINISTRATIVE RULE REVIEW

H.B. 07-1167 Continuation of 2006 rules of executive agencies. Provides for the continuation of rules and regulations of state agencies that were adopted or amended on or after November 1, 2005, and before November 1, 2006; except that certain rules and regulations shall expire as scheduled on May 15, 2007.

APPROVED by Governor May 10, 2007

EFFECTIVE May 10, 2007

AGRICULTURE

S.B. 07-206 Biological pest control cash fund - creation - appropriation. Establishes the biological pest control cash fund for the collection and disbursement of moneys by the department of agriculture in conducting its biological pest control program.

Appropriates \$23,011 to the department of agriculture, agricultural services division, for the implementation of the act.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

S.B. 07-207 Colorado Feed Law - distribution fees - labeling - records - inspections. Requires the commissioner of agriculture (commissioner) to promulgate rules establishing the dates upon which registrations to manufacture feed expire. Changes the term "inspection fees" to "distribution fees".

Requires a statement identifying the manufacturer of feed to be placed on a label for feed. Requires the distributor, manufacturer, or feeder to maintain certain records.

Prohibits the use of feed that is adulterated for any cattle, sheep, goats, swine, poultry, or any other animals if such animals are raised to produce human food. Allows the commissioner to enter, during normal business hours, any building, structure, land, vehicle, or other premises or property on which feeds are distributed, transported, stored, disposed of, or used as feed for cattle, sheep, goats, swine, poultry, or any other animals if such animals are raised to produce human food.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

S.B. 07-244 Agriculture value-added development fund program - award criteria. Allows the Colorado agricultural value-added development board (board) to make value-added grants, loans and loan guarantees, and equity investments to any person as well as for research purposes. Eliminates the minimum amount to be invested in an agricultural project and the requirement that at least 50% of the funds be from private individuals or entities who reside in Colorado for more than half the year or are domiciled in Colorado. Allows the board to establish additional criteria in determining whether to award an agricultural value-added grant, loan, loan guarantee, or tax credit.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

H.B. 07-1198 Inspection and consumer services cash fund - licensing and testing services - fees. Authorizes the commissioner of agriculture or the agricultural commission to adjust fees and penalties to administer and enforce certain agricultural standards, including standards regarding:

- Commercial fertilizers and soil conditioners;
- Anhydrous ammonia;
- Measurements;
- Eggs;

- Slaughter, processing, and sale of animals;
- Commercial feeding; and
- Farm products and commodity warehouses.

Eliminates the scheduled repeal of the inspection and consumer services cash fund. Establishes that a certain percentage of funding for licensing and testing services may come from the general fund, while the remainder will come from fees and penalties deposited in the inspection and consumer cash fund.

Adjusts appropriations made in the annual long appropriations bill.

APPROVED by Governor June 1, 2007

EFFECTIVE July 1, 2007

H.B. 07-1306 Pest control act - compact. Allows the commissioner of agriculture (commissioner) to issue and enforce a hold order to isolate plant material, restricting its movement, and specifying appropriate sanitary measures pending completion of testing for pests or disease.

Allows the commissioner to conduct inspections and issue phytosanitary and export certificates on plants for shipment to other states or foreign countries. Allows the commissioner to enter into compliance agreements with producers and distributors of nursery stock, agricultural crops, and other plant materials for the purpose of issuing export certificates.

Adopts the pest control compact.

APPROVED by Governor May 17, 2007

EFFECTIVE July 1, 2007

H.B. 07-1307 Colorado Seed Act - germination test - arbitration. Adds definitions of "hard seeds" and "dormant seeds". Corrects the name of the national seed storage laboratory to reflect its new name, the USDA-ARS national center for genetic resources preservation.

Allows a germination test for certain grass species, identified by rule by the commissioner of agriculture (commissioner), to be accepted for 16 months rather than the current 13 months. Allows tetrazolium testing for specific species defined by rule by the commissioner.

Requires the commissioner to appoint a new arbitration council (council), consisting of 3 members, for each case. Requires the commissioner to serve as staff to the council and to keep records of all deliberations. Requires the commissioner, rather than the seed buyer, to serve a copy of a complaint on the seed seller. Requires the commissioner, rather than the council, to investigate the allegations in a complaint and allows the commissioner to hire experts.

APPROVED by Governor April 26, 2007

EFFECTIVE April 26, 2007

H.B. 07-1308 Board of stock inspection commissioners - assessment - late fee. Allows the state board of stock inspection commissioners (board) to charge a late fee, in an amount

determined by the board by rule, if the assessment on a brand recorded by the board is submitted late.

APPROVED by Governor April 26, 2007

EFFECTIVE April 26, 2007

H.B. 07-1333 Conservation districts - tax-exempt status. Confirms that conservation districts are political subdivisions of the state and that property, both real and personal, of conservation districts is exempt from taxation under the state constitution.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

APPROPRIATIONS

S.B. 07-159 Supplemental appropriation - department of agriculture. Amends the 2006 general appropriation act to increase the total appropriation to the department of agriculture. Increases the general fund, cash funds exempt, and federal funds portions of the appropriation and decreases the cash funds portions.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-160 Supplemental appropriation - department of corrections. Amends the 2006 general appropriation act to increase the total appropriation to the department of corrections. Decreases the general fund portion of the appropriation and increases the cash funds, cash funds exempt, and federal funds portions.

Amends the 2005 general appropriation act to increase the total appropriation to the external capacity subprogram for payments to local jails and decrease the total appropriation for payments to private prisons.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-161 Supplemental appropriation - department of education. Amends the 2006 general appropriation act to increase the total appropriation to the department of education. Decreases the general fund and federal funds portions of the appropriation and increases the cash funds and cash funds exempt.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-162 Supplemental appropriation - offices of the governor, Lt governor, and state planning and budgeting. Amends the 2006 general appropriation act to increase the total appropriation to the offices of the governor, Lt governor, and state planning and budgeting.. Increases the general fund, cash funds exempt, and federal funds portions of the appropriation.

APPROVED by Governor March 30, 2007

EFFECTIVE March 30, 2007

S.B. 07-163 Supplemental appropriation - department of health care policy and financing. Amends the 2006 general appropriation act to increase the total appropriation to the department of health care policy and financing. Increases the general fund and federal funds portions of the appropriation and decreases the cash funds exempt portion.

Amends the 2005 general appropriation act to increase the total appropriation to the department of health care policy and financing. Increases the general fund and cash fund exempt portions of the appropriation and decreases the federal funds portion.

Makes an adjustment to an appropriation made by House Bill 05-1262 relating to the implementation of tobacco taxes for health-related purposes, by decreasing the amount of

the increase in an adjustment to the 2005 general appropriation act for services for children and families-medicaid funding.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-164 Supplemental appropriation - department of higher education. Amends the 2006 general appropriation act to increase the total appropriation to the department of higher education. Increases the general fund, cash funds, and cash funds exempt portions of the appropriation.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-165 Supplemental appropriation - department of human services. Amends the 2006 general appropriation act to increase the total appropriation to the department of human services. Increases the general fund, cash funds, and federal funds portions of the appropriation and decreases the cash funds exempt portion.

Amends the 2005 general appropriation act to decrease the total appropriation to the department of human services. Increases the general fund portion of the appropriation and decreases the cash funds exempt portion.

Makes an adjustment to an appropriation made by House Bill 05-1262 relating to the implementation of tobacco taxes for health-related purposes, by decreasing the amount of the increase in an adjustment to the 2005 general appropriation act for services for people with disabilities.

Clarifies adjustments made to the 2006 general appropriation act.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-166 Supplemental appropriation - judicial department. Amends the 2006 general appropriation act to increase the total appropriation to the judicial department. Increases the general fund, cash funds, and federal funds portions of the appropriation and decreases the cash funds exempt portion.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-167 Supplemental appropriation - department of labor and employment. Amends the 2006 general appropriation act to decrease the total appropriation to the department of labor and employment. Increases the general fund and cash funds portions of the appropriation and decreases the cash funds exempt and federal funds portions.

Amends the 2005 general appropriation act to increase the total appropriation to the department of labor and employment. Increases the cash funds portion of the appropriation.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-168 Supplemental appropriation - department of law. Amends the 2006 general appropriation act to increase the total appropriation to the department of law. Increases the general fund, cash funds, cash funds exempt, and federal funds portions of the appropriation.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-169 Supplemental appropriation - department of legislature. Amends the 2006 general appropriation act to increase the total appropriation to the department of legislature. Increases the general fund portion of the appropriation.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-170 Supplemental appropriation - department of local affairs. Amends the 2006 general appropriation act to decrease the total appropriation to the department of local affairs. Decreases the general fund and cash funds exempt portions of the appropriation and increases the cash funds and federal funds portion.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-171 Supplemental appropriation - department of military and veterans affairs. Amends the 2006 general appropriation act to increase the total appropriation to the department of military and veterans affairs. Decreases the general fund and federal funds portions of the appropriation and increases the cash funds exempt portion.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-172 Supplemental appropriation - department of natural resources. Amends the 2006 general appropriation act to decrease the total appropriation to the department of natural resources. Decreases the general fund, cash funds exempt, and federal funds portions of the appropriation and increases the cash funds portion.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-173 Supplemental appropriation - department of personnel. Amends the 2006 general appropriation act to increase the total appropriation to the department of personnel. Increases the general fund, cash funds, and cash funds exempt portions of the appropriation.

Amends the 2005 general appropriation act to increase the total appropriation to the department of personnel. Increases the cash funds exempt portion of the appropriation.

Reduces the amount appropriated for fleet vehicles by Senate Bill 06-015.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-174 Supplemental appropriation - public health and environment. Amends the 2006 general appropriation act to decrease the total appropriation to the department of public

health and environment. Increases the general fund, cash funds, and federal funds portions of the appropriation and decreases the cash funds exempt portion.

Increases the amount appropriated to the disease control and environmental epidemiology division by House Bill 06-1054.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-175 Supplemental appropriation - department of public safety. Amends the 2006 general appropriation act to decrease the total appropriation to the department of public safety. Increases the general fund and federal funds portions of the appropriation and decreases the cash funds and cash funds exempt portions.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-176 Supplemental appropriation - department of regulatory agencies. Amends the 2006 general appropriation act to increase the total appropriation to the department of regulatory agencies. Decreases the general fund portion of the appropriation and increases the cash funds, cash funds exempt, and federal funds portions.

Amends the 2005 general appropriation act to increase the total appropriation to the department of regulatory agencies. Increases the cash funds exempt portion of the appropriation.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-177 Supplemental appropriation - department of revenue. Amends the 2006 general appropriation act to increase the total appropriation to the department of revenue. Decreases the general fund and cash funds portions of the appropriation and increases the cash fund exempt portion.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-178 Supplemental appropriation - department of state. Amends the 2006 general appropriation act to increase the total appropriation to the department of state. Increases the cash funds portion of the appropriation.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-179 Supplemental appropriation - department of transportation. Amends the 2006 general appropriation act to increase the total appropriation to the department of transportation. Decreases the cash funds portion of the appropriation and increases the cash funds exempt portion.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-180 Supplemental appropriation - department of the treasury. Amends the 2006 general appropriation act to increase the total appropriation to the department of the treasury. Increases the general fund portion of the appropriation.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-181 Supplemental appropriation - capital construction. Amends the 2003 general appropriation act to decrease the total appropriation for capital construction projects. Increases the amount appropriated to the department of higher education, Colorado state university at Fort Collins, for the CHILL antenna replacement. Decreases the amount appropriated to the department of public health and environment for the California gulch superfund site cleanup.

Amends the 2004 general appropriation act to increase the total appropriation for capital construction projects. Increases the amount appropriated to the department of higher education, Colorado state university at Fort Collins, for renovations to the university center for the arts. Increases the amount appropriated to the department of natural resources, division of wildlife, for lake Christine dam repairs.

Amends the 2005 general appropriation act to increase the total appropriation for capital construction projects. Increases the amount appropriated to the department of higher education, Colorado state university at Fort Collins, for the regulated materials handling facility. Increases the amount appropriated to the university of Colorado at Boulder for the business school renovation and addition. Increases the amount appropriated to the Colorado historical society for regional museum preservation projects.

Amends the 2006 general appropriation act to increase the total appropriation for capital construction projects. Increases the amount appropriated to the department of higher education, Colorado state university at Fort Collins, for the new computer sciences department - information sciences and technology center. Increases the amount appropriated to Colorado state university at Pueblo, for the health, physical education and recreation building renovation, life/safety upgrade, and for the inclusion of the multi-purpose student recreation field. Increases the amount appropriated to the university of Colorado at Boulder for outdoor recreation facilities. Increases the amount appropriated to the Colorado school of mines for the addition of the Berthoud hall classroom renovation and the Marquez hall petroleum engineering building. Increases the amount appropriated to Northeastern junior college for the telecom information technology upgrade. Increases the amount appropriated to Auraria higher education center for the science building addition and renovations. Increases the amount appropriated to the department of labor and employment for the inclusion of the telephone system and the Frisco workforce center roof replacement. Increases the amount appropriated to the department of natural resources for the state trails grant program and for various state parks, state trail systems, reservoir enhancements, and dam repairs. Increases the amount appropriated to the department of public health and environment for the inclusion of the Clear Creek superfund site. Increases the amount appropriated to the department of revenue for the inclusion of Central City building repairs and Monument port of entry scale pit repair.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-223 Legislative appropriations. Appropriates \$30,870,317 for matters related to the legislative department for the 2007-08 fiscal year. In addition, appropriates \$3,816 from the methamphetamine abuse prevention, intervention, and treatment cash fund to the legislative department for expenses related to the participation of legislative members in the state methamphetamine task force during the 2007-08 fiscal year.

Renames the legislative legal expenses cash fund the legislative expenses cash fund. Includes expenses related to electronic voting equipment in the legislative chambers as a qualified expense for which moneys in such fund may be used.

Requires that any general fund appropriations to the legislative department that are unexpended and unencumbered as of the close of the 2006-07 fiscal year be transferred by the state treasurer to the legislative expenses cash fund. Specifies that the amount transferred shall not exceed \$600,000.

Requires that any general fund appropriations to the legislative department that are unexpended and unencumbered and that are not transferred to the legislative expenses cash fund as of the close of the 2006-07 fiscal year be transferred by the state treasurer to the ballot information publication and distribution revolving fund. Specifies that the amount transferred shall not exceed \$500,000.

APPROVED by Governor April 11, 2007

EFFECTIVE April 11, 2007

S.B. 07-236 Second supplemental appropriation - offices of the governor, Lt governor, and state planning and budgeting. Amends the 2006 general appropriation act as amended by Senate Bill 07-162 to the offices of the governor, Lt. governor, and state planning and budgeting. Increases the general fund portion of the appropriation.

APPROVED by Governor May 2, 2007

EFFECTIVE May 2, 2007

S.B. 07-239 General appropriation - long bill. Makes appropriations for the payment of expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2007. Sets the grand total for the operating budget at \$17,048,815,203 of which \$6,175,958,232 is from the general fund, \$1,038,126,000 is from general fund exempt, \$630,220,465 is from cash funds, \$5,347,292,144 is from cash funds exempt, and \$3,857,218,362 is from federal funds.

Appropriates \$774,215,472 for capital construction projects of which \$238,499,185 is from capital construction fund exempt, \$2,090,000 is from cash funds, \$493,230,718 is from cash funds exempt, and is \$40,395,569 federal funds.

Makes additional changes in appropriations for the 2006-2007 calendar year.

APPROVED by Governor May 2, 2007

EFFECTIVE May 2, 2007
PORTIONS VETOED May 2, 2007

S.B. 07-263 Second supplemental appropriation - capital construction. Amends the 2007 general appropriation act, Senate Bill 07-239, to increase the total amount appropriated for capital construction projects. Increases the amount appropriated to the department of higher

education, Colorado state university at Fort Collins, for the Pitkin station electrical switchgear replacement and the Clark building revitalization. Increases the amount appropriated for Colorado state university at Pueblo for replacement of campus water lines. Increases the amount appropriated for the university of Colorado at Boulder for the main campus tunnel security project, the Ekeley sciences middle wing renovation, and the Ketchum arts and sciences building. Increases the amount appropriated for the university of Colorado at Colorado Springs, Cragmor hall, repair of water lines. Increases the amount appropriated for the university of Colorado at Denver, for the Fitzsimons, building 500, temperature control improvements. Increases the amount appropriated for the Colorado school of mines for the hall of justice demolition. Increases the amount appropriated for the Arapahoe community college for concrete and structural repair of the main building. Increases the amount appropriated for the Front Range community college for the Westminster campus electrical switchgear, phase III and for the Internet protocol telephony project. Increases the amount appropriated for the Lamar community college for telecommunications upgrade. Increases the amount appropriated for Morgan college for the information technology and connectivity. Increases the amount appropriated for Pueblo community college, central administration, repair of electrical distribution panels. Increases the amount appropriated for Trinidad state junior college for the replacement of the San Luis valley campus main building roof. Increases the amount appropriated for the Colorado community colleges at Lowry for building 967, heating and ventilation upgrades. Increases the amount appropriated to the Colorado historical society, Grant Humphreys mansion facilities improvements and the Ute Indian museum.

Increases the amount appropriated to the department of human services for mental health and alcohol and drug abuse services, Colorado mental health institute at Fort Logan for roof repair. Increases the amount appropriated for the Colorado mental health institutes at Fort Logan and Pueblo equipment replacement and suicide risk assessment and prevention. Increases the amount appropriated for the division of youth corrections for the Adams county youth services center renovations.

Increases the amount appropriated to the department of military and veterans affairs for building revitalization.

Increases the amount appropriated to the department of personnel and administration for the Centennial building variable air volume boxes replacement, for the repair of the elevators in the state capitol, and the transmitter site tower emergency repairs.

Increases the amount appropriated to the department of revenue for the Colorado integrated tax architecture fire suppression system.

Provides that if the state controller accrues any amount transferred to the capital construction fund to the general fund pursuant to the provisions of section 24-75-201.1 (1) (d) (IX), the act will not take effect.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

CHILDREN AND DOMESTIC MATTERS

S.B. 07-15 Dissolution of marriage - child support. Reorganizes section 14-10-115, Colorado Revised Statutes, concerning child support without making substantive changes.

APPROVED by Governor March 16, 2007

EFFECTIVE March 16, 2007

S.B. 07-18 Expedited child relinquishment procedures - clarification. Specifies that the juvenile court may terminate the parent-child legal relationship in expedited relinquishment proceedings.

Requires a child placement agency to provide information concerning the status of the court case, the case number, and the court in which the case was filed, if known by the agency, to a birth parent or possible birth parent ("parent") who contacts the agency after the notification procedures have been followed by the agency and the time for response by the parent has expired.

Requires a child placement agency to give notice to a parent in a manner appropriate under the Colorado rules of juvenile procedure for the service of process. Clarifies which notice provisions are used for a person identified as a possible birth parent for the filing of a petition for termination of the parent-child legal relationship. Clarifies that, under certain circumstances, a court may enter an order terminating the parent-child legal relationship without a hearing. Clarifies that, under certain circumstances, a court may terminate the parent-child legal relationship without the birth parent joining in the petition.

APPROVED by Governor March 16, 2007

EFFECTIVE July 1, 2007

S.B. 07-226 Placement of children outside of the home - compliance with changes in federal law - appropriations. To comply with the federal "Safe and Timely Interstate Placement of Foster Children Act of 2006":

- Requires a court to consider both in-state and out-of-state placement options for a child;
- Specifies persons who have a right to be heard in court proceedings;
- Allows a county completing an interstate home study in a timely fashion to receive federal incentive moneys.

To comply with the federal "Child and Family Services Improvement Act of 2006", requires a court to consult with a child, in an age-appropriate manner, regarding the child's permanency plan.

To comply with the federal "Adam Walsh Child Protection and Safety Act of 2006":

- Requires national fingerprint-based criminal history record checks;
- Prior to placement of a child in a home, requires a check to determine if any adult residing in a foster, kinship, or adoptive home has been found to be responsible in a confirmed report of child abuse or neglect in any state in which the adult has resided during the preceding 5 years;
- Allows other states to access Colorado's child abuse and neglect records;
- Requires the department of human services, in accordance with rules of the

state board of human services, to provide notice of the fee for accessing records.

To comply with federal regulations, requires a relative or other person who accepts a child for placement in his or her home to report to a local law enforcement agency within a certain time period for the purpose of providing fingerprints for a criminal history records check. Requires the appropriate agency to remove the child from the home if fingerprints are not provided in a timely manner.

For the 2007-08 fiscal year:

- Appropriates \$79,772 to the Colorado bureau of investigation in the department of public safety for pass-through fees associated with federal records checks; and
- Appropriates \$142,562 to the division of child welfare in the department of human services for implementation of the act.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

H.B. 07-1090 Adoption - investigations by licensed child placement agencies - prospective adoptive parents with felony convictions. Allows a licensed child placement agency to conduct an investigation of a prospective adoptive parent whose fingerprint-based criminal history records check reveals a conviction of a felony or misdemeanor at least 10 years prior to the application for adoption. Prohibits a child from being placed in the prospective adoptive parent's home pending the outcome of the investigation and the court's ruling on the petition for adoption. Creates a series of conditions that, if met, allow a person convicted of a felony offense to adopt a child. Sets forth certain classes of felony offenses that permanently exclude the person from adopting a child.

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

H.B. 07-1129 Restorative justice - consideration of restorative justice programs - coordinating council. Encourages each local juvenile services planning committee to consider restorative justice programs when developing its resources plan. Creates the restorative justice coordinating council in the judicial department to provide assistance and education related to restorative justice programs. Directs the Tony Grampsas youth services board to consider in the grant award process whether a grant program applicant includes restorative justice components.

APPROVED by Governor March 29, 2007

EFFECTIVE March 29, 2007

H.B. 07-1161 Juvenile detention - local risk assessment training - repeal. Subject to available resources, requires local juvenile screening teams to be trained in the use of the risk assessment tool used by the division of youth corrections in the department of human services. Repeals the requirement July 1, 2010.

APPROVED by Governor May 23, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the

effective date, see page vi of this digest.

H.B. 07-1181 Crimes against children - child abuse investigation surcharge fund. Clarifies provisions relating to the child abuse investigation surcharge fund ("fund"). Requires the division of criminal justice in the department of public safety ("division") to establish guidelines for the distribution of moneys from the fund, including accountability and performance standards for programs that receive moneys from the fund. Allows the organization that distributes moneys from the fund to use a portion of the moneys for training and technical assistance, and requires the organization to report annually to the division. Requires programs that receive moneys from the fund to satisfy the accountability and performance standards established by the division.

APPROVED by Governor April 16, 2007

EFFECTIVE April 16, 2007

H.B. 07-1248 Colorado student before-and-after-school project - eligibility - fund - appropriation. Creates the Colorado student before-and-after-school project ("project") within the Tony Grampsas youth services program to provide funding for before-and-after-school programs primarily for youth enrolled in grades 6 through 8. Describes the types of before-and-after-school programs that qualify for funding. Directs the Tony Grampsas youth services board to award the grants using the existing application and award process.

Creates the Colorado student before-and-after-school program fund ("fund"). Appropriates \$300,000 to the department of public health and environment, prevention services division, prevention partnerships, Tony Grampsas youth services program for the Colorado student before-and-after-school project.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1255 Uniform child abduction prevention act. Enables a court in a child-custody proceeding to issue an abduction prevention order with provisions the court determines necessary to protect the safety of the child after it finds evidence of a credible risk that a party will abduct a child to another state or a foreign jurisdiction. Lists the possible risk factors associated with child abduction and the safeguards that may be included in a prevention order to reduce the risk of abduction. Allows a party to obtain a court order directing law enforcement to take physical custody of the child if the court determines that the wrongful abduction of the child is imminent. Establishes the duration of the abduction prevention order. Incorporates the jurisdictional rules and the rules relating to cooperation and communication between courts as provided in the "Uniform Child Custody Jurisdiction and Enforcement Act".

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

H.B. 07-1330 Adoption - second parent adoption. Allows a child to be adopted by a specified second adult parent upon the written and verified consent of the child's sole legal parent if the child has no other legal parent. Allows the use of the same home study report

in cases where the sole legal parent adopted the child within 6 months prior to the second adoption and the second adult parent was included in that home study report.

APPROVED by Governor May 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

CONSUMER AND COMMERCIAL TRANSACTIONS

S.B. 07-57 Debt management - providers - registration - regulation of practices - rules - appropriation. Enacts the "Uniform Debt-Management Services Act" (act). Requires the registration of providers of debt-management services that enter into agreements with individuals for the purpose of creating debt repayment plans. Makes conforming amendments to the "Colorado Credit Services Organization Act".

Designates an assistant attorney general as the administrator of the act, including grants of rule-making authority. Specifies requirements to obtain a registration certificate, including payment of a fee, posting of a bond, and proof of insurance. Establishes requirements for the negotiation, contents, performance, and termination of agreements. Allows enforcement of the act by both the administrator and by private individuals, including recovery of minimum, actual, and, in appropriate cases, punitive damages.

Repeals the act in 2015 pursuant to the provisions of the sunset review law.

Appropriates \$69,717 and 1.0 FTE to the department of law for allocation to the consumer protection section and \$11,850 to the department of public safety for allocation to the Colorado bureau of investigation for the implementation of the act.

APPROVED by Governor June 1, 2007

EFFECTIVE January 1, 2008

S.B. 07-144 Small consumer loans - acquisition charge - refund calculation - collateral - refinance limit. Limits the acquisition charge for a refinanced loan to 7.5% of the amount financed. Changes the way a refund to the consumer is calculated for the prepayment of consumer loans where the amount financed is not more than \$1,000. Limits the number of times a small consumer loan may be refinanced to 3 times per year. Prohibits a creditor from taking collateral from a consumer for an amount owed on a small consumer loan.

APPROVED by Governor May 3, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1208 Discriminatory sales - sales below cost - prohibition. Repeals the prohibition against selling motor fuel below cost. When determining whether a vendor or distributor has sold a product or service below cost, requires the calculation of such cost to be determined by the combined total selling price of all products or services compared to the combined total cost of all products or services involved in the sales.

APPROVED by Governor April 16, 2007

EFFECTIVE April 16, 2007

H.B. 07-1214 Uniform commercial code - documents of title. Adopts the final version of article 7 of the "Uniform Commercial Code" relating to documents of title.

APPROVED by Governor April 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the

effective date, see page vi of this digest.

H.B. 07-1261 Deferred deposit loans - requirements - consecutive loans - offer of payment plan. Requires a deferred deposit lender to offer, in writing, a voluntary payment plan to a consumer who has received 4 or more consecutive deferred deposit loans from the lender or an affiliate of the lender. Requires the plan to allow for at least 6 equal payments that coincide with the consumer's pay dates. Prohibits a lender from collecting a fee from the consumer for participation in the payment plan. Grants remedies to the lender if a consumer fails to make payments pursuant to the plan.

APPROVED by Governor April 2, 2007

EFFECTIVE July 1, 2007

H.B. 07-1327 Consumer credit - notice of delinquency charges. Allows a creditor that provides periodic statements for each installment payment owed by a consumer to notify the consumer of the assessment of a delinquency charge on or with the next periodic statement provided to the consumer after the charge has been assessed.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

CORPORATIONS AND ASSOCIATIONS

H.B. 07-1135 Business entities - merger- conversion - annual reports. Clarifies merger and conversion provisions, consolidation provisions for cooperatives, and share exchange provisions for corporations.

Changes, in certain instances, the term "principal office address" to "principal address" to cover individuals and persons.

Establishes that a member of a limited liability company ceases to be a member upon assignment or transfer of all the member's membership interest.

After July 27, 2009, allows a limited partnership to elect to be a reporting entity. Requires a new limited partnership to file an annual report.

APPROVED by Governor March 26, 2007

EFFECTIVE May 29, 2007

CORRECTIONS

H.B. 07-1093 Prison or juvenile detention facility rape - policies and procedures - investigations - report to the judiciary committees - appropriation. Directs the department of corrections ("department") and the division of youth corrections in the department of human services ("division") to develop polices and procedures to:

- Require disciplinary action for employees who fail to report incidences of sexual assault to the inspector general;
- Require the inspector general, after completing an investigation for sexual assault, to submit the findings to the district attorney with jurisdiction over the facility in which the alleged sexual assault occurred;
- Prohibit retaliation and disincentives for reporting sexual assaults;
- Provide reasonable safety measure to a sexual assault victim, including separation from the assailant, if known;
- Provide confidentiality of rape complaints;
- Provide acute trauma care for sexual assault victims, including but not limited to treatment of injuries, HIV/AIDS prophylactic measures, and testing for sexually transmitted diseases;
- Provide, at intake and periodically thereafter, information on sexual assault prevention, treatment, and counseling;
- Provide sexual-assault-specific training to department and division mental health professionals and employees regarding treatment and methods of prevention and investigation;
- Provide confidential mental health counseling;
- Monitor victims of sexual assault for suicidal impulses, post-traumatic stress disorder, depression, and other mental health consequences resulting from the sexual assault; and
- Require termination of an employee who engages in a sexual assault on or sexual conduct with an inmate or a detained juvenile.

Requires persons investigating sexual assaults in penal institutions or juvenile detention facilities to be trained in sex crimes investigation.

Requires the department and the division to provide the information it provides to the federal government as required by the federal "Prison Rape Elimination Act of 2003" to the judiciary committees of the general assembly.

For the 2007-08 fiscal year, appropriates \$57,390 from the general fund to the department of human services for allocation to the division of youth corrections for implementation of the act.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1369 Inmate eligibility for public benefits - application assistance. Deletes the repeal of the section requiring correctional personnel to assist inmates who may be eligible for public benefits in applying for the benefits. Deletes references to the date by which state agencies are to perform certain functions related to such assistance.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

COURTS

S.B. 07-3 Advisory board - persons with mental illness in the criminal justice system - competency evaluations - reporting requirements - repeal. Creates an advisory board to study and recommend standards regarding the level of training, education, and experience that a psychiatrist or psychologist shall have to be qualified to perform competency evaluations in criminal cases and standards for conducting competency evaluations. Outlines the membership of the advisory board. Schedules the advisory board for repeal in 2010. Requires the state board of human services to promulgate rules based on the advisory board's recommendations.

APPROVED by Governor March 8, 2007

EFFECTIVE March 8, 2007

S.B. 07-43 Health care providers rendering emergency assistance - competitive sports - exemption from civil liability - exceptions. Exempts from civil liability certain licensed and certified health care providers who, in good faith and without compensation, render emergency care or emergency assistance, including sideline or on-field care as a team health care provider, to an individual injured while engaging in a competitive sport sponsored by a public or private school, college, or university or by a league, club, or organization that promotes sporting events. Specifies that the exemption does not include acts or omissions that are grossly negligent, willful and wanton, or outside the scope of the license or certificate held by the health care provider.

APPROVED by Governor April 2, 2007

EFFECTIVE July 1, 2007

S.B. 07-66 Health care availability act - judgments - lump sum payment election as to future damage award - immediate payment - age of eligible plaintiff - plaintiff under disability - legal representative - right to take action. Lowers from 21 to 18 the age at which a plaintiff is eligible to elect to receive an immediate lump-sum payment of a future damage award under the "Health Care Availability Act" ("Act"). Extends the right to elect to receive an immediate lump-sum payment under the Act if the plaintiff is a person under disability who has a legal representative to take action on his or her behalf. Expands the rights of a legal representative of a person under disability to elect the form in which to receive payment.

APPROVED by Governor March 22, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-87 Construction agreements - shifting financial responsibility for negligence - void as against public policy - exceptions. Specifies that a provision in a construction agreement that holds a person responsible under the agreement for the negligence of another party is void as against public policy and unenforceable. Specifies that a construction agreement may hold a negligent party responsible for indemnifying other parties but only to the extent of the indemnifying party's negligence. Prevents any party to a construction agreement from transferring responsibility for its own negligence to another party.

Permits a construction agreement to require the indemnitor to purchase, maintain, and carry insurance covering the acts or omissions of the indemnitor. Permits a construction

agreement to require the indemnitor to name the indemnitee as an additional insured on the indemnitor's policy of insurance, but only to the extent that such additional insured coverage provides coverage to the indemnitee for liability due to the acts or omissions of the indemnitor. Specifies that a provision in a construction agreement that requires the purchase of additional insured coverage for damage arising out of death or bodily injury to persons or damage to property from any acts or omissions that are not caused by the negligence or fault of the party providing such additional insured coverage is void as against public policy.

Specifies that, for purposes of shifting financial responsibility for negligence, "construction agreement" does not include an agreement affecting property owned or operated by a railroad, sanitation district, water district, water and sanitation district, municipal water enterprise, water conservancy district, water conservation district, or metropolitan sewage disposal district or a real property rental agreement between a landlord and tenant.

Clarifies that builder's risk insurance, the doctrine of respondeat superior liability, vicarious liability, nondelegable duties at common law, the liability for the negligence of an at-fault party, and the remedy and immunity under the worker's compensation laws are not affected. Specifies that, notwithstanding any contractual provision to the contrary, Colorado law shall apply to every construction agreement that affects improvements to real property located in Colorado.

APPROVED by Governor April 11, 2007

EFFECTIVE July 1, 2007

S.B. 07-108 Alternate defense counsel - commission members' experience - policies and procedures. Changes the requirement that attorney members of the alternate defense counsel commission ("commission") be engaged in the practice of criminal law to requiring the attorney members to have experience in the practice of criminal law. Requires the commission to adopt written procedures governing the hiring, evaluation, and termination of the alternate defense counsel; the resolution of contractual disputes; and the processing and resolution of complaints.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

S.B. 07-117 Unfair employment practices - employee remedy - civil action - prevailing party plaintiff - award of attorney fees and costs - inapplicability. If the prevailing party in a civil action to remedy certain unfair employment practices is the plaintiff, requires the court to award the plaintiff court costs and a reasonable attorney fee. Specifies that the award does not apply to an employee of a business that has or had 15 or fewer employees during each of 20 or more calendar work weeks in the current or preceding calendar year.

APPROVED by Governor May 14, 2007

EFFECTIVE July 1, 2007

S.B. 07-118 Court security cash fund - court security cash fund commission - duties of commission - surcharges assessed on court filings - grants to counties - repeal - appropriation. Creates the court security cash fund commission ("commission") and court security cash fund ("fund"). Specifies that the purposes of the fund and commission are to provide supplemental funding to counties with the most limited financial resources through

grants for ongoing security staffing, security equipment costs, training of local security teams, and emergency court security needs.

Requires the commission to be in place by July 1, 2007. Specifies the composition and duties of the commission. Requires a \$5 surcharge to be assessed and collected on certain court filing fees for civil actions commenced, and criminal convictions entered, on and after July 1, 2007. Requires the surcharge to be credited to the fund.

Specifies the procedure by which grants are made by the commission from the fund to counties upon the application submitted by local security teams to the state court administrator. Requires the commission to establish timelines and guidelines governing grant applications.

Repeals the commission and fund, effective January 1, 2017, following review.

Appropriates \$2,194,622 and 1.0 FTE from the court security cash fund to the judicial department for the fiscal year beginning July 1, 2007, for the implementation of the act.

APPROVED by Governor May 25, 2007

EFFECTIVE May 25, 2007

S.B. 07-129 Damages limitations - inflationary adjustment - post-enactment review. Updates the 1998 inflation adjustment in certain damages limitation statutes by requiring that another inflation adjustment occur on January 1, 2008. Specifies that the updated inflation adjustment be made in the damages limitation statutes concerning alcohol beverage licensees, noneconomic damages, and wrongful death.

Requires a post-enactment review of the implementation of the bill 2 years after its enactment.

APPROVED by Governor April 2, 2007

EFFECTIVE July 1, 2007

S.B. 07-136 Civil protection orders - additional orders - temporary injunction - function - accounting for extraordinary expenditures. Permits a court in a civil protection order case to issue a temporary injunction to restrain a defendant from ceasing to make payments for mortgage, rent, insurance, utilities or related services, transportation, medical care, or child care when the defendant has a prior existing duty or legal obligation. Specifies that the temporary injunction may restrain the defendant from transferring, encumbering, concealing, or disposing of personal or real property except in the usual course of business or for the necessities of life.

Requires a defendant against whom a temporary injunction is issued to account to the court for all extraordinary expenditures made after the injunction is in effect. Specifies that a temporary injunction shall not exceed 120 days after the issuance of the related permanent civil protection order.

Requires the provisions of the temporary injunction to be printed on the summons. Specifies that the temporary injunction becomes a court order after the fulfillment of certain requirements. Clarifies that, in addition to the temporary injunction, a party may still apply to the court for further temporary orders, an expanded temporary injunction, modification, or revocation. Clarifies that a court order subsequently issued as part of a domestic matter

involving the parties shall supersede a temporary injunction issued in a civil protection order case.

APPROVED by Governor May 17, 2007

EFFECTIVE July 1, 2007

S.B. 07-158 Debt collection proceedings - exempt assets. Increases the value of property that is exempt from attachment or execution and amends the definition of "elderly" for purposes of exempt property to include persons 60 years of age or older. Adds refunds for child tax credits to the exemption for certain income tax refunds. Adds maintenance and other court-ordered domestic support obligations or payments to property exempt from attachment or execution. Adds a portion of public or private disability benefits or proceeds to property that is exempt from attachment or execution. Specifies that a debtor shall not avoid a consensual lien on property otherwise eligible to be claimed as exempt property.

On and after July 1, 2007, revises the formula for computing the amount of wages that may be protected from garnishment or levy to reflect the state minimum wage.

Increases the amount of the homestead exemption, and clarifies the amount of the exemption based upon who is occupying the home. Increases the time period within which the proceeds arising from the sale of a homestead are exempt.

Exempts the proceeds from workers' compensation claims from levy, execution, or attachment.

APPROVED by Governor May 14, 2007

PORTIONS EFFECTIVE May 14, 2007
PORTIONS EFFECTIVE July 1, 2007

S.B. 07-262 Criminal justice agencies - county departments - office of the state public defender - electronic read-only access to the integrated Colorado on-line network - committee. Allows criminal justice agencies statewide electronic read-only access to the name index and register of actions for dependency and neglect cases of the integrated Colorado on-line network ("ICON") of the state judicial department. Allows county departments and the office of the state public defender to have statewide electronic read-only access to the name index and register of actions of the judicial department for juvenile delinquency proceedings.

Requires the state court administrator's office to convene a committee of governmental agencies to consider electronic access to information available from the state judicial department and report to the legislative council of the general assembly on or before December 1, 2007.

APPROVED by Governor May 25, 2007

EFFECTIVE July 1, 2007

H.B. 07-1054 District and county court judges - court of appeals judges - increase in number - fees and moneys collected by judicial branch - appropriation. Increases the number of district court judges in the 1st, 2nd, 4th, 8th, 9th, 10th, 11th, 12th, 14th, 17th, 18th, 19th, 20th, 21st, and 22nd judicial districts. Implements the increases from 2007 to

2010.

Increases the number of county judges in Jefferson, El Paso, Larimer, Adams, and Arapahoe counties. Implements the increases in 2008 and 2009.

Increases the number of judges of the Colorado court of appeals from 19 to 22. Implements the increase in 2008.

Requires certain fees, surcharges, moneys, penalties, claims, and judgments collected by the state judicial branch to be transmitted to the state treasurer for deposit in the judicial stabilization cash fund beginning in 2007, 2008, 2009, and 2010.

Appropriates \$4,107,382 and 52.0 FTE to the judicial department.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1057 Family advocate demonstration program - initial report - final report and recommendations - appropriation. Creates demonstration programs for system of care family advocates for mental health juvenile justice populations ("programs"). Requires the division of mental health ("DMH") in the department of human services, with input, cooperation, and support services from the division of criminal justice ("DCJ") in the department of public safety, family advocacy coalitions, and the task force for the continuing examination of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems in Colorado ("task force") to implement and monitor the programs. On or before September 1, 2007, requires the DMH to develop, after consultation with family advocacy coalitions, the task force, and the DCJ, a request for proposals for the programs. Directs the request for proposals to include specified minimum criteria.

By November 15, 2007, directs the DMH to select, after consultation with family advocacy coalitions, the task force, and the DCJ, 3 programs, including one from an urban area, one from a suburban area, and one from a rural area. Requires selected programs to contribute funds or services equal to 20% of the total needed for the programs.

Directs that, by January 1, 2008, the DMH shall prepare an initial report of the programs. Requires the DCJ, by June 1, 2010, to complete a comprehensive evaluation of the programs. Requires the legislative oversight committee for the continuing examination of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems, after receiving recommendations from the task force, to make a recommendation by July 1, 2010, related to the continuation of the programs. Creates a cash fund that may receive gifts, grants, and donations to pay for the reporting and evaluation required by the act. Repeals the demonstrations programs, effective July 1, 2011.

For the 2007-08 fiscal year, appropriates \$172,715 from the short-term grants for innovative health programs grant fund to the DMH and the DCJ for the implementation of the act. For the 2008-09, 2009-10, and 2010-11 fiscal years, annually appropriates \$221,717 from the short-term grants for innovative health programs grant fund to the DMH and the DCJ for the implementation of the act.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1107 Criminal records - sealing of arrest and conviction records - exemptions - applicability - appropriation. Reduces the time from 15 years to 10 years that a person must wait before filing a petition to seal arrest and criminal conviction records ("conviction records") information pertaining to a criminal offense that was not charged or a case that was dismissed due to a plea agreement in a separate case. Requires a probation department or a parole officer under certain circumstances to advise a defendant of the right to seal conviction records.

Permits a defendant who is convicted of an offense, after 10 years following completion of the sentence or release from supervision, whichever is later, to petition the district court to seal conviction records if the defendant has not been charged with or convicted of a criminal offense in the 10 years since the date of the final disposition of all criminal proceedings against him or her. Stipulates that an order sealing conviction records shall not deny access to those records by a court, law enforcement agency, or criminal justice agency, prosecuting attorney or by a party or agency required by law to conduct a criminal history records check on an individual.

Prohibits the sealing of conviction records if the defendant still owes court-ordered restitution, fines, or fees. Specifies the procedure for sealing conviction records. Requires the court, in making the decision whether to seal the conviction records, to weigh the privacy interests of the petitioner against the public interest in retaining access to the conviction records.

Prohibits employers and certain institutions and agencies from requiring an applicant to disclose information in sealed conviction records. Permits the bar committee of the state board of law examiners to make inquiries into the fact of a conviction that comes to the attention of the bar committee through other means. Requires a defendant to be advised of the right to seal conviction records by the court, the probation department, and the defendant's parole officer under the appropriate circumstances.

Allows any member of the public to petition the court to unseal any conviction records that have been previously sealed upon a showing of new circumstances since the original sealing that result in the public's interest in disclosure outweighing the defendant's interest in privacy.

Requires the office of the state court administrator to post on its website a list of each petition to seal conviction records for at least 30 days after it is filed with a district court. Requires the district court to wait at least 30 days following the posting of the petition information on the website before granting a petition to seal conviction records.

Prohibits the sealing of conviction records as to traffic offenses and infractions, any offense with an underlying factual basis involving unlawful sexual behavior, and crimes involving specified special circumstances for which enhanced sentencing is required. Specifies that court orders sealing conviction records shall not limit the operation of discovery rules in civil cases.

Specifies that the conviction records sealing procedure shall apply to judgments of conviction entered on and after July 1, 2007. Permits the procedure to apply to judgments of conviction entered prior to July 1, 2007, if the prosecuting attorney does not object and the defendant pays all reasonable associated attorney fees and costs related to the filing of the petition.

For the 2007-08 fiscal year, appropriates \$455,679 and 6.5 FTE from the judicial stabilization cash fund to the judicial department for the implementation of the act.

VETOED by the Governor June 1, 2007

H.B. 07-1147 Witness protection materials - confidential - in camera review for disclosure - misdemeanor - open records exception Declares that materials related to witness protection matters are confidential. Allows the discovery of such materials if the court, after an in camera review, determines the materials are necessary for resolution of a matter before the court. Makes disclosing confidential witness protection materials a class 1 misdemeanor. States that materials related to witness protection matters are not subject to inspection under the open records law.

APPROVED by Governor March 5, 2007

EFFECTIVE March 5, 2007

H.B. 07-1207 County courts - reclassification of Fremont county for organizational and administrative purposes. Reclassifies Fremont county from a class C county to a class B county for organizational and administrative purposes concerning county courts.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

H.B. 07-1338 Residential property owners - remedies - restrictions on legal rights - elimination - Homeowner Protection Act of 2007. Makes waivers of certain basic statutory rights and remedies by residential property owners in their transactions with construction professionals void as against public policy.

APPROVED by Governor April 20, 2007

EFFECTIVE April 20, 2007

CRIMINAL LAW AND PROCEDURE

S.B. 07-17 Sex offender management board - appointment of additional members. Adds 3 members to the sex offender management board. Specifies that the members shall consist of one county director of social services and 2 county commissioners, one representing an urban or a suburban county and one representing a rural county. Directs that the members be appointed by the executive director of the department of public safety, after consultation with a statewide group that represents counties. Specifies the length of the terms of the members.

APPROVED by Governor March 16, 2007

EFFECTIVE March 16, 2007

S.B. 07-34 Concealed handgun permits - reciprocity. Clarifies that a person can use a permit issued by another state to carry a concealed handgun or weapon only if the person is a resident of the issuing state or has resided in Colorado for no more than 90 days.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

S.B. 07-55 Victim compensation and victim assistance - surcharges - repeal - appropriation. Increases costs levied for the benefit of crime victims on certain criminal actions. Adds surcharges to traffic infractions and offenses to fund the crime victim compensation fund. Rounds surcharges imposed for traffic infractions and offenses to the nearest dollar to facilitate the collection of surcharges.

Transfers one-half of certain surcharges collected for the victims and witnesses assistance and law enforcement fund to the general fund. Repeals this transfer effective July 1, 2008.

For the 2007-08 fiscal year, appropriates \$4,186,071 to the judicial department for the implementation of the act, of which \$2,901,319 is from the crime victim compensation fund, and \$1,284,752 is from the victims and witnesses assistance and law enforcement fund.

APPROVED by Governor May 23, 2007

EFFECTIVE July 1, 2007

S.B. 07-96 Theft - at-risk adult or at-risk juvenile - appropriation. Creates a new classification for theft from an at-risk adult or at-risk juvenile when the theft is committed by a person in a position of trust.

Makes the following appropriations:

- For the fiscal year beginning July 1, 2007, appropriates \$375,495 from the capital construction fund to the corrections expansion reserve fund.
- For the fiscal year beginning July 1, 2008, appropriates \$325,429 from the capital construction fund to the corrections expansion reserve fund and \$82,761 from the general fund to the department of corrections.
- For the fiscal year beginning July 1, 2009, appropriates \$150,198 from the capital construction fund to the corrections expansion reserve fund and \$154,487 from the general fund to the department of corrections.

- For the fiscal year beginning July 1, 2010, appropriates \$750,990 from the capital construction fund to the corrections expansion reserve fund and \$187,592 from the general fund to the department of corrections.
- For the fiscal year beginning July 1, 2011, appropriates \$750,990 from the capital construction fund to the corrections expansion reserve fund and \$353,114 from the general fund to the department of corrections.

APPROVED by Governor June 1, 2007

EFFECTIVE July 1, 2007

S.B. 07-114 Substantive criminal law - crime clarifications - no bail for child abuse resulting in death - conforming changes for internet luring - gravity knife - mental health records. Clarifies the authority to prosecute distribution of alcohol as contributing to the delinquency of a minor.

Prohibits a court from granting a defendant bail pending sentencing if the defendant is convicted of child abuse resulting in death. Requires a person convicted of internet luring of a child to register as a sex offender. Prohibits the use of the purported age of a child as a defense for criminal conduct that depends on the defendant being in a position of trust. Clarifies the penalties for second degree kidnapping.

Defines "gravity knife" to include a butterfly knife.

Adds internet luring of a child to the list of offenses that are subject to the crimes against children surcharge. Clarifies the crime of internet luring of a child.

Adds mental health records to the theft of medical records crime.

Repeals the requirement that the director of the joint budget committee staff certify to the revisor of statutes that a certain amount of money is transferred to the drug offender treatment fund.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

S.B. 07-115 Wiretap - ex parte order exception. Permits a wiretap without an ex parte order, for a period not to exceed 24 hours, when an emergency situation exists where one or more suspects in a felony crime have barricaded themselves in a building and one or more of the suspects is armed with a deadly weapon or explosive device.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

S.B. 07-260 Property offenses - threshold loss amounts - increase - study and recommendations for future inflationary increases. Increases various threshold loss amounts that determine the level of offense for various offenses involving property. Beginning January 15, 2011, and every 5 years thereafter, requires the division of criminal justice in the department of public safety to report, in consultation with the state economist, to the judiciary committees of the general assembly recommendations for changes to the threshold loss amounts based upon inflationary changes during the previous 5 years.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1004 Sex offender lifetime supervision report - treatment and monitoring program information. Requires additional information to be included in the annual report regarding the "Colorado Sex Offender Lifetime Supervision Act of 1998" related to offenders who are in the department of corrections sex offender treatment and monitoring program.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1010 Search and arrest warrants - process by electronic transfer - electronic signature. Permits an application for a search warrant or an arrest warrant to be submitted by an electronic transfer that may include an electronic signature. Allows the court to issue a search warrant or an arrest warrant by electronic transfer that may include an electronic signature.

APPROVED by Governor March 1, 2007

EFFECTIVE March 1, 2007

H.B. 07-1040 Illegal immigrant legal process - no-bond warrant upon removal - no dismissal of charges - forfeiture of bond and fees upon removal - appropriation - post-enactment review. Requires a court to issue a no-bond warrant when a defendant is determined to be illegally present in the country and the defendant is either removed from the country or is subject to removal. Directs that a no-bond warrant be issued when a defendant who has posted a bond is released to the immigration and customs enforcement agency. Requires that a defendant arrested on a no-bond warrant be taken into custody and held.

Prohibits a court from dismissing criminal charges, at any stage of criminal proceedings, against a person who is illegally present in the country, except upon the motion of the district attorney.

Requires a law enforcement agency to notify a defendant's bail agent if the agency has probable cause to believe, after investigation, that the defendant is in the country illegally. Directs a person, other than a bail bond agent, to sign a waiver stating the person will forfeit the bond and fees if the defendant is removed from the county. Requires the defendant or a person other than a bail agent to forfeit the bond and fees on a felony or class 1 or 2 misdemeanor if the defendant is removed from the country. If, after bail is posted, it is determined that the defendant was in the country illegally, directs the court to return all of the bail documents to the bail agent, and directs the agent to return the bail fee to the court for forfeiture. Credits the bonds and fees to the capital construction fund for transfer to the corrections expansion reserve fund for use in prison bed construction and operations.

Makes a 5-year statutory appropriation for implementation of the act, as follows: For the 2007-08 fiscal year, appropriates \$1,126,485 from the capital construction fund to the corrections expansion reserve fund for prison construction; for the 2008-09 fiscal year, appropriates \$700,924 from the capital construction fund to the corrections expansion reserve fund for prison construction and appropriates \$248,823 to the department of corrections from the corrections expansion reserve fund for operations; for the 2009-10 fiscal year, appropriates \$375,495 from the capital construction fund to the corrections expansion reserve fund for prison construction and appropriates \$402,770 to the department of corrections from the corrections expansion reserve fund for operations; for the 2010-11

fiscal year, appropriates \$50,066 from the capital construction fund to the corrections expansion reserve fund for prison construction and appropriates \$485,531 to the department of corrections for operations; and for the 2011-12 fiscal year, appropriates \$496,566 to the department of corrections from the corrections expansion reserve fund for operations.

Requires a 2-year post-enactment review of the act.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1050 Flag displays on flagstaffs of public buildings or grounds - prohibition - exceptions. Prohibits the display of certain flags on the permanent flagstaffs of public buildings or grounds. Repeals the petty offense involving flag displays that may cause a breach of the peace. Expands the types of flags allowed to be displayed on permanent flagstaffs of public buildings or grounds to include: Prisoner of war and missing in action flags; veteran commemorative flags; United States or state armed forces or military commemorative flags; foreign nation flags on special, ceremonial occasions; and flags for educational, cultural, or historical purposes with the prior permission of the chief administrative officer of the building or grounds.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1067 Sex offenders - registration requirements. Requires a sex offender whose place of residence is a trailer or motor home to include in his or her registration form the address at which the trailer or motor home is lawfully located. Repeals language that allows a sex offender to register a motor vehicle as a residence. Requires a sex offender to register identifying information concerning any motor vehicle he or she owns or leases. Requires a sex offender whose place of residence is a trailer or motor home to register a new address if the trailer or motor home is moved to a new address. Adds to the offense of failure to register as a sex offender the failure of a sex offender whose place of residence is a trailer or motor home to register an address at which the trailer or motor home will be lawfully located.

APPROVED by Governor March 26, 2007

EFFECTIVE March 26, 2007

H.B. 07-1141 Commodity metals sale -record of seller identification and ownership - regulation exemptions - criminal penalty. Requires a purchaser of commodity metals to verify and record the seller's identification. Specifies what qualifies as sufficient proof of identification. Requires the seller to provide a signed affidavit to the purchaser indicating that the seller is the owner of the metal or is entitled to sell the metal. Requires the purchaser to hold the commodity metal unchanged for 5 days unless there is a digital record of the seller and commodity metal. States that a beer keg suitable for reuse is not exempt from the commodity metal sale regulations. Exempts recycling centers and curbside recycling from the regulations.

Makes a violation of the regulations a class 2 misdemeanor if the value of the

commodity metal is less than \$500 and a class 1 misdemeanor if the value of the commodity metal is \$500 or more.

APPROVED by Governor May 14, 2007

EFFECTIVE July 1, 2007

H.B. 07-1171 Sex offenders - presentence report requirement - exception. Requires each person convicted as a sex offender to receive a presentence report unless a presentence report has been completed on the offender in the last 6 months and there has been no material change that would affect the report. Requires the presentence report to include, when appropriate, the risk assessment screening.

APPROVED by Governor March 26, 2007

EFFECTIVE March 26, 2007

H.B. 07-1172 Sexually violent predators - annual report. Directs the department of corrections and the judicial department to jointly submit to the judiciary committees of the general assembly, the division of criminal justice in the department of public safety, and the governor an annual report concerning sexually violent predators who are in or released from the custody of the department of corrections or who are on probation.

APPROVED by Governor March 26, 2007

EFFECTIVE March 26, 2007

H.B. 07-1173 Reserve peace officer status - volunteer peace officer. States a reserve peace officer may be a fully P.O.S.T.-certified peace officer serving as a volunteer and may be granted full peace officer status and authority at the discretion of the appointing authority. Repeals language that requires a reserve officer's uniform to be distinguishable from a P.O.S.T.-certified officer's uniform.

APPROVED by Governor March 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1174 Concealed carry permit database - repeal - law enforcement use - audit. Extends the repeal of the statewide concealed handgun permit database to July 1, 2011. Prohibits a law enforcement officer from using the database to establish either reasonable suspicion for a traffic stop or probable cause for a search or seizure.

Requires the state auditor to conduct a performance audit of the concealed handgun permit database and provide an audit report prior to January 1, 2011. Directs the audit to consider:

- The accuracy of the information contained in the database;
- The security of the information contained in the database;
- The benefit of the database for law enforcement; and
- The benefit of the database for public safety.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

H.B. 07-1235 Cruelty to animals - impounded and forfeited animals - euthanasia - dangerous dogs - property damage - sexual act with animal - injured animals - euthanasia - domestic violence - violation of court order protecting animals - aggravated animal cruelty offenders - genetic testing. Permits an impounded or forfeited animal that is injured, disabled, or diseased to be euthanized without a court order under certain circumstances. Makes it a petty offense for an owner to own a dangerous dog that damages the property of another person. Authorizes an agent of the bureau of animal protection or a peace officer, under certain circumstances, to euthanize an animal that is injured, disabled, or diseased.

Specifies that a sexual act with an animal constitutes cruelty to animals. Expands "domestic violence" to include crimes against animals when used as a method of coercion in a personal relationship. Includes within the crime of violation of a protective order contact with or harm to an animal protected by the order. Applies the mandatory requirement for genetic testing of convicted offenders to persons convicted of aggravated cruelty to animals.

APPROVED by Governor May 5, 2007

EFFECTIVE July 1, 2007

H.B. 07-1315 Defendant's rights - sex offender management board and domestic violence offender management board membership - sentencing court jurisdiction of boot camp sentences - misdemeanor sentencing. Adds a criminal defense attorney to the sex offender management board and the domestic violence offender management board.

Provides that the sentencing court, in a case where an offender is sentenced to boot camp, shall retain jurisdiction of the case to consider motions for reconsideration when the offender's case is on appeal.

Prohibits a court from requiring a defendant to serve a sentence in county jail for a misdemeanor consecutive to a sentence to the department of corrections. Permits a defendant convicted of a misdemeanor to receive credit for time served prior to sentencing.

APPROVED by Governor April 16, 2007

EFFECTIVE April 16, 2007

H.B. 07-1317 Sex offenders - registration information - web site posting - educational information. Requires a local law enforcement agency that chooses to post sex offender registration information on its web site also to post educational information concerning protection from sex offenders or provide a link to the educational information included on the Colorado bureau of investigation web site. Directs the local law enforcement agency to work with the sex offender management board and sexual assault victims' advocacy groups in preparing the educational information.

APPROVED by Governor April 26, 2007

EFFECTIVE April 26, 2007

H.B. 07-1326 Sex offenders - registration - child sex crime offenders - register email addresses, instant-messaging identities, or chat room identities - reasonable effort to verify - appropriation. Requires a sex offender who has been convicted of a child sex crime, when registering as a sex offender, to provide any email address, instant-messaging identity, or chat room identity prior to using the address or identity. Exempts registering a work email address if the email address is supplied by an employer primarily for work, the address

includes the employer by name or other identifier, and the offender is not the owner of the company. Requires a reasonable effort be made to verify the information provided, including requiring the registrant to sign a statement that the information provided is accurate.

Makes a statutory 5-year appropriation for implementation of the act as follows: For the 2007-08 fiscal year, appropriates \$500,660 from the capital construction fund to the corrections expansion reserve fund; for the 2008-09 fiscal year, appropriates \$150,198 from the capital construction fund to the corrections expansion reserve fund and appropriates \$110,348 from the general fund to the department of corrections; for the 2009-10 fiscal year, appropriates \$75,099 from the capital construction fund to the corrections expansion reserve fund and appropriates \$143,452 from the general fund to the department of corrections; for the 2010-11 fiscal year, appropriates \$160,005 from the general fund to the department of corrections; and for the 2011-12 fiscal year, appropriates \$160,005 from the general fund to the department of corrections.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1343 DNA testing - all felons in custody - appropriation. Beginning July 1, 2007, extends DNA testing requirements to all adults convicted of a felony or of a misdemeanor involving unlawful sexual behavior who are in custody, on parole, or on probation. Beginning July 1, 2007, extends DNA testing requirements to all juveniles who are adjudicated for an offense that would constitute a felony or a misdemeanor involving unlawful sexual behavior if committed by an adult and, as a result, are in custody, on parole, or on probation.

For the 2007-08 fiscal year, appropriates \$27,560 to the department of public safety for allocation to the Colorado bureau of investigation for implementation of the act; and appropriates \$4,960 from the offender identification fund to the department of corrections for implementation of the act.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1358 Colorado criminal and juvenile justice commission - members - empirical analysis - annual report and recommendations - appropriation. Creates the Colorado criminal and juvenile justice commission ("commission"). States that the commission shall consist of 26 voting members, including 8 ex officio members, 4 legislative members, 2 members appointed by the chief justice, and 12 members appointed by the governor.

States that the mission of the commission is to enhance public safety, ensure justice, and protect the rights of victims through the cost-effective use of public resources. Requires the commission to:

- Conduct an empirical analysis of and collect evidence-based data on sentencing policies and practices;
- Investigate effective alternatives to incarceration, the factors contributing to recidivism, evidence-based recidivism reduction initiatives, and cost-effective crime prevention programs;
- Make an annual report of findings and recommendations, including evidence-based analysis and data;

- Study and evaluate the outcomes of commission recommendations as implemented;
- Conduct studies and make recommendations concerning policies and practices in the criminal justice system;
- Prioritize areas of study based on the potential impact on crime and corrections and the resources available for conducting the work; and
- Work with other state-established boards, task forces, or commissions that study or address criminal justice issues.

Directs the commission to create advisory committees that will study and report findings on issues the commission is considering. Requires the division of criminal justice in the department of public safety to provide staff assistance to the commission. Permits the acceptance of gifts, grants, and donations for the operation of the commission, and creates a cash fund for the receipt of those moneys. Repeals the commission, effective July 1, 2013.

For the 2007-08 fiscal year, appropriates \$92,657 and 1.0 FTE from the general fund to the department of public safety for implementation of the act; appropriates \$28,080 from the general fund to the department of corrections for implementation of this act; and appropriates \$1,920 from the general fund to the legislative department for implementation of the act.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

H.B. 07-1363 Competency - defendant's motion to terminate criminal proceeding. Permits a defendant to move to terminate the criminal proceedings and the commitment or treatment order against him or her if there is a substantial probability that the defendant will not be restored to competency in the foreseeable future.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1375 Sexual assault reports - licensed professionals. In a disciplinary case involving a licensed professional who is accused of a sex offense, requires a victim's advocate in the attorney general's office to advise the victim of the alleged offense of his or her right to pursue criminal and civil action and the applicable statute of limitations and to provide the victim with contact information for the law enforcement agencies and community-based resources in the jurisdiction where the alleged offense occurred.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

DISTRICT ATTORNEYS

H.B. 07-1170 District attorney compensation - statutory amount - judiciary committees review and recommendation. Effective January 1, 2009, provides that the salary for an elected district attorney shall be not less than \$100,000 per year. Effective January 1, 2010, provides that the salary for an elected district attorney shall be not less than \$110,000 per year. Effective January 1, 2011, provides that the salary for an elected district attorney shall be not less than \$120,000 per year. Effective January 1, 2012, provides that the salary for an elected district attorney shall be not less than \$130,000 per year.

Requires, for the 2012-2013 fiscal year, and every 4 years thereafter, that the judiciary committees of the general assembly review and make recommendations, if appropriate, regarding district attorney compensation.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

EDUCATION - PUBLIC SCHOOLS

S.B. 07-16 Compulsory school attendance - minimum age. Effective July 1, 2008, lowers the minimum age of compulsory school attendance from 7 to 6 years of age. Specifies that a parent who educates his or her child through a nonpublic home-based education program is not required to establish the program until the child is 7 years of age. Allows a parent of a child who began attending preschool or kindergarten at 5 or 6 years of age to notify the child's school of the parent's wish that the child not advance to first grade in the following school year. Requires a school that receives such notice to comply with the parent's wish.

APPROVED by Governor March 16, 2007

EFFECTIVE July 1, 2008

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-20 Commissioner of education - qualifications - review. Prescribes qualifications for the office of commissioner of education. Requires the state board of education to review annually the job performance of the commissioner of education, including considering the comments and opinions of school district superintendents and school board members, and to report its findings annually to the education committees of the general assembly.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-26 Full-day kindergarten excess costs - local mill levy authorization. Authorizes a school district, upon voter approval, to impose an additional mill levy for purposes of funding the school district's excess full-day kindergarten costs. Allows the question submitted to the voters to also include a question of whether to impose an additional mill levy of a stated amount and limited duration to fund the capital construction needs associated with the school district's full-day kindergarten program. Specifies that a school district that imposes the additional full-day kindergarten mill levy shall:

- Use evidence-based research demonstrating appropriate programs and methods in developing its full-day kindergarten program;
- Not limit the ability of parents to enroll a child in a half-day kindergarten program in the school district; and
- Not participate in the full-day kindergarten component of the Colorado preschool program.

Allows a school district that funds a portion of its full-day kindergarten program with the additional mill levy to charge tuition to out-of-district pupils enrolled in the locally funded portion of the full-day kindergarten program.

APPROVED by Governor March 7, 2007

EFFECTIVE March 7, 2007

S.B. 07-41 Public School Facilities Act - advisory committee for public school capital construction - duties - facility and safety priorities - grant priority assessment - appropriations. Creates the "Public School Facilities Act". Establishes the advisory committee for public school capital construction ("advisory committee") within the department of education ("department"). Specifies how the advisory committee is to be

constituted and the qualifications of its members. Specifies the duties of the advisory committee.

Requires the advisory committee to assist school districts by:

- Reviewing certain grant applications submitted by school districts and submitting to the state board of education ("state board") lists of recommended recipients and grant amounts;
- Identifying critical capital outlay needs;
- Implementing state and federal grant-related projects; and
- Assisting school districts too small to maintain their own construction staff.

Requires the advisory committee to establish facility and safety priorities for use in reviewing grant applications and making funding award recommendations to the state board. Specifies that the facility and safety priorities shall identify and describe needs in school districts that will provide educational and safety benefits at a reasonable cost. Requires the advisory committee to submit the facility and safety priorities to the state board. Requires the state board to apply the priorities in awarding grants.

Requires the advisory committee to review school capital construction grants and make annual recommendations to the state board concerning recommended grant recipients. Requires the state board to review the recommendations and approve a list of school districts and charter schools to receive grants from capital construction projects. Repeals the advisory committee on July 1, 2017, following review.

Requires the department to conduct a grant priority assessment using the facility and safety priorities. Requires the department to assess or contract for the assessment of school buildings and facilities in certain school districts based on pupil enrollment and per-pupil assessed valuation. Specifies that the grant priority assessment shall be designed and maintained to provide timely data on certain issues for each school building and facility in the school districts included in the assessment.

Specifies that for the 2007-08 and 2008-09 budget years, the state board, from excess lottery moneys, shall approve and order payment of the costs incurred in establishing the facilities and safety priorities and in conducting or contracting for the grant priority assessment of school buildings. Limits the payment to \$391,000 or less for either budget year and to \$782,000 or less for both of the budget years.

For the 2007-08 fiscal year, appropriates \$3,389 from cash funds exempt received from the department of education to the department of law for the provision of legal services to the department of education related to implementation of the act. Decreases the appropriation to the department of education, assistance to public schools, grant programs and other distributions, school construction and renovations fund by \$10,000,000, and specifies the decrease is from cash funds exempt from the school construction and renovation fund.

APPROVED by Governor May 25, 2007

EFFECTIVE May 25, 2007

S.B. 07-50 Truancy proceedings - representation by school district employee. Allows a school district board of education, by resolution, to authorize one or more employees of the school district to represent the school district in truancy proceedings, even though the

employee is not an attorney.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-59 Start smart nutrition program - fund - appropriation. Creates the start smart nutrition program ("program") and fund to eliminate the reduced price paid by children who are eligible for reduced price breakfasts under the federal "National School Lunch Act". Requires the department of education to develop procedures for the implementation of the program.

Appropriates \$700,000 from the general fund to the start smart nutrition program fund and decreases the general fund appropriation for the school breakfast program by \$700,000.

APPROVED by Governor May 15, 2007

EFFECTIVE May 15, 2007

S.B. 07-140 Teachers - quality teachers commission - teacher identifier system - pilot program - quality teachers fund - repeal. Creates the quality teachers commission ("commission") in the department of education ("department") to study the teacher gap in Colorado and creation of a teacher-identifier system. Defines membership of the commission. Allows the commission to function for a 2-year period. Requires the commission annually to report the outcomes of its duties to the education committees of the general assembly. Requires the commission to develop a unique teacher identifier system protocol. Requires the commission to obtain approval from the general assembly for the implementation of the protocol in a pilot program in the second year. Instructs the department to implement the teacher identifier system protocol statewide if the general assembly grants approval, subject to available funding. Creates the quality teachers fund to consist of gifts, grants, and donations. Repeals the commission effective July 1, 2009.

APPROVED by Governor April 11, 2007

EFFECTIVE April 11, 2007

S.B. 07-148 Fast college fast jobs pilot program - creation - requirements - funding. Creates the fast college fast jobs pilot program ("pilot program") to enable students to simultaneously complete the requirements for a high school diploma and an associate's degree or a career and technical education certificate within 5 years. Allows certain school districts to participate in the pilot program by entering into a contract with an institution of higher education to provide a fast college fast jobs education program ("fast college fast jobs program"). Identifies the high schools in which a participating school district may operate a fast college fast jobs program. Specifies the requirements for a fast college fast jobs program, the requirements a student must meet to participate in the program, and the minimum requirements for the contract between the school district and the institution of higher education.

Requires the governing board for the institution of higher education to adopt guidelines for the institution's participation in the pilot program. Requires the governing board and the Colorado commission on higher education to approve each contract between a school district and an institution of higher education for operation of a fast college fast jobs program.

Requires the school district and the institution of higher education to negotiate payment and the amount of tuition, costs of student support services, and costs of other fees and books for each student who participates in the fast college fast jobs program. Specifies that a student who participates in a fast college fast jobs program is not eligible for a stipend from the college opportunity fund. Allows the school district to include students who participate in the fast college fast jobs program in its pupil enrollment for school finance purposes, but reduces by 15 percent the per pupil revenue amount for students who enroll in at least 12 credit hours of higher education courses as of October 1 of any budget year.

Requires the school district to report to the department of education specified information concerning implementation of the fast college fast jobs program, and directs the department to submit a summary report to certain committees of the general assembly and to the governor.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

S.B. 07-192 Educational accountability - read-to-achieve grant program - appropriation. Continues the read-to-achieve board ("board") for 7 years and schedules the next sunset review to be done pursuant to the statute governing the sunset review of advisory committees rather than the statute governing the sunset review of regulatory agencies. Allows appointing authorities to remove board members for neglect of duty, and defines "neglect of duty" to include missing 3 consecutive board meetings or at least 3/4 of the meetings in any one calendar year. Authorizes the commissioner of education to appoint a designee to the board. Requires the board to report annually to the governor and to the education committees of the general assembly on the effectiveness of the program. Adds one parent and removes one elementary school principal from the board.

Recreates the read-to-achieve grant program ("program") within the department of education ("department"). Allows only eligible public schools and collaborative groups of eligible schools to apply for grants from the program, and requires the department annually to prepare a list of eligible schools using rules promulgated by the state board of education ("state board"). Allows the board to determine recipients of grant moneys from the program. Holds grant recipients, regardless of form, accountable for satisfying statutory requirements. Requires grant recipients to use a read-to-achieve assessment to demonstrate that the pupils enrolled in the intensive literacy programs funded by the grant were reading, at the time of enrollment, below grade level for kindergarten pupils and first-, second-, and third-grade pupils. Adds kindergarten and first grade to the grade levels for which grant moneys may be used to fund intensive literacy programs. Requires the state board to promulgate rules for the administration of the program.

Recreates the read-to-achieve cash fund ("cash fund") in the state treasury. Allows up to 3% of the moneys appropriated from the cash fund to be used for expenses incurred by the board in administering the program.

Increases the appropriation to the department for the program by 1.0 FTE.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

S.B. 07-199 School finance - kindergarten pupil enrollment - minimum per pupil funding - on-line funding - capital reserve fund - local and state shares of district total program - declining enrollment districts with new charter schools - state aid for charter schools - conflicts of interest for state board of education and state charter school institute board members - repayment of overpayments of state funding - reimbursement of high costs for educational services for children with disabilities - Colorado preschool and kindergarten program - unoccupied district facilities - exclusive chartering authority - full-day kindergarten program development plans - standard budget report format - joint education committee categorical program recommendation - speech pathologist credentials - annual report regarding the base per pupil funding increase - appropriations. Amends the "Public School Finance Act of 1994" in the following respects:

- For the 2007-08 budget year, increases the statewide base per pupil funding to \$5,087.61, which reflects an increase over the preceding budget year of 3.6% for inflation plus one percentage point.
- Beginning in the 2007-08 budget year, allows a school district to count and receive funding for a pupil enrolled in first grade who is at least 5 years old on or before October 1 of the applicable budget year, if the pupil has attended at least 120 days of kindergarten in a state other than Colorado.
- Beginning in the 2007-08 budget year, changes the minimum per pupil funding from a stated dollar amount to a stated percentage of the statewide average per pupil funding, excluding on-line funding, for the applicable budget year. Specifically, for the 2007-08 budget year, increases minimum per pupil funding to an amount equal to 94.3% of said average and for the 2008-09 budget year and future budget years, increases minimum per pupil funding to an amount equal to 95% of said average.
- Disconnects on-line funding from minimum per pupil funding beginning in the 2007-08 budget year, and continues to fund on-line pupils pursuant to the existing statutory formula.
- Beginning in the 2007-08 budget year, allows a school district that sells lands or buildings, collects payments in lieu of the reservation or dedication of sites and land areas for schools, or collects contributions as a result of a voluntary agreement with a developer, and deposits the proceeds of the payments or collections into the district's capital reserve fund to reduce the total amount of per pupil revenues that the district is required to allocate to the fund by an amount equal to the amount of the payments or collections deposited into the fund.
- Beginning in the 2007 property tax year, for a school district that has obtained voter approval to retain and spend revenues in excess of the property tax revenue limitation imposed on the district by section 20 of article X of the state constitution (TABOR), eliminates the requirement that the district reduce its mill levy so that the district generates the maximum amount of property tax revenue that it can retain under the property tax revenue limits imposed by TABOR.
 - Requires each school district that has obtained voter approval to retain and spend excess property tax revenue to levy the lesser of: The number of mills levied by the district for the immediately preceding property tax year; the number of mills that will generate the district's total program for the applicable budget year, minus the minimum state share; or 27 mills.
 - Requires each school district that has not obtained voter approval to

retain and spend excess property tax revenue to levy the lesser of: The number of mills levied by the district for the immediately preceding property tax year; the number of mills that will generate the district's total program for the applicable budget year, minus the minimum state share; the number of mills that will generate the maximum amount of property tax revenue that the district can retain under the property tax revenue limits imposed by TABOR; or 27 mills.

- Sets a \$300,000 cap for the total amount of aid that a declining enrollment school district in which a new district charter school opens may receive in the budget year in which the new district charter school opens.
- Allows a charter school that operates in a facility that is listed on the state inventory of real property and improvements and that is obligated to make lease payments for use of the facility to receive moneys appropriated for charter school capital construction.

Restricts the employment and the elected and appointed offices that a member of the state board of education (state board) or the state charter school institute board may hold during his or her term of office.

Allows a school district or group care facility or home that has received an overpayment of state funding an amount of time to repay the overpayment, without interest, that is equal to the number of years since the last audit of the district, facility, or home. Allows a district, facility, or home that is unable to repay the overpayment within the specified period to enter into an agreement with the department of education (department) for the repayment of the remaining amount, with interest. Changes the interest rate charged on repayments of overpayments, when applicable, to a rate that is equal to the earnings on the treasury pooled funds for the previous fiscal year.

Clarifies that an administrative unit that incurs high costs in providing special educational services to a child with disabilities may apply for a high-cost grant to recover all or a portion of the costs, regardless of the child's district of residence. In awarding high-cost grants, directs the Colorado special education fiscal advisory committee to first prioritize certain administrative units with one or more children being served in an out-of-district placement before prioritizing administrative units with one or more children being served in an in-district placement.

Amends the "Colorado Preschool and Kindergarten Program Act" (CPKP) as follows:

- For the 2007-08 budget year, allows a total of 16,360 children to participate annually in the CPKP statewide; and for the 2008-09 budget year and future budget years, allows a total of 19,860 children to participate annually in the CPKP statewide.
- Requires the district preschool and kindergarten program advisory council to assess whether alternative community providers for the CPKP are available at least once every 2 years instead of once every 5 years.
- Increases the maximum number of pupils that may be in a preschool class to 16, and limits the maximum number of pupils in a full-day kindergarten class to 20.
- Makes an institute charter school eligible to apply for CPKP funding.
- Requires the board of education of a school district with a pupil enrollment that was less than or equal to 750 pupils in the preceding budget year to

consider the feasibility of contracting-out the CPKP before expending money for capital projects to provide facilities for the CPKP.

Allows a school district that has an unoccupied facility to sell the facility or use it for a different purpose rather than maintain the facility for potential use by a charter school.

Prohibits the state board from denying exclusive chartering authority to a local board of education based on a school district moratorium regarding charter schools that was in existence prior to July 1, 2004, but was repealed on or before October 1, 2004.

Requires each local board of education to develop a plan to potentially phase in a full-day kindergarten program in the school district to be funded with state or local moneys provided specifically for such program. Directs each local board to consider specified issues when developing the plan. Requires each local board to submit its plan to the department by February 1, 2008.

Requires each school district's annual budget to be in a standard budget report format determined by the state board. Directs the state board to establish the standard budget report format by rule no later than July 1, 2008, with input from the financial policies and procedures advisory committee created in the department. Requires each local board of education to submit its adopted annual budget to the department on or before January 31, 2009, and on or before January 31 each year thereafter.

Beginning in the 2008-09 budget year, allows the education committees of the general assembly to submit to the joint budget committee a joint recommendation regarding the allocation of the required increase in total state funding for all categorical programs. Directs the joint budget committee to consider the recommendations, if any, when developing the annual general appropriation bill.

For a school district with a pupil enrollment of 3,000 pupils or less, allows the district to hire a speech pathology assistant with a bachelor's degree in speech communication and does not require the assistant to have a degree higher than a bachelor's degree.

Repeals the statutory provisions requiring certain school districts, district charter schools, and institute charter schools to submit an annual report to the state board, the governor, and the education committees of the general assembly specifying how they plan to use the increase in the statewide base per pupil funding during the next budget year.

Makes the following adjustments to the fiscal year 2007-08 general appropriations act:

- Increases the state education fund appropriation for assistance to public schools, grant programs and other distributions, for national credential fee assistance by \$25,000.
- Decreases the state education fund appropriation for assistance to public schools, public school finance, for the state share of districts' total program funding by \$41,037,119, reflecting a \$6,369,059 appropriation for minimum per pupil funding and a \$47,406,178 reduction in the state's expenditure for districts' total program as a result of the increase in the local share of total program.
- Increases the general fund appropriation for assistance to public schools, public school finance, for the state share of districts' total program funding by

\$4,655,056, for the 2,000-student increase in the CPKP.

APPROVED by Governor May 9, 2007

EFFECTIVE May 9, 2007

S.B. 07-215 On-line education programs - division of on-line learning - advisory board - certification multi-district programs - learning centers - appropriation. Repeals the statute authorizing on-line education programs ("on-line programs"). Creates a new article under title 22 on-line programs. Allows a school district, a group of school districts, a board of cooperative services, or the state charter school institute to authorize an on-line program. Sets forth criteria for the creation and administration of on-line programs. Requires the state board of education ("state board") to promulgate rules establishing quality standards for on-line programs.

Creates the division of on-line learning ("on-line division") in the department of education. Sets forth the duties of the on-line division.

Creates the on-line learning advisory board ("advisory board") in the department of education. Requires the advisory board to report annually to the state board. Requires the advisory board to meet at least once every 3 months. Requires the advisory board to make recommendations to the state board regarding any provisions of the new article that should not be waived by the state board. Establishes a sunset review and repeal date of July 1, 2009, for the advisory board.

Requires an authorizer or prospective authorizer of a multi-district on-line program ("multi-district program") to apply to the on-line division for certification of the multi-district program. Requires the state board to promulgate rules for the on-line division to use in the certification of multi-district programs.

For the 2007-08 budget year, limits those students a school district may count in the school district's on-line pupil enrollment. Beginning in the 2008-09 budget year, removes limits on the students who may receive funding in an on-line program and funds on-line students in a single-district on-line program at the district's per-pupil funding amount. Creates the on-line education cash fund ("fund"), and transfers to the cash fund \$830,000 of the moneys recovered from overpayments to school districts or the state charter school institute. Requires the general assembly to appropriate annually moneys from the cash fund to the department to be used for the purposes of the new article.

Requires an authorizer of an on-line program to report annually to the on-line division. Requires the state board to promulgate rules establishing a timeline by which an authorizer of an on-line program shall report annually to the on-line division.

Requires the on-line division to review each multi-district program 2 years after the initial certification of the program and every 3 years thereafter. Requires the state board to promulgate rules establishing criteria that the on-line division shall consider in reviewing a multi-district program.

Requires a multi-district program that intends to offer instruction to students within a learning center to seek to enter into a memorandum of understanding with the school district in which the learning center would be located. Specifies considerations that shall be included in a memorandum of understanding between a multi-district program and a school district. Requires school districts and multi-district programs to make good-faith efforts to

craft and enter into memoranda of understanding regarding the provision of instruction by multi-district programs within learning centers. Requires a multi-district program that intends to offer instruction to students within a learning center and the school district in which the learning center shall be located to hold at least one public meeting at which they shall receive public input concerning the proposed learning center. Sets forth conditions under which a school district may refuse to enter into a memorandum of understanding. Allows a multi-district program to appeal to the state board a decision by a school district to refuse to enter into a memorandum of understanding with the multi-district program.

For the 2007-08 fiscal year, appropriates from the on-line education cash fund to the department of education, for allocation to the on-line division, \$418,861 and 3.5 FTE for implementation of the act.

APPROVED by Governor May 23, 2007

EFFECTIVE July 1, 2007

S.B. 07-227 Safe school plan - immunity. Clarifies that a school district board of education, a teacher, or any person acting in good faith pursuant to a safe school plan is immune from criminal prosecution and civil liability. Allows a person claiming immunity from prosecution to file a motion with the court. At a hearing held prior to trial, states that the movant shall bear the burden of establishing the right to immunity by a preponderance of the evidence, and clarifies that a person who does not seek or is not granted immunity from prosecution is still entitled to an affirmative defense at trial pursuant to the statute.

Allows a person acting in good faith and in conformance with a safe school plan who is wrongfully disciplined by the school district to sue the school district in district court within 2 years after the alleged wrongful action by the school district.

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

S.B. 07-255 Federal individuals with disabilities in education act - child find program - allocation of responsibilities - appropriation. Allocates specific responsibilities of the child find program of the federal "Individuals with Disabilities Education Improvement Act of 2004" ("child find") between the department of education and the department of human services. Requires the department of education to be fully responsible for the screening and evaluation of children with disabilities. Further requires the department of education to work in conjunction with the department of human services in accepting and directing referrals to appropriate service agencies, assisting with the transition of a child with disabilities from the developmental disabilities system to the public education system at age 3, and working with the department of human services in the area of public education and outreach concerning early intervention services, as needed and appropriate.

Requires the department of human services to be fully responsible for developing and implementing a statewide plan for public education outreach and awareness concerning early intervention services and for providing intake and case management services once a referral is made. Further requires the department of human services to work in conjunction with the department of education in accepting and directing referrals to appropriate service agencies and in assisting with the transition of a child with disabilities from the developmental disabilities system to the public education system at age 3.

Leaves with community centered boards the responsibility for developing an

individualized plan ("plan") for a child with a disability. Requires the development of the plan to be coordinated with child find evaluations conducted by administrative units.

Specifies the funding mechanism for costs incurred by administrative units in conducting child find responsibilities.

For the fiscal year 2007-08, appropriates \$2,200,000 from the general fund to the department of education, for allocation to administrative units, for costs incurred in implementing the act.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1048 Academic growth calculation - adaptation of existing model reports. Directs the governor to appoint and the department of education ("department") to convene a new technical advisory panel ("panel") to assist the department and the state board of education in developing a longitudinal growth model to measure the academic growth of students. Establishes requirements and a timeline for development and implementation of the model. Requires the department to calculate adequate longitudinal growth for each student by August 15 of each year and to distribute student-level and school-level reports on academic growth by September 15 of each year.

Directs the panel to develop a new method to identify schools that demonstrate the highest rate of academic growth for purposes of the governor's distinguished improvement awards.

Repeals the requirement that a portion of the in-year cost recovery from the use of unique student identifiers be used to fund the calculation of academic growth of students.

APPROVED by Governor February 6, 2007

EFFECTIVE February 6, 2007

H.B. 07-1049 Bonded indebtedness - fast-growing school districts - timing for issuing debt. Allows a school district that has satisfied the fast growth requirements for 3 consecutive fiscal years and is therefore permitted to increase its bonded debt limitation to issue debt during the 3rd fiscal year in which the district experiences fast growth or during the fiscal year following the 3rd fiscal year in which the district experiences fast growth.

APPROVED by Governor March 30, 2007

EFFECTIVE March 30, 2007

H.B. 07-1059 School safety - school security infrastructure grant program. Allows school districts and charter schools to apply for moneys from the school capital construction expenditures reserve, the contingency reserve that is created in the state public school fund and into which certain lottery proceeds are transferred, and the school construction and renovation fund for the purpose of remodeling or renovating the infrastructure of school property to prevent intruders from entering schools and endangering children.

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

H.B. 07-1066 Supplemental on-line education courses - contract - grant program - repeal - appropriation. Requires the mountain board of cooperative services ("Mountain BOCES"), subject to available appropriations, to contract with a provider on an annual basis to provide supplemental on-line education courses to an eligible school district, an eligible charter school, and a board of cooperative services ("BOCES") that chooses to purchase the courses. Requires the contractor to provide supplemental on-line education courses to a purchasing school district, charter school, or BOCES at a cost of no more than \$200 per student per semester course. Requires the Mountain BOCES to submit an annual report concerning the provision of on-line services pursuant to the contract to the education committees of the general assembly, the joint budget committee, and the department of education.

Creates the supplemental on-line education grant program. Allows school districts, charter schools, and BOCES that enroll fewer than 3,000 students, and meet certain other requirements, to apply to the department of education for a \$5,000 grant for the purpose of facilitating access to supplemental on-line education services in their school district, charter school, or BOCES.

Repeals the authority for the contract and the grant program effective July 1, 2010.

Appropriates \$480,000 from federal mineral leasing revenues transferred to the state public school fund for the purpose of funding the contract with the provider. Appropriates \$50,000 from federal mineral leasing revenues transferred to the state public school fund for the purposes of the grant program.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

H.B. 07-1077 Supplemental education services - approved providers. Directs the department of education ("department") annually to issue a request for proposals through which providers of supplemental education services ("providers") may apply to be included on the department's list of approved providers ("approved list"). Instructs the department to review the responses and, based on specified criteria, identify those providers who are included on the approved list, and post the approved list on its website for use by school districts in selecting providers. Specifies the criteria for inclusion on the approved list.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1091 Educator licensure - alternative teacher program - one-year extension. Allows a school district or independent school that employs an alternative teacher to extend the one-year alternative teacher training program for one additional year if the alternative teacher is unable to complete the program due to unforeseen circumstances and the employer expects that the alternative teacher can complete the program during the additional year. Allows the department of education to extend an alternative teacher license for one additional year based on written evidence that the employing school district or independent school intends to extend the alternative teacher's contract for one additional year.

APPROVED by Governor March 14, 2007

EFFECTIVE March 14, 2007

H.B. 07-1118 State board - school districts - high school - graduation guidelines. Requires the state board of education ("state board") to adopt, on or before July 1, 2008, a comprehensive set of guidelines for the establishment of high school graduation requirements ("guidelines"). Allows school district boards of education ("local school boards") to retain the authority to develop their own unique graduation requirements, so long as those local graduation requirements meet or exceed any minimum standards or basic core competencies or skills identified in the state board guidelines. Directs the state board to take into account recommendations from various groups, utilize standards-based education as the framework, and acknowledge the importance of obtaining core competency skills and standards when it develops the guidelines.

Creates the state graduation guidelines development council ("council"). Outlines membership on and duties of the council. Repeals the council, effective July 1, 2008.

Directs local school boards to establish local high school graduation requirements, utilizing the state board's guidelines.

Directs the Colorado commission on higher education to review and align its academic admission standards with the state board's guidelines.

APPROVED by Governor May 2, 2007

EFFECTIVE May 2, 2007

H.B. 07-1122 Physical education teachers - license requirements. Prohibits a school district that enrolls 1500 or more students from employing a physical education teacher who does not hold a physical education endorsement on his or her teacher license, who is not working towards a physical education endorsement, or who does not hold an authorization in physical education.

VETOED by Governor April 9, 2007

H.B. 07-1178 Charter schools - purchasing school district property. Allows a charter school that is operating in a school district building to purchase the building and grounds from the school district, at the school district's discretion, according to terms established by mutual agreement of the parties. Specifies that, if a charter school vacates a school building and grounds that the charter school has purchased from a school district, the school district that sold the building and grounds has the right of first refusal to purchase the property at fair market value or in accordance with other terms of purchase established by mutual agreement of the parties.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1232 School finance - military dependent supplemental pupil enrollment aid - appropriation. For the 2007-08 budget year through the 2010-11 budget year, allows a school district to apply to the department of education (department) for military dependent supplemental pupil enrollment aid (aid) for the cost of educating pupils who are enrolled in the district as of February 1 of the applicable budget year, who were not enrolled in the district or in any other school district in the state on October 1 of the applicable budget year, and who are the dependents of a full-time active duty member of the United States military or dependents of a member of the United States military reserve forces who has been called

to active duty (military dependent supplemental pupil enrollment).

Specifies that a district shall be eligible for aid only if the district's military dependent supplemental pupil enrollment represents either an increase equal to or greater than 1 % over the district's pupil enrollment for the applicable budget year or an increase equal to or greater than 25 pupils over the district's pupil enrollment for the applicable budget year.

Specifies that an eligible district shall receive aid as calculated by computing a number equal to the district's military dependent pupil enrollment, multiplied by an amount equal to 1/2 of the district's per pupil revenues for the applicable budget year.

Requires a school district to submit an estimated and an actual count of the eligible district's military dependent supplemental pupil enrollment to the department by specified dates to be eligible to receive the aid. Directs the department to submit a request to the general assembly for a supplemental appropriation in an amount that will fully fund the authorized aid.

Directs the general assembly, subject to available appropriations, to appropriate the aid to the department to be distributed by the department. Specifies the method by which the aid shall be distributed in the event that the amount appropriated is insufficient to distribute the full amount of aid to each eligible district.

Appropriates \$8,000 from the general fund to the department of education for the implementation of the act.

APPROVED by Governor June 4, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1237 State public school fund - contingency reserve fund - capital construction expenditures reserve fund - lottery proceeds contingency reserve fund. Specifies that the publishing costs associated with the annual printing of the laws enacted by the general assembly concerning education shall be paid out of the state public school fund rather than out of the public school income fund.

Creates the contingency reserve fund in the state treasury to replace and to be used for the same purposes as the contingency reserve created in the state public school fund. Relocates certain provisions regarding the contingency reserve and the contingency reserve fund.

Creates the school capital construction expenditures reserve fund in the state treasury to replace and to be used for the same purposes as the school capital construction expenditures reserve created in the state public school fund.

Creates the lottery proceeds contingency reserve fund in the state treasury to replace and to be used for the same purposes as the contingency reserve that is created in the state public school fund and into which certain lottery proceeds are transferred.

APPROVED by Governor April 26, 2007

EFFECTIVE April 26, 2007

H.B. 07-1238 Small attendance center aid - state public school transportation fund -appropriation. Authorizes moneys in the public school transportation fund that are recovered by the department of education as overpayments made to school districts and the state charter school institute to be appropriated to the department for use in the budget year in which the moneys are recovered. Specifies that the moneys from such overpayments that are appropriated from the fund shall not be included in the calculation of total state funding for all categorical programs.

Increases the appropriation for small attendance center aid for the 2006-07 state fiscal year by decreasing the appropriation from the state education fund for public school transportation by \$71,040, increasing the appropriation for public school transportation from the public school transportation fund by \$71,040, and increasing the appropriation from the state education fund for small attendance center aid by \$71,040.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1239 Bonded indebtedness - limit increase - fast-growing school districts. For any bonded indebtedness approved at the 2008 general election, increases the limit on bonded indebtedness for any school district that has satisfied the fast-growth requirements for each of the 3 preceding fiscal years or for 3 consecutive fiscal years that include the 3rd fiscal year in which the school district has satisfied the fast-growth requirement. Specifies that the increased limit for a district shall be the greater of the current limit or 30% of the latest valuation for assessment of the taxable property in such district.

APPROVED by Governor April 26, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1243 Science, technology, engineering, and mathematics after-school education pilot grant program - repeal. Creates the science, technology, engineering, and mathematics ("STEM") after-school education pilot grant program ("grant program") in the office of economic development.

Permits a provider that coordinates STEM after-school education programs to apply for a grant to defray the administrative and personnel costs associated with coordinating the programs and to directly support secondary schools' participation in the programs. Allows the director of the office of economic development ("director") to award grants to one or more providers that meet the eligibility criteria of the grant program.

Establishes the STEM after-school education pilot grant program fund ("fund"). Permits the director to accept gifts, grants, and donations for the fund. Requires grant recipients to report annually to the director, and requires the director to provide a summary report concerning the grant program to the business affairs and labor and education committees of the general assembly and to the governor.

Repeals the grant program, effective July 1, 2010.

APPROVED by Governor May 2, 2007

EFFECTIVE May 2, 2007

H.B. 07-1244 Exceptional children -educational programs - gifted students. Requires a school district, a board of cooperative services, and the state charter school institute (an "administrative unit") to adopt and submit to the department of education a program plan to identify and serve gifted children. Requires an administrative unit to implement its program plan to the extent that funds are provided for implementation. Requires each administrative unit to ensure that its constituent schools and school districts make available appropriate special provisions for gifted children to the extent that funds are provided for the special provisions.

APPROVED by Governor June 1, 2007

EFFECTIVE July 1, 2007

H.B. 07-1270 Educational data systems - third party review and study - report - appropriation. Directs the office of information technology ("office") within the office of the governor to issue a request for proposals to conduct a comprehensive assessment of the state's educational data technology system. Outlines the parameters of the assessment. Requires the findings and recommendations of the assessment to be reported by the department of education to the state board of education and the education committees of the general assembly on or before December 1, 2007.

Repeals the act, effective July 1, 2008.

For the 2007-08 fiscal year, appropriates \$150,000 from the public school fund to the office of the governor for allocation to the office of information technology for the implementation of the act.

APPROVED by Governor May 23, 2007

EFFECTIVE July 1, 2007

H.B. 07-1271 Family literacy education grant program. Repeals the stipulation that no general fund moneys be appropriated to implement the family literacy education grant program. Repeals the conditional repeal of the "Colorado Family Literacy Act of 2002".

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1292 Instruction concerning human sexuality - science-based content standards. Requires school districts, charter schools, institute charter schools, and teen pregnancy prevention programs that offer instruction concerning human sexuality to maintain science-based content standards for the instruction. Specifies the minimum requirements for the content standards. Excuses a school district, charter school, or institute charter school that is receiving, upon July 1, 2007, direct or indirect funding from the federal government for the provision of an abstinence education program pursuant to 42 U.S.C. sec. 710 from adopting the content standards in any year that the school district, charter school, or institute charter school receives the funding.

APPROVED by Governor May 14, 2007

EFFECTIVE July 1, 2007

H.B. 07-1320 Data collection - education data advisory committee - data dictionary - appropriation. Enacts the "Data Reporting and Technology Act", and makes legislative findings concerning the intended goals of implementing a single statewide education data

collection and management system.

Creates the education data advisory committee ("EDAC"). Specifies the membership of the committee. Identifies the EDAC's duties, which pertain generally to reviewing statutory and regulatory data reporting requirements, making recommendations for elimination or combination of them, and providing information and training to school districts and public schools concerning data submission. Repeals the EDAC, effective July 1, 2017, following sunset review.

Requires the department of education ("department") to create a data dictionary to define the education data elements collected by the state and the methods and protocols by which school districts and public schools submit the education data. Specifies the contents of the data dictionary. On or before August 1, 2007, directs the department to submit to the state board of education ("state board"), the education committees of the general assembly, the governor, school districts, and the EDAC a status report on creation of the data dictionary. Directs the department to complete the data dictionary by October 1, 2007. Recognizes the eligibility of the data dictionary for funding from the state education fund. Directs the commissioner of education to ensure that the department requests funding in the fiscal year 2008-09 budget for the on-going costs of the data dictionary.

Requires the department to provide notice within a specified time period to school districts and public schools regarding changes in data collection requirements. Directs the department to hold informational meetings regarding changes in data collection requirements and to provide notice of the changes through an electronic mail list. Requires the department to update information on the department web site within specified time periods. Requires the state board, within 90 days after a statutory change pertaining to data collection, to adopt rules to implement the change, and gives school districts and public schools 90 days after publication of the rules to implement the change.

Extends to July 1, 2008, the date for implementation of the unique student identifying number at specified state colleges.

For the 2007-08 fiscal year, appropriates \$274,704 and 1.0 FTE to the department for implementation of the act. Specifies that the moneys are appropriated from moneys recovered as overpayments to school districts or the state charter school institute.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

H.B. 07-1345 Educational accountability - school accountability reports - appropriation. Deletes language requiring that the school accountability reports ("reports") be formatted as specified in statute, and outlines information that is required to be in the reports. Adds additional information that shall or may be included in the reports.

For the 2007-08 fiscal year, appropriates \$275,250 from the state public school fund to the department of education for implementation of the act.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

H.B. 07-1348 Accreditation - initial contracts. Extends the term of initial school district accreditation contracts to July 1, 2008.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

EDUCATION - UNIVERSITIES AND COLLEGES

S.B. 07-19 Teacher preparation programs - review schedule. Clarifies that the Colorado commission on higher education shall establish a schedule for review of teacher preparation programs that ensures each teacher preparation program is reviewed not more frequently than once every 5 years.

APPROVED by Governor March 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-48 Multi-year research contracts. Allows systems of higher education and each campus of each state institution of higher education to have an unlimited number of long-term contracts with government-supported officials or employees if the contracts are for research in university settings. Requires long-term contracts to include a provision that the contract shall become unenforceable if, during the term of the contract, the system of higher education or campus of a state institution that is a party to the contract ceases to be an enterprise and lacks present cash reserves sufficient to pledge irrevocably to satisfy the terms of the contract.

APPROVED by Governor March 15, 2007

EFFECTIVE March 15, 2007

S.B. 07-52 Colorado state board of governors - appointees by congressional district and at-large. Beginning with appointments made to the Colorado state board of governors ("board") in 2007, instructs the governor to appoint members from the congressional districts and 2 members to serve at-large. Requires that at least one member of the board, who is not appointed from the 3rd congressional district, either reside in southern Colorado or be a graduate of Colorado state university - Pueblo and that at least one member of the board, who is not appointed from the 4th congressional district, either reside in Larimer county or be a graduate of Colorado state university. Requires at least 2 members of the board to have substantial experience in production agriculture.

APPROVED by Governor April 11, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-54 Research building revolving funds - removal of bonding limit. Removes the bonding limits on the university of Colorado and the Colorado state university research building revolving funds.

APPROVED by Governor March 15, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-134 Local government mineral impact fund - grants. Authorizes state-supported institutions of higher education that provide job training or facilities related to energy development for counties or communities with energy impacts to expend moneys received in grants from the local government mineral impact fund without separate legislative authority.

APPROVED by Governor April 11, 2007

EFFECTIVE April 11, 2007

S.B. 07-182 Federally sponsored research - creation of innovative higher education research fund as dedicated source of state matching moneys - higher education competitive research authority - creation - powers and duties. Creates the higher education competitive research authority (authority). Specifies the powers and duties of the authority, vests the power of the authority in a board of directors (board), and specifies the composition of the board.

Creates the innovative higher education research fund (fund). Requires moneys to be transferred to the fund from the waste tire recycling development cash fund and the advanced technology fund. Authorizes the authority to receive gifts, grants, and donations for the fund. Requires income and interest earned on the deposit and investment of moneys in the fund to be credited to the fund. Directs the board to provide matching grants from the fund to Colorado public institutions of higher education for federally sponsored research projects. Requires the authority to provide an annual report on the research projects funded from the fund to the education committees of the house of representatives and the senate, or any successor committees, and requires the report to include specified information regarding each project funded.

Transfers control of the advanced technology fund from the Colorado commission on higher education to the pollution prevention advisory board in the department of public health and environment. Requires the advisory board, in consultation with the pollution prevention advisory board assistance committee created by House Bill 07-1288, to develop criteria for making research grants from the advance technology fund for specified purposes and to actually make the research grants therefrom.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

S.B. 07-209 Southern Colorado council for excellence in health careers education - repeal. Creates the southern Colorado council for excellence in health careers education ("council") to facilitate collaboration between public and private health education providers and health care providers for improving health careers education and, ultimately, to improve health care in southern Colorado. Specifies the membership of the council and the council's purposes. Authorizes the council to establish task forces to assist it in accomplishing its purposes. Requires the council to report annually to the education committees of the general assembly and to the Colorado commission on higher education. Authorizes Adams state college and Trinidad state junior college to accept and expend gifts, grants, and donations on behalf of the council, and requires an annual accounting of the moneys received. Repeals the council, effective July 1, 2012.

Specifies that the act can be implemented without general fund appropriations.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

S.B. 07-232 Student loan repayment program - health care providers - appropriation. Creates the state health care provider loan repayment program ("program") to provide education loan repayments to health professionals who agree to work for at least 2 years in medically underserved communities. Caps the annual amount that a health professional may receive through the program. Directs collegeinvest to administer the program in collaboration with the health care community board ("community board").

Creates the community board to review applications to participate in the program and recommend the participants to collegeinvest. Specifies the members and terms of the community board. Repeals the community board following sunset review.

Creates the health care provider loan repayment fund to consist of appropriations by the general assembly, an annual transfer of moneys from the short-term innovative health program grant fund for the next 5 years, federal grant moneys, and any moneys received as contributions, gifts, grants, or donations. Specifies that collegeinvest may allocate assets to the program. For the 2007-08 fiscal year, reduces the appropriation to the department of public health and environment from the short-term innovative health program grant fund by the amount of the transfer to the health care provider loan repayment fund.

APPROVED by Governor June 4, 2007

EFFECTIVE June 4, 2007

S.B. 07-257 Employment contracts - multi-year research contracts. Limits to 5 years the length of employment contracts or contract extensions that an institution of higher education may have with government-supported officials or employees for research in university settings.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1014 Western state college of Colorado - graduate programs. Expands the role and mission of Western state college of Colorado to allow the college to offer a limited number of graduate programs.

APPROVED by Governor March 9, 2007

EFFECTIVE March 9, 2007

H.B. 07-1026 Undergraduate students - health insurance. Prohibits a governing board of a state institution of higher education from requiring health insurance for undergraduate students.

APPROVED by Governor March 15, 2007

EFFECTIVE March 15, 2007

H.B. 07-1060 Bioscience research - bioscience discovery evaluation grant program - appropriation. Establishes within the bioscience discovery evaluation grant program ("program") separate maximum grant amounts for research projects based on whether a research project is funded by grants received pursuant to a federal agency small business innovation research ("SBIR") program or a federal agency small business technology transfer ("STTR") program. Specifies that 80% of moneys appropriated to the bioscience discovery evaluation cash fund ("fund") shall be used to provide grants to SBIR and STTR research projects and that 20% of moneys appropriated to the fund shall be used to provide

grants to biofuel research projects that are not SBIR or STTR research projects. For the portion of moneys appropriated to the fund that shall be used to provide grants to SBIR and STTR research projects, specifies that 25% shall be used to provide grants to biofuel research projects and 75% shall be used to provide grants to life sciences research projects. Establishes eligibility criteria for an office of technology transfer that seeks a grant from the program for the purposes of an SBIR or STTR research project.

Requires the director of the office of economic development ("director") to report annually to the finance committees of the general assembly, summarizing the bioscience research projects that received funding under the program in the preceding calendar year.

Increases the amount that the office of economic development may expend in administering the program to 5% of the moneys transferred into the fund. Transfers \$2,500,000 of the general fund portion of limited gaming fund moneys to the fund.

For the 2007-08 fiscal year, appropriates from the fund to the office of the governor, for allocation to the office of economic development, \$2,500,000 and 0.6 FTE.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

H.B. 07-1099 Colorado institute of technology - repeal. Repeals the Colorado institute of technology. Repeals the tax credit for contributions to the Colorado institute of technology.

APPROVED by Governor March 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1163 Armed forces and Colorado National Guard members and dependents - in-state tuition - lawful presence - appropriation. Makes a member of the armed forces, or a dependent of the member, eligible for in-state tuition status if the member is transferred to Colorado on a temporary assignment of duty. Gives all members of the Colorado National Guard, and their dependents, in-state tuition status. Provides that persons eligible for in-state tuition solely because of a person's status as a member of the armed forces or Colorado National Guard are not eligible for a stipend under the college opportunity program.

Repeals obsolete language referring to counting members of the armed forces as resident students.

Authorizes institutions of higher education to accept a tuition classification certification form as proof of lawful presence in the United States.

Makes an adjustment to the 2007 general appropriation act for the implementation of this act.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1242 Loan repayment assistance programs - students pursuing public service careers. Authorizes a governing board of an institution of higher education to create a loan repayment assistance program to encourage students and graduates to enter public service careers.

APPROVED by Governor April 9, 2007

EFFECTIVE April 9, 2007

H.B. 07-1254 Colorado state university system - recodification of statutes. Revises and relocates several statutory sections pertaining to the Colorado state university system ("CSU system"). Requires the board of governors of the CSU system ("board of governors") to report to the Colorado commission on higher education the sale, lease, or exchange of any real property. Adds provisions concerning the selection and duties of the chancellor of the CSU system. Eliminates the requirement that the president of Colorado state university or the president of Colorado state university - Pueblo submit for the approval of the board of governors any actions taken to remove subordinate officers and employees. Eliminates provisions regarding the expenditure, by the board of governors, of funds received pursuant to an 1862 congressional grant for the endowment of colleges. Eliminates a requirement that the treasurer of each county of the state, upon the request of the board of governors, prepare a report concerning the value of bonds offered to the board of governors for investment.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1256 In-state tuition - business relocations - children of faculty - appropriation. Permits an institution of higher education to provide in-state tuition status to a student who moves to Colorado as a result of the student's employer or the student's parent's employer moving to Colorado pursuant to an incentive from the office of economic development or an incentive from a local government. Permits an institution to provide in-state tuition status to a student who moves to Colorado as a result of the student's parent taking a faculty position at a Colorado institution of higher education. Requires the institution to develop a verification process to provide students in-state tuition under these provisions. Prohibits a student receiving in-state tuition pursuant to this provision from receiving state financial aid.

Appropriates \$20,826 to the department of higher education for allocation to the college opportunity fund for implementation of the act. Appropriates \$38,879 to the department of higher education for allocation to the state board of community colleges and occupational education state system community colleges for implementation of the act.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

ELECTIONS

S.B. 07-83 Identification - voter-verified paper record - judicial review - emergency registration - voter registration drives - mail registration - petitions - vacancies in nominations - write-in candidates - minor political parties - vote centers - accessible ballot marking devices - election judges - watchers - time in voting booth - random audit - certificate of election results - mail ballots - tampering with voting equipment - campaign finance reports - appropriation. Adds a valid student identification card issued by an institution of higher education in Colorado to the list of acceptable forms of identification for purposes related to voting. Requires a voter-verified paper record to list each ballot issue or ballot question by number or letter.

States that if the supreme court declines to review a controversy involving the actions of an election official, the decision of the district court shall be final and not subject to further appellate review.

Requires a person registering to vote by emergency registration to answer the questions regarding the person's eligibility to vote and provide an identification number in the same manner as a person completing a nonemergency registration.

Allows a person who attempted to register to vote in a voter registration drive to register by emergency registration if the person is able either to show the receipt from the voter registration drive or to provide the location of the voter registration drive and the approximate date of registration.

Clarifies that the county clerk and recorder shall not register a first-time voter registering to vote by mail if the person does not comply with the requirements to provide a driver's license number or, if the person has not been issued a driver's license, the last 4 digits of the person's social security number if the person has a social security number.

Requires a voter registration drive circulator to collect a voter registration application distributed by the voter registration drive and offered by an elector and deliver the application to the voter registration drive organizer. Increases the time a voter registration drive organizer has to deliver or mail an application collected from an elector to the proper county clerk and recorder from 7 to 15 days after the application is signed.

Changes the penalties for violations of the laws on voter registration drives to:

- A fine of up to \$500 for conducting a voter registration drive without filing the statement of intent with the secretary of state, failing to maintain a designated agent in the state, using a voter registration application form other than the form approved by the secretary of state, or failing to fulfill the training requirements;
- A fine of up to \$5,000 for intentionally failing to deliver a voter registration drive application to the proper county clerk and recorder in the prescribed time and manner;
- A fine of up to \$1,000 for compensating a voter registration drive circulator based on the number of voter registration applications the circulator distributes or collects.

Changes the offense of negligently failing to deliver a voter registration application to the proper county clerk and recorder to willfully failing to deliver a voter registration

application. Imposes an additional fine of up to \$1,000 on a voter registration drive organizer that has been fined 3 times or more for willfully failing to deliver a voter registration application to the proper county clerk and recorder in the prescribed time and manner.

Eliminates the requirement that a person be a registered voter in order to circulate a petition to nominate a candidate, recall certain elected officials, propose an initiated or referred measure, or form a special taxing district in a home rule county. Requires a circulator of such a petition to be a resident of the state, a citizen of the United States, and at least 18 years of age. Eliminates the requirement that a person who circulates a petition to nominate a candidate be eligible to vote in the district in which the candidate is running for election. Eliminates the requirement that a person who circulates an initiative or referendum petition wear a badge indicating the person's name. Eliminates the requirement that the proponents of an initiative or referendum petition file reports with election officials, monthly and when the petition is filed, identifying persons who were paid to circulate the petition and the amount paid to each person. Requires proponents to file a report along with the petition stating the total amount paid to all persons who were paid to circulate the petition.

Changes the method of challenging a candidate petition that the election official has determined to be sufficient from a written protest filed with the designated election official to a petition for review of the petition filed with the district court. If an election official determines that a petition nominating a candidate is insufficient, allows the candidate to appeal the determination to the district court.

States that if a vacancy in a party nomination occurring after the primary election but more than 18 days before the general election is filled before the ballot has been certified, the designated election official shall certify the name of the replacement candidate for the ballot. States that if a vacancy in a party nomination occurring after the primary election but more than 18 days before the general election is filled after the ballot has been certified, the designated election official shall, to the extent reasonably practical in the circumstances, cause the name of the replacement candidate to appear on the official ballot or place a sticker on the sample ballot indicating the name of the replacement candidate. Specifies that a designated election official shall not be required to print new ballots with the name of the replacement candidate if the ballots containing the name of the candidate who vacated the nomination have already been printed. States that if the name of the replacement candidate does not appear on the official ballot, the votes cast for the candidate who vacated the nomination shall be counted as votes for the replacement candidate.

Requires a write-in candidate for governor to designate on the affidavit of intent a write-in candidate for lieutenant governor. States that a write-in vote for a candidate for governor shall not be counted unless the person designated as the write-in candidate for lieutenant governor filed an affidavit of intent.

Permits a minor political party to nominate a candidate who has not been affiliated with the party for the previous 12 months or who has been affiliated with a major political party within the previous 12 months if allowed by the constitution or bylaws of the minor political party.

Directs the secretary of state to establish testing and backup requirements for the equipment used by a vote center to establish a secure electronic connection to the computerized registration book and requirements that a vote center have a paper or

electronic copy of the registration records to be used in case of a system failure. Specifies that the guidelines established by the secretary of state for vote centers shall address the number of computers with a secure connection to the computerized registration book, voting devices or machines, provisional ballots, and other supplies to be available at each vote center.

Deletes obsolete language regarding alternative polling places for disabled electors.

States that a ballot marking device may be considered an accessible voter interface device for purposes of the requirement that every voting system have the capability to accept accessible voter interface devices. Defines "ballot marking device" as a device that allows an elector to mark a ballot card used in an electromechanical voting system and that meets specified standards of accessibility. Requires an election judge to deposit every elector's ballot card in the ballot box at a polling place where a ballot marking device is available for accessible voting.

Extends the time in which a county clerk and recorder may hold the required class of instruction for election judges from 32 to 45 days before the election.

States that the number of student election judges assigned to a combined polling place or vote center shall not exceed the number of election judges who are not student election judges. Allows election judges to work shifts lasting less than the entire day, with the consent of the county clerk and recorder or designated election official and subject to the requirements regarding the number and party affiliation of election judges, so long as at least two judges of different affiliations work the entire day.

Requires political party officials, candidates, and proponents or opponents of ballot issues who wish to have watchers at polling places to submit the names of the persons selected as watchers to the county clerk and recorder. States that, to the extent possible, the names of the watchers shall be submitted by the close of business of the Friday before the election.

Eliminates the requirement that an election judge announce the name of a person preparing to vote. Clarifies that an elector is required to present his or her own identification when voting. Eliminates the specified time limit for an elector to occupy a voting booth or remain in the immediate voting area and authorizes the secretary of state to establish, by rule, a time limit for occupying a voting booth.

Increases the percentage of voting devices in each county to be selected for manual random audit following an election from one percent to 5%. Allows the secretary of state to approve an alternative random audit method for a particular county if the method is based on a proven statistical sampling plan and will achieve a higher level of statistical confidence. Requires an audit of each office, ballot issue, and ballot question in the election. Directs the canvass board to submit a report to the secretary of state describing the audit process and including any initial, interim, and final results.

Eliminates the requirement that the official certificate prepared by the election judges for each precinct express vote totals in words as well as numbers. Clarifies that the certificate shall include the results of voting on any ballot issue or ballot question voted on in the election.

Specifies that the first ballot returned by an elector in a mail ballot election shall be

considered the elector's official ballot.

Changes the offense of tampering with voting equipment from a misdemeanor to a class 1 misdemeanor.

Allows a person on whom a penalty has been imposed for failure to file campaign finance information on time to appeal the penalty to the appropriate officer. Directs the appropriate officer to set aside or reduce the penalty upon a showing of good cause.

Changes incorrect statutory references regarding school district elections. Allows the vote on the transfer of an existing urban renewal authority to the governing body of a municipality to be held at any regular election.

Appropriates \$82,332 and 1.0 FTE from the department of state cash fund to the department of state for the implementation of this act. Appropriates \$11,860 of that amount to the department of law for the provision of legal services to the department of state related to the implementation of this act.

APPROVED by Governor June 1, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-234 Mail-in ballots - change from absentee ballots - application for permanent mail-in voter status - list of voters - deletion from voter list - request for permanent status - verification of receipt - capability - delivery to early voters' polling place. Changes the designation of ballots that may be delivered personally or mailed by the elector to the designated election official from absentee ballot to mail-in ballot.

Allows any eligible elector to apply for permanent mail-in voter status. If it is determined that the applicant is an eligible elector, requires the designated election official to place the eligible elector's name upon a list of those eligible electors to whom a mail-in ballot is mailed each time there is a coordinated election.

Requires the designated election official to keep a list of permanent mail-in voters. Specifies that an eligible elector whose name appears on the list of permanent mail-in voters shall remain on the list and shall be mailed a mail-in ballot for each coordinated election. Requires deletion of an eligible elector from the permanent mail-in voter list if the elector notifies the designated election official that he or she no longer wishes to vote by mail-in ballot, the mail-in ballot is returned to the official as undeliverable, or the elector has been deemed inactive.

Requires that voter information cards, elector confirmation cards, and mail-in ballot applications allow an elector to request designation as a permanent mail-in voter.

Requires that the mail-in ballot instruction and return materials contain a statement that all ballots, both polling place and mail-in, are counted in the same manner. Requires the mail-in ballot instruction card to contain information on how an elector may verify that his or her ballot has been received by the county clerk and recorder. Directs each county clerk and recorder to maintain the capability for providing an elector, upon request, with information on whether his or her mail-in ballot was received, including, but not limited to

an on-line mail-in ballot tracking system or response by other electronic or telephonic means.

Allows an eligible elector to personally deliver a mail-in ballot to an early voters' polling place in the county in which the elector is registered to vote. Requires each county clerk and recorder to provide one or more early voters' polling places on election day for the purpose of receiving personally delivered mail-in ballots.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

S.B. 07-259 Campaign finance - improvements by secretary of state to electronic filing system for reporting information - appropriation. Requires the secretary of state, at the earliest practicable date, to develop and implement improvements to the design and structure of the website maintained by the secretary to improve the public's ability to navigate, search, browse, download, and analyze information. Specifies that such improvements shall include, without limitation:

- Enhanced searching and summary reporting, including the ability to search across multiple committees and all filers, the ability to filter or limit searches, the inclusion of smart-search features such as "name sounds like" or "name contains", and numerical totaling of amounts shown on search results;
- Features that facilitate the ability to download raw data and search results in one or more common formats to enable offline sorting and analyzing;
- Detailed, technical instructions for users;
- Information to help users determine the scope of candidates' and committees' reports and campaign data available online; and
- Resources that give the public comparative context when viewing campaign finance data.

Removes outdated provisions and combines separate provisions concerning the filing system for counties with the provisions governing the filing system for state filers.

Appropriates \$86,679 to the department of state from moneys in the department of state cash fund for the implementation of the act.

APPROVED by Governor May 25, 2007

EFFECTIVE July 1, 2007

H.B. 07-1074 Political organizations - disclosure of contributions and spending. Defines "political organization" to mean a political organization defined in section 527 (e) (1) of the federal "Internal Revenue Code of 1986" (code) that is engaged in influencing or attempting to influence the selection, nomination, election, or appointment of any individual to any state or local public office in the state and that is exempt, or intends to seek any exemption, from taxation pursuant to section 527 of the code.

Requires any political organization to report to the appropriate officer in accordance with existing disclosure and reporting requirements under the "Fair Campaign Practices Act" (FCPA):

- Any contributions the political organization receives, including the name and address of each person who has contributed \$20 or more to the political

organization in the reporting period, and the occupation and employer of each natural person who has made a contribution of \$100 or more to the political organization; and

- Any spending by the political organization that exceeds \$20 in any one reporting period.

Prohibits any political organization from accepting a contribution, or undertaking spending, in currency or coin exceeding \$100.

Specifies that nothing in the act shall be construed to:

- Require any political organization to make any additional disclosure pursuant to the act to the extent the political organization is already providing disclosure as a committee or political party in a manner that satisfies the disclosure or reporting requirements of the FCPA; or
- Authorize the secretary of state to require disclosure of the name of any natural person that is a member of an entity unless the natural person has made a contribution to a political organization in the amount of \$20 or more in a reporting period.

APPROVED by Governor May 24, 2007

EFFECTIVE July 1, 2007

H.B. 07-1149 Overseas electors - absent uniformed services electors - absentee ballots - unsigned applications from electors in combat zones. Allows a United States citizen who has never lived in the United States but whose parent is eligible to vote in this state to register and vote by absentee ballot.

Directs the secretary of state to cooperate with the voting assistance officer of any unit of the U.S. armed forces or an officer of the Colorado National Guard or a Colorado-based unit of the reserve components of the uniformed services of the United States to assist with voter registration and absentee ballot applications.

Specifies that an absent uniformed services elector, a nonresident overseas elector, or a resident overseas elector may apply for an absentee ballot by a letter of application in addition to the federal postcard application.

Directs a county clerk and recorder to accept an unsigned federal postcard application or letter of application for an absentee ballot submitted on behalf of an absent uniformed services elector by an authorized officer in the unit in which the elector is serving or from a commissioned officer in the unit to which the elector is assigned, attached, or under operational control or from an authorized voting assistance officer if the officer is authorized to administer oaths and the officer submits a signed statement that the elector:

- Requested an absentee ballot from the officer or through the chain of command;
- Is serving outside the United States, is entitled to additional payment for serving in a zone of hostile fire or imminent danger, and does not have access to the facilities or equipment necessary to send the application due to military circumstances; and
- Provided the necessary information to the officer in writing.

If the elector wishes to register to vote using the federal postcard application, requires the officer to state in the signed statement that the officer administered to the elector the affirmation required on the federal postcard application. Requires a county clerk and recorder who accepts an unsigned absentee ballot application from a military officer on behalf of an absent uniformed services elector to have the absentee ballot delivered to the elector at the address shown on the application.

Clarifies that an overseas elector may vote by federal write-in absentee ballot if the elector timely applied for a state absentee ballot but believes he or she will be unable to vote and return the ballot by the deadline. Specifies that a federal write-in absentee ballot shall not be counted if:

- The ballot was submitted by a nonresident overseas elector or a resident overseas elector from a location in the United States;
- The ballot was submitted by an elector whose state absentee ballot application was received after the close of business on the Friday before the election; or
- The designated election official received a state absentee ballot from the elector by 7 p.m. on election day.

APPROVED by Governor May 22, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1323 Campaign finance - corporation - limited liability company - contributions by limited liability companies - complaints with secretary of state - civil penalty. Modifies the definition of "corporation" in the "Fair Campaign Practices Act" (FCPA) to include a domestic nonprofit corporation or any corporation incorporated under and subject to the laws of another state or foreign country.

Prohibits a limited liability company (LLC) from making a contribution to a candidate committee, political committee, or political party if one or more individual members of the LLC meets certain specified conditions.

Prohibits an LLC from making any contribution to a candidate committee or political party if either the LLC has elected to be treated as a corporation by the internal revenue service or the shares of the LLC are publicly traded.

Requires any LLC to affirm in writing to the candidate committee, political committee, or political party to which it has made a contribution, as applicable, that it is authorized to make a contribution. Specifies required contents of the affirmation. Prohibits the committee or political party, as applicable, from accepting a contribution from an LLC unless the written affirmation is provided before the contribution is deposited by the committee or political party. Requires the specified committees or a political party receiving the contribution to retain the written affirmation for not less than one year following the date of the end of the election cycle during which the contribution is received.

Makes any contribution by an LLC, and the aggregate amount of contributions from multiple LLCs attributed to a single member of any such LLC under the act subject to the constitutional limits governing such contributions. Requires an LLC that makes any contribution to a candidate committee, political committee, or political party, at the time it

makes the contribution, to provide information to the recipient committee or political party as to how the contribution is to be attributed among the members of the LLC. Requires the LLC to then attribute the contribution to its members against the aggregate contribution limit applicable to multiple LLCs under the act; except that the aggregate amount of contributions from multiple LLCs attributed to a single member shall not exceed the constitutional contribution limits. Specifies that nothing in the act shall be construed to restrict a natural person from making a contribution in his or her own name to any committee or political party to the extent authorized by law.

Prohibits a foreign corporation from making any contribution under the campaign and political finance provisions of the state constitution or the FCPA that a domestic corporation is prohibited from making under such provisions.

Authorizes any person who believes that a violation of the act's provisions governing contributions by an LLC and restricting contributions by a foreign corporation to file a written complaint with the secretary of state no later than 180 days after the date of the alleged violation.

Specifies that any person who has violated any of the act's provisions concerning contribution limits applicable to an LLC or foreign corporation or in connection with the written affirmation requirements shall be subject to a civil penalty as specified in the act.

Defines "limited liability company" to include any form of domestic or foreign entity under the "Colorado Corporations and Associations Act" with certain exceptions enumerated in the act.

Makes the requirements of the act applicable to the portion of any election cycle or for the portion of the calendar year remaining after June 1, 2007, and for any election cycle or calendar year commencing after June 1, 2007, whichever is applicable.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1376 Precinct caucuses - presidential election years. Changes the date by which a county clerk and recorder shall furnish a list of registered electors to each major political party in the county from 30 to 28 days before the precinct caucus.

Allows a political party, by decision of its state central committee, to hold its precinct caucuses on the first Tuesday in February in a presidential election year. Requires the committee to notify the secretary of state and the clerk and recorder of each county of the decision within 5 days after the decision.

Specifies that, if a political party holds its precinct caucuses on the first Tuesday in February in a presidential election year, the county assemblies of the political party shall be held between 15 and 40 days after the precinct caucuses.

APPROVED by Governor June 1, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

FINANCIAL INSTITUTIONS

S.B. 07-40 Banks - operations on premises of nonfinancial affiliates - prohibition. Prohibits a financial institution from establishing or maintaining its principal office, a loan production office, a deposit production office, an electronic communication device, or a branch on or within 1.5 miles of premises owned, leased, or otherwise controlled by an affiliate that engages in commercial activities.

Provides that the prohibition does not apply to an industrial bank that became an insured depository institution before October 1, 2003, or under an application for deposit insurance approved prior to that date and is a subsidiary of a parent entity at least 85% of whose gross revenues are derived from financial activities as defined under the federal "Gramm-Leach-Bliley Act" during at least 3 of the prior 4 calendar quarters.

APPROVED by Governor March 16, 2007

EFFECTIVE March 16, 2007

S.B. 07-101 Foreign capital depositories - deposits - orders - rules - background checks. Defines "deposit" to mean customer assets that are a liability to a foreign capital depository. Grants the state bank commissioner (commissioner) the authority to issue preemptive cease and desist orders. Moves the commissioner's rule-making authority to the banking board (board). Authorizes the department of regulatory agencies to provide copies of a foreign capital depository's quarterly reports upon request, but requires customer identifying and financial information to remain confidential.

Authorizes the board to require a new director, executive officer, or controlling person of a foreign capital depository to obtain a background check within 3 years after granting the depository its charter. Authorizes the commissioner to suspend the person from owning, operating, or managing the depository if the background check reveals bad character.

APPROVED by Governor April 20, 2007

EFFECTIVE July 1, 2007

S.B. 07-155 Banking - ATM transaction fees - foreign bank. Allows a communications facility (ATM) to charge a fee to a customer conducting a transaction using an account from a foreign bank.

APPROVED by Governor April 20, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1035 Money transmitters - foreign capital depositories - exchange information with treasury secretary regarding compliance with federal financial crimes laws. Allows the state bank commissioner (commissioner) to exchange information received from money transmitters and foreign capital depositories with the U.S. secretary of the treasury (secretary) or the secretary's designee pertaining to compliance with federal money laundering and other financial crimes laws. Authorizes the commissioner, the banking board, and their respective designees to exchange information pertaining to the activities of

money transmitters and foreign capital depositories with regard to compliance with such federal laws with the secretary or the secretary's designee.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

H.B. 07-1175 Industrial banks - limitations - commercial locations. Promotes the federal policy of prohibiting the mixing of banking and commerce by specifying that no industrial bank may accept deposits or make loans at a commercial location unless it is owned by a financial holding company.

APPROVED by Governor March 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1185 Banking - accounts - entities - certificate of existence and authority - liability. Allows a person acting or purporting to act for or on behalf of an entity, and who opens a deposit or loan account for an entity at a financial institution, to provide the financial institution with a certificate of existence and authority. Requires the certificate of existence and authority to include:

- The name and mailing address of the entity;
- The type of entity and the state, country, or other governmental authority under whose laws the entity was formed;
- The organization date of the entity;
- The name, mailing address, and office or other position held by the person executing the certificate; and
- A statement that the board of directors, managers, members, general partners, or other governing body of the entity opening the account has duly taken all action legally required to open the account in the name of the entity and the name, office, or other position of the person who has been duly authorized to engage in transactions with respect to the account, including any limitation that may exist upon the authority of such person to bind the entity and any other matters concerning the manner in which such person may deal with the account. If the deposit is to be opened on behalf of an institution of higher education, the statement shall be accompanied by a resolution certified by the secretary of the governing board.

Limits the liability of the financial institution when opening a deposit or loan account for an entity if the information contained in the certificate is inaccurate, unless the financial institution has actual knowledge that the information is inaccurate.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

GENERAL ASSEMBLY

S.B. 07-139 Compensation of members - per diem increase for nonmetro members - interim per diem - committees of reference - travel expense reimbursement. Increases the legislative per diem from \$99 to an amount equal to 85% of the federal per diem rate for the city and county of Denver for expenses incurred during the legislative session by members residing outside the Denver metropolitan area.

With the prior approval of the executive committee:

- Entitles any member of a committee of reference to the interim per diem of \$99 for attendance at a meeting when the committee is considering matters for which it has oversight responsibility.
- Entitles members to reimbursement for all actual and necessary expenses incurred due to extraordinary or unforeseen circumstances related to the member's legislative business.

APPROVED by Governor May 25, 2007

EFFECTIVE May 25, 2007

S.B. 07-194 Capital development committee - duties. Clarifies the duty of the capital development committee to review and make recommendations on reports from state agencies.

APPROVED by Governor April 11, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-202 Capital development committee - forecasts. Limits the duty of the capital development committee to forecast the state's requirements for capital construction, controlled maintenance, and capital asset acquisition to the next fiscal year and the following 4 fiscal years.

APPROVED by Governor May 3, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-214 Capital development committee - exempt project amounts. To be exempt from the requirements for master planning and program planning, increases the maximum amount of state funds required to \$500,000. Increases the maximum dollar amount of a controlled maintenance project for which the executive director of the department of personnel may require a feasibility study or feasibility plan.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

H.B. 07-1299 Capital development committee - members-elect. Authorizes members-elect of the general assembly to serve on the capital development committee after an election but

prior to the convening of the general assembly.

APPROVED by Governor May 17, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

GOVERNMENT - COUNTY

S.B. 07-98 County sales or use tax - incremental exemption from statutory limitation for county-owned open space and parks. States that any increment of sales tax or use tax imposed by any county for the specific purpose of funding the acquisition or management of open space and parks within such county shall be exempt from the statutory limitation on the total amount of sales tax or use tax that may be imposed by the state, any county, and any city or town.

Specifies that in no case shall such additional increment of sales tax or use tax exceed a rate of 1/2 of one percent.

Specifies that the legislation is not meant to limit the amount a county may levy, collect, and expend for open space. States that any additional increment imposed will supplement and not supplant any other county moneys budgeted for similar programs or purposes.

Specifies that a county may only impose an additional increment of sales tax or use tax after voter approval from eligible electors in the county.

APPROVED by Governor March 30, 2007

EFFECTIVE March 30, 2007

H.B. 07-1045 County planning commission - increase in maximum size of commission in larger counties. In counties of the state having a population of 100,000 or more, authorizes the board of county commissioners to increase the maximum size of the county planning commission from 9 to 15 members.

APPROVED by Governor March 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1078 Building contractors - county licensing program. Authorizes any county in the state that has adopted a building code to establish a licensing program to require a person who engages in the business of being a building contractor within the unincorporated areas of the county to obtain a license from the county prior to engaging in the business. Authorizes the county to develop the licensing program and specifies that any such program may include one or more of the following:

- Procedures to be followed by building contractors to obtain or renew a license;
- A requirement that the building contractor achieve a passing grade on a nationally recognized examination promulgated by the international code council that is commonly used and accepted in the industry;
- Specification of the duration of the license;
- The imposition of a reasonable fee to be charged by the county to a building contractor to cover the costs of any testing required to be performed by the county, the processing of the application, or any other costs issued by the county in connection with the issuance or renewal of a license; or
- Grounds for the revocation or suspension of a license issued by the county,

grounds for the revocation or suspension of a building permit issued for a project for which the building contractor is found not to be in compliance with the county's licensing requirements, or grounds for the imposition of any lesser sanction, and procedures to be followed by the county in carrying out the revocation, suspension, or other sanction.

Requires any county that establishes a licensing program to issue a license to a building contractor holding a valid license issued by another county or municipality in the state without requiring the building contractor to take or achieve a passing grade on the county's examination where the license issued by another county or municipality required the building contractor to achieve a passing grade on a nationally recognized examination promulgated by the international code council commonly used and accepted in the industry. Specifies that, in the case of a building contractor holding a valid license issued by another county or municipality in the state, the fee charged by a secondary county for issuance or renewal of a license shall be reasonable and limited to costs incurred by the secondary county in processing the application and otherwise administering the issuance or renewal of a license required by the act.

If a building contractor applying for a license complies with the requirements for obtaining a license established by the county, requires the county to issue a provisional license to the building contractor no later than 7 business days after the building contractor has submitted a complete application. Specifies that any failure on the part of the county to issue a nonprovisional license within 45 days after submission of a complete application to a building contractor who has otherwise satisfied all other requirements for obtaining a license shall not preclude the building contractor from engaging in the business of being a building contractor and applying for a building permit for unincorporated areas of the county.

Prohibits a person from engaging in the business of being a building contractor within the unincorporated areas of any county that has adopted a licensing program unless the person holds a valid license issued or recognized by the county.

Specifies that, notwithstanding any other provision of the act:

- The provisions of the act shall apply to any licensing program operated or administered by a county that is in existence as of the effective date of the act.
- Specifies that any licensing program operated or administered by a county as of the effective date of the act that satisfies or is amended to satisfy the requirements of the act is hereby ratified as compliant with the requirements of the act and need not be reestablished by the county.
- Nothing in the act shall be construed to require any individual to hold a license to perform repair or maintenance work on his or her own property, nor shall it prevent a person from employing an individual on either a full-time or a part-time basis to perform repair or maintenance work on his or her own property who is not licensed under the provisions of the act.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1092 Fireworks - authority to regulate in unincorporated areas. Authorizes the board of county commissioners of a county to adopt an ordinance prohibiting or restricting the sale, use, and possession of fireworks for a period no longer than one year within all or any part of the unincorporated areas of the county; except that such an ordinance shall not be in effect between May 31 and July 5 of any year unless the ordinance includes an express finding of high fire danger based on competent evidence. Prohibits a county from permitting or authorizing the sale, use, or possession of fireworks in violation of state fireworks laws.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1119 Clerk and recorder - agent of department of revenue - motor vehicle registration and titling - fee. Increases the fee that a county clerk and recorder retains for acting as the authorized agent of the department of revenue for registrations and titling of motor vehicles and titling of manufactured homes from \$2 to \$4 per paid motor vehicle registration and registration requiring a metallic plate, plates, individual temporary registration number plates, or validation tab or sticker.

APPROVED by Governor May 18, 2007

EFFECTIVE September 1, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1142 Information related to oil or gas leasehold or lands - access - department of revenue - notices. Authorizes the executive director of the department of revenue to have access to all statements and documentation filed with a county assessor related to the valuation of an oil or gas leasehold or land. Establishes that notices of valuation for oil or gas lands and leaseholds shall be public records available for inspection.

APPROVED by Governor April 16, 2007

EFFECTIVE April 16, 2007

H.B. 07-1187 County employees - publication of salary information. Requires that county employees be identified by title only rather than by name and title when the board of county commissioners publishes information on the salaries of county employees twice annually in a legal newspaper in the county.

APPROVED by Governor March 26, 2007

EFFECTIVE March 26, 2007

H.B. 07-1195 County, municipal, and political subdivision officers' and employees' retirement systems - contributions - exemption. Specifies that a retirement plan that was established pursuant to a law other than the county, municipal, and political subdivision officers' and employees' retirement systems (retirement system) law may elect not to be covered under the retirement system law. Eliminates the limitation on the percentage of an employee's basic salary or wage that the employee shall be required to contribute to a retirement system in which the employee is a participant.

Eliminates the provision that authorizes the governing body of a county, municipality, political subdivision, or other entity (governing body) that has employees that participate in a retirement system to make contributions out of federal revenue-sharing funds under certain circumstances.

Specifies that each governing body shall establish the percentage of the employees' basic salary or wage that the governing body contributes to the retirement system. States that the contribution shall not be less than 3% of the employees' basic salary or wage.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1379 Environmental sustainability - education and outreach. Authorizes the board of commissioners of a county to provide in the county budget for programs that support education and outreach on environmental sustainability within the county but do not exempt the county from the requirements of any other statute.

APPROVED by Governor May 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

GOVERNMENT - LOCAL

S.B. 07-124 Colorado housing and finance authority - "Colorado Housing and Finance Authority Act" - revisions. Eliminates statutory restrictions on distributions to sponsors in rental finance transactions and allows the Colorado housing and finance authority (CHFA) to impose or not impose restrictions in accordance with applicable regulations or internal policies.

Provides that statutory findings required to be made by the board of directors of CHFA may be made by CHFA.

Changes the definition of "low-income family" and "low- or moderate-income family" to authorize CHFA to determine which families qualify.

Permits attendance and voting at CHFA board meetings through the use of teleconferencing. Clarifies that all public records of CHFA are subject to the "Colorado Open Records Act". Provides that the CHFA board may act by a majority vote of the members present rather than by a majority of the entire board.

Deletes specific statutory requirements that, generally, mortgages securing loans must be first liens and deletes the requirement that the loan-to-value ratio of a first mortgage loan and second mortgage loan on the same property may not exceed 92%.

Clarifies that CHFA may refund bonds of other issuers and that CHFA may issue bonds with fixed or variable interest rates or as otherwise determined by CHFA. Clarifies that CHFA may refinance existing loans from other lenders in the single-family and multi-family areas.

Authorizes CHFA to finance public infrastructure improvements beyond the boundaries of a project or housing facility if the facilities are adjacent to the project and support the operation of the project.

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

S.B. 07-145 Local government - authority to offer incentives - renewable energy fixtures. Gives counties and municipalities the authority to grant incentives to a residential or commercial property owner for installation of renewable energy fixtures on his or her residential or commercial property.

Defines a renewable energy fixture as any fixture, product, system, device, or interacting group of devices that produce electricity from renewable resources, including, but not limited to, photovoltaic systems, solar thermal systems, small wind systems, biomass systems, or geothermal systems.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-157 Approval of urban renewal plans - notice of commissioning of study to determine whether area is slum, blighted area, or a combination. In addition to any other notice required by law, within 30 days of the commissioning of a study to determine whether an area is a slum, blighted area, or a combination thereof, requires an urban renewal authority to provide notice to any owner of private property located in the area that is the subject of the study by mailing notice to the owner by regular mail at the last-known address of record. Requires the notice to state that the authority is commencing a study necessary for making a determination as to whether the area in which the owner owns property is a slum or a blighted area. Requires the authority to send notice of a determination that the area is not a slum, blighted area, or a combination thereof within 30 days of such determination to any owner of private property located in the area that is the subject of the study by mailing notice to the owner by regular mail at the last-known address of record.

APPROVED by Governor May 22, 2007

EFFECTIVE September 1, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1146 Planning - building codes - energy efficiency code - adoption. Requires every board of county commissioners (board) and every governing body of a municipality (governing body) that has enacted a building code to adopt an energy code that meets or exceeds the standards in the 2003 international energy conservation code (code) as minimum requirements that apply to the construction of any commercial or residential buildings in the county or municipality for which a building permit application is received after July 1, 2007.

Exempts certain buildings from the requirements of the energy code. Specifies the period during which a board or governing body shall adopt an code. Authorizes the board or the governing body to make amendments to the code that are deemed appropriate for local conditions and that do not decrease the effectiveness of the code.

Directs the governor's office of energy management and conservation to provide information explaining the requirements of the code and to provide boards and governing bodies with technical assistance concerning the implementation and enforcement of the code.

APPROVED by Governor May 3, 2007

EFFECTIVE July 1, 2007

H.B. 07-1246 Master plan of a county, region, or municipality - circumstances under which master plan is made binding. Specifies that the master plan of a county, region, or municipality, as applicable, shall constitute an advisory document to guide land development decisions. Authorizes the plan or any part of the plan to be made binding by inclusion in the county's, region's, or municipality's adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations after satisfying notice, due process, and hearing requirements for legislative or quasi-judicial processes as appropriate.

Specifies that no master plan originally adopted or amended by a county, region, or municipality, as applicable, shall conflict with a master plan for the extraction of commercial

mineral deposits adopted by the local government.

APPROVED by Governor April 25, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1334 Statewide internet portal authority - audits. Excludes the statewide internet portal authority from the definition of "local government" under the "Colorado Local Government Audit Law".

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

H.B. 07-1344 County public safety improvements - sales tax - administration - local improvement districts - sales tax cap. Authorizes the board of county commissioners of a county to levy a sales tax of not more than 2% to be used for public safety improvements (tax). Defines "public safety improvements" to include capital expenditures and operational costs associated with specified public safety organizations. Prescribes procedures for the board to propose and seek voter approval for the tax. Requires the department of revenue to collect and administer the tax in the same manner as other county sales taxes and to retain collection and administration costs. Prohibits public moneys from being expended to influence voting on the tax. Exempts the tax from the existing limit on total sales taxes levied by local governments.

Increases the maximum rate of sales tax that a local improvement district may levy.

APPROVED by Governor May 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

GOVERNMENT - MUNICIPAL

S.B. 07-7 Volunteer firefighter pension fund - definitions - district - volunteer firefighter - compensation. In the case of a local volunteer firefighter pension fund:

- Modifies the existing definition of a "volunteer firefighter" to include a standard set forth in federal law.
- Identifies additional types of benefits and payments that are excluded from the definition of "compensation".
- Expands the definition of "district" to include a county that helps fund a volunteer pension fund and expressly authorizes the county to contribute revenue to its fund.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

H.B. 07-1024 Fire and police pension association - property tax exemption. For property tax years commencing on or after January 1, 2007, exempts real property owned, used, and occupied by the fire and police pension association and personal property owned and used by the association from the levy and collection of property tax.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1028 Fire and police pension association - new hire pension members - effect of marriage or remarriage. For a police officers' and firefighters' new hire pension member (member) who is single when he or she retires under the statewide defined benefit plan or is awarded a disability benefit and chooses a single life annuity and who subsequently marries or remarries and wishes to choose a new pension option, allows the member to do so within 180 days of the date of marriage or remarriage or by January 1, 2008, whichever is later.

Specifies that a disabled member must survive for 180 days after the change of pension option in order for the survivor benefit to be payable.

APPROVED by Governor March 14, 2007

EFFECTIVE March 14, 2007

H.B. 07-1029 Fire and police pension association - disability and survivor benefits - eligibility - offset. Changes eligibility for a disability or survivor benefit to be based on whether a member is receiving a pension from a plan in the defined benefit system. Reduces disability benefits by the amount a member receives from a local pension plan. Changes how the income offset is calculated for permanent occupational disabilities.

APPROVED by Governor March 29, 2007

EFFECTIVE March 29, 2007

H.B. 07-1030 Fire and police pension association - new hire pension plans - contribution deposit timing. Requires all contribution deposits for police officers' and firefighters' new hire pension plans and the statewide death and disability plan to be made 10 days following

the payment of salary to the member, regardless of whether a member is paid more than once per month.

APPROVED by Governor March 29, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1031 Fire and police pension association - emergency service provider - volunteer service award plan. Specifies that a governing body of an emergency service provider may adopt and administer a volunteer service award plan for bona fide volunteers who provide qualified emergency services so long as the plan is in compliance with federal internal revenue requirements. If the governing body of an emergency service provider establishes such an award plan, requires the governing body to invest the public moneys held to pay the awards pursuant to existing law governing the investment of such public moneys. Allows an emergency service provider to adopt any other incentive programs to assist bona fide volunteers.

APPROVED by Governor March 26, 2007

EFFECTIVE March 26, 2007

GOVERNMENT - SPECIAL DISTRICTS

S.B. 07-28 Metropolitan sewage disposal districts - board of directors - representation - member compensation. Modifies the representation on a metropolitan sewage disposal district board having 11 or more member municipalities from one representative for each 25,000 people plus any fractional remainder to one representative for each 75,000 people plus any fractional remainder. Requires the board to be reapportioned every 4 years.

Increases the compensation of members of the board of directors of any metropolitan sewage disposal district from \$2,000 to \$3,000 per year.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-88 Regional transportation district - parking facility - fees - penalties for failure to pay. Expands the regional transportation district's (district) authority to charge a parking fee at a district parking facility (facility). Reduces the time that the district is required to post signs that warn of a future parking fee. Expands the information that is to be included on the warning signs. Modifies when the district may request personal information, which includes any motor vehicle registration or driver's license information. Requires parking fees to be payable in advance. Permits the district to establish customer accounts for prepaid parking fees. Permits the district to establish rules prohibiting a person who is not using the mass transportation system from parking at a facility. Limits the percentage of a facility that may be set aside for reserved parking spaces to 15% of the facility.

Establishes a penalty and related procedures for failure to pay a parking charge or parking in the facility without using the mass transportation system. Establishes when a motor vehicle left at a facility is to be considered abandoned.

Requires the department of revenue to allow the district to inspect any motor vehicle registration electronic database that includes the name and address of registered owners.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

S.B. 07-111 Local marketing district - marketing and promotion tax - exemption from limit on total sales or use tax. Exempts a marketing and promotion tax levied by a local marketing district from the 6.9% limitation on the total amount of sales or use tax.

APPROVED by Governor April 19, 2007

EFFECTIVE April 19, 2007

S.B. 07-205 Regional transportation district - transportation expansion plans - utility relocation. Requires the regional transportation district (district), subject to existing agreements and rights regarding the funding of the relocation work, to negotiate with any effected utility company in a fixed guideway corridor (corridor) of the district's transportation expansion plan (plan) to determine whether the utility company or a district contractor is responsible for any utility relocation projects necessitated by the plan. Allows the district to enter into a fixed guideway corridor utility relocation agreement (agreement) with a utility company for timely relocation of utilities.

Makes all design and construction of utility relocation subject to review and approval

by district and utility company engineers. Allows a utility company to upgrade utilities being relocated so long as the upgrade is done at the utilities expense and without delaying project construction. Establishes a dispute resolution process if the district and a utility company cannot reach an agreement if a dispute arises under an agreement, and, if the dispute cannot be resolved, specifies corridor-specific venues for district court litigation.

Requires the district to provide utility companies with detailed corridor-specific maps, drawings, plans, and profiles of the district's proposed improvements at specified stages of the plan's completion. Establishes notice requirements whereby the district must notify the utility company of any necessary utility relocation construction within a specified time depending on when the district became aware of the need for utility relocation or what type of utility must be relocated.

Authorizes the district to condemn or otherwise obtain replacement easements for relocation of utilities. Requires the district to endeavor to meet the utility's existing standards, if any, for easements. Requires the district to pay for a replacement easement when the district has acquired, at no extra cost, an easement previously owned and occupied by the utility. Requires the utility to pay for a replacement easement if the district has compensated the utility for a previously occupied easement from which the utility is being relocated. Requires that relocation easements be acquired as close as possible to the original location to minimize the cost of utility facility reconfiguration, that aboveground utilities facilities be relocated aboveground, and that underground utilities facilities be relocated underground.

Subjects a utility company to liability for actual damages if it causes a delay in the performance of utility relocation work or interference with the performance of construction by other contractors. States that a utility company is not liable for damages if the delay or interference is caused by a force majeure.

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

S.B. 07-251 Regional transportation district - service provided by private businesses. Eliminates the requirement that the regional transportation district (RTD) contract with private businesses to provide at least 50% of RTD's vehicular service. Authorizes RTD to contract with private businesses to provide up to 58% of its vehicular service.

States that an arbitrator appointed by the director of the division of labor in the department of labor and employment may not establish a level of vehicular service to be provided by private businesses. Repeals the provision limiting the term of any collective bargaining or other agreement related to privatization of RTD service or competitive contracting of jobs.

APPROVED by Governor May 18, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1159 Manner of conducting of ballot elections. Requires all special district ballot issue elections that are not part of an organizational election to be conducted either as part of a coordinated election or in accordance with the provisions of the "Mail Ballot Election

Act". Modifies deadlines related to the secretary of state's review of a mail ballot for a regular special district election.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

H.B. 07-1168 Forest improvement districts. Authorizes a municipality or county to adopt an ordinance or resolution proposing to create or join a forest improvement district (district). Specifies that a district shall include the entire territory of the municipality or county. States that a district is created upon approval by the voters of one or more municipalities or counties.

Specifies the manner of appointment, powers, and duties of the board of directors of a district. Requires the board to include at least:

- One representative of the state forest service;
- One representative of an environmental protection organization;
- One representative of a conservation district within the proposed district;
- One representative of a water conservancy district within the proposed district; and
- One representative of a federal land management agency.

Allows a district to levy and collect property and sales taxes with the approval of the voters of the district and to accept aid or contributions from any source. Requires a sales tax levied by a district to take effect on either January 1 or July 1. Exempts a sales tax levied by a district from the 6.9% limitation on total sales tax. Allows the municipalities or counties that create a district to impose a limit on the amount of revenue that a district may receive.

Authorizes the board of directors of a district to use revenue for the following purposes:

- Planning and implementing forest improvement projects in wild land-urban interface areas in cooperation with state and federal agencies and conservation districts, including projects to reduce hazardous fuels and protect communities;
- Establishing financial incentives for private landowners to mitigate wildfire risks on their property, including a state income tax deduction;
- Establishing incentives for local wood products industries to improve the use of or add value to small-diameter or beetle-infested trees;
- Matching state and federal grants for bioheating conversion and infrastructure support for biomass collection and delivery; and
- Assisting the state forest service in ensuring that all communities at risk of wildfire within the district have adopted a community wildfire protection plan and are using appropriate planning, education, and outreach tools.

Allows a landowner who performs approved wildfire mitigation measures on private land in a district to request reimbursement from the district in an amount up to 50% of the direct costs of the measures or \$10,000, whichever is less. Authorizes a district to reimburse the landowner at its discretion.

APPROVED by Governor April 9, 2007

EFFECTIVE April 9, 2007

H.B. 07-1186 Regional transportation district - incorporated portions of counties - inclusion. Authorizes incorporated portions of counties to be included in the regional transportation district in the same manner as unincorporated portions of counties.

APPROVED by Governor April 26, 2007

EFFECTIVE April 26, 2007

H.B. 07-1190 Regional transportation authority - cost of sales tax administration. Specifies that the amount of sales or use tax levied by a regional transportation authority that the department of revenue may retain as payment for collecting, administering, and enforcing the tax may not exceed the net incremental cost of the collection, administration, and enforcement.

APPROVED by Governor May 18, 2007

EFFECTIVE January 1, 2008

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1219 Health service and health assurance districts - formation under the "Special District Act" - exemptions - authorization to levy sales tax - voting requirements - counties - authorization to impose sales tax for health care services. Specifies that the service plan filed with a county for a special district that is a health service district or health assurance district shall not be referred to the planning commission for the county in which the special district is proposed to be located. Directs the board of county commissioners (board) to conduct a public hearing regarding the service plan.

Specifies that the board shall not accept or act upon the request of a person to have his or her property excluded from a health service district or health assurance district.

Specifies an alternative to a court hearing for the petition for a health service district or health assurance district. Upon receipt of a petition for a district, directs the district court with jurisdiction in the county in which the special district will be located (court) to review the petition, the information required to be submitted with the petition, and the ruling of the board. Directs the court to determine whether the petitioners have satisfied all of the legal requirements for the formation of a special district. Specifies that in the event that the petition does not satisfy the legal requirements, the court shall either dismiss the petition or allow the petitioners to correct technical defects in the petition. Specifies that the court shall not accept or act upon the request of a person that his or her property be excluded from a health service district or health assurance district. Specifies that the court shall direct the question of the formation of the special district to be placed on the ballot in the event that the petition satisfies all of the legal requirements.

Specifies the election during which a question regarding the formation of a health service district or a health assurance district shall be presented to the voters.

Allows a health assurance district to be formed in any area of the state rather than only in rural areas. Authorizes a health service district or a health assurance district to seek voter approval to levy a sales tax in the district to generate revenues to provide health care services or facilities, as applicable. Maintains the authority for a district to be organized in accordance with the "Special District Act" and to levy a property tax in the district to

generate revenues to provide health care services. Authorizes a district to seek voter approval to retain and spend revenues in excess of the constitutional spending limit.

For purposes of a health service district or a health assurance district that will levy a sales tax, exempts the district from certain requirements of the "Special District Act" and allows all eligible electors in the proposed district, rather than the property owners, to vote on the organization of the district and any related ballot issues.

Authorizes any health service district or health assurance district to contract with or work in cooperation and in conjunction with another district or any other existing health care provider or service in order to provide health care services and facilities to residents of such district.

Upon voter approval, allows any county in the state to impose an additional sales tax for the purpose of providing health care services in the county. Exempts such additional sales tax from the total cap on total county sales tax imposed by law.

APPROVED by Governor May 24, 2007

EFFECTIVE July 1, 2007

H.B. 07-1295 Regional transportation district - area within district - identification. Specifies the area that comprises the regional transportation district (district) on and after July 1, 2007. Requires the board of directors of the district to prepare and update written documents with descriptions of the area as well as maps of the district boundaries. Requires the board to follow specified guidelines for depicting and describing the district area. Specifies that the written documents and maps are to be maintained at the district office and available for public inspection and copying. Requires the secretary of the board to file copies of the documents and maps with the secretary of state, the division of local government in the department of local affairs, the department of revenue, the transportation and energy committee of the house of representatives and the transportation committee of the senate. Requires the board to ensure that copies are recorded with the county clerk and recorder of any appropriate county.

Repeals statutory sections regarding district boundaries that are included in the new identification of land area within the district.

APPROVED by Governor May 14, 2007

PORTIONS EFFECTIVE May 14, 2007
PORTIONS EFFECTIVE October 1, 2007

H.B. 07-1351 Metropolitan districts - economic development activities. Authorizes a metropolitan district to provide activities in support of business recruitment, management, and development within the district if the valuation for assessment of the commercial property within the district is more than \$1.25 billion.

APPROVED by Governor May 17, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

GOVERNMENT - STATE

S.B. 07-25 Employment nondiscrimination protections - sexual orientation - religion - exceptions - appropriation. Adds sexual orientation and religion to the list of characteristics or traits for which a person may not be discriminated against under state laws applying to:

- Employers' practices involving hiring, discharging, promoting, or demoting employees; the harassment of employees; and the compensation of employees;
- Employment agency practices involving listings, referrals, or compliance with an employer's direct or indirect request to discriminate;
- Labor organization practices involving the exclusion, expulsion, or other discrimination in membership;
- Employer, employment agency, or labor organization practices involving the use of a discriminatory publication, application, or inquiry; and
- Apprenticeship training programs or other occupational instruction programs.

Allows employers to require compliance with a consistently-applied dress code. Exempts from the act a religious corporation, association, educational institution, or society with respect to the employment of individuals or a particular religion to perform work connected with such entity's activities.

Appropriates \$33,885 from the general fund to the executive director's office in the department of regulatory agencies for legal services related to the implementation of the act, and further appropriates said \$33,885 to the department of law for the provision of legal services to the department of regulatory agencies. Makes a corresponding reduction in the appropriation to the controlled maintenance trust fund.

Makes the act applicable to discriminatory or unfair employment practices occurring on or after the effective date of the act.

APPROVED by Governor May 25, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest

S.B. 07-45 Public records - fees for providing copies. Authorizes custodians of certain public records, including county clerk and recorders, to charge a fee for copies of the records in an amount not to exceed 25¢ per standard page or the actual cost of copies provided in a form other than on a standard page; except that:

- The executive director of the department of personnel may continue to charge fees reflecting the direct and indirect costs of responding to requests for public records of which the executive director is the custodian; and
- Institutions of higher education may charge reasonable fees for certified copies of student transcripts.

APPROVED by Governor April 19, 2007

EFFECTIVE April 19, 2007

S.B. 07-51 State-assisted facilities - energy efficiency - standards. Requires the state architect to adopt a high performance standard certification program for state-assisted facilities of 5,000 or more square feet that are at least 25% financed with state funds or funds guaranteed or insured by a state agency or department. Requires the substantial renovation, design, or construction of such facilities to achieve the highest performance certification attainable. Deems a certification level to be attainable if the increased initial costs of achieving the certified performance level can be recouped from decreased operational costs within 15 years. Specifies exemptions. Requires the department of personnel and administration to annually report to the general assembly regarding the implementation of the high performance standard certification program.

APPROVED by Governor April 16, 2007

EFFECTIVE September 1, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-76 Legislative appointees - boards and commissions - other governmental bodies - 2-year term. Makes changes in the process used by legislative leadership to appoint members of the general assembly to certain statutorily created boards, commissions, committees, councils, panels, or authorities. Provides that the appointments shall uniformly occur every 2 years at the commencement of the first regular session of a general assembly, thereby providing 2-year terms to all such members. Specifies that the terms of persons appointed to the following statutorily created boards, commissions, committees, councils, panels, or authorities by the speaker of the house of representatives, the president of the senate, the senate majority leader, or a minority leader shall be extended to and expire on or shall terminate on the convening date of the first regular session of the 67th general assembly; that appointments or reappointments shall be made as soon as practicable after that convening date; and that, thereafter, the terms of members appointed by legislative leadership shall expire on the convening date of the first regular session of each general assembly and all subsequent appointments and reappointments by leadership shall be made as soon as practicable after the convening date:

- Colorado state officials' compensation commission;
- CoverColorado board of directors;
- Commission on mandated health insurance benefits;
- Colorado municipal bond supervision advisory board;
- Local government limited gaming impact advisory committee;
- Child support commission;
- Legislative oversight committee for the continuing examination of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems;
- State methamphetamine task force;
- Read-to-achieve board;
- Science and technology education center grants advisory board;
- Advisory committee to the Colorado commission on higher education;
- Board of ethics for the general assembly;
- Commission on information management;
- Statewide internet portal authority;
- State work force development council;
- Colorado tourism office board of directors;
- Total compensation advisory council;

- State deferred compensation committee;
- Education commission of the states;
- Colorado veterans' monument preservation trust committee;
- State capitol building advisory committee;
- Tobacco education, prevention, and cessation grant program review committee;
- Cancer, cardiovascular disease, and chronic pulmonary disease program review committee;
- Fitzsimons state veterans nursing home advisory board;
- State and veterans nursing homes legislative oversight committee;
- Police officers' and firefighters' pension reform commission;
- Water resources review committee;
- Uranium mill tailings remedial action program fund oversight committee.

Directs that the person making the original appointment or reappointment shall fill any vacancy by appointment for the remainder of an unexpired term and that appointed members serve at the pleasure of the appointing authority and shall continue in office until the member's successor is appointed.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-86 Fallen heroes memorial commission - duties -fund - appropriation. Establishes the fallen heroes memorial commission ("commission") to erect memorials near the Colorado veterans monument to honor servicemen and service women killed during specific military conflicts. Directs the commission to recommend to the preservation trust committee the design and siting of the memorials. Directs the preservation trust committee to submit proposals for the design and siting to the state capital building advisory committee. Authorizes the commission to solicit and accept donations for the memorials.

Creates the fallen heroes memorials construction fund ("fund") in the state treasury.

Appropriates to the department of personnel and administration \$13,225 and 0.3 FTE from the fund for the implementation of the act.

APPROVED by Governor May 26, 2007

EFFECTIVE September 1, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-97 Unallocated tobacco litigation settlement moneys - allocation for health-related purposes. Requires tobacco litigation settlement moneys that are currently required to be credited to the general fund or the tobacco litigation settlement cash fund to be allocated, in lump sums at the beginning of the 2007-08 fiscal year and at the beginning of each fiscal year thereafter, to the following health-care related programs, entities, and funds that, except for the children's basic health plan, do not currently receive tobacco litigation settlement moneys as follows:

- 49% to the university of Colorado at Denver and health sciences center;
- 12% to the division of mental health in the department of human services

- (DHS) for the purchase of mental health services from community mental health centers for juvenile and adult offenders who have mental health problems and are involved in the criminal justice system;
- 8.5% to the Colorado indigent care program of the department of health care policy and financing for distribution to rural hospitals of 60 beds or less and all public hospitals, including hospitals that access federal funds only through certification of public expenditures, that participate in the program to provide health care to indigent persons;
- 7% to the department of public health and environment (DPHE) for allocation to local public health services and county boards of health as additional per capita state support for basic and optional public health services, as defined by the state board of health;
- 5% to the children's basic health plan in conjunction with an increase in the eligibility threshold for the plan from 200% to 205% of federal poverty level;
- 4.5% to supplement the state contribution for state employee group benefit plans that provide medical benefits;
- 4% to DPHE for the purpose of immunization and immunization strategies;
- 3% to the division of alcohol and drug abuse in DHS to provide or purchase community prevention and treatment services;
- 6% to a newly created short-term innovative health program grant fund to be used by DPHE to make short-term grants to fund innovative health programs designed to improve the health of Coloradans; and
- One percent to the regional pediatric trauma center, known as the children's hospital, to offset its medicaid shortfall.

Requires the moneys allocated to be credited to newly created funds and accounts so that they can be accounted for separately from other moneys. Except for the moneys allocated for the Colorado indigent care program, at the end of any fiscal year, requires interest and income earned on such allocated moneys and any allocated moneys not expended or encumbered to be credited to the short-term innovative health program grant fund.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-113 Tobacco litigation settlement defense account moneys - expansion of permitted uses. Expands the purposes for which moneys in the tobacco settlement defense account of the tobacco litigation settlement cash fund may be used by allowing the department of law to use such moneys:

- To defend not only lawsuits arising out of challenges to the tobacco litigation settlement (settlement), but also lawsuits arising under the provisions of the settlement;
- To enforce and defend all rights and obligations of the state under the settlement or any Colorado law related to the settlement; and
- To resolve disputes with tobacco product manufacturers, whether or not the manufacturers are participating or nonparticipating manufacturers for purposes of the settlement, that arise under the provisions of the settlement or any Colorado law related to the settlement.

Decreases the general fund appropriation to the department of law, special purpose section, for tobacco litigation by \$100,000, and increases the cash funds appropriation for

said purpose by \$100,000 using moneys from the defense account of the tobacco litigation settlement cash fund.

APPROVED by Governor May 25, 2007

EFFECTIVE May 25, 2007

S.B. 07-126 Renewable energy authority - governor's office of energy management and conservation - appropriations. Appropriates revenues that would otherwise be appropriated directly to the Colorado renewable energy authority to the governor's office of energy management and conservation for distribution to the Colorado renewable energy authority.

APPROVED by Governor April 16, 2007

EFFECTIVE April 16, 2007

S.B. 07-156 Deferred compensation plan - defined contribution plan - administration. Clarifies the management duties of the state personnel director with respect to the employer match plan for participants in the state deferred compensation plan and with respect to the state defined contribution plan.

Authorizes the administration fees assessed against participants in the state deferred compensation plan and the state defined contribution plan to be held in a separate fund in each plan's exclusive benefit trust or transferred to an administration fund for each plan rather than requiring all of the fees to be transmitted to the administration fund for each plan. Requires the state deferred compensation committee to establish a reasonable level of reserves for the funds. Specifies that moneys collected in excess of the reserves shall be used to reduce the fees in subsequent years or credited back to participant accounts as permitted by law.

Specifies that compensation deferred by participants in the state deferred compensation plan shall be transmitted to the exclusive benefit trust as soon as administratively feasible and credited to each participant account.

Provides that an employee's contributions to the state defined contribution plan shall be treated as employer contributions as authorized by federal law for purposes of deferring federal income tax imposed on an employee's salary.

APPROVED by Governor May 3, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-184 CoverColorado - board of directors - state treasurer. Adds the state treasurer as an ex officio nonvoting member of the CoverColorado board of directors.

APPROVED by Governor April 20, 2007

EFFECTIVE April 20, 2007

S.B. 07-197 Public safety - schools - anonymous electronic reporting hotline - confidentiality of records. Sets forth the duties and functions of the safe-2-tell program and electronic hotline ("program") to allow persons in schools a means to report dangerous, violent, or criminal activities anonymously. Requires the program to establish methods to

ensure the anonymity of a person who calls the safe-2-tell hotline. Requires the program to keep safe-2-tell records confidential and to produce them only upon court order.

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

S.B. 07-210 Amendment 41 implementation - establishment of independent ethics commission - membership - appointments - powers and duties - advisory opinions and letter rulings - dismissal of frivolous complaints - subpoena powers - judicial review - appropriations. Implements article XXIX of the state constitution, concerning ethics in government (article XXIX), enacted by the voters at the 2006 general election, in the following respects:

- Establishes the independent ethics commission (commission) in the office of administrative courts in the department of personnel. Specifies requirements pertaining to the appointment and terms of commission members, the reimbursement of expenses incurred by commission members, and the powers and duties of the commission. Specifies that the member appointed by the senate shall be appointed by the president of the senate with the approval of two-thirds of the members elected to the senate, and the member appointed by the house of representatives shall be appointed by the speaker of the house of representatives with the approval of two-thirds of the members elected to the house of representatives. Specifies that the member appointed by the house of representatives shall not be affiliated with the same political party as the person appointed by the senate.
- Requires the major political parties to have equal numbers of members appointed to the commission.
- Requires the commission to prepare a response to a request for an advisory opinion from a public officer, member of the general assembly, local government official, or government employee as to whether particular action by such individual satisfies the requirements of article XXIX not more than 20 business days after the request is made to the commission. Permits any individual who is not a public officer, member of the general assembly, local government official, or government employee to submit a request to the commission for a letter ruling concerning whether potential conduct of the person making the request satisfies the requirements of article XXIX. In such case, requires the commission to issue a response to the request as soon as practicable.
- Specifies that each advisory opinion or letter ruling, as applicable, issued by the commission shall be a public document and requires each such document to be promptly posted on a website that shall be maintained by the commission; except that, in the case of a letter ruling, requires the commission to redact the name of the person requesting the ruling or other identifying information before it is posted on the website.
- Requires the commission to dismiss as frivolous any complaint filed under article XXIX that fails to allege that a public officer, member of the general assembly, local government official, or government employee has accepted or received any gift or other thing of value for private gain or personal financial gain. For purposes of the act, defines "private gain" or "personal financial gain" to mean any money, forbearance, forgiveness of indebtedness, gift, or other thing of value given or offered by a person seeking to influence an official act that is performed in the course and scope of the public duties of a

public officer, member of the general assembly, local government official, or government employee.

- Requires the commission to adopt reasonable rules as may be necessary for the purpose of administering and enforcing the provisions of article XXIX and any other standards of conduct and reporting requirements as provided by law. Requires any such rules to be promulgated in conformity with the "State Administrative Procedure Act".
- Authorizes the commission to employ staff.
- Specifies that no subpoena requiring the attendance of a witness or the production of documents shall be issued by the commission unless a motion to issue any such subpoena has been made by one member of the commission and approved by no fewer than 4 members of the commission.
- Specifies that any final action of the commission concerning a complaint is to be subject to judicial review by the district court for the city and county of Denver.

For the 2007-08 fiscal year:

- Appropriates \$121,986 from the general fund to the department of personnel and administration, executive office, for the provision of legal services to the division of administrative courts, for the implementation of the act.
- Appropriates \$98,010 and 1.8 FTE from the general fund to the department of personnel and administration, division of administrative courts, for the implementation of the act.
- Appropriates \$121,986 and 0.9 FTE to the department of law, for the provision of legal services to the department of personnel and administration, division of administrative courts, related to the implementation of the act. Specifies that said sum shall be from cash funds exempt received from the department of personnel and administration, executive office, out of the appropriation made in the act.
- Adjusts the appropriation made in section 21 of the annual general appropriation act by decreasing the general fund appropriation to the controlled maintenance trust fund by \$219,996.

APPROVED by Governor April 26, 2007

EFFECTIVE April 26, 2007

S.B. 07-219 Transportation - light rail corridors - use of tracks of interstate railroad - liability - insurance. Limits the imposition of punitive or exemplary damages or damages for outrageous conduct in an action against a railroad operating in interstate commerce that sells to a public entity, or allows a public entity to use, the railroad's property or tracks for the provision of public passenger rail service.

Authorizes a public entity to insure against all or part of its liability or the liability of a railroad for claims arising from the passenger rail operations of a public entity on property or tracks owned by, or purchased from, a railroad. Authorizes such insurance to be provided by a risk management pool of public passenger rail services authorized pursuant to the federal "Product Liability Risk Retention Act of 1981". Directs that such insurance shall be maintained at levels sufficient to insure against the maximum liability permitted against a railroad or its indemnitor pursuant to federal law.

Defines a motor vehicle to include a light rail vehicle for purposes of an existing

exemption from governmental immunity.

Exempts any railroad operating in interstate commerce from the act until such time as the railroad and the board of directors of the regional transportation district execute an agreement for operation pursuant to the transportation plan adopted by the board and approved by the voters on November 2, 2004.

APPROVED by Governor May 22, 2007

EFFECTIVE July 1, 2007

S.B. 07-222 Capital construction fund - transfer - accrual. As of July 1, 2006, transfers \$30 million from the general fund to the capital construction fund. If moneys in the general fund at the end of the 2006-07 fiscal year are inadequate to meet the statutory reserve and the transfer required by Senate Bill 97-001, directs the state controller to accrue a transfer of up to \$30 million from the capital construction fund to the general fund to meet such requirements.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

S.B. 07-228 Centralized contract management system - personal service contracts - vendor remedies - contract performance outside the United States or Colorado - audit of contract records - monitoring of vendor performance - performance evaluation reports - contraction contracts - appropriation.

Centralized contract management system

On or before June 30, 2009, requires the department of personnel (department) to implement and maintain a centralized contract management system (system) for the purpose of monitoring any personal services contract entered into by a governmental body the value of which exceeds \$100,000 dollars and that is otherwise subject to the requirements of the act. Specifies information pertaining to the contracts that the system is required to contain. Requires each governmental body to be responsible for gathering relevant information to be submitted to the department for inclusion in the system.

Requires that the system:

- Be a publicly available database of all personal services contracts entered into by any governmental body, accessible from the website maintained by the state;
- Specify that information concerning contracts contained in the database and accessible on the website be searchable by criteria enumerated in the act;
- Present information in the database in plain and nontechnical language or by means of key terms that are clearly and easily defined;
- Identify the number of employment positions to be filled under any personal services contract that had previously been performed by classified civil service employees, in addition to the total number of positions, if any, eliminated by the contract;
- In the case of any contract that is more than a specified length in duration, identify the cost savings, if any, and quality improvements, if any, realized by the state as a result of the contract; and
- Include information concerning personal services expenditures by the governmental body and by type of services. Specifies the type of services that

may be designated.

Requires any new personal services contracts subject to the requirements of the act to be added to the system under conditions specified in the act.

Subject to the provisions of the act, prior to entering into a sole-source personal services contract, requires the governmental body to attempt to identify competing vendors. Prohibits the sole-source selection method from being used in specified circumstances. Authorizes the director of a governmental body or his or her designee to enter into or authorize others to enter into an emergency sole-source personal service contract on behalf of the governmental body where an emergency condition is present and a sole-source personal services contract is necessary to ensure that the required services are obtained in sufficient time to address the emergency.

Upon the completion of each personal services contract, requires the governmental body that was a party to the contract to perform an evaluation of the vendor that performed the contract. Requires the evaluation performed by the governmental body to be submitted to the vendor to allow the vendor to review the evaluation and to submit any comments in response to the evaluation, after which point the evaluation, including any response submitted by the vendor, is required to be added to the system. Specifies the items the evaluation shall measure. Specifies requirements pertaining to the vendor's rights in connection with a dispute arising out of an evaluation, including the vendor's remedy in such circumstances.

Requires the department to annually report information on personal services contracts contained in the system. Requires the department to annually submit a report concerning any new sole-source contract entered into by the state during the prior calendar year.

Requires implementation of the database required to be maintained by the department to be funded in 2 phases, with a portion of the funding provided in the 2007-08 state fiscal year, and a portion of the funding provided in the 2008-09 state fiscal year.

Creates the office of contract administration in the department, which shall be funded within existing appropriations.

Contract performance outside the United States or Colorado

Requires any prospective vendor to disclose in a statement of work where services will be performed under the contract, including any subcontracts, whether any services under the contract or any subcontracts are anticipated to be performed outside the United States or the state, and why it is necessary or advantageous to go outside the United States or the state to perform the contract or any subcontracts, if applicable.

Right to audit records

Clarifies that the state is authorized to audit the books and records of any contractor or any subcontractor under any negotiated contract or subcontract to the extent that the books and records relate to the performance of a state contract or subcontract, provided that the state is able, in conducting any such audit, to maintain the confidentiality of any information contained in the books and records that is deemed proprietary as determined by the state.

Monitoring of vendor performance

Requires each personal services contract entered into pursuant to the procurement

code (code) with a value of \$100,000 or more to contain:

- Performance measures and standards;
- An accountability section;
- Monitoring requirements; and
- Methods and mechanisms to resolve any situation in which the governmental body's monitoring assessment determines noncompliance.

In the case of a contract that has been renewed in a subsequent fiscal year, requires the governmental body to annually certify whether the vendor on any contract is complying with the terms of the contract. Specifies remedies available to the state in the event of contract nonperformance.

Requires the system to include such information as will allow the executive director of the department and the governmental body to evaluate the prior record of a particular vendor in meeting performance measures and standards in connection with a personal services contract to which it has been a party. Authorizes the executive director to remove the name of the vendor from the database, prohibit the vendor from bidding on future contracts, or to reinstate the name of the vendor to the database under conditions specified in the act. In the circumstances of removal or prohibition, permits the vendor to exercise specified debarment protest and appeal rights. Authorizes the vendor in specified circumstances to file a rebuttal statement that is to be maintained as part of the vendor evaluation record. Specifies the vendor's remedy in contesting the removal or prohibition.

Specifies that provisions in the act pertaining to the monitoring of vendor performance shall not take effect until the system required by the act has been implemented.

Performance evaluation reports

In the case of each construction contract with a value of \$500,000 or more, requires the governmental body to prepare, prior to completion of the contract, a contractor performance evaluation report that will evaluate the contractor's performance on a particular project. Requires each governmental body to establish appropriate procedures to ensure that each report relating to a prospective contractor is reviewed by the governmental body prior to the governmental body making any future contract awards, regardless of the procurement method used. Permits the vendor to exercise the contract rights provided for under specified sections of the code if a vendor disputes any information contained in a report. Specifies the circumstances under which a vendor may file a rebuttal statement. Specifies the vendor's remedies in contesting information contained in a report. Specifies that provisions in the act pertaining to performance evaluation reports shall not take effect until the system required by the act has been implemented.

Appropriation

For the 2007-08 fiscal year, appropriates \$361,897 and 2.0 FTE from the general fund to the department of personnel and administration for the implementation of the act. Adjusts the appropriation made in section 21 of the annual general appropriation act for the 2007-08 fiscal year by decreasing the general fund appropriation to the controlled maintenance trust fund by \$361,897.

APPROVED by Governor May 24, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-235 Economic self-sufficiency standard - fund. Requires the executive director of the department of local affairs ("department"), on or before January 1, 2008, to post on the department's website an economic self-sufficiency standard for the purpose of providing an adequate measure of the economic well-being of Colorado families. Authorizes the department to seek and accept gifts, grants, and donations to pay for costs associated with the self-sufficiency standard. Creates a fund for deposit of any amounts received.

APPROVED by Governor May 17, 2007

EFFECTIVE July 1, 2007

S.B. 07-240 Capital construction fund - transfers. Transfers \$35,753,087 to the capital construction fund from the general fund for the 2006-07 fiscal year and \$20 million from the general fund exempt account for the 2007-08 fiscal year.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

S.B. 07-246 Clean energy fund - creation - use - post-enactment review - appropriation. Creates the clean energy fund in the state treasury. At the end of the 2006-07 state fiscal year, requires \$7,000,000 of moneys in the limited gaming fund that would otherwise be transferred to the state general fund to instead be transferred to the clean energy fund. At the end of each succeeding state fiscal year, requires all moneys in the limited gaming fund that would otherwise be transferred to the state general fund to instead be transferred to the clean energy fund. Reduces or eliminates the annual transfer to the clean energy fund if the last quarterly general fund revenue estimate for the fiscal year indicates that general fund revenues will be insufficient to fund the entire transfer and the maximum amount of general fund appropriations growth permitted by law. Requires the transfer to the clean energy fund at the end of any state fiscal year of unexpended moneys normally used by the governor's energy office (office) to provide home energy efficiency improvements for low-income households.

Continuously appropriates moneys in the clean energy fund to the office for expenditure to advance energy efficiency and renewable energy throughout Colorado. Specifies some of the uses that advance energy efficiency and renewable energy.

Requires all income and interest earned on the deposit and investment of moneys in the clean energy fund to be credited to the fund. Specifies that all moneys remaining in the clean energy fund at the end of a state fiscal year remain in the fund and are not transferred to the general fund or any other fund.

Appropriates 4.0 FTE to the governor's energy office for the implementation of the act. Requires a 5-year post-enactment review of the implementation of the act by the legislative service agencies of the general assembly.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

S.B. 07-254 Commission on information management - abolishment - secretary of state - electronic records and signatures - responsibilities transferred to office of information technology - higher ed security plans - open records exclusion - statewide internet portal authority board - membership increase. Abolishes the commission on information

management (IMC). Transfers the responsibility for adopting standards and criteria for procuring adaptive technology by state agencies for the blind or visually impaired individuals from the IMC to the chief information officer in the office of information technology (OIT). Transfers certain responsibilities relating to the statewide communications and information infrastructure from the IMC to the OIT.

Eliminates the secretary of state's responsibility for rule-making in connection with electronic records and electronic signatures used by governmental agencies under the "Uniform Electronic Transactions Act". Authorizes the OIT to adopt policies, standards, and guidelines relating to those records and signatures.

Excludes information security plans, information security incident reports, and information security audit and assessment reports developed or prepared by the department of education or an institution of higher education from public inspection under the open records law.

Increases the membership of the statewide internet portal authority board of directors from 11 to 13 members by adding one private sector member and making the chief information officer of the OIT a voting member of the board.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

S.B. 07-261 Venture capital authority - staffing - appropriation. Clarifies that it is not a conflict of interest for employees of the Colorado office of economic development (office) to staff the venture capital authority (authority). Appropriates an FTE to the office for the purpose of staffing the authority, and specifies that the authority shall use enterprise fund moneys to pay the office in advance as agreed upon by the authority and the office for the staffing costs.

Requires the office to credit staffing costs payments received from the authority to a newly created venture capital authority staffing reimbursement fund. Except for an appropriation from the fund of \$3,000 to the department of law for legal services provided to the office of the governor related to the implementation of the act, continuously appropriates the fund to the office to pay personnel expenses incurred in providing staffing for the authority.

APPROVED by Governor May 24, 2007

EFFECTIVE May 24, 2007

H.B. 07-1005 Missing person alert program - missing persons with developmental disabilities. Adds missing persons with developmental disabilities to the existing alert program for missing senior citizens. Permits a law enforcement agency that receives a report of a missing person with developmental disabilities to notify the Colorado bureau of investigation ("CBI") after verifying the person is missing and developmentally disabled. Allows the CBI to issue an alert for the missing person with developmental disabilities to designated media outlets in Colorado that may broadcast the alert.

Requires the executive director of the department of public safety to adopt rules related to the alert program for missing persons with developmental disabilities.

APPROVED by Governor February 16, 2007

EFFECTIVE February 16, 2007

H.B. 07-1015 Governor's office - office of international trade - federal trade agreements. Requires the Colorado international trade office to:

- Review and analyze proposed international trade agreements to assess their impact on goods and services produced by Colorado businesses;
- Provide input to the office of the United States trade representative in the development of international trade, commodity, and direct investment policies and agreements that reflect the concerns of the state of Colorado;
- Make a presentation to the legislative council at least twice per year, once when the general assembly is in session and once during the interim, about ongoing trade negotiations, trade development, and the possible impacts on Colorado's economy and laws; and
- Coordinate with other state and local government economic development entities.

APPROVED by Governor March 21, 2007

EFFECTIVE March 21, 2007

H.B. 07-1027 Enterprise zone tax credits - contributions to zone administrators - new business facility employees - technical modifications. Clarifies that the income tax credit allowed to taxpayers that make contributions to enterprise zone administrators to implement economic development plans is allowed for income tax years commencing on or after January 1, 1989, rather than for income tax years commencing on or after January 1, 2000. Clarifies that on and after January 1, 2000, the Colorado economic development commission, rather than the department of local affairs, designates the administrator of an enterprise zone. Relocates the definitions pertaining to the income tax credit allowed to taxpayers that hire new business facility employees in an enterprise zone. Repeals obsolete provisions regarding an income tax credit for taxpayers that operate new business facilities.

APPROVED by Governor April 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1046 Department of revenue - obsolete statutes - repeal or amendment. Repeals the mechanism that refunds excess state revenues through an income tax credit for contributions made to the Colorado institute of technology.

Repeals the requirement that the department of revenue (department) produce copies or digests of the provisions of the motor vehicle law, articles 1 to 4 of title 42.

Repeals the requirement that the department either publish or post on public bulletin boards in each of its offices a record of suspensions and revocations of drivers' licenses. Repeals the requirement that the department furnish copies of those records to law enforcement offices throughout the state.

Strikes language allowing a holder of a valid state garage license to operate, move, or transport a vehicle on the streets and highways of this state without registering the vehicle

and without an attached numbered plate so long as the vehicle had a depot tag issued by the department.

APPROVED by Governor March 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1064 Lifesaver program - counties - grants for teaching technology. Makes legislative declarations relating to the number of people in the United States and Colorado who have medical conditions that cause them to wander and become lost and missing. Makes legislative findings with respect to the resources local law enforcement agencies currently expend searching for individuals with such medical conditions who wander and become lost and missing. Acknowledges the existence of technology enabling the quick location of missing and lost individuals, and states that it would be beneficial to Colorado to establish a matching grant program to allow county law enforcement agencies to establish lifesaver programs, which are search and rescue programs in which a transmitter is worn on a participant's wrist so that the participant may be located electronically if necessary.

Encourages each county or combination of counties to implement a lifesaver program. Makes the executive director of the department of public safety the liaison to lifesaver programs and administrator of the state grant program. Sets forth parameters of the grant program and basic application requirements. Requires the executive director to prioritize grant awards.

Specifies that counties accepting grant moneys shall purchase transmitters and emergency response kits, including equipment necessary to track and triangulate searches, and provide training for search personnel. Requires counties to fund the costs of the management and operation of lifesaver programs after initial implementation. Sets a ceiling on the amount of state moneys that will be made available for grants to lifesaver programs.

For FY 2007-08, transfers the lesser of \$125,000 or 12.5% of the moneys allocated to the short-term innovative health program grant fund to the lifesaver program cash fund created in the act. Appropriates the lesser of \$125,000 or 12.5% of the moneys allocated to the short-term innovative health program grant fund from the lifesaver program cash fund for the implementation of the act.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1069 State consent for federal government acquisition of lands - Pinon Canyon Maneuver Site expansion - withdrawal of consent. In connection with the consent given by the state to the federal government for the acquisition of property within the state by the federal government by purchase, condemnation, or otherwise for proper federal purposes, specifies that such consent is not given to the acquisition of, or exclusive jurisdiction over, land sought by the United States department of defense for purposes associated with the expansion of the Pinon Canyon Maneuver Site.

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

H.B. 07-1079 Colorado lottery - sales - liability. Grants lottery sales agents protection against liability for acts connected with the sale of lottery tickets, which acts comply with the lottery laws.

APPROVED by Governor March 14, 2007

EFFECTIVE March 14, 2007

H.B. 07-1087 Office of energy management and conservation - wind for schools grant program. Establishes the wind for schools grant program and specifies that the program shall be administered by the office of energy management and conservation (office) within the office of the governor. Requires the office to review grant applications from qualified schools and to determine whether a grant should be awarded to that qualified school for a wind power project. Limits the aggregate amount of grants a qualified school may receive to \$5,000.

Requires that the office use at least \$50,000 from the existing resources of the office for the implementation of the wind for schools grant program. Specifies that the office may meet the minimum expenditure requirement over one or more fiscal years.

APPROVED by Governor April 16, 2007

EFFECTIVE April 16, 2007

H.B. 07-1100 Sales and use tax receipts - older Coloradans cash fund. In all future state fiscal years, increases the allocation of state sales and use tax receipts to the older Coloradans cash fund from \$3 million to \$5 million. Makes a corresponding decrease of \$2 million in the allocation to the general fund.

APPROVED by Governor May 30, 2007

EFFECTIVE July 1, 2007

H.B. 07-1145 State board of land commissioners - lands managed by board - land suitable for development of renewable resources - identification. Requires the state board of land commissioners to identify land suitable and appropriate for development of renewable energy resources, and also requires the board to collaborate with other federal and state entities and agencies.

Requires the state board of land commissioners to collaborate with the office of energy management and conservation to ensure that potential renewable energy resource developers are aware of any lands identified by the board as being suitable for development of renewable energy resources.

Authorizes the state board of land commissioners to enter into leasing arrangements for renewable energy resources development, and specifies requirements for those leasing arrangements. Specifies that all existing leases on state lands for the development of renewable energy resources are validated.

Allows the board of land commissioners to use a specific map, if created, to identify state lands that may be suitable and appropriate for development of renewable energy resources. States that this provision is effective only if Senate Bill 07-091 is enacted and

becomes law.

APPROVED by Governor April 26, 2007

EFFECTIVE August 3, 2007

NOTE: (1) This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

(2) Senate Bill 07-091 was signed by the governor May 29, 2007. For more information on the effective date see section 5 of this act.

H.B. 07-1184 Public pension plans - Sudan divestment - post-enactment review. Directs the board of directors of specified instrumentalities of the state, political subdivisions of the state, and other public officials and entities that have the authority to invest moneys and state contributions (public funds) to make their best efforts to identify all scrutinized companies in which the public fund owns direct or indirect holdings. Defines a scrutinized company as a company that:

- Has business operations that involve contacts with or provision of supplies or services to the government of Sudan or its business ventures, obtains revenue within a specified percentage range from mineral extraction or power production facilities, and has failed to adopt a formal plan to cease scrutinized business operations;
- Is complicit in the Darfur genocide; or
- Supplies military equipment within Sudan.

Specifies the methods that a public fund shall use to identify scrutinized companies. Directs a public fund to compile scrutinized companies list and to update the list every 6 months.

Requires each public fund to identify the companies on the scrutinized companies list in which the public fund owns direct or indirect holdings. If a company in which a public fund has direct or indirect holdings has only inactive business operations with Sudan, directs the public fund to send written notice to the company to encourage the company to continue to refrain from initiating active business operations in Sudan. If a company in which a public fund has direct or indirect holdings has active business operations with Sudan, directs the public fund to send written notice informing the company that it may become subject to divestment by the public fund, and encourage the company to avoid divestment by ceasing or rendering inactive its scrutinized business operations.

Specifies that if a company ceases scrutinized business operations within a specified period, the company shall be removed from a public fund's scrutinized companies list. If after a specified period the company continues to have scrutinized business operations, directs the public fund to sell, redeem, divest, or withdraw all publicly traded securities of the company. Specifies a schedule that a public fund shall follow in selling, redeeming, divesting, or withdrawing the securities.

Prohibits a public fund from acquiring securities of companies on its scrutinized companies list. Specifies certain companies that a public fund shall consider exempt from divestment requirements and investment prohibitions. Specifies requirements for public funds regarding divestment of indirect holdings in actively managed investment funds, passively managed indirect holdings, defined contribution plans, and private equity assets.

Requires each public fund to submit a report to the general assembly and the attorney general that includes its scrutinized companies list within 30 days after the creation of the list and to submit a report containing specified information to the general assembly and the attorney general annually thereafter. Requires the report to be made available to the public.

Specifies the circumstances under which a public fund may cease divesting from or reinvest in scrutinized companies.

Specifies that a public fund, its board of directors, individual board members, agents, trustees, officers, employees, custodians, and fiduciaries are immune from any liability with respect to all actions taken in good faith compliance with the provisions of the act and exempted from compliance with conflicting legal obligations. Specifies that each public fund shall be responsible for bearing the cost of complying with the act and that the general assembly shall not appropriate or expend any moneys to assist a public fund in bearing such costs.

Directs the attorney general to enforce the provisions requiring divestment from scrutinized companies. Directs the legislative service agencies of the general assembly to conduct a post-enactment review of the implementation of the act.

APPROVED by Governor April 19, 2007

EFFECTIVE April 19, 2007

H.B. 07-1202 Economic development commission - economic development fund - grant and loan recipients - minimum standards - reporting requirements. Specifies minimum standards that any private person or entity shall satisfy in order for the Colorado economic development commission (commission) to award such person or entity a grant or loan from the Colorado economic development fund if the grant or loan is based in whole or in part on the creation of new full-time permanent jobs.

Requires any private person or entity that receives a grant or loan from the commission on the basis of a proposal to create new full-time permanent jobs to file a progress report with the commission. Specifies the information that the person or entity shall include in the report. Requires the commission to provide the information collected each year in the reports that it submits to the general assembly.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1203 Grants - energy information - carbon sequestration - energy Colorado profile. Encourages the governor's office of energy management and conservation to set a high priority on funding a county-level study regarding the baseline amount of carbon that may be stored in soil in Colorado to facilitate the creation of a Colorado-based market in carbon sequestration credits and a Colorado energy profile.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

H.B. 07-1206 Colorado economic development commission - film incentives cash fund - allocation from limited gaming fund - increase - appropriation. For the 2006-07 fiscal year and each fiscal year thereafter, reduces the amount of limited gaming moneys that are allocated to the general fund and increases the amount of such moneys that are allocated to the film incentives cash fund (cash fund) to be used for performance-based incentives to promote film production in the state. Specifies that the allocation to the cash fund shall be increased by \$100,000 over the allocation in the 2005-06 fiscal year, for a total allocation of \$600,000 to the cash fund annually. Specifies that for the 2007-08 fiscal year and each fiscal year thereafter, the amount allocated to the cash fund shall be adjusted by the rate of inflation.

Authorizes the joint budget committee, acting by bill, to determine the amount of limited gaming fund moneys that should be transferred to the film incentives cash fund for a fiscal year if the committee determines, based on the March revenue forecast, that the amount of general fund revenues for the fiscal year in which the forecast is prepared will be insufficient to allow the maximum amount of general fund appropriations permitted by law to be made for that fiscal year.

If the joint budget committee does not determine the amount of limited gaming fund moneys to be transferred to the film incentives cash fund, and if, based on the June revenue forecast the state treasurer determines that the amount of general fund revenues for the fiscal year in which the forecast is prepared will be insufficient to allow the maximum amount of general fund appropriations permitted by law, requires the state treasurer to modify the allocation of limited gaming moneys by increasing the allocation to the general fund and reducing the allocation to the cash fund as necessary to allow the maximum amount of general fund appropriations to be made for that fiscal year.

Appropriates \$100,000 from the film incentives cash fund to the Colorado economic development commission for the implementation of the act.

APPROVED by Governor May 24, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1209 Economic development - minority business office - historically underutilized businesses - surety technical assistance program - appropriation. Requires the director of the minority business office to establish a program to offer technical assistance to historically underutilized businesses in applying and qualifying for performance bonds required for state construction contracts. Requires the director to compile a centralized directory of historically underutilized businesses that have obtained the performance and payment bonds required to be awarded a government contract. Defines a "historically underutilized business" as a small business in which at least 50% of the stock or other ownership interest is held by women or members of identified minority groups.

Appropriates \$29,073 to the minority business office for the implementation of the act.

APPROVED by Governor May 24, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the

effective date, see page vi of this digest.

H.B. 07-1220 Preference for purchase of environmentally preferable products or services by state agencies. In connection with the purchase of products or services, requires a governmental body to award the contract to a bidder who offers environmentally preferable products subject to the conditions specified in the act.

Specifies that the preference created in the act shall apply only if all of the following conditions are met:

- The quality of the environmentally preferable products meets the specification of the bid.
- The environmentally preferable products are suitable for the use required by the purchasing entity.
- Any bidder able to offer environmentally preferable products is able to supply such products in sufficient quantity, as indicated in the invitation for bids.
- The bid or quoted price for environmentally preferable products does not exceed the lowest bid or quoted price for products that are not environmentally preferable by more than 5%.
- The head of the governmental body or other official charged by law with the duty to purchase products has made a determination that the governmental body is able to purchase the environmentally preferable products out of the governmental body's existing budget without any further supplemental or additional appropriation.
- Selecting an environmentally preferable product would not be otherwise disadvantageous to the state considering the above factors.

If the bid or quoted price for environmentally preferable products exceeds the bid or quoted price for products that are not environmentally preferable by more than 5%, authorizes a governmental body to award the contract to a bidder who offers environmentally preferable products where the governmental body demonstrates, on the basis of a cost of ownership life-cycle analysis, that long-term savings to the state will result from environmentally preferable purchasing in accordance with the requirements of the act. Specifies that nothing in the act shall require that a governmental body perform a cost of ownership life-cycle analysis in connection with the purchase of any products.

Requires any bidder that seeks to qualify for the preference created by the act to provide documentation to the governmental body inviting the bid that the products offered by the bidder are environmentally preferable. Specifies how the documentation requirement may be satisfied. Permits the governmental body to rely in good faith on any form of documentation that satisfies the requirement of the act. Specifies that, if none of the forms of documentation specified in the act apply to the product or service being purchased, the requirements of the act shall not apply to the purchase of the product or service.

Requires a governmental body to report to the joint budget committee the results of any cost of ownership life-cycle analysis used to justify the purchase of any environmentally preferable products in accordance with the requirements of the act during the previous fiscal year.

APPROVED by Governor April 25, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the

effective date, see page vi of this digest.

H.B. 07-1263 Division of criminal justice training - fee - appropriation. Permits the division of criminal justice in the department of public safety to charge a fee for providing a training program. Creates the criminal justice training fund.

For the 2007-08 fiscal year, appropriates \$116,240 from the criminal justice training fund to the department of public safety for allocation to the division of criminal justice for implementation of the act.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1272 Cold case team - statewide cold case homicide database - cooperative investigations - cold case oversight task force - repeal - appropriation. Creates a cold case team ("team") in the Colorado bureau of investigation. Requires the team to develop a database that will contain the homicide files of all open homicide cases in the state since 1970. Requires all law enforcement agencies in the state to provide copies to the team for inclusion in the database of all homicide investigation files for cases that have been open for more than 3 years. Permits the team to investigate the cases in cooperation with the law enforcement agency that has jurisdiction of the case upon request of the law enforcement agency or a family member of the victim. Requires written notification in a case in which the team decides not to investigate or the law enforcement agency does not accept the assistance of the team.

Creates the cold case task force ("task force"). Permits the task force to review general homicide investigation strategies and practices and make recommendations as to best practices. Beginning October 1, 2008, requires the task force to report annually to the general assembly. Repeals the task force July 1, 2012, following review.

For the 2007-08 fiscal year, appropriates \$67,822 and 1.0 FTE from the general fund to the department of public safety for allocation to the Colorado bureau of investigation for implementation of the act.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1288 Solid waste user fees - imposition of additional user fees - waste producers and others disposing of solid wastes - expanded powers and duties of pollution prevention advisory board - creation of pollution prevention advisory board assistance committee - recycling resources economic opportunity fund - recycling resources economic opportunity program - grants - loans - waste tire recycling development fee - fee increase - processors and end users of waste tires cash fund - development of solid waste management program - solid and hazardous waste commission - rules - data collection on recycling, solid waste, and solid waste diversion - appropriations.

Solid waste user fees

On or after July 1, 2007, imposes a user fee to reimburse the department of public health and environment (department) for the department's appropriation for solid waste management and a user fee to fund the recycling resources economic opportunity program created in the act. Requires the fees to be collected by the operator of an attended solid

waste disposal site at the time of disposal and to be imposed and passed through to waste producers and other persons disposing of waste at specified rates. Requires the fees to be transmitted not later than the last day of the month following the end of each calendar quarter to the state treasurer. Requires the state treasurer to credit 100% of the moneys collected from the first fee to the solid waste management fund to be used in connection with the department's responsibilities for solid waste management and to credit 100% of the moneys from the second fee to the recycling resources economic opportunity fund (fund) to fund the recycling resources economic opportunity program.

Extends the repeal date of statutory provisions imposing solid waste user fees from January 1, 2009, to July 1, 2010.

Pollution prevention advisory board

Adds the following new powers and duties to the existing powers and duties of the pollution prevention advisory board (advisory board):

- To award grants from the fund and develop criteria for awarding such grants. Requires grant awards to be made and the criteria for awarding grants to be developed in consultation with the pollution prevention advisory board assistance committee (committee);
- To make loans from the fund;
- To receive and expend gifts, grants, and bequests from any source to fund grants from the fund;
- In consultation with the committee, to develop a formula for paying a rebate to any local government or entity that recycles any commodity. Requires the rebate to be paid on commodities recycled on a per ton basis with differential rates for different commodities. Specifies the sources of moneys paid out by rebate and requires the amount rebated for any one state fiscal year to equal 1/4 of the amount of moneys collected in the fund in the immediately previous state fiscal year. Establishes deadlines for rebates applications.
- To make recommendations, as requested, on policy matters related to sustainable resource and discarded materials management; and
- To submit an annual report to the department of local affairs, the department, the governor's office of energy management, and the standing committee of reference in each house of the general assembly exercising jurisdiction over matters concerning public health and the environment. Specifies information required to be included in the report.

Pollution prevention advisory board assistance committee

Creates the committee in the department to assist the advisory board. Specifies that the committee is to be comprised of 13 members to be appointed by the executive director of the department. Specifies requirements concerning the qualifications of the members of the committee, the terms of committee members, the filling of vacancies on the committee, and committee administration. Requires the committee to make recommendations to the advisory board regarding specified matters.

Recycling resources economic opportunity fund

Creates the fund in the state treasury. Specifies sources of moneys that may be paid into the fund. Requires all unexpended and unencumbered moneys in the fund at the end of any fiscal year to remain therein.

Requires any moneys generated from the imposition of specified solid waste user fees

and an additional waste motor vehicle tire fee imposed by the act to be annually appropriated to the department for allocation to the advisory board for the purpose of funding the recycling resources economic opportunity activities authorized by the act and associated administrative costs.

Repeals the statutory section that creates the fund, effective July 1, 2010.

Recycling resources economic opportunity program

Creates the recycling resources economic opportunity program. In connection with the program, requires the advisory board to accept proposals from local governments for grants from the fund. Specifies requirements for grant awards.

Authorizes the advisory board to loan moneys from the fund to public and private entities, both nonprofit and for-profit, including without limitation the department and solid waste disposal sites and facilities and their local affiliates that collect a specified solid waste user fee. Allows moneys to be loaned by the board to fund any of the purposes for which the board may award moneys in grants. Specifies that, for any given state fiscal year, the amount of moneys to be made available in loans shall not be more than 10% of the amount of moneys allocated to the fund during the immediately previous state fiscal year.

Requires any grant award or loan to be made complete by means of a contract entered into between the department and the grant or loan recipient that specifies the conditions for the grant or loan and the requirements and responsibilities of the grant or loan recipient, as applicable.

Prohibits any grant or loan from being made until July 1, 2008.

Repeals the statutory section creating the program, effective July 1, 2010.

Waste tire recycling development fee

Requires the waste tire recycling development fee on waste motor vehicle tires to be stated and shown as a separate and distinct item on the statement from the retailer to the customer.

On and after July 1, 2007, imposes an additional fee of 50 cents on any waste motor vehicle tire for any passenger vehicle, including any truck weighing less than 15,000 pounds. Also imposes the fee on truck tires, including tires on truck tractors, trailers, and semitrailers, weighing more than 15,000 pounds other than tires that are recapped or otherwise reprocessed for use. Requires 50% of the moneys collected by the fee to be credited to the fund and the remaining 50% shall be credited to the waste tire cleanup fund to be distributed as provided in the act.

Includes motorcycles within the definition of motor vehicle for purposes of the waste tire recycling development fee on waste motor vehicle tires.

Processors and end users of waste tires cash fund

Requires any moneys in the processors and end users of waste tires cash fund not expended or encumbered from any appropriation at the end of any fiscal year to remain available, without further appropriation, for expenditure in the next fiscal year by the department of local affairs for allocation to the division of local government to be used as specified in existing law.

Solid waste management program

Requires the department to develop, implement, and continuously improve as necessary policies and procedures for carrying out its statutory responsibilities at the lowest possible cost while satisfying the legislative intent expressed in the act. Specifies that, at a minimum, the policies and procedures shall, to the extent practicable, include the establishment of specified guidelines, schedules, methodologies, preferences, and mechanisms.

On or before February 1, 2008, and not later than February 1 of each year thereafter, requires the department to submit a report to the standing committee of reference in each house of the general assembly exercising jurisdiction over matters concerning public health and the environment. Specifies the required content of the report.

Solid and hazardous waste commission

Requires the solid and hazardous waste commission to promulgate rules pertaining to the assessment of annual fees and document review and activity fees to offset program costs from solid waste disposal sites and facilities in accordance with specified requirements. If the department determines that a site or facility is or has been subject to payment of the annual fees and has not paid any portion of the amount of fees due and owing, authorizes the department to assess the site or facility an additional fee equivalent to double the amount of the estimated annual fee, without interest, that the site or facility would have paid the department if the fee had been paid as required by law to offset program costs caused by the site or facility.

Data collection on recycling, solid waste, and solid waste diversion by department of public health and environment

Requires the department to collect specified types of information and data on recycling, solid waste, and solid waste diversion. On or before February 1, 2009, and annually on or before February 1 of each calendar year thereafter, requires the department to submit a report to the standing committee of reference in each house of the general assembly exercising jurisdiction over matters concerning public health and the environment. Specifies the required content of the report.

Requires the department to hold any information or data submitted to it by solid waste entities as confidential business information upon request of the submitting entity if the information or data satisfies the statutory definition of trade secret. Places the burden of proving that the information or data is protected as a trade secret on the party asserting the claim.

Appropriates \$3,307,565 and 4.8 FTE to the department for the implementation of the act. Specifies that \$2,482,565 shall be from moneys in the fund and \$825,000 shall be from moneys in the solid waste management fund. Appropriates \$732,565 and 0.2 FTE to the department of local affairs from moneys in the waste tire cleanup fund for the implementation of the act.

APPROVED by Governor May 23, 2007

EFFECTIVE July 1, 2007

H.B. 07-1310 Certification of factory-built structures and installation of manufactured homes - scope of regulation. Specifies, in both a legislative declaration and through substantive statutory changes, that state housing board rules and division of housing programs relating to certification of factory-built structures and installation of manufactured

homes apply only to work performed in the factory or installation performed at the site using components shipped with a factory-built structure or manufactured home.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1311 Sunrise review process - elimination of deadlines - shortened review period - exceptions - appropriation. Modifies the sunrise review process for analyzing proposals to regulate an unregulated professional or occupational group as follows:

- Eliminates the requirement that proponents of a proposal to regulate an unregulated occupation or profession submit an application and supporting information to the department of regulatory agencies (department) by December 1 of a given year in order to have a review conducted by the department in the next year.
- Requires the department to issue a report of its analysis and evaluation of the proposed regulation within 120 days after submittal of the proposal, rather than by October 15 of the year following the year in which the proposal was submitted.
- Allows the department to decline to review the proposal if the proposal appears to regulate fewer than 250 individuals; the department previously reviewed the same profession or occupation and it appears that the department's recommendations in the prior review would not change; or a majority of states regulate the same profession or occupation.
- Requires the department to promptly notify the proponents and the general assembly and recommend regulation of a profession or occupation if documentation indicates that the unregulated profession or occupation poses an imminent threat to public health, safety, or welfare.
- Repeals the prohibition against the general assembly's consideration of the regulation of more than 5 occupations or professions during any one session of the general assembly.
- Allows proponents who receive a notice that the department will not conduct a review of its proposal or that the profession or occupation poses an imminent threat to the public to request legislation to regulate the profession or occupation during the next 2 regular sessions of the general assembly following issuance of the notice and, if the notice is issued during a regular session of the general assembly, during that session.

Appropriates \$62,122 and 1.0 FTE to the department of regulatory agencies for allocation to the executive director's office for implementation of the act.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1314 Public benefits - proof of lawful presence - rules. Requires the executive director of the department of revenue to issue permanent rules providing for additional forms of identification recognized by the federal government and a waiver exemption process for persons applying for federal or state or local public benefits. Specifies that

emergency rules issued prior to March 1, 2007, remain in effect until new rules are promulgated.

APPROVED by Governor March 1, 2007

EFFECTIVE March 1, 2007

H.B. 07-1335 State medical and dental group benefits plans - supplemental state contributions for lower-income state employees - pilot disease management program - appropriations. Reallocates tobacco litigation settlement moneys allocated pursuant to Senate Bill 07-097 to supplement the state contribution to the medical benefit plan premiums of all state employees to:

- Supplement the state contribution to the group medical or dental benefit plan premiums of lower-income state employees who have at least one dependent other than a spouse; and
- Pay the costs of increased nonsupplemental state contributions resulting from increased enrollment of lower-income state employees and their dependents in state medical and dental group benefits plans.

If available funding is insufficient to fully fund both increased nonsupplemental state contributions and supplemental state contributions up to specified limits, prioritizes funding first to pay the costs of increased nonsupplemental state contributions and thereafter to provide supplemental state contributions prioritized by means-testing for three income-based tiers of lower-income state employees.

Defines the class of state employees eligible for supplements and other terms. Specifies the supplement application process.

Establishes a pilot disease management program in the department of personnel. Requires the program to include, but not be limited to, a pilot childhood asthma program aimed at eliminating access barriers to care for lower-income state employees and their dependents who have had at least one asthma-related hospital admission or emergency room visit.

For the 2007-08 fiscal year, appropriates \$100,135 of state general fund moneys that would otherwise be appropriated to the controlled maintenance trust fund to the department of personnel, division of human resources to pay the administrative costs of the supplemental state contribution program. For the 2007-08 fiscal year, appropriates \$160,000 from the short-term innovative health program grant fund to the department of personnel for the pilot disease program.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1336 Reporting requirements to the general assembly - repeal. Repeals the requirement for periodic reports to the joint budget committee and the senate and the house of representatives judiciary committees from the department of human services and the division of criminal justice in the department of public safety concerning the intensive treatment management pilot program for juvenile offenders.

Repeals the requirement for periodic reports to joint meetings of the senate judiciary

committee and the house of representatives civil justice and judiciary committee and criminal justice committee from the division within the department of human services that is responsible for mental health services and the division of criminal justice within the department of public safety regarding standardized screening procedures for mental illness in persons involved in the adult criminal justice system.

Repeals the requirement for periodic reports to the house of representatives and the senate education committees by the department of education concerning the family literacy education grant program.

Repeals the requirement for periodic reports from the Colorado commission on higher education to the health, environment, welfare, and institutions committees of the house of representatives and the senate concerning the early childhood professional loan repayment program.

Repeals the requirement for periodic reports from the Colorado school of mines to the joint budget committee and the senate and the house of representatives education committees concerning resident and nonresident tuition increases and the institution's operations under the performance contract negotiated with the Colorado commission on higher education.

Repeals the requirement for periodic reports from the department of personnel to the capital development committee concerning vacant facility management plans and updates.

Repeals the requirement for periodic reports to the senate state, veterans, and military affairs committee and the house of representatives information and technology committee from the statewide internet portal authority (authority) regarding the fiscal year operating and financial statement of the authority.

Repeals the requirement for periodic reports to the joint budget committee by the department of human services concerning the revenues and expenditures of the state pursuant to the federal "Social Security Act".

Repeals the requirement for periodic reports to the general assembly by the department of human services concerning the "Child Mental Health Treatment Act" and information collected pertaining to mental health services under the act.

APPROVED by Governor May 10, 2007

EFFECTIVE May 10, 2007

H.B. 07-1340 Victim's rights - attack on judgment - petition to terminate sex offender registration - community corrections review. Clarifies that an attack on a judgment or conviction is a critical stage for victims' rights purposes if a hearing on the attack is scheduled. Clarifies that a victim does not need to make a written request to be notified of a hearing on an attack on a judgment or conviction.

Provides a victim of a sex crime the right to be informed of the filing of a petition by the perpetrator to terminate sex offender registration.

Requires the department of human services, if it receives a written victim impact statement, to provide the statement to the community corrections review board when the defendant is referred for community corrections placement. Clarifies that the victim must

make a written request to receive information from the department of human services or the state hospital related to the person who committed the crime against the victim.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

H.B. 07-1342 Integrated project delivery methods - state, county, and municipal governments and specified special districts - contracts for public projects. Authorizes state agencies, county and municipal governments, and special districts organized under title 32, Colorado Revised Statutes (public entities), to award contracts for specified public projects using integrated project delivery (IPD) methods, or a project delivery method in which there is a contractual agreement between an agency and a single contract bidder for the design, construction, alteration, operation, repair, improvement, demolition, maintenance, or financing, or any combination of these services, for a public project.

Authorizes public entities to prequalify participating contract bidders for IPD contracts. Specifies required elements of the request for qualifications. Where available, requires each participating entity to demonstrate to the applicable agency that it has access to and the use of an apprentice training program certified by the office of apprenticeship located in the employment and training administration in the United States department of labor or a comparable program for the training of apprentices and to demonstrate that specified subcontractors have access to and the use of the certified program or a comparable alternative.

Requires the public entities to prepare and announce a short list of contract bidders, from the contract bidders responding to the request for qualifications, determined to be most qualified to receive a request for proposal. Specifies elements that shall be used to evaluate the proposals and capabilities of participating entities in the case of an IPD contract to be entered into by a state agency, and specifies additional elements that may be included in the request for proposals for each IPD contract to be entered into by the state, or by a county, municipality, or special district. In the case of a contract to be entered into by a state agency, requires the agency responsible for the IPD contract to select, on the basis of any of the factors and subfactors specified in the act the participating entity whose proposal is most advantageous and represents the best overall value to the state.

After obtaining and evaluating proposals according to the criteria and procedures set forth in the request for proposals, authorizes an agency to accept the proposal that represents the best value to the agency.

Authorizes the public entity to establish supplemental provisions that are designed to implement the provisions of the act. Requires any such provisions to include provisions requiring agencies to maintain certain public project records in accordance with generally accepted cost accounting principles and standards.

APPROVED by Governor June 1, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1350 Address confidentiality program - creation - substitute address and mail forwarding for program participant - surcharge - address confidentiality program surcharge fund - post-enactment review - appropriation. Establishes the address confidentiality program (program) in the office of the secretary of state (secretary) to protect the confidentiality of the address of a relocated victim of domestic violence, a sexual offense, or stalking. Requires the secretary to designate a substitute address for a program participant and to receive and forward mail. Permits a participant to be served by mail. Provides a program participant with 5 additional days to respond to certain notices sent by mail. Requires the secretary to designate application assistance centers whose employees and volunteers may be application assistants.

Establishes application requirements. Requires the secretary to certify as a program participant any applicant who properly completes an application and certain other people identified in the application. Entitles a program participant to an address confidentiality program authorization card. Establishes the length of the program certification at 4 years and how it may end or be renewed.

Requires the department of revenue, through its local driver's license examination facilities, to provide certain information to a program participant relating to voter registration.

Requires a program participant to notify the secretary of certain information changes. Requires the secretary to cancel a program participant's certification in certain circumstances and establishes cancellation procedures.

Establishes that a program participant and not the secretary is responsible for requesting that a state or local government agency use a substitute address as the participant's residential, work, or school address when creating a new public record. Establishes when a substitute address may not be used. Creates a process whereby a state or local government agency may request the secretary to disclose a participant's actual address. Requires the secretary of state to establish an expedited process for disclosure to a criminal justice official or agency.

With certain exceptions, prohibits a program participant's actual address from being used in a public record. Establishes when a program participant's actual address may be disclosed in a proceeding before a court or administrative tribunal.

Requires the secretary to adopt rules in carrying out the program.

Clarifies that program participation does not affect an order relating to the allocation of parental responsibilities or parenting time. Prohibits program participation from being considered as evidence of domestic violence, a sexual offense, or stalking, or from generally being considered for purposes of making an order allocating parental responsibilities or parenting time.

Creates a \$28 surcharge to be paid by offenders who commit crimes of domestic violence or stalking. Requires the moneys collected from the surcharge to be used to pay the costs of the program. Establishes the order of crediting a payment for the surcharge in relation to other surcharges, fees, or payments. Permits the general assembly to appropriate additional general fund moneys for the costs of the program, but only if the moneys in the address confidentiality program surcharge fund are otherwise insufficient to cover the costs of the program.

2 years after the act becomes law, requires the legislative service agencies of the general assembly to conduct a post-enactment review of the implementation of the act.

Appropriates \$109,789 and 1.5 FTE to the department of state for the implementation of the act.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1356 Technical modifications - statutory provisions governing reporting of gifts and honoraria - lobbyist disclosure - statutory rules of conduct - campaign contributions - article XXIX of state constitution. Makes technical modifications to statutory provisions concerning the reporting of gifts and honoraria, lobbyist disclosure, the rules of conduct for governmental officials and employees, and campaign contributions to members of the general assembly and the governor during the regular session to conform those provisions with the requirements of article XXIX of the state constitution as required by said article.

VETOED by Governor June 1, 2007

H.B. 07-1359 Tobacco litigation settlement moneys - allocation for health care supplemental appropriations and overexpenditures. Creates the health care supplemental appropriations and overexpenditures account (account) in the tobacco litigation settlement cash fund (cash fund). Requires the state treasurer to credit \$24,400,000 of the April 2007 tobacco litigation settlement payment to the account. Allows up to \$6,200,000 of the moneys credited to the account to be used only for overexpenditures or supplemental appropriations to the children's basic health plan trust for the 2006-07 and 2007-08 fiscal years or, to the extent not needed for that purpose, for overexpenditures or supplemental appropriations for the Colorado benefits management system (CBMS) for the 2006-07 and 2007-08 fiscal years. Allows all other moneys credited to the account to be used only for overexpenditures or supplemental appropriations for the CBMS for the 2006-07 and 2007-08 fiscal years.

Requires overexpenditures made from the account to be made pursuant to, and subject to the requirements of, an existing overexpenditures statute. If the general assembly does not enact a supplemental appropriation for the full amount of an overexpenditure during the next regular session following the overexpenditure, requires the reversion of the unreleased portion of the succeeding fiscal year's appropriation restricted as required by the existing overexpenditures statute to revert to the cash fund and be allocated in accordance with specified statutes. Requires any moneys in the account not approved for overexpenditure or appropriated by April 15, 2008, to revert on April 16, 2008, to the tobacco litigation settlement cash fund for allocation in accordance with specified statutes.

Without changing the overall allocation of tobacco litigation settlement moneys to tobacco settlement programs, requires \$15,400,000 of tobacco litigation settlement moneys received by the state in any fiscal year from the strategic contribution fund created under the terms of the tobacco litigation master settlement agreement to be allocated for tobacco programs in the fiscal year in which they are received by the state rather than in the next fiscal year like other tobacco litigation settlement moneys. Makes appropriations.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1365 Public employees' retirement association - employer - Colorado consortium for earth and space science education. Includes the Colorado consortium for earth and space science education, also known as the challenger learning center of Colorado, in the definition of "employer" for purposes of the public employees' retirement association.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1373 Public employees - maximum monthly salary - adjustments. Requires the state personnel director to adjust the maximum amount of salary that may be paid to certain state employees in accordance with the greater of the change in the employment cost index or the percentage increase in state general fund appropriations rather than the lesser of the change in the consumer price index or the percentage increase in state general fund appropriations. Specifies that in no event shall the maximum salary amount exceed the maximum found in the market as determined by the annual compensation survey.

APPROVED by Governor June 1, 2007

EFFECTIVE July 1, 2008

H.B. 07-1377 Public employees' retirement association - institutions of higher education - employee eligibility. Repeals the eligibility, currently set to commence on January 1, 2008, for an employee of a state college or university or an institution under the control of the board of regents of the university of Colorado to participate in the defined benefit or defined contribution plan established by the public employees' retirement association (association) or the state defined contribution plan.

Makes an employee of a community college governed by the state board for community colleges and occupational education who is hired on or after January 1, 2008, and who has not been a member of the association during the 12 months prior to the date that he or she commences employment, a member of the association with the choice to participate in the defined benefit or defined contribution plan established by the association.

APPROVED by Governor June 1, 2007

EFFECTIVE January 1, 2008

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

HEALTH AND ENVIRONMENT

S.B. 07-35 Physicians - employment by a hospice. Allows a hospice to employ physicians, subject to the same limitations that apply to a hospital that employs physicians.

APPROVED by Governor April 11, 2007

EFFECTIVE April 11, 2007

S.B. 07-60 Emergency contraception - hospital protocols - pharmacies. Requires hospitals to adopt protocols to inform a survivor of a sexual assault of the availability of emergency contraception. Exempts a health care professional who objects on religious or moral grounds from the requirement to provide information concerning emergency contraception. Specifies that hospitals shall not be required to provide emergency contraception to a survivor who is not at risk of becoming pregnant or to a survivor who was pregnant prior to the assault.

Requires pharmacies that do not have nonprescription emergency contraception in stock to post a notice of that fact.

Encourages rape assistance centers and pharmacies to provide information on emergency contraception.

APPROVED by Governor March 15, 2007

EFFECTIVE March 15, 2007

S.B. 07-79 Contracts with health care providers - standard form - required contract provisions - definitions. Requires any person or entity contracting with a health care provider on or after January 1, 2008, to use a standard form contract. Requires each contract to include a summary disclosure form that contains:

- Compensation and payment terms that are sufficient for the health care provider to identify the compensation for health care that is provided, which terms include a fee schedule;
- The duration of the contract and reasonable termination terms;
- The identity of the claims processors;
- Dispute resolution terms; and
- The subject and order of an addenda, if applicable.

Requires the person or entity to identify a program used to review, monitor, evaluate, or assess the health care services provided.

Exempts a person or entity from providing a fee schedule to a provider if the fee schedule is for dental services whose providers include licensed dentists and the fee schedule is based on fees filed by the dental provider and is revised periodically.

Requires the person or entity to state how a completed claim was adjudicated and any outstanding balance owed. Requires the payment and compensation terms to be disclosed in writing when a contract is proposed by the person or entity.

Allows a material change to a contract only if the change is provided in writing 90 days prior to the change. Allows a contract to be terminated by either party if there is written objection to the change, unless the objection is to an addition of a new category of coverage.

Prohibits a person or entity from assigning, allowing access to, selling, renting, or giving the rights to the provider's services unless specific conditions are met. Prohibits a contract from requiring a waiver of the provider's legal rights as a condition of entering into the contract.

Allows a health care provider to decline services to new patients upon 60 days' notice. Allows for termination of a contract without cause by either party if the contract is for less than 2 years, otherwise requires the termination without cause terms to be specified in the contract.

Exempts certain entities from the requirement of using the contract.

Allows a contract to include an agreement for binding arbitration. Requires the availability of private rights of action, equitable relief, reasonable attorney fees when the provider is the prevailing party in an action and the option to introduce prior arbitration awards regarding a violation.

APPROVED by Governor March 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-110 Natural resource damage recoveries - return to original fund. Requires natural resource damage assessment costs and other costs recovered by the state to be returned to the fund from which such costs were originally paid.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

S.B. 07-153 Local health officer - quarantine and isolation orders. Authorizes enforcement of quarantine and isolation orders issued by a local health officer. Establishes unlawful acts and penalties against a local health officer. Requires a local health officer to respect the creed or tenets of religion of any person, if sanitary and quarantine laws and rules are complied with by such person.

APPROVED by Governor April 20, 2007

EFFECTIVE April 20, 2007

S.B. 07-196 Health information technology advisory committee - creation - long-range plan development - interstate compact - telemedicine. Creates the health information technology advisory committee (committee) to develop a long-range plan for health care information technology, including the use of electronic medical records, computerized clinical support systems, computerized physician order entry, regional data sharing interchanges for health care information, data privacy and security measures, and other methods of incorporating information technology in pursuit of greater cost-effectiveness and better patient outcomes in health care.

Requires the committee to pursue an interstate compact among western states to create internal state health information technology and health information exchange programs with the goal of connecting and exchanging information between the compact states to provide lower-cost, higher-quality, and accessible health care services and benefits.

Clarifies that patient records that are transmitted electronically are subject to the same patient accessibility and security and privacy laws and rules as other patient records.

Allows the state's medical assistance program for home health care services or home- and community-based services to be delivered through telemedicine. Allows the services delivered through telemedicine to be subject to reimbursement policies promulgated by rule of the medical services board. Requires a health care provider who treats a patient through telemedicine to provide specific written statements to the patient prior to treatment, including an option for the patient to opt out of treatment through telemedicine.

Makes the financing provisions of the act contingent upon the passage of and realized fiscal savings from House Bill 07-1021.

APPROVED by Governor May 24, 2007

EFFECTIVE May 24, 2007

NOTE: House Bill 07-1021 was signed by the governor May 31, 2007. As of publication date, the revisor of statutes had not received notification from the director of the joint budget committee staff regarding the fiscal savings from HB 07-1021. For more information on the effective date see section 5 of this act.

S.B. 07-218 Environmental management permit system - continuation under sunset law - tiered participation - rules. Establishes gold and silver tiers for participation in the environmental management system permit program in the department of public health and environment and prohibits the issuance of permits at the silver level until an applicant has complied with gold or platinum tier requirements. Directs the department to establish by rule criteria for a platinum participation tier, including that the permittee has assisted the department in developing proposals for streamlining environmental requirements and easing the regulatory burden on businesses of environmental compliance.

Extends the automatic termination date of the environmental management system permit program until July 1, 2018, pursuant to the provisions of the sunset law.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

S.B. 07-229 Emergency epidemic preparedness - legislative emergency epidemic response committee - antiviral stockpiles - continuation of operations plans. Creates the legislative emergency epidemic response committee to develop a plan for the response by, and the continuation of operations of, the general assembly and the legislative branch in the event of an epidemic emergency.

Authorizes the department of public health and environment to enter into partnerships with authorized purchasers to purchase stockpiles of antiviral therapies to be used in the event of an epidemic emergency. Establishes criteria for, and limitations on, entities seeking to purchase antiviral therapies through the state. Requires authorization from the U.S. department of health and human services before such purchases are made.

Requires each state department that administers a publicly funded safety net program to develop and submit to the executive director of the department of public health and environment, by July 1, 2008, a plan for its response to, and continuation of, operations in the event of an epidemic emergency. Requires each such department to provide status

reports to the health and human services committees of the senate and house of representatives, or their successor committees, by March 1, 2008, and each March 1 thereafter.

Requires each affected department to implement the act without additional state moneys.

APPROVED by Governor May 25, 2007

EFFECTIVE May 25, 2007

S.B. 07-231 Colorado cancer drug repository program - definition - repeal. Expands the definition of "medical device". Repeals the state board of health's rule-making authority to:

- Determine which drugs or medical devices donated to the Colorado cancer drug repository program (program) are safe for redistribution, and instead authorizes a pharmacist to make that determination;
- Establish eligibility criteria for individuals to receive donated cancer drugs and medical devices, and instead requires a health care facility, medical clinic, or pharmacy that participates in the program to establish the criteria.

APPROVED by Governor May 25, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-242 Office of health disparities - minority health advisory commission - interagency health disparities council - creation. Creates the office of health disparities in the department of public health and environment. Specifies the powers and duties of the office, including administering the health disparities grant program and eliminating racial, ethnic, and rural health disparities in Colorado by fostering systems change and collaboration and education with multiple sectors impacting minority health with input from multicultural representatives. Creates the minority health advisory commission and the interagency health disparities leadership council.

APPROVED by Governor May 15, 2007

EFFECTIVE May 15, 2007

H.B. 07-1022 Rural health care needs - local access to health care pilot program - county practitioner rural recruitment, medical equipment, and family mental health services grant programs. Makes legislative declarations concerning the inability of the health care system to meet the health care demands in rural Colorado and the need to address rural health care shortages and inadequacies through various measures. In furtherance of said legislative declarations, establishes the following programs:

Local access to health care pilot program. Authorizes the board of county commissioners of Pueblo county (Pueblo county board) to create a local access to health care pilot program (pilot program) to provide access to health care services to individuals employed by Pueblo employers. Allows the Pueblo county board to contract with a nonprofit corporation (contractor) to operate the pilot program and directly or indirectly deliver services to eligible individuals and their families.

Requires the board of directors of the contractor to submit an annual report to the Pueblo county board regarding the individuals served by the pilot program, the cost of providing services to those individuals, the source of funds for the payment of the services, and a certified financial statement detailing the revenues, expenditures, and other financial information related to the operation of the pilot program. Precludes the division of insurance from exercising any oversight over the pilot program, except with regard to the pilot program's financial information.

Repeals the pilot program on July 1, 2012. By March 15, 2012, requires the Pueblo county board and the contractor's board of directors to submit a report to the general assembly regarding the activities of the pilot program and assessing whether the pilot program has been successful.

County practitioner rural recruitment grant program. For the fiscal year beginning July 1, 2008, creates the county practitioner rural recruitment grant program in the department of public health and environment (department) to award grants to councils of governments containing rural areas to be used to aid in the recruitment of physicians, nurses, and nurse practitioners to rural areas. Requires the state board of health to develop criteria to be used by the department in awarding grants. Precludes implementation of the grant program until sufficient moneys have been received by the department through gifts, grants, and donations. Requires the department, as part of its annual budget request, to submit a report to the joint budget committee of the general assembly regarding the activities of the grant program. Repeals the grant program on July 1, 2010.

Medical equipment for rural communities grant program. For the fiscal year beginning July 1, 2008, creates the medical equipment for rural communities grant program, administered by the department of public health and environment in cooperation with the state board of health, to provide matching grants to rural health care providers for the purchase of medical equipment. Precludes implementation of the grant program until sufficient moneys have been received by the department through gifts, grants, and donations. Requires the department, as part of its annual budget request, to submit a report to the joint budget committee of the general assembly regarding the activities of the grant program. Repeals the grant program on July 1, 2010.

Family mental health services grant program. For the fiscal year beginning July 1, 2008, creates the family mental health services grant program, administered by the state board of health in cooperation with the division of mental health services in the department of human services, to award grant moneys to community mental health centers serving rural areas for purposes of providing family mental health services in rural areas. Precludes implementation of the grant program until sufficient moneys have been received by the division of mental health services through gifts, grants, and donations. Requires the department of human services, as part of its annual budget request, to submit a report to the joint budget committee of the general assembly regarding the activities of the grant program. Repeals the grant program on July 1, 2010.

APPROVED by Governor June 4, 2007

PORTIONS EFFECTIVE June 1, 2007
PORTIONS EFFECTIVE July 1, 2008

H.B. 07-1131 Hemodialysis technicians - credentialing - department of public health and environment oversight - state board of health rules - termination of oversight under sunset law - appropriation. Requires the state board of health (state board), by January 1, 2008, to

adopt rules to establish a process, as part of the department of public health and environment's (department's) licensing of dialysis treatment clinics, to verify that persons performing the duties of a hemodialysis technician at or for a dialysis treatment clinic have been credentialed by a national credentialing program. Allows the state board, as part of the rules, to establish fees to be assessed against dialysis treatment clinics to cover the department's administrative costs in implementing the act.

On and after January 1, 2009, prohibits a person from acting as or performing the duties and functions of a hemodialysis technician and prohibits a dialysis treatment clinic from allowing a person to perform the duties and functions of a hemodialysis technician at or for the clinic unless the person has been credentialed by a national credentialing program and is under the supervision of a physician or a registered nurse experienced or trained in dialysis treatment. Conditions licensure of a dialysis treatment clinic by the department on compliance with this requirement.

Exempts the following persons from the prohibition against performing hemodialysis technician functions:

- A person who provides dialysis care to himself or herself or in-home, gratuitous dialysis care provided by a family member or friend;
- A person participating in a hemodialysis technician training program who is under the direct, on-site supervision of a physician or registered nurse trained or experienced in dialysis treatment and who receives his or her credentials within 18 months after enrolling in the training program.

Requires a dialysis treatment clinic to post a notice in its facility specifying that it is regulated by the department and to inform consumers, either through a public notice or written materials, of the method by which they may provide feedback to the clinic or the department.

Sunsetts the requirements of the act on July 1, 2012, and requires a sunset review of the functions of the state board and the department regarding hemodialysis technicians to determine whether the general assembly should continue those functions.

Appropriates \$5,862 to the department for implementation of the act.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1196 Clean indoor air - exemptions - assisted living facilities. Creates an exemption from the "Colorado Clean Indoor Air Act" for those areas of assisted living facilities that are designated for smoking by residents, that are fully enclosed and ventilated, and to which access is restricted to the residents or their guests. Defines "assisted living facility" to mean a nursing facility and an assisted living residence.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1197 Water quality - storm water permit - county enforcement. If a county is the permittee of a municipal separate storm sewer system permit, allows the board of county commissioners to adopt a storm water ordinance to develop, implement, and enforce the storm water management program required by the permit. Allows the county to compel the abatement of any condition that causes or contributes to a violation of the permit from any property located within the unincorporated portion of the county. Specifies that, if the property owner refuses to perform the abatement, the county can do so and may place a lien on the property for the costs of the abatement. Requires the county or district courts to issue an administrative entry and seizure warrant to the property owner upon the county's presentation of proper evidence.

APPROVED by Governor April 9, 2007

EFFECTIVE April 9, 2007

H.B. 07-1204 Hospital privileges - podiatrists. Allows a doctor of podiatric medicine to perform inpatient admission histories and physical examinations on patients admitted to a hospital.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1213 Colorado health facilities authority - definition of "health institution" - delegation of board powers to authority officers - participation in board meetings by telecommunications device - consistency of criteria for financing and refinancing - use of fees assessed by authority - investment of bond proceeds and authority funds - deadline for filing annual audit report. Makes technical and substantive revisions to the "Colorado Health Facilities Authority Act" as follows:

- Specifies that costs of health facilities financed under the act are to include necessary and incidental expenses that are permitted under applicable federal tax law.
- Modifies the definition of a "health institution" to include a health institution that manages a health facility.
- Eliminates the requirement that a health institution be engaged in a financing or refinancing on behalf of a health facility located in Colorado if such health institution manages or operates a health facility in Colorado.
- Allows the board of directors (board) of the Colorado health facilities authority (authority) to delegate powers and duties to an officer, other than the executive or associate executive director, designated by the board by resolution, and requires the designated officer to post a surety bond.
- Allows board members to participate at any meeting of the board by telecommunications devices.
- Makes the criteria for financing and refinancing consistent.
- Clarifies the purposes for which fees assessed by the authority may be used.
- Authorizes the authority to invest bond proceeds and the authority's funds in securities and investments specified by board resolution that are rated within one of the 3 highest rating categories by a nationally recognized rating agency.
- Aligns the filing of the authority's annual audit report with the authority's

- fiscal year.
Updates antiquated and technical language in the act.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1221 State board of health - rules - fee schedule - appropriation. Authorizes the state board of health to adopt rules establishing a schedule of fees sufficient to cover the costs of the department of public health and environment (department) in administering and enforcing laws governing health facilities. Requires the fee schedule to take into account other funding sources available to the department to cover its expenses.

Appropriates \$481,925 and 5.7 FTE from the health facilities general licensure cash fund and \$76,000 from the general fund to allow the department to automate its process for licensing health facilities, to improve its oversight of hospitals and ambulatory surgical centers, and to modify its rules as necessary.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

H.B. 07-1259 Air ambulance services - regulation by department of public health and environment - completion of accreditation process as license prerequisite - conditional license. Requires all air ambulance services to be licensed by the Colorado department of public health and environment (department) prior to engaging in air ambulance operations in this state. Allows the department to issue a conditional license to an air ambulance service that has not yet obtained, but is working toward, its accreditation through the commission on accreditation of medical transport systems (CAMTS). Revokes the conditional license of an air ambulance service that has not successfully completed the CAMTS accreditation process within 2 years, and requires the air ambulance service to complete the accreditation process prior to issuance of any other license.

Allows the department to authorize an unlicensed air ambulance service to provide a particular transport upon a showing of exigent circumstances, as defined by rules of the state board of health.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

H.B. 07-1269 Tobacco - statewide indoor smoking ban - casino exemption - repeal. Repeals the casino exemption from the "Colorado Clean Indoor Air Act".

APPROVED by Governor June 1, 2007

EFFECTIVE January 1, 2008

H.B. 07-1283 State board of health - machine sources of ionizing radiation - inspections - frequency - rules. Allows the state board of health to specify, by rule, the frequency of inspections for all machine sources of ionizing radiation.

APPROVED by Governor April 16, 2007

EFFECTIVE April 16, 2007

H.B. 07-1294 Emergency medical technician certification - use of name-based criminal history record check. Permits the use of a name-based criminal history record check after an emergency medical technician who must submit to a fingerprint-based criminal history record check for certification has twice submitted his or her fingerprints and the fingerprints are unclassifiable.

APPROVED by Governor April 26, 2007

EFFECTIVE April 26, 2007

H.B. 07-1301 Medicaid - cervical cancer immunization program - public awareness campaign - medical assistance program - health insurance - appropriation. Establishes the cervical cancer immunization program ("program") to immunize female minors and women against cervical cancer. Directs the department of public health and environment ("department") to investigate ways of making cervical cancer vaccines available. Authorizes the state board of health to adopt rules to assist the department in making the vaccines available.

Encourages federally qualified health centers to contract with local public health agencies to administer vaccinations to under-insured female minors, and authorizes local public health agencies to administer vaccinations to under-insured female minors. Directs the department to pay a local public health agency's costs for administering cervical cancer vaccinations to under-insured female minors.

Establishes the cervical cancer immunization awareness campaign fund ("fund") for the program for the purposes of conducting, on or after January 1, 2008, a public awareness campaign on cervical cancer immunization and the benefits, disadvantages, and possible side effects of receiving the cervical cancer immunization. Provides that, if the department has received \$800,000 or more in gifts, grants, or donations for the fund by January 1, 2008, \$100,000 will be transferred from the Colorado immunization fund for the program on January 15, 2008, and \$100,000 will be transferred on or after July 1, 2008.

Adds cervical cancer immunization as a benefit under medicaid.

Mandates that certain health insurance policies provide coverage for cervical cancer vaccinations.

Appropriates \$42,600 to the department from the Colorado immunization fund for allocation to the program. Appropriates \$225,000 to the department from any gifts, grants, or donations received by the department for the fund. Adjusts appropriations made in Senate Bill 07-097 to reflect provisions of the act.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

H.B. 07-1321 Wholesale food manufacturers - regulation - appropriation. Continues the regulation of wholesale food manufacturers by the department of public health and environment through July 1, 2017.

Appropriates \$174,932 and 1.5 FTE to the department for allocation to the consumer

protection division for the implementation of the act.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1328 Water quality - educational programs - storm run-off. Allows the department of public health and environment to create educational programs concerning water quality problems from storm run-off.

APPROVED by Governor May 25, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1329 Water quality control permits - fees - appropriation. Modifies fees for issuance or revision of water quality control discharge permits.

Establishes review fees for wastewater site applications and wastewater design review, annual fees for wastewater reuse authorizations, and a fee for service for individual sewage disposal systems. Establishes annual fees for a supplier of drinking water based on the size and nature of the supplier's public water systems.

Appropriates \$506,291 and 4.0 FTE to the department of public health and environment for implementation of the act. Amends the 2007 general appropriations act by reducing the appropriation to the department from the general fund by \$18,260.

APPROVED by Governor May 30, 2007

EFFECTIVE July 1, 2007

H.B. 07-1347 Immunization registry - department powers - expansion and access. In order to expand the immunization registry and increase access to immunizations, authorizes the department of public health and environment (department) to address:

- Mechanisms for maximizing federal funds to purchase, distribute, and deliver vaccines;
- Methods to reduce the administrative burdens of providing immunizations to individuals in Colorado;
- Options for Colorado to more effectively purchase, distribute, and deliver vaccines to underinsured and uninsured individuals;
- Options for the most cost-effective use of funds;
- Pursuit of private and public partnerships for funding for the immunization registry; and
- Methods for implementing the findings of the department.

Authorizes the department of public health and environment to establish a comprehensive immunization tracking system to include all persons in Colorado who voluntarily participate in the system. Requires records in the system to be confidential except under specific circumstances. Makes the unauthorized release or the sale of confidential immunization records a class 1 misdemeanor. Subjects a business entity that sells such records to a civil penalty.

Allows an individual or parent or guardian of an individual to exclude immunization information from the comprehensive immunization tracking system.

APPROVED by Governor April 26, 2007

EFFECTIVE April 26, 2007

H.B. 07-1357 Hazardous waste - hazardous substance response fund - hazardous waste site cleanup - litigation cost recoveries - appropriation. Repeals the cap on the amount of moneys in the hazardous substance response fund that may be used to finance litigation related to hazardous waste site cleanup. Repeals the requirement that moneys awarded to reimburse state general fund costs associated with certain litigation under federal law be repaid first to the natural resource damage recovery fund up to a specified amount, then to the general fund, and instead requires natural resource damage assessment or other cost recoveries, including litigation cost and fee recoveries, to be credited to the fund from which the costs were originally paid, to the extent permitted by law and consistent with a final court order or decree.

Appropriates \$2,661,667 to the water and natural resources section of the department of law from the hazardous substance response fund for natural resource damage claims at the Rocky mountain arsenal. Reduces by the same amount a general-fund appropriation in the 2007 general appropriations act.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

HEALTH CARE POLICY AND FINANCING

S.B. 07-1 Colorado Cares RX Program - rules - cash fund - repeal - appropriation. Establishes in the department of health care policy and financing ("department") the Colorado Cares Rx program to provide generic and non-patented prescription drugs to eligible persons at discounted prices. Specifies eligibility requirements. Directs the medical services board to adopt rules. Directs the executive director of the department to appoint an advisory council to advise the department and the medical services board regarding rules to implement the program. Requires a participating pharmacy to provide a 30-day supply of generic and nonpatented prescription drugs to an eligible person at the lesser of:

- An amount negotiated by the department and the generic or nonpatented drug manufacturer that is between the average manufacturer's price and the wholesale acquisition cost, plus a dispensing fee; or
- The customary charge for the drug at the pharmacy.

Clarifies that making a false statement in an application constitutes 2nd degree perjury.

Establishes the Colorado Cares Rx Cash Fund ("cash fund") to receive registration fees from eligible persons. Requires, after the payment of necessary expenses, the general fund appropriation to be repaid from the cash fund.

Repeals the program, effective June 30, 2013, and directs that the program be reviewed prior to the repeal.

For the fiscal year commencing July 1, 2006, appropriates from the general fund \$145,927 to the department, and, for the fiscal year commencing July 1, 2007, appropriates from the cash fund \$2,253,953 and 2.5 FTE to the department.

APPROVED by Governor February 5, 2007

EFFECTIVE February 5, 2007

S.B. 07-2 Medicaid - foster care - emancipated minors - appropriations. Allows persons younger than 21 years of age who were in the foster care system and who attained the age of 18 years or who otherwise became emancipated to continue to be eligible for medicaid. Provides funding for extending medicaid eligibility to this population from the health care expansion fund.

Makes the following appropriations:

- \$34,650 to the department of health care policy and financing, for allocation to the executive director's office, \$8,663 of which is from the health care expansion fund and \$25,987 is from federal funds.
- \$8,550 to the department of human services, for allocation to the office of information technology services, \$4,275 of which is from the health care expansion fund and \$4,275 is from federal funds.
- \$3,900,859 to the department of health care policy and financing, for allocation to the medical services premiums division, \$1,950,430 of which is from the health care expansion fund and \$1,950,429 is from federal funds.
- \$4,380,871 to the department of health care policy and financing, for allocation to the medicaid mental health community programs division, for

mental health capitation payments for medicaid eligible clients, \$2,190,435 of which is from the health care expansion fund and \$2,190,436 is from federal funds.

APPROVED by Governor May 15, 2007

EFFECTIVE May 15, 2007

S.B. 07-37 Organ and tissue donation awareness fund - name change - Emily Maureen Ellen Keyes organ and tissue donation awareness fund - income tax - voluntary contribution. Continues the organ and tissue donation awareness fund until July 1, 2018. Changes the name of the fund to the Emily Maureen Ellen Keyes organ and tissue donation awareness fund. Extends the period that state income tax return forms shall include a line whereby individual taxpayers may make a voluntary contribution to the fund.

APPROVED by Governor March 30, 2007

EFFECTIVE March 30, 2007

S.B. 07-130 Medical assistance programs - primary care - medical home for children - appropriation. Defines the term "medical home" as an appropriately qualified medical specialty, developmental, therapeutic, or mental health care practice that verifiably ensures continuous, accessible, and comprehensive access to and coordination of community-based medical care, mental health care, oral health care, and related services for a child.

Instructs the state department of health care policy and financing ("department") to develop systems and standards to maximize the number of children who are enrolled in the medical assistance program or the children's basic health plan who have a medical home. Requires the department to report annually to specified committees of the general assembly its progress toward maximizing the number of children enrolled in the medical assistance program or the children's basic health plan who have a medical home.

Appropriates \$44,965 and 1.0 FTE from the general fund to the department for allocation to the executive director's office for the implementation of the act.

Makes the act contingent on the passage of House Bill 07-1021 and the cost savings realized by said act.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

NOTE: House Bill 07-1021 was signed by the governor May 31, 2007. As of publications date, the revisor of statutes had not received notification from the staff director of the joint budget committee regarding cost savings realized by said act.

S.B. 07-133 Cash system of accounting - appropriations. Requires the department of health care policy and financing to use the cash system of accounting for the following:

- Old age pension health and medical care funds;
- "Clawback" provisions of the federal Medicare drug plan; and
- The children's basic health plan.

For the 2007-08 fiscal year, reduces appropriations by the following amounts:

- \$4,088,243 to the indigent care program division;
- \$680,779 to the old age pension state medical program; and
- \$7,173,368 for the Medicare modernization act of 2003.

APPROVED by Governor April 11, 2007

EFFECTIVE July 1, 2007

S.B. 07-186 Children's basic health plan - creditable insurance. Specifies that the children's basic health plan ("CHP+") constitutes creditable insurance for purposes of preexisting condition limitations. Establishes that disenrollment from CHP+ constitutes a condition permitting late enrollment in an employer's health plan. Requires a policyholder to give a carrier notice at least 30 days prior to termination of coverage for a dependent if the dependent becomes enrolled in CHP+.

APPROVED by Governor April 11, 2007

EFFECTIVE July 1, 2007

S.B. 07-211 Health care for children - advisory committee - chief medical officer - presumptive eligibility - lawful presence - access and quality of care - clinical standards - appropriation. Establishes an advisory committee in the department of health care policy and financing ("department") to develop and oversee the implementation of a plan to provide health coverage for all low-income children in Colorado by the end of 2010. Specifies duties of the advisory committee. Requires the advisory committee to submit, at least annually, reports and recommendations to specified committees of the general assembly.

Authorizes the executive director of the department to appoint a chief medical officer. Specifies qualifications and duties of the chief medical officer.

Establishes presumptive eligibility for medicaid for children under 18 years of age whose parent or guardian's declaration establishes financial eligibility.

For the baby and kid care program under medicaid:

- Establishes presumptive eligibility for children who meet the income level requirements; and
- Provides for 12-month enrollment following eligibility except for defined circumstances and ensures continuous enrollment, if eligible, for the children's basic health plan.

For the children's basic health plan:

- Establishes presumptive eligibility for children who meet the income level requirements; and
- Ensures continuous enrollment between the children's basic health plan and medicaid, if eligible for medicaid.

Excludes from the requirement to prove lawful presence pregnant women and individuals over 18 and under 19 years of age who remain eligible for medical benefits after their 18th birthday.

Directs the department to report to specified committees of the general assembly on measures of access and quality of care received by children eligible for benefits through the

department.

Directs the department to develop clinical standards and methods for collecting, analyzing, and disclosing information concerning clinical performance. Directs the department to review the data generated and make recommendations concerning strategies to improve health outcomes.

Makes the effectiveness of certain provisions of this act contingent upon House Bill 07-1021 becoming law and upon said bill having a net general fund savings equal to or greater than the general fund fiscal estimate for this act.

Makes various adjustments to the 2007 general appropriations act for the implementation of this act.

APPROVED by Governor May 31, 2007 **PORTIONS EFFECTIVE** July 1, 2007
PORTIONS EFFECTIVE January 1, 2008

NOTE: House Bill 07-1021 was signed by the governor May 31, 2007. As of publications date, the revisor of statutes had not received notification from the staff director of the joint budget committee regarding cost savings realized by said act.

H.B. 07-1021 Prescription drug information and technical assistance program - creation - rules. Creates the prescription drug information and technical assistance program to provide prescription drug assistance for recipients of prescription drug benefits pursuant to the "Colorado Medical Assistance Act". Grants rule-making authority to the department of health care policy and financing to establish and administer the program. Requires the department to design a calculation for savings under the program.

Adjusts appropriations made to the annual general fund appropriation act to the department of health care policy and financing by increasing the appropriation to the executive director's office by \$35,524 and 1.0 FTE and by decreasing the appropriation for the medical services premium divisions by \$624,803.

APPROVED by Governor May 31, 2007 **EFFECTIVE** July 1, 2007

H.B. 07-1183 Medicaid - class I nursing facilities - feasibility study - reimbursement rates - grant program - repeal - appropriation. Extends the feasibility study of a new reimbursement system for class I nursing facilities for an additional year.

Effective July 1, 2007, establishes a grant program that increases an eligible facility's reimbursement rate if that facility's overall reimbursement rate for the fiscal year commencing July 1, 2006, was increased due to statutory provisions, but whose overall reimbursement rate for the fiscal year commencing July 1, 2007, will be less than the overall reimbursement rate as of July 1, 2006.

Repeals the grant program effective July 1, 2008.

For the 2007-08 fiscal year, appropriates \$198,500 from the general fund to the department of health care policy and financing for the implementation of the grant program.

Makes certain provisions contingent on the passage of and cost-savings realized by House Bill 07-1021.

APPROVED by Governor June 1, 2007

PORTIONS EFFECTIVE June 1, 2007
PORTIONS EFFECTIVE July 1, 2007

NOTE: House Bill 07-1021 was signed by the governor May 31, 2007. As of publication date, the revisor of statutes had not received communication from the staff director of the joint budget committee regarding the cost-savings realized in House Bill 07-1021.

H.B. 07-1216 Medicaid - application sites - medicaid-eligible days - appropriation. Effective January 1, 2008, adds the university of Colorado hospital and the Aurora medical center as sites eligible to accept medicaid applications and determine eligibility. Requires the department of health care policy and financing ("department") to reimburse medical assistance and out-stationing sites for processing a medical assistance application at not less than the average cost for a state employee to process an application for medical assistance.

Directs the department to provide hospitals with information on the number of medicaid-eligible days for prior years.

For the 2007-08 fiscal year, appropriates \$3,280 to the department for the implementation of this act.

VETOED by Governor June 1, 2007

H.B. 07-1258 Medically indigent program - Colorado health care services fund. Removes the restriction that the moneys in the Colorado health care services fund for the medically indigent program ("CICP") be used for low-income adults, thereby allowing the funds to be used for all CICP enrollees, including children. Requires the department of health care policy and financing to maximize all available federal matching moneys for community health clinics to the extent allowed under federal law.

APPROVED by Governor April 16, 2007

EFFECTIVE April 16, 2007

H.B. 07-1319 Medicaid - reviews and audits - informal reconsideration - reports. Sets forth notice requirements and specification of important dates for a review or audit of a medicaid provider. Limits document request from a reviewer or auditor to records directly related to claims for reimbursement. Requires, upon the request of the provider, a reviewer or auditor to conduct an interview with the provider prior to the preparation of a preliminary draft of the report.

Requires the department of health care policy and financing ("state department") to notify a provider of and allow a provider to request an informal reconsideration. Establishes time lines and notification requirements for informal reconsiderations.

Encourages the state department to meet with organizations or associations of providers prior to the start of an audit cycle and to prepare an annual report on common findings. Directs the state department to submit reports on contingency-based contracts for reviews or audits to the health and human services committees of the general assembly.

Requires review or audit procedures to be adopted by rule of the medical services board and be referenced in any contract with a provider.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1346 Colorado medical assistance act - statewide managed care system - appropriation. Authorizes the department of health care policy and financing ("department") to enter into prepaid inpatient health plan agreements ("PIHP agreement") to provide for the payment of services for recipients under the medical assistance program. Specifies that PIHP agreements may provide for an incentive payment if the contractor substantially exceeds predetermined quality indicators. Requires the contractor to pay at least 75% of the incentive payment to medicaid providers. Authorizes an increase in the fees paid under a PIHP agreement to cover the costs of electronic medical records.

Requires an applicant for the pilot program for coordinated care for people with a disability ("program") to submit a proposed plan of financial operation to the insurance commissioner ("commissioner"). Authorizes the commissioner to promulgate rules necessary to amend the plan after notice and a public hearing. Requires an applicant for the program to submit annually an audited financial report for the program for the preceding calendar year to the commissioner. Requires the commissioner or the commissioner's designee to conduct an examination of the financial status of the program at least once every 5 years.

Repeals the requirement that a capitation payment to a managed care organization under the medical assistance act may not exceed 95% of the costs of a similar population under fee-for-service costs.

Requires a health maintenance organization whose sole business is providing health care services to recipients under the "Colorado Medical Assistance Act", the children's basic health plan, or medicaid to maintain a minimum surplus of not less than \$4,000,000 dollars and to maintain a minimum claims liability within its financial statement.

For the 2007-08 fiscal year, appropriates to the department the lesser of \$37,500 or 3.8% of the amount allocated to the short-term innovative health program grant fund for studying the use of prepaid inpatient health plan agreements.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

H.B. 07-1370 Medicaid - long-term care - coordinated care pilot program. Specifies that the coordinated care pilot program for long-term care services ("pilot program") shall include a comparison of populations from various communities. Extends the repeal of the pilot program to July 1, 2012.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1374 Medicaid - long-term care - transitioning - working group. Directs the executive director ("executive director") of the department of health care policy and financing ("state department") to appoint a working group to study the process of transitioning clients to a long-term care setting. Requires the working group to report to the

executive director by December 1, 2007. Requires the report to include a list of federal funding opportunities and a timeline and estimated associated costs for the completion of changes to the system of long-term care. Authorizes the working group to submit additional reports to the executive director. Authorizes the state department to seek federal authorization to implement changes recommended by the working group.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

HUMAN SERVICES - MENTAL HEALTH

S.B. 07-4 Early intervention services - infants and toddlers with developmental delays - coordinated system of payment - coverage under medicaid, children's basic health plan, and private health insurance. Requires the department of human services (department) to develop and implement a coordinated system of payment for early intervention services for eligible children from birth up to their 3rd birthday who have developmental disabilities or developmental delays, using both public and private funds. In developing and implementing the system, specifies that the department is to:

- Establish an interagency cooperating agreement with the departments of education, health care policy and financing, and public health and environment regarding the responsibilities of each department;
- Develop the system for using public and private funds in cooperation with those specified departments, the division of insurance in the department of regulatory agencies (division), private health insurance carriers, and certified early intervention service brokers (certified brokers);
- Certify community-centered boards (CCBs) or other entities as certified brokers for early intervention services provided to eligible children; and
- Ensure an appropriate allocation of payment responsibilities among federal, state, local, and private sources.

Clarifies that any additional source of funds that may become available on or after July 1, 2007, for the payment of early intervention services as a result of the act is not to replace or reduce other funds currently available for such purpose. Preserves the right of CCBs or county governments to allocate local funds for the benefit of eligible children.

Requires the departments of education, health care policy and financing, and public health and environment to cooperate with the department in implementing the act and specifies particular duties of those departments. Requires the division to provide assistance to the department related to the requirements and implementation of the coverage of early intervention services and insurance laws and rules related to billing and claims handling.

Obligates certified brokers for each designated service area in the state to:

- Establish a registry of qualified early intervention service providers (qualified providers);
- Accept and process claims for reimbursement for early intervention services provided by a qualified provider;
- Negotiate for the payment of early intervention services provided to eligible children in the designated service area by qualified providers;
- Ensure payment to a qualified provider for early intervention services rendered by that provider;
- Use procedures and forms determined by the department to document the provision or purchase of early intervention services on behalf of eligible children and to submit invoices or insurance claims for the services to the appropriate federal, state, local, or private funding source based on available funds and applicable reimbursement rates.

Requires the department to establish a schedule of fees to be charged by certified brokers for providing certified broker services. Clarifies that use of a certified broker is voluntary and that qualified providers are not precluded from directly billing the appropriate

entity for payment of services provided to an eligible child.

Compels the department to negotiate with private health insurance carriers regarding the method of payment of benefits for early intervention services for which coverage is required and allow carriers to pay benefits to certified brokers, qualified providers, or the department in trust for payment to a certified broker or qualified provider. Establishes a mechanism for the department to accept, hold in trust, and pay certified brokers and qualified providers from any such payments received from private health insurance carriers. Requires the department to provide a report to each such carrier regarding payments received and made on behalf of the carrier for covered benefits and to return any unexpended moneys to the carrier when a covered child is no longer eligible for early intervention services.

Requires the department to submit an annual report to the general assembly by November 1, 2008, and by each November 1 thereafter, regarding the various funding sources used for early intervention services, the number of eligible children served, and the average cost of early intervention services.

Requires the department of health care policy and financing to ensure integration of the medicaid system and the children's basic health plan into the coordinated system of payment for early intervention services and to make necessary modifications to medicaid and the children's basic health plan to achieve such integration. Establishes a process for the department and the department of health care policy and financing to determine which early intervention services are medically necessary for purposes of coverage under medicaid or the children's basic health plan. Excludes certain early intervention services from those services covered under medicaid and the children's basic health plan.

Requires health insurance policies and health care service or indemnity contracts issued or delivered on or after January 1, 2008, that provide dependent coverage to provide coverage for early intervention services delivered by a qualified provider to an eligible child. States that for purposes of such coverage, early intervention services that are specified in an eligible child's individualized family service plan are deemed medically necessary for that child. Specifies the duration and limitations on the amount of the required coverage and increases that amount annually based on the inflation rate.

Precludes the applicability of deductibles, copayments, and lifetime caps on the coverage unless the coverage is offered through a high deductible plan that would qualify for a health savings account under federal law. Unless otherwise agreed to by the carrier, allows a carrier to limit the reimbursement rate paid to a nonparticipating provider to the rate paid for comparable early intervention services provided by a participating provider.

Exempts the following from the limit on the annual amount of required coverage:

- Rehabilitation or therapeutic services necessitated by an acute medical condition; and
- Services provided to a child who is not participating in the federal program for early intervention services or that are not part of an individualized family service plan; except that such services are to be covered at the level required for congenital defects and birth abnormalities.

Excludes specified types of insurance, such as workers' compensation and short-term policies, from the mandatory coverage requirements. Requires the department, within 60 days after determining that a child is no longer eligible for coverage, to notify the carrier that

it is no longer required to provide coverage of that child for early intervention services.

Limits the existing mandated coverage for congenital defects and birth abnormalities to a covered child from the child's 3rd birthday to the child's 6th birthday.

For the implementation of the act, appropriates:

- \$31,423 and 1.0 FTE to the department of health care policy and financing, executive director's office;
- \$4,000 to the department of health care policy and financing, indigent care program, for children's basic health plan administration;
- \$59,734 to the department of health care policy and financing, indigent care program, for children's basic health plan premium costs;
- \$53,920 to the department of human services, office of operations;
- \$6,188 to the department of regulatory agencies, division of insurance; and
- \$1,346,270 and 1.0 FTE to the department of public health and environment.

Makes the act, excluding the mandatory health insurance coverage of early intervention services provisions, effective July 1, 2007. Makes the mandatory health insurance coverage of early intervention services provisions effective January 1, 2008, and applicable to health insurance policies or contracts issued or delivered on or after said date.

APPROVED by Governor May 15, 2007

EFFECTIVE May 15, 2007

S.B. 07-230 Mental health agencies - residential treatment costs for categorically eligible children - appropriation. Authorizes mental health agencies ("agencies") to coordinate mental health care and services for children from assessment to discharge. Clarifies the items that agencies must report to the department of human services ("department"), including outcomes of treatment. Expands the rights of families by allowing for an appeal regarding the discharge of a child from a mental health program. Allows for the payment of room and board costs associated with residential treatment for categorically eligible children.

Appropriates \$77,667 from the general fund to the department of human services for administration of mental health and alcohol and drug abuse services for the implementation of the act. Decreases the appropriation for residential treatment for youth by \$77,667.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

HUMAN SERVICES - SOCIAL SERVICES

S.B. 07-5 Colorado works - repeal of obsolete audit provision. Repeals an obsolete provision in the Colorado works program statute that refers to an audit evaluation that was eliminated after the legislative oversight committee was repealed in 2004.

BECAME LAW March 17, 2007

APPROVED by Governor March 19, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-12 Child care - exempt family child care home providers - fingerprint-based criminal history records check. Requires a person who provides child care through a family child care home that is exempt from licensing ("exempt family child care home provider") for a child whose care is funded in part or in whole from publicly funded state child care assistance programs to undergo a fingerprint-based criminal history records check ("FCC"). Applies to exempt family child care home providers who receive payments directly from county departments based on contracts or other payment agreements for funding on behalf of the child under a publicly funded state child care assistance program.

Allows an exempt family child care home provider who has submitted to an FCC by the Colorado bureau of investigation and the federal bureau of investigation to continue to receive moneys under the Colorado child care assistance program pending the receipt of the results of the FCC.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

S.B. 07-14 State and veterans nursing homes - operational expenses and capital improvement. Directs the general assembly to appropriate moneys to the central fund for state nursing homes. Directs the department of human services to use the moneys appropriated for operational expenses for and capital improvements to state nursing homes.

APPROVED by Governor May 25, 2007

EFFECTIVE July 1, 2007

S.B. 07-33 Adoption - special needs or at-risk adoptions - cost of care. Defines "cost of care" for a child placed out of the home as including any costs associated with maintenance of a juvenile in a home detention program, supervision of probation when the juvenile is granted probation, or supervision of parole when the juvenile is placed on parole.

Restricts the cost of care for an adoptive family who receives an approved adoption assistance subsidy to the amount of the adoption assistance payment.

Transfers language that addresses petitions for placement of a child out of the home for longer than ninety days out of the dependency and neglect section of statute into the statutory sections on legal guardianship and custody.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

S.B. 07-64 Child care - task force on foster care and permanence - repeal. Establishes a task force to address problems in the state's child foster care and adoption systems. Specifies membership of the task force and issues the task force shall consider. Directs the task force to report to the governor, the chief justice of the Colorado supreme court, and the judiciary and health and human services committees of the general assembly by May 31, 2008. Requires the task force to meet monthly until it submits its report. Repeals the task force July 1, 2008.

APPROVED by Governor March 30, 2007

EFFECTIVE March 30, 2007

S.B. 07-128 Homeless youth shelters - use of general fund moneys. Repeals the prohibition against using general fund moneys to implement the "Homeless Youth Act".

APPROVED by Governor March 29, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-132 Mental health services - repeal Geobel provision. Repeals the provision stating that the department of human services shall administer mental health services pursuant to a lawsuit.

APPROVED by Governor April 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-212 Public services short-term child care facilities - regulation - exemption from immunization requirements. Allows a public services short-term child care facility to operate subject to specified requirements in lieu of licensure on the same basis as a guest child care facility. Defines a public services short-term child care facility as a child care facility operated on a limited basis by a county department of social services or a court to provide child care for parents doing business with the county department or court. Lists the requirements the public services short-term child care facility shall meet, including fire and safety inspections, retention of records, fingerprint-based criminal history record checks for supervisory and other employees, and maximum employee-to-child ratios. Also requires the public services short-term child care facility to ensure that at least one employee is on duty at the facility who holds a current first aid and safety certificate.

Exempts a public services short-term child care facility and a guest child care facility from the statutory requirements pertaining to immunization records.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

S.B. 07-224 At-risk adult protection teams. Requires a county or a contiguous group of counties in which a minimum number of reports of mistreatment or self-neglect of at-risk adults are filed to establish an at-risk adult protection team. Specifies duties of the at-risk

adult protection team.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

S.B. 07-225 Colorado works - work participation rates - strategies. Directs counties and the department of human services ("state department") to adopt strategies to increase the work participation rates of persons in the Colorado works program. Identifies potential strategies. Directs the state department to develop and provide technical assistance on strategies to counties. Requires counties to submit annual reports to the state department and the state department to submit annual reports to specified committees of the general assembly.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

S.B. 07-252 Family resource centers - funding. Removes the prohibition against direct general fund appropriations by the general assembly to the family resource center program. Allows counties flexibility in administration of county-controlled funds by clarifying that a family resource center is allowed to accept and spend contract funds.

APPROVED by Governor May 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1025 Child welfare services - funding. Requires the department of human services ("department") to review rates, services, and outcomes negotiated by counties with providers. Requires the department to promulgate rules governing how counties may negotiate rates, services, and outcomes with providers. Requires a county that negotiates or renegotiates rates, services, and outcomes with providers to include as part of the negotiations or renegotiations cost of living adjustments and provider rate increases approved by the general assembly. Requires the department to review the rate-setting process every 2 years.

APPROVED by Governor April 26, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1062 Early childhood education and care - early childhood councils - early childhood advisory team - funding - voluntary child care credentialing system - evaluation - early childhood cash fund - analysis of child care assistance program funds and policies - appropriation. Repeals the pilot program for community consolidated child care services ("pilot program"), and establishes a statewide system of early childhood councils ("councils") that incorporates existing pilot program councils with newly designated councils.

Directs the various participating counties to designate a convening entity for each council, and requires the convening entity to approve council members. Creates an

application process to receive designation as a council. Outlines the essential community representation on a council, as well as suggested participation.

Sets forth the duties of the councils, including but not limited to increasing and sustaining the quality, accessibility, capacity, and affordability of early childhood services for children 5 years of age or younger and their parents.

Outlines the application process for funding for a council. Allows a council to request from the state department of human services ("department") a waiver of any rule that would prevent it from implementing council projects.

Creates the early childhood council advisory team ("advisory team") in the office of the lieutenant governor, and outlines its membership and functions. Directs the department to develop and maintain a statewide voluntary child care credentialing system that shall include, but need not be limited to, the councils. Directs the department, together with the advisory team, to contract with a third party to prepare an independent evaluation of the statewide system of early childhood councils to determine its effectiveness in serving children and families.

Creates the early childhood cash fund. Authorizes and directs the office of the state auditor to conduct a performance audit of the use of moneys from the child care assistance program. Defines areas to be assessed and reports to be made based on findings.

Makes the following appropriations for the 2007-08 fiscal year:

- Appropriates \$1,022,168 from the general fund to the early childhood cash fund and further appropriates those moneys to the department of human services, division of child care.
- Appropriates to the department of human services, division of child care, \$1,022,169, from federal child care development funds, and 1.0 FTE.
- Appropriates to the department of education \$1,912,051 and 1.0 FTE from cash funds exempt received from the department of human services out of the appropriations made in sections (1) and (2) above.
- Appropriates to the governor-lieutenant, governor-state planning and budgeting, office of the lieutenant governor, \$80,543 and 1.0 FTE from cash funds exempt received from the department of human services out of the appropriation made in section (2) above.
- Adjusts the annual general appropriation act for the fiscal year beginning July 1, 2007, by decreasing by \$2,044,337 the appropriation to the department of human services, division of child care, for the child care assistance program.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1211 State and veterans nursing homes - board of commissioners - created - repeal. Creates the board of commissioners of state and veterans nursing homes in the department of human services ("board"). Specifies the functions and membership of the board and how members are appointed. Specifies the powers and duties of the board. Clarifies that the creation of the board shall not be construed to abridge, amend, or supersede any provision of a contractual agreement that the department of human services has entered into with any

of the state and veterans nursing homes. Repeals the board in 2017 following sunset review.

APPROVED by Governor April 9, 2007

EFFECTIVE July 1, 2007

H.B. 07-1212 State and veterans nursing homes - local advisory boards - repeal. Requires the state board of human services, with input from the division within the department of human services that is responsible for state and veterans nursing homes, to promulgate rules concerning the creation and operation of local advisory boards at certain state and veterans nursing homes. Specifies the membership of the local advisory boards. Repeals the local advisory boards in 2017 following sunset review.

APPROVED by Governor March 29, 2007

EFFECTIVE July 1, 2007

H.B. 07-1274 Individuals who are blind or visually impaired - commission - appropriation. Creates the Colorado commission for individuals who are blind or visually impaired ("commission") within the department of human services. Specifies the membership of the commission.

Requires the commission to:

- Make recommendations concerning the provision of vocational rehabilitation services, job placement services, and vocational training for individuals who are blind or visually impaired;
- Make recommendations concerning the provision of independent living services for individuals who are blind or visually impaired;
- Make recommendations concerning responsibilities for establishing and carrying out a business enterprise program for individuals who are blind or visually impaired;
- Serve as a liaison between the blind and visually impaired community and the general assembly, the governor, and Colorado state departments and agencies;
- Serve as an information resource to the state and the blind and visually impaired community; and
- Make recommendations concerning responsibilities for developing and administering any other program that will further the provision of services to individuals who are blind or visually impaired.

Sets the procedures for operation of the commission and appointment of its members. Authorizes the commission to issue a report with recommended legislation to the general assembly and the governor. Provides for review of the commission prior to its repeal, effective July 1, 2012.

For the 2007-08 fiscal year, appropriates \$95,152 from the Colorado disabled telephone users cash fund to the department of regulatory agencies, public utilities commission, and further appropriates the moneys to the department of human services, for allocation to the division of vocational rehabilitation for the implementation of the act.

APPROVED by Governor May 24, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1324 Older Americans act programs - accumulated interest from older Coloradans cash fund - appropriation. States that a restriction that requires appropriating moneys from the older Coloradans cash fund as a whole does not apply to appropriations of accumulated interest from that fund.

Appropriates \$40,000 to the department of human services from the older Coloradans cash fund for older Americans act programs. Specifies that the department of human services is expected to receive an additional \$680,000 in federal funds for the implementation of the act.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

H.B. 07-1349 County department of social services - emancipated child - adjustments to income of responsible parent - health care insurance - parentage and support proceedings - collection of fee from obligee - review of child support order - withholding and reporting gambling winnings - appropriations. Modifies circumstances in which the attorney for a county department of social services ("county department") may enter an appearance in a dissolution proceeding. Specifies 2 situations in which a child is considered emancipated for purposes of determining when child support terminates. Modifies the calculation of certain adjustments to the income of a parent responsible for child support.

Specifies that, if a spouse of a parent provides health care insurance for the parent's child, a credit on the child support worksheet shall be given to the parent in the same manner as if the premium were paid by the parent. Specifies that the right to require a hearing before a judge does not apply to parentage proceedings or support proceedings held pursuant to the children's code. Specifies that contested final orders in those proceedings regarding the allocation of parental responsibilities may be heard by the juvenile court magistrate with the consent of the parties. Requires a county department to collect a fee from an obligee that never received public assistance, once \$500 in support has been received.

Requires a party to provide financial information when requesting a review of a current child support order. Requires the delegate child support enforcement unit, if the obligee is receiving temporary assistance to needy families, to review a child support order every 36 months. Specifies the content required for the notice of review of a current child support order. Modifies the requirements for conducting the review. Requires the delegate child support enforcement unit to include a child support guideline worksheet with the review results and to provide the parties with the supporting financial documentation used to calculate the monthly support obligation.

Modifies the time frames applicable to challenges of the review results. Specifies notice and procedures on completion of the challenge. Replaces the requirement to send the national medical support notice to the obligor with an additional advisement of rights.

Permits an obligor or obligee to file a written request for review of an administrative child support order with the delegate child support enforcement unit. Requires the requesting party to submit financial information with the request. Requires the delegate child support enforcement unit to review and grant or deny each request received. Specifies the requirements for notice and review of an administrative child support order.

Creates the "Gambling Payment Intercept Act" ("act"). Applies certain moneys won

in limited gaming and pari-mutuel wagering by a parent subject to a child support order to the parent's outstanding support obligation. Requires the department of revenue to create and maintain a registry for the purpose of registering information concerning the gambling winnings of parents with outstanding child support obligations. Requires the department of human services to certify to the registry operator information regarding each child support obligor with an outstanding child support obligation. Requires certain licensed gambling establishments ("licensee") to report gambling winnings information to the registry operator, and permits the licensee to pay winnings to the winner if the winner is not listed in the registry. If the winner is listed in the registry, requires the licensee to withhold payment of winnings in the amount of the winner's child support obligation. Requires the licensee to send withheld amounts to the registry operator, and directs the registry operator to forward withheld amounts to the department of human services for processing.

Specifies that a licensee that refuses to comply with the provisions concerning the withholding and reporting of gambling winnings shall be subject to administrative sanctions. Specifies that a licensee that makes a payment to a winner in violation of the provisions shall not be liable to the person to whom the winner owes the child support obligation. Immunizes a licensee from civil and criminal liability for acting in compliance with the reporting provisions.

Permits the department of revenue to contract with a private entity for the creation and maintenance of the registry. Permits the department of revenue to enter into a memorandum of understanding with the department of human services to implement the act. Requires the department of revenue to promulgate rules to implement the act and to enable a licensee to retain a portion of a withheld payment to cover the licensee's costs of compliance, which amount shall be added to the winner's outstanding child support obligation. Repeals the act if, within 12 months beginning July 1, 2008, there is no winner identified as listed in the registry to whom payment would be payable by a licensee.

For the 2007-08 fiscal year, appropriates \$40,440 to the department of human services for the implementation of the act, and appropriates \$2,575 to the department of revenue, taxpayer service division, for the implementation of the act.

APPROVED by Governor May 31, 2007

PORTIONS EFFECTIVE May 31, 2007
PORTIONS EFFECTIVE October 1, 2007
PORTIONS EFFECTIVE January 1, 2008
PORTIONS EFFECTIVE July 1, 2008

INSURANCE

S.B. 07-36 Mandatory health care coverage - mental disorders - exclusions - appropriation. Expands mandatory health insurance coverage to require coverage for the treatment of mental disorders that is no less extensive than the coverage provided for a physical illness. Defines "mental disorders" to include:

- Posttraumatic stress disorder;
- Drug and alcohol disorders;
- Dysthymia;
- Cyclothymia;
- Social phobia;
- Agoraphobia with panic disorder;
- General anxiety disorder; and
- Anorexia nervosa and bulimia nervosa to the extent those diagnoses are treated on an out-patient, day treatment, and in-patient basis, exclusive of residential treatment.

Exempts small group plans from the requirement to cover mental disorders. Allows a carrier that does not use utilization review mechanisms in determining whether to provide coverage of a physical illness to use utilization review mechanisms for determining whether to provide coverage for drug and alcohol disorders and eating disorders as part of the required coverage of mental disorders. Allows a health maintenance organization to cover the required benefits only if the services are rendered by a provider who is designated by and affiliated with the organization.

For the implementation of the act, appropriates \$11,011 to the indigent care program of the children's basic health plan trust, decreases the general fund appropriation to the controlled maintenance trust fund by \$11,011, and appropriates \$31,459 to the indigent care program for children's basic health plan premium costs.

Makes the act effective January 1, 2008, and applicable to group health insurance policies, plans, or contracts offered, issued, or renewed on or after said date.

APPROVED by Governor May 30, 2007

EFFECTIVE January 1, 2008

S.B. 07-49 CoverColorado - coordination of benefits plans - premiums - eligibility - coverage. Authorizes the board of directors of the CoverColorado program to establish one or more coordination of benefits plan designs. Delineates the method for setting the premiums for a CoverColorado coordination of benefits plan using the standard risk rate. Specifies that a Colorado resident who has legally resided in the United States for at least 6 months is eligible for coverage under a coordination of benefits plan if the individual is:

- Under age 65;
- Eligible for medicare by reason of disability;
- Enrolled in parts A and B of medicare; and
- Not applying to the program during the open enrollment period for a medicare supplement policy.

Requires CoverColorado plans to renew policies until the day the covered individual turns 65 and becomes eligible for medicare coverage based on age. Specifies the types of

expenses covered by a coordination of benefits plan and the limits of coverage. States that the general assembly anticipates that, for the fiscal year beginning July 1, 2007, the state treasurer will transfer \$1,062,000 out of moneys available in the unclaimed property trust fund for the implementation of the act.

APPROVED by Governor April 19, 2007

EFFECTIVE April 19, 2007

S.B. 07-74 Health care task force - duties - electronic medical records. Directs the health care task force to examine and make recommendations concerning electronic medical records systems and the implementation of an interoperable, statewide electronic health information exchange.

APPROVED by Governor May 25, 2007

EFFECTIVE May 25, 2007

S.B. 07-78 Sickness and accident insurance - mandatory offer of home health services and hospice care coverage - small group health plans. For basic health benefit plans issued or renewed to small groups on or after January 1, 2008, restores the requirement that policyholders be offered the opportunity to purchase coverage for benefits for the costs of medically necessary home health services and hospice care.

APPROVED by Governor April 11, 2007

EFFECTIVE January 1, 2008

S.B. 07-104 Blue ribbon commission for health care reform - members - number - governor appointments. Increases the number of members of the blue ribbon commission for health care reform by allowing the governor to appoint 3 additional citizens of the state at large to serve at the pleasure of the governor.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-191 Life insurance regulation - continuation. Continues the functions of the division of insurance in the department of regulatory agencies relating to the regulation of life insurance until July 1, 2016.

APPROVED by Governor April 2, 2007

EFFECTIVE July 1, 2007

S.B. 07-233 Uniform health care claim form - updated name. Updates the name of the uniform health care claim form that is required by the centers for medicare and medicaid services to be used by all health care providers and carriers in the state.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

S.B. 07-249 Title insurance - enforcement - investigations - market analysis - reports to general assembly - fees - appropriation. Directs the commissioner of insurance to assess an annual fee upon title insurers in an amount sufficient to support two additional full-time employees within the division of insurance (division) to conduct market analyses, investigations, and enforcement activities. Makes the annual fee payable on March 1 of each

year. Requires the assessment of a one-time surcharge for startup costs, payable by September 1, 2007, and based upon such insurers' Colorado-derived premiums as of March 1, 2007.

Requires the division to report annually, beginning in January of 2009, to the joint budget committee and the business affairs committees of the house of representatives and the senate on the number of enforcement actions taken, market trends associated with title insurance and real estate transactions, and consumer complaints. Directs that this information also be posted on the division's web site.

Appropriates \$143,448 and 1.7 FTE to the department of regulatory agencies, division of insurance, for the implementation of the act.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

S.B. 07-256 Motor vehicle insurance - uninsured/underinsured motorist coverage - relation to other coverage - stacking - limitations. If a consumer opts to purchase uninsured and underinsured motor vehicle insurance, requires the insurance be provided as excess to any motor vehicle liability coverage. Requires the uninsured and underinsured coverage to pay the difference between the amount of any legal liability coverage and the amount of the damages sustained. Prohibits the reduction of the uninsured and underinsured insurance coverage from a setoff from any other insurance.

Eliminates language expressly permitting and endorsing policy terms that prohibit stacking of coverages. Allows a single policy that covers multiple vehicles to be limited to applying once per accident.

Applies to insurance policies issued or renewed on or after January 1, 2008.

APPROVED by Governor June 1, 2007

EFFECTIVE January 1, 2008

H.B. 07-1039 Long-term care insurance - conform to national model. Conforms the "Long-term Care Insurance Act" to the national association of insurance commissioners model act. Allows a carrier that issues a long-term care policy to employers or labor organizations to omit the otherwise-required outline of the coverage if the outline information is included in other enrollment materials. Requires the outline to include a statement as to whether the policy is intended to be a federally tax-qualified long-term care insurance contract.

Requires a certificate of insurance to be delivered to the applicant no later than 30 days after the contract is approved. Requires specific information to be included in the policy summary, and requires the summary to be delivered at the time the policy is delivered.

Requires a monthly report to be delivered to a policyholder any time a long-term care benefit, funded through a life insurance vehicle by the acceleration of the death benefit, is in benefit payment status. Requires specific information to be included in the monthly report. Specifies that a carrier must offer the option of purchasing a nonforfeiture benefit with each long-term care policy. Directs the commissioner of insurance to promulgate rules specifying the types of nonforfeiture benefits that shall be offered.

Requires an insurance producer to be licensed; to complete a training course prior to selling, soliciting, or negotiating long-term care insurance; and to keep records that he or she has received the proper training.

APPROVED by Governor March 26, 2007

EFFECTIVE January 1, 2008

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1101 Division of insurance - health insurance costs - Pueblo study - appropriation. Instructs the division of insurance to conduct a study of the factors that drive health insurance costs in the Pueblo area. Defines the parameters of the study and the data to be gathered and analyzed. Authorizes the division to contract with a nonprofit entity to analyze data collected by the division and prepare a report of the analysis of such data.

Requires the study results to be reported to the general assembly by January 15, 2009.

Appropriates \$29,569 to the division for the implementation of the act.

APPROVED by Governor June 4, 2007

EFFECTIVE June 4, 2007

H.B. 07-1104 Property - repair business referral - appropriation. Regulates the referral by an insurance company of an insured under a policy of property insurance to a property repair business.

Appropriates \$10,201 to the department of regulatory agencies for allocation to the insurance division for the implementation of this act.

APPROVED by Governor May 18, 2007

EFFECTIVE May 18, 2007

H.B. 07-1234 Rate filings - division - post public notice - appropriation. Requires the division of insurance to post a rate filing summary for most type II kinds of insurance and health insurance on its web site. Requires the summary to include the standards for insurance rates and the power that the commissioner of insurance has to review rates that are excessive, inadequate, or unfairly discriminatory. Requires rate filings to be filed electronically unless exempted by rule for an emergency situation as determined by the commissioner.

Appropriates \$42,000 to the department of regulatory agencies for allocation to the division of insurance for implementation of the act.

APPROVED by Governor June 1, 2007

EFFECTIVE January 1, 2008

H.B. 07-1253 Health care coverage - mandatory coverage - uniformed services of the United States. Prohibits an insurance carrier from denying coverage to an individual solely

based on that individual's membership in the uniformed services of the United States.

APPROVED by Governor April 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1355 Small group health insurance - determination of premium rates. Removes claims experience and health status as case characteristics that may be considered by an insurance carrier in the determination of premium rates for small employers over a phase-in period. Updates the insurance commissioner's reporting requirement to the general assembly.

APPROVED by Governor June 1, 2007

PORTIONS EFFECTIVE January 1, 2008

PORTIONS EFFECTIVE January 1, 2009

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1360 Blue ribbon commission for health care reform - legislative branch. Clarifies that the blue ribbon commission for health care reform is in the legislative branch. Establishes that the "Procurement Code" does not apply to the commission. Authorizes legislative council staff and the office of legislative legal services to assist the commission when requested by the speaker of the house of representatives and the president of the senate. Requires the project coordinator to contract with an independent consulting firm. Designates how the project coordinator may use gifts, grants, and donations. Extends the deadline for submittal of the report to the general assembly to January 31, 2008.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1364 Life insurance - sales and marketing practices to military - rules. Requires the commissioner of insurance to promulgate rules, consistent with federal law, to define dishonest, unfair, and deceptive marketing and sales practices to military personnel and their families.

APPROVED by Governor June 1, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

LABOR AND INDUSTRY

S.B. 07-31 Petroleum products - standards - fees - petroleum storage tank fund - appropriation - rules. Allows blended gasoline to exceed the vapor pressure standard only if the ethanol is blended between 9% and 10%.

Allows the director of the division of oil and public safety in the department of labor and employment ("division") to assess a range of penalties for delinquent registration and renewal fees and reasonable collection costs, in an amount that does not exceed twice the amount of such fees and costs.

Continuously appropriates moneys in the petroleum storage tank fund ("fund") to the division for purposes of corrective action, hazard abatement, release investigations, and state matching funds. Clarifies the limitation on the use of the fund for initial abatement and corrective action regarding fuels that are especially prepared and sold for use in aircraft or railroad equipment or locomotives. Extends the repeal date regarding the use of the fund for costs related to petroleum storage tank facility inspections and meter calibrations until 2014. Specifies that 20% of the fund may be used for remediation reimbursements for entities that are not responsible parties.

Allows the director of the division to promulgate and enforce rules as allowed by federal law.

APPROVED by Governor April 3, 2007

EFFECTIVE April 3, 2007

S.B. 07-39 Industrial safety - excavations - abandoned gas transmission pipelines. Requires an excavator of an underground gas transmission pipeline that has been abandoned or is unused and is not located in a public road, street, alley, or right-of-way dedicated to public use to notify each owner of record and occupant of the real property where such pipeline is located at least 10 days before beginning the excavation.

APPROVED by Governor March 22, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-123 Conveyances - regulation - building - mechanics - inspectors - appropriation. Creates the "Elevator and Escalator Certification Act" (act). Declares the regulation of conveyances to be a matter of statewide concern. Regulates the professions of conveyance mechanic and inspector. Regulates the installation and repair of conveyances. Exempts conveyances in single-family residences.

Requires conveyance mechanics and inspectors to be licensed and conveyance contractors to be certified. Sets qualifications for licensure and certification. Imposes fees for licensure and certification. Allows persons who are qualified, though not licensed, to work on conveyances in an emergency. Requires certified conveyance inspectors and mechanics to have 8 hours of continuing education every 2 years.

Authorizes the director of the division of oil and public safety in the department of labor and employment (administrator) to discipline a licensee or certificant if the person

fraudulently obtains certification, fails to notify the administrator of a noncomplying conveyance, or violates the act.

Requires the owner of a conveyance to report to the administrator or approved local jurisdiction, within 24 hours, any accident resulting in serious injury.

Requires conveyances to be registered by August 1, 2008. Authorizes the administrator to set registration fees to offset the cost of registration. Credits registration fees to the conveyance safety fund, which is created. Exempts conveyances that are regulated by local governments.

Requires licensees to comply with the safety code adopted by the administrator. Instructs the administrator to promulgate rules for the construction, alteration, repair, service, and maintenance of conveyances.

Requires the owner of a conveyance to obtain a certificate of operation. Sets standards, including an inspection by a certified conveyance inspector, for the issuance of a certificate of operation. Imposes a fee, in an amount to be set by the administrator, for the issuance of a certificate of operation by the administrator. Requires conveyances to be periodically inspected. Exempts conveyances that are regulated by local governments.

Requires conveyance contractors and conveyance inspectors to carry general liability insurance coverage of at least \$1 million for injury or death of each person in each occurrence and at least \$500,000 for property damage in each occurrence. Prohibits the administrator from certifying a conveyance contractor or conveyance inspector without receipt of the policy, certified copy, or certificate of insurance.

Makes failure to obtain a license or certification required by the act or failure to register an existing conveyance a class 3 misdemeanor. If a conveyance is dangerous, authorizes the conveyance inspector to notify the owner and approved jurisdiction or administrator, and authorizes the administrator or approved jurisdiction to order such alterations or additions as may be deemed necessary. Allows an owner or lessee to temporarily shut down a conveyance in lieu of making such ordered changes.

Repeals the act on July 1, 2017, pursuant to the sunset law.

Appropriates \$186,597 1.3 FTE and to the department of labor and employment for allocation to the division of oil and public safety for the enforcement of this act.

APPROVED by Governor May 30, 2007

EFFECTIVE January 1, 2008

S.B. 07-201 Workers' compensation - benefits - legal fees - continuous appropriation of moneys in subsequent injury, major medical insurance, and medical disaster insurance funds. Authorizes continuous appropriation of moneys in the subsequent injury fund, the major medical insurance fund, and the medical disaster insurance fund to the division of workers' compensation in the department of labor and employment for the purpose of paying benefits to claimants and legal fees.

APPROVED by Governor April 20, 2007

EFFECTIVE April 20, 2007

S.B. 07-247 Underground storage tanks - upgrade existing tanks - rules. Allows moneys in the petroleum storage tank fund to be used as incentives to underground storage tank owners and operators to upgrade existing systems. Requires the division of oil and public safety to promulgate rules to implement the incentives.

APPROVED by Governor May 18, 2007

EFFECTIVE July 1, 2007

S.B. 07-258 Workers' compensation - insurance - fee schedule awards - hearings - awards and compensation - appropriation. Clarifies that the workers' compensation fee schedule applies to all services provided by a medical professional. Requires that a list of accredited and nonaccredited physicians be provided to all parties to a workers' compensation claim. Requires scheduled awards to be calculated the same as lump sum awards.

Deletes the requirement that the parties wait 14 days after the notice of the request to select an independent medical examiner (IME) is mailed to select an IME. Eliminates the requirement that the director of the office of administrative courts establish a time schedule for hearings. Requires a hearing to commence within 100 days after the hearing is set.

Eliminates the requirement that a hearing be completed in 120 days. Requires an administrative law judge or director to issue a written order within 15 days after the conclusion of a hearing.

Deletes the requirement that the division of workers' compensation order and calculate a lump sum award. Increases the allowable aggregate lump sum award.

Appropriates \$3,502 to the department of labor and employment for allocation to the workers' compensation division for administrative law judge services for the implementation of the act. Further appropriates \$3,502 to the department of personnel, division of administrative courts, for operating expenses related to the implementation of the act.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1001 Wages - minimum wage rate - increase - conformity with state constitutional requirements. Makes conforming amendments to state statutes in response to "Amendment 42", the initiated constitutional amendment enacted by the people of Colorado at the 2006 general election, which raised the state minimum wage to \$6.85 per hour as of January 1, 2007, with subsequent annual adjustments for inflation.

APPROVED by Governor March 14, 2007

EFFECTIVE March 14, 2007

H.B. 07-1008 Workers' compensation - firefighters - coverage - cancer. Requires that, under the "Workers' Compensation Act of Colorado", if a firefighter contracts cancer of the brain, skin, digestive system, hematological system, or genitourinary system, the condition or impairment shall be presumed to result from employment unless a physical examination of such firefighter failed to reveal substantial evidence of such condition or impairment that preexisted employment and the employer or insurer shows by a preponderance of the medical evidence that such condition or impairment did not occur on the job. Requires the division of workers' compensation to prepare and deliver a report, on or before March 1, 2009, to the business affairs and labor committee of the house of representatives and the

business, labor, and technology committee of the senate, or any successor committees, regarding the number of claims allowed for firefighters with cancer and the costs associated with those claims.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

H.B. 07-1072 Labor unions - eliminate all-union agreement - voting requirement. Eliminates the requirement that, in order to validly enter into an all-union agreement, the all-union agreement must be approved by the affirmative vote of at least a majority of all the employees eligible to vote or three-quarters or more of the employees who actually voted, whichever is greater.

VETOED by Governor February 9, 2007

H.B. 07-1073 Public contract for services - use of federal basic pilot program. In connection with a public contract for services, modifies the language of a pre-contract certification and a required provision of the contract to reflect that the federal basic pilot program is used to confirm the employment eligibility of all employees who are newly hired for employment in the United States.

APPROVED by Governor March 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1133 Health care workers - reporting - disciplinary action. Prohibits a health care provider from taking disciplinary action against a health care worker if the worker submits, in good faith, a report or complaint regarding patient safety or quality of patient care.

APPROVED by Governor March 29, 2007

EFFECTIVE March 29, 2007

H.B. 07-1176 Workers' compensation - notice to change authorized treating physician - list of authorized treating physicians - alternative authorized treating physician - rules. Allows an injured employee covered under the "Workers' Compensation Act of Colorado" to choose a treating physician from a list, prepared by the injured employee's employer, of at least 2 physicians or 2 corporate medical providers, if possible, or at least one physician and one corporate medical provider. Requires both of the designated providers to be in a distinct location and without common ownership if possible. If there are fewer than 4 physicians or providers within 30 miles of the employer's place of business who are willing to treat an injured employee, states that the employer may designate one physician or one corporate medical provider and that the employee will not be able to change his or her designated authorized treating physician. Requires each designated physician or provider on the employer's list to provide a list of all ownership interests and employment relationships, if requested by an interested party, within 5 days after receipt of the request.

Allows a health care provider or governmental entity that has its own occupational health care provider system to designate health care providers from within its own system. Allows an employer that currently has its own on-site health care facility to designate the

on-site health care facility as the authorized treating physician, but allows an employee to change his or her designated authorized treating physician by submitting notice.

Allows an injured employee to submit notice to change to another treating physician from the list prepared by the employer. Specifies the conditions pursuant to which the carrier or employer is required to grant the notice for a change of physician.

Requires the newly authorized treating physician to make reasonable effort to avoid any unnecessary duplication of medical services. Requires the originally authorized treating physician to send all of the injured employee's medical records to the newly authorized treating physician within 7 calendar days after receipt of a notice to change physicians. Requires the opinion of the originally authorized treating physician regarding work restrictions and return to work to control unless and until such opinion is expressly modified by the newly authorized treating physician. Allows the newly authorized treating physician to expressly refuse, in writing within 5 days after the date of the notice to change authorized treating physicians, to treat the injured employee.

Allows the employee to request an alternative authorized treating physician from the employer. Requires the employer to provide an alternative authorized treating physician within 5 days after the employer's request. Allows the division of workers' compensation to promulgate rules concerning the failure of an employer to provide an alternative authorized treating physician to the employee.

Allows the injured employee to continue care with an authorized treating physician when the authorized treating physician moves from one facility or from one corporate medical provider to another.

Requires an insurance carrier, or an employer's authorized representative if self-insured, to track how often an injured employee requests to change his or her physician and how often such change is granted or denied and to report such information to the division upon request.

APPROVED by Governor May 14, 2007

EFFECTIVE January 1, 2008

H.B. 07-1228 Renewable energy - flexible fuel vehicles - hybrid vehicles - petroleum storage tanks - distributed generation. Requires the executive director of the department of personnel, beginning January 1, 2008, to purchase flexible fuel or hybrid vehicles unless the cost of such a vehicle is more than 10% over the cost of a comparable nonflexible fuel vehicle.

Requires the director of the division of oil and public safety to establish rules concerning the placement of storage tanks that contain renewable fuels, with the purpose of developing a uniform statewide standard of issuing permits for both underground and aboveground storage tanks to promote the use of renewable fuels and to make the process of obtaining a permit for a storage tank that contains renewable fuels more efficient and affordable.

Requires the public utilities commission to develop a policy to establish incentives for consumers who produce distributed generation, including small wind turbines, thermal biomass, electric biomass, and solar thermal energy. Directs the commission to consider whether a credit program would work for consumers who produce distributed generation.

Requires the commission to present the policy and findings regarding a credit program to the transportation and energy committee of the house of representatives and the agriculture, natural resources, and energy committee of the senate.

Makes adjustments to the 2007 general appropriations act in order to implement the act.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1247 Payment of wages and compensation - penalties - fees. In statutes governing the payment of wages or compensation due upon termination of employment, increases, for demands of up to \$7,500, the amount for which an employer is liable from 50% to 125% of the amount of earned, vested, and determinable wages due if the employee does not receive the wages within 14 days after written demand. Requires the penalty to be increased by 50% if the employee can show that the employer's failure to pay is willful. Allows the employee to show willful conduct by presenting evidence of a prior judgment, within the last 5 years, against the employer for failure to pay wages or compensation. Requires that an employer not be liable for any penalty if, within 14 days after the employee's demand, the employer makes a legal tender of the amount that the employer in good faith believes is due.

Allows a court to award an employer reasonable costs and attorney fees when, in any pleading or other court filing, the employee claims wages or compensation that exceed the greater of \$7,500 or the jurisdictional limit for the small claims court, whether or not the case was filed in small claims court or whether or not the total amount sought in the action was within small claims court jurisdictional limits. Allows a court to award the employee reasonable costs and attorney fees if the employee recovers a sum greater than the amount tendered by the employer.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1285 Unemployment insurance - determination of timeliness of filings - rules. Requires the division of employment and training (division) in the department of labor and employment to determine the timeliness of claims, information relevant to a claim, and appeals filed with the division or the industrial claim appeals office based on the date the claim, information, or appeal is received by the division or industrial claim appeals office rather than the date the claim, information, or appeal is postmarked, if mailed. Lengthens the time for the receipt of such filings. Requires the director of the division to adopt rules establishing a procedure for claimants, employers, and interested parties to dispute a determination that a claim, information, or appeal was not timely filed.

APPROVED by Governor May 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1286 Unemployment insurance benefits - nonresidents - required identification. Requires an individual applying for unemployment insurance benefits through a reciprocal interstate agreement who is not a Colorado resident and is unable to produce a Colorado

driver's license or Colorado identification card to:

- Produce a United States military card or military dependent's identification card, a United States Coast Guard Merchant Mariner card, or a Native American tribal document; a valid driver's license or state identification card issued in another state; or, in the case of Canada residents, a valid Canadian identification card or valid Canadian driver's license; and
- Execute an affidavit stating that he or she is a United States citizen, a legal permanent resident, or otherwise lawfully present in the United States pursuant to federal law.

APPROVED by Governor April 26, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1297 Workers' compensation - disfigurement awards. Increases the cap, from \$2,000 to \$4,000, on the amount of an award the director of the division of workers' compensation (director) may allow to an injured employee, in addition to any other compensation benefits available to the injured employee, for serious, permanent disfigurement about the head, face, or body parts normally visible to the public and for other types of disfigurement. Allows the director to award up to \$8,000 to an injured employee who sustains extensive facial scars or facial burn scars; extensive body scars or burn scars; or stumps due to loss or partial loss of limbs. Requires the director to annually adjust the cap on disfigurement awards based on the percentage of adjustment made to the state average weekly wage.

Makes the new award amounts applicable to injuries occurring on or after July 1, 2007.

APPROVED by Governor April 26, 2007

EFFECTIVE July 1, 2007

H.B. 07-1312 Employee leasing company - work-site employer - clarifications - collective bargaining units - tax credits - economic incentives. Clarifies that an employee leasing company does not engage in the substantive business operations of a work-site employer that are subject to the regulation of work-site employers pursuant to local, state, and federal law. Clarifies that for tax credit and economic incentive purposes, work-site employees are solely employees of the work-site employer and that the work-site employer is entitled to any credit or incentive that arises as a result of the employment regardless of a relationship with an employee leasing company. Clarifies that an arrangement between an employee leasing company and a work-site employer does not alter the identity of the work-site employer as a business entity. Clarifies that taxes, fees, and other assessments shall be assessed against a work-site employer based upon the number of work-site employees under the contract with the employee leasing company and against the employee leasing company based upon the number of employees who are not work-site employees.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1366 Workers' compensation - construction work - coverage. On or after October 1, 2007, requires every person who contracts for the performance of work at a construction site to either provide workers' compensation coverage or require proof of workers' compensation coverage for every person performing construction work at the site.

Punishes violations with a civil penalty of up to \$500 per day, payable to the workers' compensation cash fund.

Exempts certain employers that have rejected workers' compensation coverage and an owner or occupant, or both, of residential real property who contracts out any work done on the property from providing workers' compensation coverage to the contractors.

Makes the act applicable to acts occurring on or after October 1, 2007.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

MILITARY AND VETERANS

S.B. 07-146 Discharged veterans and families - mental health - mental health services pilot program - fund - appropriation - repeal. Creates a 3-year mental health services pilot program for spouses and dependent children ("families") of discharged veterans of operation enduring freedom and operation Iraqi freedom ("pilot program"). Authorizes the department of human services ("department") to purchase mental health services from community mental health centers in the Colorado Springs area for families of recently discharged veterans. Requires participating community mental health centers to collect data on pilot program outcomes and submit a report to the department. Requires the department to report to specified committees of the general assembly on the results of the pilot program prior to the repeal of the pilot program.

Creates a mental health services pilot program fund ("fund") and a supplemental tobacco litigation settlement moneys account ("account") within the fund and, with limited and specified exceptions, requires moneys in the fund and account to be used by the department to purchase mental health services for families pursuant to the pilot program. Requires the lesser of a specified percentage or specified amount of the tobacco litigation settlement moneys allocated to the short-term innovative health program grant fund under the provisions of Senate Bill 07-097 be credited to the account.

Makes certain provisions contingent on the passage of Senate Bill 07-097.

Appropriates \$300,000 and 0.3 FTE from the account of the fund to the department for the implementation of the act. Of this, \$14,471 and 0.3 FTE shall be allocated to mental health and alcohol and drug abuse services and administration, and \$285,529 shall be allocated to mental health community programs.

Repeals the pilot program effective July 1, 2010.

APPROVED by Governor June 4, 2007

EFFECTIVE June 4, 2007

NOTE: Senate Bill 07-097 was signed by the governor March 22, 2007.

S.B. 07-183 Board of veterans affairs - continuation under sunset law. Continues the Colorado board of veterans affairs until July 1, 2017, and schedules the next sunset review pursuant to the statute governing the sunset review of advisory committees rather than the statute governing the sunset review of regulatory agencies and functions.

APPROVED by Governor April 11, 2007

EFFECTIVE July 1, 2007

H.B. 07-1275 National guard - designation as a federal seizure agency - seizure cash fund. Permits the Colorado National Guard in the department of military and veterans affairs to receive federally forfeited property when it participates in operations under the drug interdiction and enforcement plan. Creates a cash fund to receive seizure funds.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1371 Military family relief fund grants - eligibility - prioritization of grant awards. Eliminates the maximum pay grade that a Colorado National Guard member, a reservist, or an active duty military member stationed in Colorado may hold in order to be eligible or for his or her family to be eligible to receive a grant from the military family relief fund (fund). In awarding grants from the fund, directs the Colorado National Guard foundation, to the extent possible, to prioritize eligible grant applicants who hold the lowest pay grades.

APPROVED by Governor June 4, 2007

EFFECTIVE June 4, 2007

MOTOR VEHICLES AND TRAFFIC REGULATION

S.B. 07-27 Registration - special license plates - United States Coast Guard - appropriation. Creates a United States Coast Guard special license plate for motor vehicles that do not exceed 16,000 pounds. Authorizes issuance of the plate to persons who pay the appropriate fees, plus a one-time fee of \$25. Credits the one-time fee to the highway users' tax fund. Makes an appropriation of \$804 from the license plate cash fund to the division of motor vehicles.

APPROVED by Governor April 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-62 Registration - motor carriers - enforcement - civil penalties. Directs the department of revenue to cancel the registration of a motor carrier who fails to pay civil penalties imposed for violating commercial vehicle standards. Exempts interstate carriers until July 1, 2009.

Prohibits the state from contracting with a motor carrier who has a registration canceled.

APPROVED by Governor May 14, 2007

EFFECTIVE May 14, 2007

S.B. 07-67 Registration - special license plates - "share the road" plates - appropriation. Creates the "share the road" special license plate for motor vehicles that do not exceed 16,000 pounds. Authorizes issuance of the plate to persons who pay the appropriate fees, plus a one-time fee of \$25, and who have a certificate issued by Bicycle Colorado, Inc., confirming donation to a bicycle education and crash prevention fund. Requires that the fund be used for bicycle education and crash prevention. Requires Bicycle Colorado, Inc., to verify its nonprofit status annually. Credits the one-time fee to the highway users' tax fund.

Appropriates \$16,080 to the department of revenue to be allocated to the division of motor vehicles for the implementation of the act.

APPROVED by Governor June 3, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-70 Recycling and receiving - theft prevention - appropriation. Authorizes a motor vehicle recycler to receive a vehicle when:

- The seller or transferor is the owner on the certificate of title, an operator, or a licensed motor vehicle dealer;
- The seller or transferor provides a completed bill of sale on a form prescribed by the department of revenue; or
- The receiver or purchaser checks whether the vehicle has been stolen and

holds the vehicle for 7 days.

Creates the Colorado motor vehicle verification system, which is a database that the public may use, upon payment of a fee, to check whether a vehicle has been stolen. Requires a person who discovers a vehicle is stolen to report the incident to law enforcement and imposes misdemeanor criminal penalties for failing to report. Grants immunity for acts committed in reliance on the verification system.

Requires a person giving a motor vehicle to a dealer or garage to present an identification document. Requires the dealer or garage to keep a copy of the document in its daily record.

Appropriates \$74,389 and 1.0 FTE to the department of public safety for implementation of the act.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

S.B. 07-77 Driver's licenses - education requirements. Replaces a requirement that driver's education courses include 6 hours of behind-the-wheel training with a requirement that a person who received their instruction permit for driver's education have such training or complete an additional 12 hours of additional driving time before being issued a driver's license. Requires a person who is under 15½ years of age to complete driver's education, but not behind-the-wheel training, prior to obtaining a permit.

APPROVED by Governor April 20, 2007

EFFECTIVE April 20, 2007

S.B. 07-154 Drunk driving - test to determine blood or breath alcohol content - extraordinary circumstances preventing completion. Requires a law enforcement officer who has requested a suspected drunk driver to take a test to determine blood or breath alcohol content to request and direct the driver to take a test other than what the driver has elected if the officer determines there are extraordinary circumstances that prevent the completion of the elected test within the required 2-hour time period. Specifies that the driver's decision to change the test election to comply with the officer's request shall not be deemed a refusal to submit to testing. Specifies that the failure to comply with the officer's request shall be deemed a refusal to submit to testing.

APPROVED by Governor May 22, 2007

EFFECTIVE July 1, 2007

S.B. 07-241 Driver's licenses - registration - fees - licensing services cash fund - appropriation. Increases the fees for the issuance of a driver's license, instruction permit, or identification card. Creates the licensing services cash fund for the deposit of such fees. Requires that the money in the fund be used for personal services and operating expenses of driver's license offices.

Adds a \$25 fee for the issuance of most special license plates except certain military license plates exempt from such fees.

Appropriates \$5,758,929 from the licensing services cash fund to the department of revenue for driver's license offices and related expenses, and decreases the general fund

appropriation to the department of revenue in the annual general appropriation act by the same sum.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1020 Registration - temporary registrations - penalties for failure to register - appropriation. Increases to a class 1 misdemeanor the penalty for failing to register a motor vehicle 2 or more times in 5 years. Prohibits the issuance of more than 2 temporary registrations per year to a Class A or Class B motor vehicle unless the delay is caused by a title or lien problem as specified by rule promulgated by the department of revenue.

Appropriates \$66,809 and 1.7 FTE to the department of revenue for allocation to the information technology division to implement the act.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1063 Insurance - disclosure - uninsured motorist database. Clarifies that the department of revenue shall disclose only motor vehicle insurance information under the uninsured motorist identification database.

APPROVED by Governor March 26, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1097 Registration - collectors' item - original plates. Authorizes a motor vehicle that is registered as a collectors' item to use the original license plates if such plates are at least 30 years old.

APPROVED by Governor May 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1105 Registration - special license plates - Korean war. Expands eligibility to be issued a veteran of the Korean war special license plate to include June 27, 1950, to January 31, 1955.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1113 Titles and registration - personal identification number. Requires the owner of a class A or class B motor vehicle to submit a personal identification number when applying for a certificate of title. Repeals the requirements that a title applicant must submit the date the vehicle was sold at retail and the amount of debt upon the obligation secured by

the vehicle when the title application is filed.

Requires the owner of a class B motor vehicle to submit a personal identification number when registering the vehicle.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1117 Motorcycles - motorized bicycles - protective helmet requirement. Prohibits a person under 18 years of age from operating or carrying a passenger on a motorcycle or motorized bicycle unless the person and passenger are wearing a protective helmet that is designed according to certain specifications. Sets the penalty and surcharge for failing to wear a protective helmet at \$100 and \$15, respectively. Sets an additional \$10 surcharge for each violation to be deposited in the Colorado traumatic brain injury trust fund.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1120 Registration - special license plates - Italian-American heritage - appropriation. Creates the Italian-American heritage special license plate for motor vehicles that do not exceed 16,000 pounds. Authorizes issuance of the plate to persons who pay the appropriate fees, plus a one-time fee of \$25. Credits the one-time fee to the highway users' tax fund.

Appropriates \$16,080 from the license plate cash fund to the department of revenue for the implementation of this act.

APPROVED by Governor May 18, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1148 Registration - multiple vehicles - simultaneous expiration. Authorizes the registration of certain types of vehicles for intervals less than one year for purposes of allowing the owner of multiple vehicles to have vehicle registrations expire simultaneously.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1166 Driver's license revocation - minors - blood alcohol content - probationary license - issuance of driver's license to individual under restraint. Modifies the driver's license revocation statute by adding a previously omitted reference to the 0.02 blood alcohol content minor driver's license revocation. Clarifies that minors subject to the 0.08 driver's license revocation do not qualify for a probationary license. Clarifies the prohibition against

issuing a driver's license to an individual under restraint. Clarifies provisions concerning the mandatory revocation of driver's licenses and permits.

APPROVED by Governor April 16, 2007

EFFECTIVE July 1, 2007

H.B. 07-1200 Registration - special license plates - Air Force - appropriation. Creates a United States Air Force special license plate for motor vehicles that do not exceed 16,000 pounds. Integrates the new plate into existing provisions authorizing issuance of the plate to persons who pay the appropriate fees, plus a one-time fee of \$25, and crediting the one-time fee to the highway users' tax fund.

Appropriates \$15,240 to the department of revenue for allocation to the division of motor vehicles for the implementation of the act.

APPROVED by Governor June 4, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1205 Size and weight - truck trailer - unladen. Clarifies that a truck trailer that is designed to carry cargo but is not carrying cargo is not laden.

APPROVED by Governor March 29, 2007

EFFECTIVE March 29, 2007

H.B. 07-1229 Commercial motor vehicles - snow and mud restrictions. Enhances the penalties for failing to comply with snow and mud restrictions while operating a commercial vehicle by:

- Raising the fine for a violation to \$500; and
- Raising the fine for a violation that closes a lane to \$1,000.

Authorizes the department to establish or authorize a roadside assistance program to enable commercial carriers to get chains applied to comply with snow and mud restrictions.

APPROVED by Governor May 29, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1313 Driver's licenses and identification cards - issuance - proof. Establishes which documents or document combinations are valid forms of identification for obtaining a driver's license or identification card. Creates an exception process for people who may not have any of the appropriate documents. Authorizes an applicant who is denied a driver's license, permit, or identification card to request a hearing to determine whether the applicant is qualified.

VETOED by Governor June 1, 2007

H.B. 07-1352 Registration - special license plates - fallen service members - Army special forces - specific ownership tax exemption - appropriation. Authorizes the sibling or grandparent of a fallen service member to be issued and to use the fallen service member special license plate. Exempts the fallen service member special license plate from the additional \$25 fee for military special license plates.

Creates the Army special forces license plate for motor vehicles that do not exceed 16,000 pounds. Authorizes issuance of the plate to persons who pay the appropriate fees, plus a one-time fee of \$25, and who have served in the Army special forces. Credits the one-time fee to the highway users' tax fund.

Repeals a requirement that the owner of a disabled veteran special license plate send a disabled application to the department of revenue when transferring the plate to another vehicle.

Clarifies when certain personal property is not taxable when a service member is in Colorado in compliance with a military order.

Appropriates \$16,080 to the department of revenue for allocation to the division of motor vehicles for the implementation of the act.

APPROVED by Governor May 26, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1378 Registration - special license plates - retirement. Extends to July 1, 2008, the retirement date of the following special license plates:

- Alumni special license plates;
- Agriculture and natural resources special license plates; and
- Special license plates issued pursuant to rules promulgated by the executive director of the department of revenue.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

NATURAL RESOURCES

S.B. 07-82 Division of wildlife - habitat partnership program - funding - extension. Extends, until July 1, 2015, the annual transfer of moneys from the wildlife cash fund to the habitat partnership cash fund for purposes of funding the habitat partnership program in the division of wildlife.

APPROVED by Governor March 22, 2007

EFFECTIVE March 22, 2007

S.B. 07-185 Mining permits - fee increase - oil shale applications. Increases the fees for the extraction of minerals and construction materials. Adds an oil shale application and amendment fee.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

S.B. 07-195 Wildlife - hunting licenses - United States armed forces. Clarifies that a resident who is on active duty in the armed forces outside Colorado does not lose residence status for the purpose of obtaining a hunting or fishing license on account of acts normally associated with residency outside Colorado. Authorizes active duty residents to participate in a limited license preference program for persons returning from service outside the United States.

APPROVED by Governor April 19, 2007

EFFECTIVE April 19, 2007

S.B. 07-198 Coalbed methane seepage - Fruitland formation - mitigation - monitoring - cash fund - oil and gas conservation and environmental response fund - appropriation. Creates the coalbed methane seepage cash fund (fund) to consist of moneys appropriated from the oil and gas conservation and environmental response fund. States that the general assembly shall make the following appropriations to the fund:

- Up to \$2,003,400 for the fiscal year commencing July 1, 2007;
- Up to \$2,003,400 for the fiscal year commencing July 1, 2008; and
- Up to \$445,200 for the fiscal year commencing July 1, 2009.

Authorizes the oil and gas conservation commission to use the moneys in the fund for the following purposes over the next 3 years:

- A project to determine the most cost-effective methods of mitigating the seepage of methane gas along the outcrop of the Fruitland formation in La Plata county; and
- Installation of wells to monitor the seepage of methane gas in the Fruitland formation in Archuleta county.

Appropriates \$2,003,400 from the oil and gas conservation and environmental response fund to the coalbed methane seepage cash fund for the fiscal year commencing July 1, 2007.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

S.B. 07-237 Oil and gas - surface notification - designated operations in greater Wattenberg area. Modifies requirements for identifying mineral estate owners when a surface developer submits an application for surface development to a local government. Modifies the parties' liability and remedies regarding notification of mineral estate owners and surface and oil and gas development.

Specifies procedures for surface developments of 160 acres or more near oil and gas development in the greater Wattenberg area of Weld, Larimer, Adams, Broomfield, and Boulder counties. If the surface and oil and gas developers cannot agree concerning such development, allows the surface developer to designate an oil and gas operations area to protect existing wells and allow for future drilling. Specifies setbacks from oil and gas facilities within an oil and gas operations area. Requires the surface developer to contribute \$87,500 per well to the incremental cost of directional drilling if directional drilling is required inside an oil and gas operations area.

APPROVED by Governor June 4, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1095 Parks and outdoor recreation - professional services - encumbrance deadline exemption - trail grants. Exempts certain grants for recreational trail purposes made by the department of natural resources from the 6-month encumbrance deadline for professional services contracts.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1130 Forests - restoration projects - grants. Directs the Colorado state forest service to issue a request for proposals for cost-share grants to stakeholders for experimental forest restoration projects that are designed through a collaborative community process. Limits the state share of an individual project cost to 60% of the total cost of the project, not to exceed \$1 million per project. Allows the remaining portion of the cost to be cash, stumpage, or in-kind services.

Requires projects to be located in an area with an approved community wildfire protection plan as defined by the federal "Healthy Forests Restoration Act of 2003". Defines project objectives.

Creates a technical advisory panel, designated by the executive director of the department of natural resources, to evaluate grant applications and provide recommendations regarding which proposals would best meet the pilot project's objectives. Requires the executive director to submit a report on the pilot program to the governor by July 1, 2008. Repeals the pilot program on July 1, 2008, and subjects the technical advisory panel to sunset review.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

H.B. 07-1180 Oil and gas - wellhead measurement - reporting - rules. Requires the Colorado oil and gas conservation commission to promulgate rules to ensure the accuracy of oil and gas production reporting by establishing standards for wellhead oil and gas measurement and reporting.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

H.B. 07-1182 Species conservation trust fund - project authorization - recapitalization. Appropriates a total of \$3,485,000 from the species conservation trust fund (trust fund) for programs submitted by the executive director of the department of natural resources that are designed to conserve native species that have been listed as threatened or endangered under state or federal law, or are candidate species or are likely to become candidate species as determined by the United States fish and wildlife service.

If the national science foundation has not awarded the national deep underground science and engineering laboratory to the Henderson mine near Empire by the end of any fiscal year through June 30, 2012, directs the state treasurer to transfer the moneys that were appropriated for such fiscal year by July 1 of the succeeding fiscal year to the trust fund. If actual fiscal year 2006-07 severance tax collections exceed the March 2007 quarterly revenue forecast by legislative council staff for fiscal year 2006-07 severance tax collections, directs the state treasurer to deduct from the operational account of the severance tax trust fund the following amounts: One-half of the amount of such excess that would otherwise be credited to the operational account, up to three million dollars, and transfer such sum to the capital account of the trust fund; and one-half of the amount of such excess, up to three million dollars, and transfer such sum to the operations and maintenance account of the trust fund.

Subject to the maintenance of a two-year reserve in the severance tax trust fund, directs the state treasurer to deduct from the operational account of the severance tax trust fund the following amounts:

- On or after July 1, 2008, \$1 million and transfer such sum to the capital account of the trust fund;
- On or after July 1, 2008, \$1 million and transfer such sum to the operations and maintenance account of the trust fund;
- On or after July 1, 2009, \$2 million and transfer such sum to the capital account of the trust fund;
- On or after July 1, 2009, \$2 million and transfer such sum to the operations and maintenance account of the trust fund;
- On or after July 1, 2010, \$3 million and transfer such sum to the capital account of the trust fund; and
- On or after July 1, 2010, \$3 million and transfer such sum to the operations and maintenance account of the trust fund.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1217 State parks - disposition of fines. Requires that all moneys collected for fines from state parks be credited to the parks and outdoor recreation cash fund.

APPROVED by Governor May 17, 2007

EFFECTIVE May 17, 2007

H.B. 07-1252 Oil and gas - operators and surface owners - reasonable accommodation. Declares that the intent of the act is to codify the reasonable accommodation doctrine. Requires oil and gas operators to conduct oil and gas operations in a manner that accommodates the surface owner by minimizing intrusion upon and damage to the surface of the land. Allocates the evidentiary burdens between the surface owner and the operator in any arbitration or litigation related to such use of the surface.

APPROVED by Governor May 29, 2007

EFFECTIVE September 1, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1298 Oil and gas - oil and gas conservation commission - consideration of wildlife resources - appropriation. Requires the Colorado oil and gas conservation commission (commission) to administer the oil and gas conservation law so as to minimize adverse impacts to wildlife resources affected by oil and gas operations. Directs the commission to:

- Consult with the wildlife commission and division of wildlife on decision-making that impacts wildlife resources;
- Consult with and obtain the consent of affected surface owners regarding permit-specific conditions for wildlife habitat protection;
- Implement, when reasonably practicable, best management practices and other reasonable measures to conserve wildlife resources; and
- Promulgate rules by July 1, 2008, in consultation with the wildlife commission, to establish standards for minimizing adverse impacts to wildlife resources affected by oil and gas operations and to ensure the proper reclamation of wildlife habitat during and following such operations. Specifies elements to be addressed in the rules.

Makes a legislative declaration. Appropriates \$5,050 to the department of natural resources for allocation to the commission for the implementation of the act.

Applies to acts of the Colorado oil and gas conservation commission on or after July 1, 2007.

APPROVED by Governor May 29, 2007

EFFECTIVE July 1, 2007

H.B. 07-1316 Board of parks and outdoor recreation - fees for use of facilities - parks and outdoor recreation emergency reserve cash fund - allowable balance. Extends to July 1, 2012, the authority of the board of parks and outdoor recreation in the department of natural resources to establish by rule the amount of fees for use of facilities and programs of the division of parks and outdoor recreation in the department of natural resources.

Increases the allowable balance in the parks and outdoor recreation emergency reserve cash fund to \$1 million for the 2007 fiscal year, and allows the balance to increase annually by 1% of the appropriation for state park operations until the balance reaches 10% of the annual appropriation for state park operations.

APPROVED by Governor May 3, 2007

EFFECTIVE May 3, 2007

H.B. 07-1341 Oil and gas - commission - membership - protection of public health, environment, and wildlife - appropriation. Declares that nothing in the act establishes, alters, impairs, or negates the authority of local governments to regulate land use related to oil and gas operations. Declares it to be in the public interest to foster the responsible, balanced development of oil and gas resources consistent with the protection of the environment and wildlife resources.

Modifies membership requirements for the Colorado oil and gas commission by:

- Adding the executive directors of the departments of public health and environment and natural resources as ex officio voting members; and
- Specifying geographic and experiential prerequisites for the remaining members.

Directs the commission to submit to the general assembly a quarterly report regarding complaints and a semiannual report regarding permits to drill. Requires the commission to promulgate rules by April 1, 2008, to:

- Establish a timely and efficient procedure for the review of applications for a permit to drill and applications for an order establishing or amending a drilling and spacing unit; and
- Protect the health, safety, and welfare of the general public in the conduct of oil and gas operations, in consultation with the department of public health and environment.

Appropriates \$100,000 and 1.0 FTE to the department of public health and environment for allocation to the division of administration for the implementation of the act.

Makes specified provisions contingent on the passage of House Bill 07-1180.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

NOTE: House Bill 07-1180 was signed by the governor May 29, 2007.

PROBATE, TRUSTS, AND FIDUCIARIES

H.B. 07-1003 Access to decedents' safe deposit boxes - custodial transfers of account assets to a qualified minor's trust - appointment of a conservator of the assets of a missing person - court appointment of a special administrator of an estate. Clarifies the procedure by which bank personnel may open a deceased person's safe deposit box to determine whether the decedent's will or burial instructions are located inside. Protects the bank and bank employees from liability to a person for action or failure to act unless the bank's or employee's action or failure to act resulted from bad faith, gross negligence, or intentional misconduct. Authorizes a custodian of an account created under the "Colorado Uniform Transfers to Minors Act" to transfer account assets to a qualified minor's trust. Authorizes a public administrator to petition a court for appointment to act as a conservator to protect the assets of a missing person when no other person has acted to do so. Authorizes a district court or the probate court, on its own motion, to formally appoint a special administrator when a special administrator is needed for the proper administration of an estate.

APPROVED by Governor March 21, 2007

EFFECTIVE July 1, 2007

PROFESSIONS AND OCCUPATIONS

S.B. 07-24 Athletic trainers - licenses - fees - discipline - advisory committee - rules - appropriation. Creates the "Athletic Trainer Practice Act" (act). Requires an athletic trainer to obtain and possess a valid license issued by the director of the division of registrations in the department of regulatory agencies (director) before engaging in the practice of athletic training or representing himself or herself as an athletic trainer. Specifies the criteria for licensure. Authorizes the director to establish a schedule of renewal dates, and requires renewal of the license in accordance with that schedule. Allows the director to set fees for the issuance of a new, renewed, or reinstated license.

Establishes exceptions to the applicability of the act to specified persons. Sets forth grounds for disciplinary actions by the director and the types of disciplinary actions that may be taken, including issuance of a letter of admonition; denial, refusal to renew, suspension, or revocation of a license; placement of a licensee on probation; or issuance of a cease and desist order. Specifies the procedure for investigating and disciplining a licensee and for judicial review of a disciplinary action by the director.

Allows the director under certain circumstances to order a licensee to undergo a mental or physical examination to determine whether the licensee can practice athletic training with reasonable skill and safety. Sets forth conduct or actions that constitute a violation of the act and the criminal penalties for such conduct or actions.

Requires the director to appoint an advisory committee to assist in the performance of his or her duties, including the adoption of rules necessary for the administration of the act.

Sunsets the advisory committee and the regulation of athletic trainers on July 1, 2017.

For the implementation of the act, appropriates \$35,918 to the department of regulatory agencies, executive director's office; \$128,433 and 1.2 FTE to the department of regulatory agencies, division of registrations; and \$35,918 to the department of law.

Makes the act effective July 1, 2007, and applicable to the practice of athletic training on or after said date.

VEETOED by Governor June 4, 2007

S.B. 07-84 Registered interior designers - database - registration requirements - sunset review. Requires the state board of licensure for architects, professional engineers, and professional land surveyors (board) to maintain a data base of registered interior designers in this state. Authorizes the board to charge a fee for recording information in the data base. Makes the data base open to public inspection at all times. Subjects the provisions of the act to review under the sunset law and terminates the program, effective July 1, 2013.

On and after January 1, 2008, requires registered interior designers to record certain information in the data base and to update such information at least annually. Requires registered interior designers that practice interior design as part of an entity to have in force a policy of professional liability insurance that complies with the current legal requirements for professional liability insurance for architects. Clarifies existing law that prohibits interior designers, whether or not registered under this act, from being engaged in construction

alterations that affect the life safety of the occupants of a building.

Establishes criteria under which the board may deny, suspend, revoke, or refuse to renew the registration of a registered interior designer. Establishes procedures for the imposition of such disciplinary actions. Authorizes the board to promulgate administrative rules.

Specifies that only a person included in the data base created under this act may use the term "registered interior designer". Makes violations of this act a class 2 misdemeanor with second or subsequent offenses a class 6 felony.

Appropriates \$6,099 from the division of registrations cash fund to the office of the executive director of the department of regulatory agencies for legal services connected with the implementation of the act and makes a parallel appropriation out of such funds to the department of law for purposes of implementing the act. Further appropriates \$67,285 and 1.3 FTE from the division of registrations cash fund to the division of registrations for the implementation of the act.

Applies the act to persons acting as registered interior designers on or after the effective date of the act.

VETOED by Governor, June 1, 2007

S.B. 07-85 Mortgage brokers - real estate appraisals - improper influence - appropriation. Prohibits a mortgage broker from improperly influencing a real estate appraisal and makes such improper influencing a deceptive trade practice. Specifies criminal penalties for such misconduct. Authorizes the director of the division of registrations in the department of regulatory agencies to promulgate rules and to revoke a mortgage broker's registration when the broker has improperly influenced a real estate appraisal or has, in the previous 5 years, been enjoined by a court in any state from brokering a mortgage.

Authorizes public trustees to rerecord a notice of election and demand and proceed with foreclosure proceedings after missing a notice deadline. Authorizes public trustees to correct errors contained in documents prepared by the public trustee by filing a scrivener's error affidavit. Exempts reverse mortgages from mortgage brokers' and mortgage originators' duty to consider a consumer's ability to repay a mortgage.

Appropriates \$56,696 and 0.3 FTE to the department of regulatory agencies for the implementation of the act.

Makes certain provisions contingent on the passage of Senate Bill 07-216.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

NOTE: Senate Bill 07-216 was signed by the governor June 1, 2007.

S.B. 07-107 Landscape architects - licenses - fees - discipline - exemptions - state board of landscape architects - appropriation. Creates the "Landscape Architects Professional Licensing Act" (act). Requires a person to obtain a license to practice landscape architecture in Colorado on and after January 1, 2008. Creates the Colorado state board of landscape

architects (board), consisting of 5 members, 3 of whom must be landscape architects. Makes board members, board staff, board consultants, and witnesses testifying in proceedings before the board immune from liability while acting in good faith in such capacity. Establishes the powers and duties of the board.

Establishes education and experience criteria that an applicant must satisfy in order to obtain a license as a landscape architect.

Directs the board to issue licenses in the following manner:

- Licensure by examination, in which a license is issued to an applicant who passes an examination administered by the board;
- Licensure by endorsement, in which a license is issued to a person who holds an equivalent license in another jurisdiction; and
- Licensure by prior practice, in which a license is issued to a person who practiced landscape architecture for a specified period before January 1, 2008.

Specifies the grounds upon which the board may impose disciplinary action against a landscape architect. Requires the board to conduct disciplinary hearings in accordance with the "State Administrative Procedure Act". Authorizes the board, when disciplining a licensee, to deny, refuse to renew, revoke, or suspend a license; place a licensee on probation; set conditions on a license; issue a letter of admonition; or require education. In addition to or in lieu of other penalties, authorizes the board to impose a fine, not to exceed \$5,000, for violations of the act or rules of the board. Allows the board to issue a confidential letter of concern under certain circumstances. Establishes penalties for the unauthorized practice of landscape architecture.

Requires a licensed landscape architect to have a stamp that bears the name, date of licensing, and license number of the landscape architect, with the legend "Colorado - Licensed Landscape Architect". Sets forth criteria for maintaining the records and documents of a landscape architect.

Exempts architects, professional engineers, professional land surveyors, residential landscape designers, irrigation system designers, and landscape installation and construction workers and contractors from the act.

Clarifies that the act does not limit a municipality's or county's authority to promulgate codes necessary for the protection of its residents, limit or extend the rights of another profession or craft, or prohibit the practice of landscape architecture by an employee of the United States government while acting in an official capacity. Specifies that the act does not authorize a landscape architect to engage in the practice of architecture, engineering, or land surveying.

Repeals the act, effective July 1, 2017, in accordance with the sunset law.

For the implementation of the act, appropriates \$29,141 to the department of regulatory agencies, executive director's office; \$143,695 and 1.6 FTE to the department of regulatory agencies, division of registrations; and \$29,141 to the department of law.

APPROVED by Governor May 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the

effective date, see page vi of this digest.

S.B. 07-112 Motor vehicle dealers - lenders. Exempts lenders who sell leased, repossessed, and foreclosed vehicles from the motor vehicle licensing requirements.

APPROVED by Governor April 19, 2007

EFFECTIVE April 19, 2007

S.B. 07-119 Racing commission - division of racing events. Extends the automatic termination date of the Colorado racing commission and the Colorado division of racing events to July 1, 2016, pursuant to the provisions of the sunset law.

APPROVED by Governor May 25, 2007

EFFECTIVE July 1, 2007

S.B. 07-137 Plumbers - license fees - registration fees - apprentice plumbers - violations - fines - appropriation. Requires the examining board of plumbers (board) to set and collect fees for application and renewal of a license or registration of a master plumber, journeyman plumber, residential plumber, apprentice plumber, or plumbing contractor.

Prohibits a journeyman plumber, master plumber, or residential plumber from supervising more than 3 apprentice plumbers at one jobsite. Authorizes a master plumber to be responsible for only one plumbing contractor at a time.

Authorizes the board to deny, suspend, revoke, or refuse to renew a license or a registration if the licensee or registrant, in connection with any construction or building project requiring the services of any person regulated by the statutes governing plumbers, willfully disregards or violates:

- Any building or construction law of this state or any of its political subdivisions;
- Any safety or labor law;
- Any health law;
- Any workers' compensation insurance law;
- Any state or federal law governing withholdings from employee income including income taxes, unemployment taxes, or social security taxes; or
- Any reporting, notification, or filing law of this state or the federal government.

Credits one-half of any fine imposed by the board to the general fund and one-half to the city, town, county, or city and county in which the offense occurred.

Appropriates \$28,463 to the department of regulatory agencies for allocation to the executive director's office for the implementation of the act. Appropriates \$130,956 and 0.7 FTE to the department of regulatory agencies for allocation to the division of registrations for implementation of the act.

APPROVED by Governor May 17, 2007

EFFECTIVE January 1, 2008

S.B. 07-149 Liquor licensing - local government - fees. Raises the cap on the application fees that are charged by a local government to issue liquor licenses and permits:

- For a new license, from \$500 to \$1,000, phased in until 2010;
- For a transfer of location or ownership, from \$500 to \$750, phased in until 2008;
- For a renewal of license, from \$50 to \$100, phased in until 2008; and
- Special permit fee, from \$25 to \$100.

APPROVED by Governor April 20, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-152 Dentists - dental hygienists - volunteer services. Authorizes a dentist or dental hygienist who holds a license in good standing from another state to practice dentistry or dental hygiene while such dentist or dental hygienist is providing care as a volunteer at the invitation of any group of licensed dentists or dental hygienists in this state. Protects a dentist or dental hygienist practicing in such volunteer capacity from civil liability under the Colorado "Volunteer Service Act".

APPROVED by Governor May 3, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-187 Veterinary practice - academic veterinarians - licensing - state board of veterinary medicine - consulting division of registrations - veterinary records - release to law enforcement authorities - duty of veterinarian to report animal cruelty and animal fighting - veterinary-patient-client privilege - appropriation. Brings academic veterinarians under the jurisdiction of the state board of veterinary medicine ("board") for licensing purposes. Creates an academic license to practice veterinary medicine. Allows an academic license to be held by a veterinarian who is employed by a school of veterinary medicine and who practices veterinary medicine only while performing official duties.

Requires the board to consult with the director of the division of registrations in the department of regulatory agencies ("division") concerning rules that the director intends to adopt with regard to physical therapy of animals.

Requires copies of veterinary records to be furnished to local law enforcement authorities and the bureau of animal protection concerning an investigation of animal cruelty or animal fighting. Requires veterinarians under certain circumstances to report animal cruelty and animal fighting to local law enforcement authorities and the bureau of animal protection. Makes it a class 1 petty offense to willfully violate the reporting requirement or to make knowingly a false report. Confers immunity from civil and criminal liability upon a veterinarian who makes a report in good faith. Specifies that the veterinary-patient-client privilege may not be asserted under certain circumstances.

Makes an appropriation of five thousand five hundred dollars (\$5,500) from the

division of registrations cash fund to the division.

Makes certain provisions contingent on the passage of House Bill 07-1126.

APPROVED by Governor May 31, 2007 **PORTIONS EFFECTIVE** May 31, 2007
PORTIONS EFFECTIVE January 1, 2008

NOTE: House Bill 07-1126 was signed by the governor April 16, 2007.

S.B. 07-203 Mortgage brokers - licensing - discipline - liability - rules - appropriations. Changes the regulatory framework for mortgage brokers from registration to licensing. Requires mortgage brokers to be bonded and to maintain errors and omissions insurance coverage. Establishes education and examination requirements for persons seeking licensure. Defines the grounds for denial, revocation, or suspension of a license. Eliminates the exemption for federal housing administration (FHA) approved mortgagees and appointed FHA correspondents.

Authorizes the director of the division of real estate (director) to adopt rules as necessary to carry out the director's duties under the statute. Defines the procedure for administrative hearings, including the issuance of subpoenas by the director or an administrative law judge. Allows the director to seek and obtain injunctions in a court of law, to issue letters of admonition, to place licensees on probation, to suspend or revoke licenses, and to assess administrative fines of up to \$1,000 for a first offense and \$2,000 for subsequent offenses. Establishes grounds for such actions.

Where a mortgage broker is employed by a brokerage firm, allows the director to discipline the firm for the employee's wrongful acts.

Requires draft copies of documents relating to a mortgage loan on residential real estate to be provided to the borrower at least one business day before closing.

Appropriates \$363,164 and 1.8 FTE to the division of real estate and \$245,648 and 2.8 FTE to the department of law for implementation of the act. Appropriates \$379,064 to the department of public safety, Colorado bureau of investigation, from fingerprint processing fees for expenses related to criminal history record checks.

Applies the act to acts and omissions occurring, and mortgage broker licenses issued or renewed, on or after January 1, 2008.

APPROVED by Governor June 1, 2007 **EFFECTIVE** January 1, 2008

S.B. 07-204 Prescription drugs monitoring fund - report - fee - appropriation. Requires the state board of pharmacy to report annually to the health and human services committees of the senate and house of representatives regarding the gifts, grants, and donations requested and received. Allows the executive director of the department of regulatory agencies to collect a fee from individuals authorized to prescribe controlled substances, at the time the individual's license renewal fee is collected, in order to fund the prescription drug monitoring program if there are insufficient funds to maintain the program.

Appropriates \$31,267 to the department of regulatory agencies for allocation to the

division of regulations for the implementation of the act.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

S.B. 07-208 Audiologists - hearing aid providers - continuation under sunset law - regulation - definitions. Extends the automatic termination date of the regulation of audiologists and registered hearing aid providers by the division of registrations (division) within the department of regulatory agencies until July 1, 2012 pursuant to the provisions of the sunset law. Changes the requirement that audiologists and hearing aid providers register with the division to a requirement that they are licensed with the division. Defines the "practice of audiology". Deletes the requirement that hearing aid providers keep records of minor accessories provided to customers. Changes terminology to require that cerumen accumulation in the ear be significant prior to requiring a recommendation to consult a physician. Clarifies that a buyer of a hearing aid is entitled to cancel a purchase and receive a refund only if the hearing aid was not lost or significantly damaged beyond repair. Moves provisions regarding deceptive trade practices of hearing aid providers from the "Colorado Consumer Protection Act" to the article governing audiologists and hearing aid providers. Clarifies that the regulation of hearing aid providers shall not apply to the dispensing of hearing aids outside of the state so long as the transaction is in conformance with laws and rules of this state or of the jurisdiction where the transaction takes place.

APPROVED by Governor May 14, 2007

EFFECTIVE July 1, 2007

S.B. 07-213 Addiction treatment programs - continuation of licensing by department of human services under sunset law - scope of next sunset review - rules - fees. Continues the licensing of addiction treatment programs by the department of human services (department) under the "Colorado Licensing of Controlled Substances Act" (act) until July 1, 2014, and requires the next sunset review of such licensing to also consider whether this licensing should be combined with the licensing of any other drug and alcohol treatment programs by the department. Requires the department to update existing rules or adopt new rules for the implementation of the act by September 1, 2007, and to make the rules available on its web site. Increases the license fee for an addiction program from \$25 to \$75.

APPROVED by Governor May 22, 2007

EFFECTIVE July 1, 2007

S.B. 07-216 Mortgage brokers - duty to borrowers - marketing of nontraditional mortgages - unconscionable acts - remedies - appropriation. Creates a duty of good faith and fair dealing for mortgage brokers in their communications and transactions with borrowers, including the duty not to recommend or induce the borrower to enter into a transaction that does not have a reasonable, tangible net benefit to the borrower.

Specifically lists acts and practices that are deemed unconscionable when committed by mortgage brokers or mortgage originators. In regard to such acts and practices, waives the otherwise applicable requirement that there be evidence of bad faith overreaching or unequal bargaining power before a court may find an act or practice unconscionable.

Directs the banking board and the director of the division of real estate to adopt rules incorporating appropriate provisions of the "Interagency Guidance on Nontraditional Mortgage Product Risks" promulgated by the United States department of the treasury and

other federal agencies.

Removes the existing \$200 limit on mortgage broker registration fees.

Appropriates \$392,242 and 1.5 FTE to the department of regulatory agencies, of which \$48,456 is allocated for the purchase of legal services from the department of law, for the implementation of the act. Appropriates an additional \$265,085 and 3.0 FTE to the department of law, consumer protection division, for the implementation of the act.

APPROVED by Governor June 1, 2007

EFFECTIVE July 1, 2007

S.B. 07-217 Prescription drug wholesalers - definitions - license requirements - criminal history record check - exemptions from pedigree requirement. Clarifies defined terms for the regulation of prescription drug wholesalers. Clarifies the licensing qualifications and requirements from which the state board of pharmacy may exempt a wholesaler. Clarifies that information required by the board shall be submitted at the time of license renewal on a form approved by the board. Requires the designated representative of the applicant, and not the applicant, to be subject to a criminal history record check. Includes unsaleable prescription drugs as those that may be returned to or exchanged with the manufacturer or third-party processor. Exempts the returns and exchanges from the pedigree requirement as long as they are excluded from federal pedigree requirements.

APPROVED by Governor May 25, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-221 Motor vehicle dealers. Continues the motor vehicle dealer board (board) until July 1, 2017.

Raises the motor vehicle dealer bond requirement to \$50,000 and the motor vehicle salesperson bond requirement to \$15,000.

Requires the board to appoint an administrative law judge to conduct licensing and discipline hearings concerning a motor vehicle dealer, used motor vehicle dealer, wholesaler, buyer's agent, or wholesale motor vehicle auction dealer, unless the board moves the case to itself. Instructs the board to use a hearing officer for such hearings concerning a salesperson. Authorizes the board to summarily suspend the license of a person who fails to maintain the required bond.

Clarifies what types of activities may be conducted in addition to selling vehicles on the dealer's primary place of business.

Authorizes the board to require a licensee to include a notice with a consumer sales contract that provides to the consumer the contact information of the board and information about the board's authority over consumer motor vehicle sales.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1009 Limited gaming revenues - restriction on transfer to other funds. Modifies the limitation on the transfer of limited gaming revenues to the Colorado travel and tourism promotion fund, the state council on the arts cash fund, the film incentives cash fund, and the new jobs incentives cash fund when general fund revenues are not sufficient to allow the maximum amount of general fund appropriations permitted by law, to allow the joint budget committee of the general assembly, acting by bill, to determine the amount of the transfers if, based on the March revenue forecast prepared by the legislative council, the joint budget committee determines that general fund revenues will be insufficient.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1017 Mental health professionals - licensure examination - preapproval - administration - reexamination. Removes the requirement that applicants for psychology, social work, marriage and family therapist, and licensed professional counselor licenses be preapproved by their respective boards in order to sit for a licensure examination. Makes consistent among all the mental health professions the requirement that a mental health board or a designated representative of the board administer and score the examination and ensure impartiality of the examination. Deletes the option of an applicant for licensure who fails to receive a passing grade on any part of an examination to apply for reexamination.

APPROVED by Governor March 21, 2007

EFFECTIVE July 1, 2007

H.B. 07-1034 Attorneys-at-law - law students - practice. Allows a law student of any law school that maintains a legal-aid dispensary, when representing the dispensary and its clients, to be authorized to advise clients on legal matters and appear before any arbitration panel as if licensed to practice law.

APPROVED by Governor March 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1042 Mental health state boards - staggered terms of office - membership. Modifies the terms of office of the existing members of the state boards of psychologist examiners, social work examiners, marriage and family therapist examiners, and licensed professional counselor examiners (state boards) to ensure staggered terms of office.

Eliminates the requirement that professional members of the state boards of psychologist examiners and social work examiners be engaged primarily in the direct practice of the profession in order to be eligible to serve on the applicable state board and instead requires 2 of the 3 professional members to be engaged in direct practice unless qualified applicants for membership on the applicable state board are not available.

For the state board of psychologist examiners, allows 1 of the 4 general public

members to be a mental health consumer or a family member of a mental health consumer.

APPROVED by Governor March 21, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1047 Real estate - salesperson or broker - continuing education requirement. Adds certain educational institutions or educational services to the list of institutions from which approved continuing education credits may be taken by real estate agents.

APPROVED by Governor March 14, 2007

EFFECTIVE March 14, 2007

H.B. 07-1081 Powersports vehicles - licensure - termination under sunset law - sales - rules - appropriation. Requires a person to be licensed by the motor vehicle dealer board as a powersports dealer, salesperson, manufacturer, or distributor in order to sell off-highway vehicles, motorized bicycles, personal watercraft, or snowmobiles. Subjects such licensure to automatic termination pursuant to the provisions of sunset law.

Authorizes the motor vehicle dealer board to promulgate rules implementing the act, including rules implementing the American national standards institute safety standards for the sale of all-terrain vehicles.

Establishes substantially the same standards for the sale of a powersports vehicle as apply to the sale of a motor vehicle, including:

- Standards and testing for licensure;
- Fees for licensure;
- Expiration and renewal of a license;
- Display, form, custody and use of licenses;
- Bond requirements;
- Notice of claims honored against a bond;
- Filing of written warranties;
- Notice of change of address of licensee;
- Principal place of business of licensee;
- Discipline standards and procedures;
- Unconscionable or illegal acts;
- Penalties for violating the act;
- Independent control of dealer;
- Franchise agreements;
- Dishonored drafts or checks;
- Right of action for loss; and
- Venue and choice of law for contract disputes.

Authorizes the attorney general to advise and represent the board.

Appropriates \$94,882 and 2.0 FTE to the department of revenue for allocation to the motor vehicle dealer board to implement the act.

APPROVED by Governor June 1, 2007

EFFECTIVE July 1, 2007

H.B. 07-1102 Nurse peer health assistance program - nurse alternative to discipline program - competitive bidding - selection of administrator by state board of nursing - rules. Repeals and reenacts the nursing peer health assistance program with the following changes:

- Allows for the operation of a nursing peer health assistance program, a nurse alternative to discipline program, or both.
- Opens up the provision of services to competitive bidding and no longer requires the state board of nursing (board) to create the entity that provides such services;
- Omits from reenactment the committee that oversees the program;
- Omits from reenactment the standards for termination from the program;
- Omits from reenactment the requirement that participation records be confidential and not subject to subpoena;
- Omits from reenactment a provision granting good faith immunity to the board and persons who act pursuant to the program.

Transfers any remaining balance in the impaired professional diversion fund to the entity chosen to administer the program. Requires the board to select one or more entities to administer a program. Allows the board to suspend the license of a licensee who is referred to and fails to complete a program. Allows the licensee to appeal the suspension.

Makes the records of a licensee's rehabilitation proceedings confidential and exempt from subpoena unless the licensee is referred to the board for disciplinary action. Shields the board and its members from liability for actions in awarding contracts to operate a program or in designating licensees to participate in a program. Authorizes the board to promulgate rules necessary to implement the program.

APPROVED by Governor May 7, 2007

EFFECTIVE January 1, 2008

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1103 Alcohol beverages - wholesalers and suppliers - termination of agreements - grounds - remedies. Allows a supplier of malt beverages to terminate an agreement with a wholesaler if:

- The wholesaler fails to comply with the written agreement between the wholesaler and the supplier;
- The wholesaler receives written notice from the supplier of the alleged noncompliance and is given no less than 60 days to cure such noncompliance;
- The wholesaler fails to cure the noncompliance within 60 days; and
- The supplier provides further written notice of continued failure to comply with the agreement, and such notice contains a statement of the intention of the supplier to terminate the agreement, the reasons for such termination, and the date of termination.

Establishes reasons for which a supplier may immediately terminate an agreement with a wholesaler upon written notification of such termination.

Requires notification to the wholesaler if a particular brand of products is transferred

from a supplier to a successor supplier.

Establishes remedies for wholesalers.

APPROVED by Governor March 26, 2007

EFFECTIVE March 26, 2007

H.B. 07-1126 Physical therapists - practice on animals - conditions - rules. Allows licensed physical therapists to treat animals when such treatment is consistent with the scope of physical therapy practice. Specifies that such practice shall not be deemed the practice of veterinary medicine. Requires the director of the division of registrations, in consultation with the physical therapy advisory committee and the board of veterinary medicine, to adopt rules governing the practice of physical therapy on animals.

APPROVED by Governor April 16, 2007

EFFECTIVE July 1, 2007

H.B. 07-1199 Health practitioners - volunteers - authorization to practice during emergency. Enacts the "Uniform Emergency Volunteer Health Practitioners Act", drafted by the national conference of commissioners on uniform state laws. Allows a health care practitioner who is licensed in another state to volunteer to provide assistance in this state for the duration of an emergency requiring substantial health care assistance if such other state has a registry listing for the volunteer that conforms to certain standards.

Designates the department of public health and environment as the lead implementing agency for Colorado. Gives the executive director of the department rule-making authority. Requires the executive director to consult with the department of agriculture with regard to rules affecting veterinary services.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

H.B. 07-1260 Nurses and chiropractors - change of review dates of governing boards under sunset law. Changes the sunset review dates for the state board of nursing and the Colorado state board of chiropractic examiners from 2010 to 2009.

APPROVED by Governor April 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1262 Plumbers - department of regulatory agencies - examining board of plumbers - rules. Eliminates the requirement that the executive director of the department of regulatory agencies approve rules promulgated by the examining board of plumbers.

APPROVED by Governor April 16, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1266 Anatomical gifts - donor registry - procurement organization - uniform act. Enacts the "Revised Uniform Anatomical Gift Act". Makes it easier to make a document of gift, particularly as provided on drivers' licenses. Creates a power in certain individuals, such as a holder of a health care power of attorney, to authorize an anatomical gift on behalf of an incapacitated person before death actually occurs.

Expands the list of those who may make an anatomical gift after an individual dies, when the individual has not executed a document of gift. Clarifies that an anatomical gift that does not specify the donees of organs goes to a recognized transplant organization responsible for allocating organs.

Accommodates the use of donor registries upon which a potential donor may put a document of gift for notice purposes. Facilitates a document of refusal if an individual does not want organs donated. Specifies criminal penalties for misrepresentation of a document of gift for the purposes of selling organs or tissue.

Resolves ambiguity and conflict between anatomical gifts and "do not resuscitate" instructions. Directs coroners, district attorneys, and the procurement organization to enter into an agreement establishing protocols and procedures governing the relations between them when an anatomical gift of a part from a decedent whose body is under the jurisdiction of a coroner has been or might be made but the coroner or a district attorney believes that the recovery of the part could interfere with the post-mortem investigation into the decedent's cause or manner of death or the documentation or preservation of evidence. Designates the department of revenue as the lead state agency regarding anatomical gifts.

APPROVED by Governor May 14, 2007

EFFECTIVE July 1, 2007

H.B. 07-1289 Prescription drug outlets - compounding - registration. Creates a new category of pharmacy registration to include a compounding prescription drug outlet (compounding pharmacy). Sets standards for registration of a compounding pharmacy. Authorizes a compounding pharmacy, a hospital pharmacy, and a health maintenance organization pharmacy to sell an unlimited amount of compounded drugs. Directs the state board of pharmacy to set standards for the operation of a compounding pharmacy.

APPROVED by Governor May 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1322 Mortgage brokers - duty to borrowers - prohibited acts - enforcement - appropriations. Adds definitions of the terms "borrower" and "residential mortgage loan" to the statutes governing mortgage brokers. Clarifies the application of the "Mortgage Broker Registration Act" to residential mortgage loans. Eliminates the exemption for federal housing administration (FHA)-approved mortgagees and appointed FHA correspondents.

Specifies that a mortgage broker has a duty of good faith and fair dealing in all communications and transactions with a borrower. Prohibits a mortgage broker from recommending or inducing the borrower to enter into a transaction that does not have a reasonable, tangible net benefit to the borrower, as defined by rules of the director of the

division of real estate (director). Gives the director additional rule-making authority and the authority to assess administrative fines of up to \$1,000 for a first offense and \$2,000 for subsequent offenses.

Requires a mortgage broker to make an inquiry about, and to take into consideration, the borrower's current and prospective income and other factors prior to recommending, brokering, or originating a residential mortgage loan. Requires certain disclosures and prohibits the use of specified acts or practices, including those deemed unconscionable. Incorporates requirements of federal laws, including the "Real Estate Settlement Procedures Act". Establishes rules of conduct for situations in which a person acts as both a mortgage broker and a real estate broker or salesperson. Limits fees.

In provisions relating to false and deceptive inducements to the creation of a mortgage loan by a mortgage broker or mortgage originator, adds mortgage lenders, mortgage loan applicants, real estate appraisers, and closing agents to the persons to whom the prohibitions apply. Reduces the mental state required to be proven in an action for violation of anti-fraud provisions from "knowingly" to "knew or reasonably should have known".

Invokes the authority of the attorney general under the "Colorado Consumer Protection Act" to investigate and punish misconduct by mortgage brokers. Allows the attorney general to seek injunctions against persons violating anti-fraud provisions, prohibiting them from conducting further business for up to 5 years.

Appropriates \$495,084 and 2.5 FTE to the division of regulatory agencies and \$383,206 and 4.0 FTE to the department of law for implementation of the act. Appropriates \$297,288 and 1.7 FTE to the department of public safety, Colorado bureau of investigation, from fingerprint processing fees for expenses related to criminal history record checks.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1331 Physicians - persons licensed or applying to practice medicine - public access to information - discipline records - license restrictions - criminal and civil actions - appropriation. Creates the "Michael Skolnik Medical Transparency Act" to require applicants for a new, renewed, reinstated, or reactivated license to practice medicine in Colorado to disclose the following information to the state board of medical examiners (board):

- Full name, current address of record, and telephone number; information pertaining to any medical license held by the applicant at any time, including license number, type, status, and issue, last renewal, and expiration date; any board certifications and specialties; any hospital and health care facility affiliations; any business ownership interests; and information pertaining to any employment contracts with any entities;
- Any public disciplinary action taken against the applicant by the board or by the board or licensing agency of any other state or country, including a copy of the action taken;
- Any agreement or stipulation entered into between the applicant and the board or the board or licensing agency of another state or country whereby the applicant agrees to temporarily cease or restrict his or her practice, or any

- board order restricting or suspending the applicant's medical license, including a copy of the agreement, stipulation, or order;
- Any involuntary limitation or probationary status on or reduction, nonrenewal, denial, revocation, or suspension of the applicant's medical staff membership or clinical privileges at any hospital or health care facility, reported on a form developed by the board;
- Any involuntary surrender of the applicant's United States drug enforcement administration registration, including a copy of the order requiring the surrender;
- Any final criminal conviction or plea arrangement resulting from the commission or alleged commission of a felony or crime of moral turpitude in any jurisdiction, including a copy of the final conviction or plea arrangement;
- Any final judgment against, settlement entered into by, or arbitration award paid on behalf of the applicant for medical malpractice, reported on a form developed by the board; and
- Any refusal by an issuer of medical malpractice insurance to issue a medical malpractice insurance policy to the applicant due to past claims experience, including a copy of the refusal.

Requires the board to make the information that is submitted by applicants readily available to the public and allows the board to comply with this requirement by posting the data on the board's website and updating such information at least monthly. Specifies the contents of a required disclosure to be made by the board to the public regarding the information made available to the public. Obligates licensees to update their information within 30 days after the date a described action occurs or as otherwise determined by the board by rule to ensure that the public has access to the most accurate and up-to-date information about licensees in Colorado. Allows the board to impose an administrative fine of up to \$5,000 against an applicant who fails to comply with these disclosure requirements, and specifies that the imposition of such fine does not constitute, nor does it preclude the board from taking, disciplinary action against the applicant. Precludes the board from issuing, renewing, reinstating, or reactivating the license of an applicant who has failed to pay an administrative fine imposed by the board.

Appropriates \$157,697 from the division of registrations cash fund to the division of registrations (division) in the department of regulatory agencies for the costs associated with the implementation of the act related to the regulation of persons licensed by the board. Also appropriates \$5,422 from the division of registrations cash fund to the division for legal services, and further appropriates said sum to the department of law for the provision of legal services to the division.

APPROVED by Governor May 24, 2007

EFFECTIVE January 1, 2008

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1337 Commodity handlers - farm products - license - bond - disclosure of financial information. Allows a commodity handler to operate multiple locations under one license. Increases the amount of bonds the commissioner of agriculture may require for a person seeking licensure as a commodity handler. Allows the commissioner to request from a commodity handler information in addition to financial statements. Establishes settlement

requirements for commodity handlers. Changes the term "warehouseman" to "warehouse operator".

APPROVED by Governor May 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

PROPERTY

H.B. 07-1156 Sales - mandatory disclosure - water source. Requires every listing contract, contract of sale, and seller's property disclosure for residential real property to disclose the source of water for the property. If the source is a well, requires the disclosure to include a copy of the well permit. Requires the real estate commission to promulgate rules. Specifies that if the seller complies with the disclosure requirement, the seller is not liable for any inadequacy of the water source.

APPROVED by Governor May 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1157 Real estate foreclosures. Requires a court in an action for unlawful detention of real property following a foreclosure sale (sale) to dispense with appearances by the plaintiff and a hearing in certain circumstances.

States that the acts of a deputy public trustee shall have the same effect as though performed by the public trustee.

Entitles a public trustee to receive a \$100 fee for processing a rescission of a sale and a \$50 fee for rescheduling a sale after a rescission.

Changes the time by which a public trustee or sheriff (officer) processing a foreclosure shall send notice of the foreclosure to persons on an amended mailing list provided by the holder of the evidence of debt from 60 to 45 days before the actual date of sale.

Specifies that certain persons may cure a default in the terms of a lien being foreclosed, unless a court determines that there is a reasonable probability that a default other than nonpayment of sums due has occurred. States that the use of a good faith estimate shall not change or extend the period or effective date of a statement of all sums necessary to cure a default.

Allows a bid submitted for a sale to be modified orally at the time of the sale only if the person amending the bid is physically present at the sale and modifies and reexecutes the bid.

Changes the maximum period by which the officer may continue a sale for good cause or at the request of the holder of the evidence of debt from 9 to 12 months.

States that a lienor who accepts a redemption amount less than the full amount of a lien or a holder of an evidence of debt who accepts a redemption amount less than the amount bid at sale before the redemption periods expire shall not be entitled to any excess proceeds from the sale.

Directs a public trustee or sheriff to establish written policies for determining how the public trustee or sheriff shall accept documents or records in electronic form by July 1, 2007.

If the successful bidder at a sale is the holder of the evidence of debt foreclosing the deed of trust or other lien, allows the successful bidder, the bidder's attorney or assignee, or the assignee's attorney to rescind the sale without a court order within 8 business days after the sale. Requires the public trustee to confirm the reinstatement by an indorsement that substantially meets a specified form. Allows the holder of the evidence of debt to direct the public trustee to reschedule a sale that was rescinded. Limits claims by a person arising from a rescission of a sale to actual damages.

Specifies that moneys payable as a refund for overpayment of a cure or default or for overpayment of a redemption that remain unclaimed for one year are presumed abandoned and shall be paid to the state treasurer in accordance with the "Unclaimed Property Act".

Shortens the period during which a lienor who wishes to redeem a property shall file a notice of intent to redeem from 10 to 8 business days after the sale. Changes the deadline for the holder of a certificate of purchase to provide a statement of all sums necessary to redeem and per diem interest from 14 to 13 business days after the sale. Shortens the maximum redemption period for the junior lienor with the most senior recorded lien from 20 to 19 business days after the sale. Clarifies the interest rate that a redeeming lienor is required to pay on the amount of the sale.

Requires an officer to attach to the certificate of purchase issued following the sale a copy of the court order authorizing the sale and a copy of the mailing lists for notice of the sale.

Specifies the information that a separate assignment of a certificate of purchase or redemption shall contain. States that the lien represented by a certificate of purchase shall have the same priority as the deed of trust or other lien foreclosed.

States that the indemnity granted by a holder of an original evidence of debt that requests the release of a deed of trust without producing or exhibiting the original evidence of debt is limited to actual economic loss, along with court costs and reasonable attorney fees, and does not cover special, incidental, consequential, reliance, expectation, or punitive damages. Increases the amount of the corporate surety bond provided by a holder who requests the release of a deed of trust without producing or exhibiting the original evidence of debt from one to 1.5 times the original principal amount of the deed of trust.

Changes the effective date of certain provisions of House Bill 06-1387 from July 1, 2007, to January 1, 2008.

APPROVED by Governor June 1, 2007

PORTIONS EFFECTIVE June 1, 2007
PORTIONS EFFECTIVE January 1, 2008

H.B. 07-1225 Professional land surveying - county surveyor duties - establishing disputed boundaries - land survey plats. Clarifies that geodetic surveying and basic control for engineering projects are included in the definition of "professional land surveying" as used in the regulation of professional land surveyors.

Modifies the eligibility requirements to be admitted to the land surveyor-intern examination.

Expands the duties and powers of the county surveyor to conduct surveys for

specified purposes and provide certain monuments.

Specifies that any uncertain line, uncertain corner, or uncertain boundary of an existing parcel of land that is recorded with the clerk and recorder of the county in which the land is located and that is in dispute may be determined and permanently established by written agreement of all affected parties. Specifies that if the map or plat of the land that is required to accompany the agreement is prepared by a licensed professional land surveyor, the monuments shall be set for any line, corner, or boundary included in the agreement.

Modifies the definition of "land survey plat" to include the information developed when monuments are set by the surveyor. Requires that all field-measured dimensions necessary to establish boundaries on the ground and a statement defining the lineal units used in a land survey shall be included with every land survey plat.

APPROVED by Governor March 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1265 Public trustee - request to release lien of deed of trust - form. Specifies the form that may be used to make a written request to a public trustee to release a lien of a deed of trust.

APPROVED by Governor April 9, 2007

EFFECTIVE July 1, 2007

H.B. 07-1282 Public works contract - publication of notice of final settlement. Requires publication of notice of a final settlement for work performed under a public works contract only if the amount of the contract exceeds \$50,000. Prohibits the division of a public works contract into 2 or more separate contracts for the sole purpose of evading the publication requirement.

APPROVED by Governor April 9, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1362 Residential property - common interest communities - creation - recorded documents - form and sufficiency. In provisions of the "Colorado Common Interest Ownership Act" pertaining to the recording of documents that disclose information such as boundaries, development rights retained by the declarant, and other matters, clarifies that information need not appear in the form of a label on a plat or map in order to be considered a legally binding identification of parcels that are subject to specific rights or obligations. Gives legal effect to certain information contained in the declaration, a map or plat, or some combination of any two or all of the three documents.

APPROVED by Governor June 1, 2007

EFFECTIVE July 1, 2007

PUBLIC UTILITIES

S.B. 07-6 Unmarked redundant railroad crossings - abolition. Allows the affected railroad corporation (corporation), the public utilities commission (commission), the department of transportation (department), or the local government responsible for supervising and maintaining the highway or road at any crossing at grade of any public highway or road over the tracks of a corporation to abolish the crossing without a hearing before the commission as required under existing law if:

- The crossing is without gates, signals, alarm bells, or warning personnel and is located within one-quarter mile of a crossing with gates, signals, alarm bells, or warning personnel or a separated grade crossing;
- The crossing is not the only crossing that provides access to property; and
- No less than 60 days prior to the proposed abolition date, the corporation, commission, department, or local government posts conspicuous notice of the proposed abolition at the crossing and gives written notice of the proposed abolition to the other interested entities.

Allows an objection to the abolition to be filed that includes a written statement by a professional engineer licensed to practice in Colorado indicating that the engineer is familiar with the new expedited abolition provisions and all relevant aspects of the crossing and has examined the crossing and believes that it is safe as designed. If a timely proper objection is filed, allows abolition of a crossing only after a hearing before the commission as authorized by existing law.

APPROVED by Governor April 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-22 Regulation of rates and charges - discounts for low-income customers - authority of PUC. Grants statutory authority to the Colorado public utilities commission (PUC) to determine rates and practices for gas and electric service that take into account the needs of low-income utility customers. Defines a "low-income utility customer" as a customer who has a household income at or below 185% of the federal poverty level and who is otherwise eligible to receive assistance under the existing low-income energy assistance program administered by the state department of human services. Requires the PUC, when approving such rates, to take into account the potential impact on, and cost-shifting to, other customers.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

S.B. 07-91 Renewable resource generation development areas - task force - map - appropriation. Creates a 16-member task force (task force) on renewable resource generation development areas. Directs the task force to meet at least 4 times before December 31, 2007, to identify renewable resource generation development areas within Colorado that have potential to support competition among renewable energy developers for development of renewable resource generation projects and to develop a map of such areas. Directs the task force to adopt and deliver a map of renewable resource generation development areas to the governor and the general assembly no later than December 31,

2007.

Authorizes, but does not require, the governor's energy office to solicit and accept gifts, grants, and donations from private sources to fund the activities of the task force. If the total amount of gifts, grants, and donations received by July 1, 2007, is not sufficient to meet the expenses of the task force, directs the task force not to meet and the governor's energy office to return any amounts received, and provides for any interest earned on such amounts to revert to the general fund of the state.

Appropriates \$45,411 to the governor's energy office for implementation of the act.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

S.B. 07-100 Electric utilities - transmission facilities - energy resource zones - cost recovery for ongoing construction. Requires electric utilities to undertake biennial reviews to designate energy resource zones, which are defined as areas of the state in which transmission constraints hinder the delivery of electricity to Colorado consumers, the development of new electric generation facilities to serve Colorado consumers, or both. For such areas, requires the utilities to submit proposed plans for the development of additional transmission facilities and directs the public utilities commission (PUC) to grant or deny any necessary certificates for such development within 180 days.

Allows the utilities to recover costs during construction of new or expanded transmission facilities through a rate adjustment clause so long as the costs are prudently incurred and not already included in the utility's base rates.

APPROVED by Governor March 27, 2007

EFFECTIVE March 27, 2007

H.B. 07-1019 Motor carriers - luxury limousines - rules. Makes changes to the definition of "luxury limousine" and repeals provisions establishing operational requirements for luxury limousines. Requires the public utilities commission to promulgate rules governing the standards used to define a luxury limousine and the operational requirements of motor vehicle carriers exempt from regulation as public utilities.

APPROVED by Governor May 10, 2007

EFFECTIVE July 1, 2007

H.B. 07-1037 Energy efficiency - natural gas - electricity - demand-side management programs. Directs the public utilities commission (PUC) to adopt rules establishing funding and cost-recovery mechanisms for distributors of natural gas to engage in demand-side management (DSM) programs. Directs distributors of natural gas to develop and implement cost-effective DSM programs once such rules are adopted. Requires periodic reports from the natural gas utilities and PUC review and approval of such programs. Specifies that this act does not extend PUC authority to nonregulated utility businesses or affiliates.

Allows the PUC to adopt rules necessary to implement the state policy that a primary goal of electric utility least-cost resource planning is to minimize the net present value of revenue requirements. Requires the PUC to establish energy savings and peak demand reduction goals for investor-owned electric utilities that are at least 5% of the utility's retail system peak demand, measured in megawatts in the base year 2006, and at least 5% of the

utility's retail energy sales, measured in megawatt-hours in the base year 2006. Allows an electric utility until 2018 to meet the goals, and allows the PUC to establish and revise interim goals as appropriate.

Authorizes the PUC to allow electric utilities to implement cost-effective electricity DSM programs to reduce the need for additional resources that would otherwise be met through competitive acquisition. Establishes the parameters of electric utility DSM programs. Requires periodic reports from the electric utilities to the PUC.

Directs the PUC to submit annual reports to the senate business, labor, and technology committee, or its successor committee, and the house of representatives business affairs and labor committee, or its successor committee, regarding the progress of utilities in meeting their DSM goals and any statutory changes deemed necessary by the PUC to further the general assembly's intent in enacting utility demand-side management provisions.

APPROVED by Governor May 22, 2007

EFFECTIVE May 22, 2007

H.B. 07-1065 Motor vehicle carriers - passenger transport - employees and contractors - appropriations. Requires an individual who applies to become or is already employed or contracted with certain motor vehicle carriers that transport passengers to submit his or her fingerprints to the public utilities commission ("PUC"). Requires the PUC to forward the fingerprints to the Colorado bureau of investigation ("CBI") to obtain a fingerprint-based criminal history record check. Requires the CBI to conduct a state and federal criminal history record check using the fingerprints. Specifies that the PUC is the authorized agency to receive information regarding the results of the record check.

Permits an individual whose fingerprints are checked to drive a motor vehicle in connection with his or her employment or contract with the motor vehicle carrier for up to 60 days after the PUC forwards the fingerprints to the CBI for checking or until the PUC receives the results of the check, whichever comes first. Permits an individual to resume driving a motor vehicle after the PUC receives the check results so long as the driving does not violate applicable law and does not occur while the individual has a disqualifying criminal conviction. Identifies disqualifying criminal convictions. Specifies that an individual who drives a motor vehicle in violation of the criminal history record check requirements commits a class 2 misdemeanor.

Makes the following appropriations for the 2007--08 fiscal year:

- \$4,337 from the public utilities commission motor carrier fund to the department of regulatory agencies;
- \$48,193 and 1.3 FTE from the public utilities commission motor carrier fund to the PUC for implementation of the act;
- \$197,500 from application processing fees collected by the PUC to the PUC for passthrough to the CBI for the costs of performing criminal history record checks.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1114 Motor vehicle carriers - common or contract carriers - leases - appropriation. Allows the public utilities commission to regulate the lease rate charged to drivers for

common contract carriers.

Appropriates \$4,878 to the department of regulatory agencies for allocation to the public utilities commission for the regulation of taxicab owners and drivers and for the implementation of the act.

APPROVED by Governor May 24, 2007

EFFECTIVE May 24, 2007

H.B. 07-1150 Clean energy development authority - creation - powers and duties. Creates the clean energy development authority (authority) as an independent public body and political subdivision of the state. Establishes a 9-member board of directors (board) to govern the authority and specifies the composition and manner of appointment of the board and the terms of board members. Specifies that it is not a conflict of interest for a board member or employee to also serve as a trustee, director, officer or employee of a public utility, financial or investment banking firm, or other business entity, but requires such a board member to disclose his or her business affiliation to the board and abstain from voting or otherwise taking action in any instance that directly involves the affiliation.

Specifies that the authority is subject to state open meetings and open records laws. Requires the board to promulgate and adhere to policies and procedures that govern its conduct and provide opportunities for public input.

Specifies the powers and duties of the authority, including but not limited to:

- The duty to convene qualified task forces to solicit public input and help the authority develop recommendations for the general assembly regarding the types of clean energy projects (projects) that the authority should finance, refinance, or otherwise support;
- The duty to develop, adopt and publish 3-year activity plans and annual reports and to submit the plans and reports to specified standing committees of the general assembly;
- The power to finance and refinance projects within or outside Colorado and to issue bonds and refunding bonds, subject to the approval of the voters of the state in specified circumstances, in order to accomplish such financing or refinancing; and
- The power to enter into intergovernmental agreements in order to jointly finance projects and to exchange services, personnel, and information with federal, state, or local governments or departments or other agencies thereof.

Creates the Colorado clean energy development authority fund (fund). Requires gifts, grants, or donations accepted by the authority and revenues paid to the authority by public utilities and other persons using projects financed or refinanced by the authority to be credited to the fund. Requires the authority to administer the fund and provides guidance to the authority regarding the manner in which it may use moneys in the fund.

Subject to specified limitations, including but not limited to project-specific approval by bill of the general assembly and an \$8 million limitation on the aggregate amount of scheduled bond payments to which a moral obligation applies in any one fiscal year, authorizes the authority to create a moral obligation of the state to pay bonds issued by the authority to finance or refinance a project. Specifically authorizes the authority to create such a moral obligation without further authorization for a wind energy transmission

facilities project to be financed or refinanced by up to \$40 million of bonds and a solar energy project to be financed or refinanced by up to \$25 million of bonds. Requires the authority to obtain either a performance bond or similar assurance that guarantees the completion of the project to be financed by the bonds or a guaranty of the bonds provided by a third-party that has an investment-grade rating before creating a moral obligation.

Specifies that authority bonds do not create a legal debt or liability of the state. Specifies that the state will not limit, alter, restrict, or impair the ability of the authority to fulfill the terms of its agreements with holders of authority bonds and other contracts or impair the rights of holders of authority bonds. Specifies that the legislation does not affect the jurisdiction or power of the public utilities commission (PUC), and requires PUC approval before that authority can finance or refinance any project that is subject to PUC regulation.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

H.B. 07-1169 Cooperative electric associations - net metering - interconnection - insurance. Repeals and reenacts the statute that governs interconnection requirements for net metering for customer-generators of cooperative electric associations. Requires compliance with the public utility commission's rules on interconnection and insurance, but allows associations to reduce or waive the insurance requirements.

Specified that a cooperative electric association shall not prevent or otherwise unreasonably burden the installation of a customer-generator system if the system has safeguards preventing the export of customer-generated electricity from the customer's side of the meter.

APPROVED by Governor May 23, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1249 Motor vehicle carriers - household goods movers - registration - criminal history record checks - contract terms - consumer advisement - resolution of disputes - appropriations. Requires a fingerprint-based criminal history record check for every director, officer, owner, and general partner of a mover upon application for a mover registration and by January 1, 2008, for those already registered.

Allows the public utilities commission (PUC) to deny, revoke, or refuse to renew the registration of a mover that is not of good moral character, fails to abide by the terms of an arbitrator's award, or has not satisfied a civil or criminal judgment against it, unless the judgment is subject to a pending appeal.

Requires a mover to provide the shipper with a standard consumer advisement notifying the shipper of the availability of the arbitration process, the requirement that movers be registered with the PUC, the fact that the contract price for a move may change based on a number of factors, and other information.

Prohibits an unregistered mover from acquiring or enforcing a carrier's lien.

Creates a binding arbitration process for the resolution of disputes between a customer (shipper) and a mover. Makes the use of binding arbitration optional for the shipper. If the shipper chooses binding arbitration, requires the mover to participate in the process in good faith and to abide by the terms of the arbitrator's award.

Appropriates \$7,878 from cash funds to the PUC, for pass-through to the department of public safety, for processing of fingerprint-based criminal history record checks.

Applies to moving and accessorial services provided on or after July 1, 2007.

APPROVED by Governor June 1, 2007

EFFECTIVE July 1, 2007

H.B. 07-1281 Electricity - renewable resource standards. Expands the definition of "qualifying retail utility" to include all providers of retail electric services other than municipally owned utilities that serve 40,000 customers or less. Raises the renewable energy standard for electrical generation by qualifying retail utilities to 5% by 2008, 10% by 2011, 15% by 2015, and 20% by 2020. Establishes a renewable energy standard for cooperative electric associations and municipally owned utilities that serve more than 40,000 customers of 1% by 2008, 3% by 2011, 6% by 2015, and 10% by 2020. Defines "eligible energy resources" to include recycled energy and renewable energy resources.

For the purposes of compliance with the renewable energy standard, counts each kilowatt-hour of renewable electricity generated from:

- A community-based project as 1.5 kilowatt-hours; and
- Solar electric generation technologies as 3 kilowatt-hours.

Allows each kilowatt-hour to take advantage of only one of the multipliers.

Adjusts the cost-recovery standards. Raises the maximum retail rate impact of complying with the standard to 2% for qualifying retail utilities other than cooperative electric associations. Prevents qualifying retail utilities from opting out of compliance with the renewable energy standard. Requires cooperative electric associations to submit annual reports to the public utilities commission concerning their compliance with the renewable energy standard.

Encourages electric utilities to establish community energy funds for the development of projects for the further development of renewable energy, energy efficiency, conservation, and environmental improvement.

APPROVED by Governor March 27, 2007

EFFECTIVE March 27, 2007

STATUTES

H.B. 07-1053 Colorado Revised Statutes - enactment of 2006 statutes. Enacts the softbound volumes of Colorado Revised Statutes 2006 as the positive and statutory law of the state of Colorado and establishes the effective date of said publication.

APPROVED by Governor February 20, 2007

EFFECTIVE February 20, 2007

H.B. 07-1367 Committee on legal services - revisor's bill. Amends or repeals various statutory provisions that are obsolete, inconsistent, or in conflict with other law. Clarifies the language and more accurately reflects the legislative intent of the laws.

Specifies that section 4 of the act shall apply to periods of daylight saving time occurring on and after March 11, 2007.

APPROVED by Governor June 1, 2007

PORTIONS EFFECTIVE June 1, 2007

PORTIONS EFFECTIVE July 1, 2007

PORTIONS EFFECTIVE August 3, 2007

TAXATION

S.B. 07-200 Uranium mill tailing remedial action - use of local government severance tax fund for cleanup - changes to oversight committee. Requires moneys in the local government severance tax fund to be distributed to the department of public health and environment (department) to be used for certain remedial actions related to the cleanup of uranium mill tailings. Requires up to \$50,000 from the fund to be distributed to political subdivisions for reimbursement of costs related to the cleanup of uranium mill tailings.

Changes the name of the uranium mill tailings remedial action program fund oversight committee to the uranium mill tailings remedial action oversight committee (oversight committee). Modifies the composition of the oversight committee. Expands the scope of a report prepared by the department to include certain remedial actions related to the cleanup of uranium mill tailings. Requires the report to be given at a meeting of the oversight committee. Requires the oversight committee to make its recommendations to the joint budget committee within a certain time.

Extends the repeal date of the section that creates the uranium mill tailings remedial action program fund and the oversight committee.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

S.B. 07-253 Severance taxes - federal mineral lease royalties - forecasts. To assist in the preparation of state budgets, directs the staff of the legislative council to prepare, in consultation with the office of state planning and budgeting, quarterly forecasts of revenues derived from state severance taxes and federal mineral lease royalties. Directs a legislative interim study committee regarding severance tax allocations to study price insurance contracts regarding oil and gas revenues.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

H.B. 07-1051 Property tax - notice of delinquency. Requires the notice sent by a county treasurer to a taxpayer for unpaid property taxes to state that the amount of the delinquency must be paid by the date specified in the notice, which shall not be less than 15 days from the date of mailing of the notice. Requires the notice to further specify that the treasurer will advertise and sell a tax lien on the property if the amount of the delinquency is not paid.

APPROVED by Governor February 20, 2007

EFFECTIVE February 20, 2007

H.B. 07-1106 Property tax - assistance - heat or fuel expenses - assistance for the elderly or disabled - income eligibility threshold increase. For 2008, increases the yearly income thresholds used to determine whether an elderly or disabled person is eligible to receive a grant for real property tax assistance or for residential heat or fuel expenses, as well as the amount of the grant. Adjusts the thresholds by inflation for subsequent years.

APPROVED by Governor May 30, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1139 Local government severance tax fund - allocation. Increases the percentage of state severance tax revenues credited to the local government severance tax fund that are allocated to local governments on the basis of the residency of persons who work in mineral extraction industry operations from 15% to 30%.

APPROVED by Governor May 29, 2007

EFFECTIVE May 29, 2007

H.B. 07-1177 Property tax - biennial adjustment of ratio of valuation for assessment. Sets the ratio of valuation for assessment for residential real property for the 2007 and 2008 property tax years at 7.96% of actual value.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1201 Income tax - voluntary contribution to the pet overpopulation fund. Extends the period that state income tax return forms shall include a line whereby individual taxpayers may make a voluntary contribution to the pet overpopulation fund.

APPROVED by Governor April 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1251 Property tax - exemption for qualifying disabled veterans - implementation. Makes the statutory changes necessary to implement the property tax exemption for qualifying disabled veterans created by the registered electors of the state through the approval of referendum E at the 2006 general election.

APPROVED by Governor April 15, 2007

EFFECTIVE April 15, 2007

H.B. 07-1277 Sales and use tax - exemption - cleanrooms. For the next 10 fiscal years, exempts from the sales and use tax purchases in excess of \$500 of machinery that comprises a cleanroom used to produce tangible property, including but not limited to computer components, microprocessors, blank and written software media, other high-tech manufacturing, biotechnological, nanotechnology, and photonics products, and pharmaceuticals.

Defines "machinery that comprises a cleanroom" to include all apparatus that is part of a system to control airflow, temperature, humidity, chemical purity, other environmental conditions, or manufacturing tolerances, regardless of whether it is attached to real property or contained within the cleanroom. Specifies that "machinery that comprises a cleanroom" does not include a building or a permanent, nonremovable component of a building that houses a cleanroom.

Disallows the sales and use tax exemption in a year in which the amount of total general fund revenues will be less than the statutory limit on general fund appropriations, according to the revenue estimate prepared by the staff of the legislative council.

APPROVED by Governor May 31, 2007

EFFECTIVE July 1, 2007

H.B. 07-1279 Sales and use tax - exemptions - machinery used to produce renewable energy - machinery used to produce electricity under long-term contract. Exempts from sales and use tax purchases of machinery and machine tools used to produce electricity from a renewable energy source, including wind. Exempts from sales and use tax purchases of machinery and machine tools used to produce electricity in a facility for which a long-term power purchase agreement was fully executed between February 5, 2001, and November 7, 2006.

APPROVED by Governor May 23, 2007

EFFECTIVE May 23, 2007

H.B. 07-1309 Oil and gas - severance tax - monthly estimated payments and withholding payments - electronic payments - appropriation. Requires estimated tax and withholding payments related to the oil and gas severance tax to be made on a monthly basis instead of quarterly. Requires the payments to be made electronically.

For a period of 3 years, requires additional interest earned in the severance tax funds as a result of the more frequent and electronic estimated tax and withholding payments to be transferred to a new fund and continuously appropriated to the governor's energy office to be used for a program to improve the energy efficiency of public schools.

Creates an exception to the requirement that tax information be kept confidential in order to permit the department of revenue to provide the legislative council staff with the information it needs to calculate the additional interest earned.

Appropriates \$489,000 to the office of the governor for allocation to the governor's energy office for the implementation of the act.

APPROVED by Governor May 30, 2007

EFFECTIVE May 30, 2007

H.B. 07-1354 Income tax - voluntary contribution - Colorado breast and women's reproductive cancers fund. Creates the Colorado breast and women's reproductive cancers fund (fund) in the state treasury. If there are no more than 14 other lines on the Colorado state individual income tax forms for voluntary contributions for the state income tax year commencing January 1, 2007, for income tax years commencing on or after January 1, 2007, but before January 1, 2010, requires a voluntary contribution designation line for the fund to appear on individual income tax return forms. Repeals the new voluntary contribution effective January 1, 2011, unless the general assembly continues or reestablishes it before said date.

Requires the department of revenue (department) to determine annually the total amount designated to the fund and to report that amount to the state treasurer and the general

assembly. Requires the state treasurer to credit that amount to the fund.

Requires the general assembly to appropriate annually from the fund to the department its costs of administering moneys designated as contributions to the fund. Requires all moneys remaining in the fund at the end of a fiscal year to be transferred to the Colorado cancer coalition, and requires the coalition to administer the moneys in furtherance of the work of the Colorado breast cancer task force and its partners.

Makes legislative findings and declarations.

States that the act shall take effect September 1, 2007, but only if, on or before that date, the executive director of the department of revenue files a written certification with the revisor of statutes that there are no more than fourteen other lines on the Colorado state individual income tax forms for voluntary contributions for the state income tax year commencing January 1, 2007.

APPROVED by Governor May 31, 2007

EFFECTIVE September 1, 2007

H.B. 07-1361 Income tax - conservation easements - disclosure, appraisal, and reporting requirements. Requires an organization that accepts a conservation easement in gross for which a state income tax credit is claimed to submit specified information to the department of revenue (department), the department of agriculture, and the department of natural resources about the organization and the easements it holds. Requires the information to be made available to the public.

Requires a taxpayer who claims a state income tax credit for donating a conservation easement to submit to the department:

- Statements reflecting the specific nature, location, and value of the easement and the amount of the credit claimed, some of which shall be made available to the public;
- An affidavit from an appraiser that specifies the value of a conservation easement for which a credit is claimed, the property subject to the easement, and certain information regarding the manner in which the appraisal was conducted; and
- An affidavit containing specified information from the holder of the easement that was filed with the department, the department of agriculture, and the department of natural resources.

Requires the appraisal for a conservation easement to be a qualified appraisal from a qualified appraiser in accordance with specified provisions of federal law. Requires the appraiser to hold a valid license in the state as a certified general appraiser and requires the appraisal to be in conformance with the uniform standards for professional appraisal practice. Requires the department to report substantial and gross valuation misstatements in conservation easement appraisals to the state board of real estate appraisers.

Authorizes the department to require a second appraisal if an appraisal of a conservation easement represents a gross valuation misstatement. Clarifies that the transferee of a credit shall be subject to the same statute of limitations as the transferor of the credit. Requires the department to create specified public reports on the location, size,

and value of conservation easements for which credits are granted, the amount of credits granted, and other information related to the easements and credits.

APPROVED by Governor May 24, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1372 Severance tax trust fund - fiscal adjustments to meet operational account reserve requirements. In order to ensure that reserve requirements for the operational account of the severance tax trust fund are met:

- Modifies the timing and amount of statutory allocations of moneys from the operational account of the severance tax trust fund to the water supply reserve account; and
- Eliminates appropriations to the governor's office that were rendered unnecessary by the appointment of the executive director of the department of natural resources as the director of compact negotiations for the interbasin compact committee.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

TRANSPORTATION

S.B. 07-42 Motorcycle operator safety training program - member of the armed forces. Permits a member of the armed forces who has moved to Colorado on a permanent change of station basis and who holds a valid driver's license issued by another state to enroll in a certified motorcycle operator safety training course for the same charge as a resident of the state.

APPROVED by Governor May 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-90 County road - vacation - vesting of title. Permits a board of county commissioners to provide that title to a vacated roadway shall vest, subject to an easement, in the owner of the land abutting the vacated roadway, in other owners who use the vacated roadway as access to their land, or in a legal entity that represents any owners who use the vacated roadway as access to their land.

APPROVED by Governor April 20, 2007

EFFECTIVE September 1, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-95 Department of transportation - repeal of limit on number of employees. Repeals the limitation on the number of full-time equivalent employees that the department of transportation may employ.

APPROVED by Governor April 20, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

S.B. 07-99 State vehicle fleet - exclusion of certain higher education vehicles. Excludes from the centralized fleet of state vehicles any vehicle rated at one ton or more that is owned, operated, or controlled by an institution of higher education and was not purchased, maintained, or acquired using state moneys.

APPROVED by Governor May 25, 2007

EFFECTIVE May 25, 2007

H.B. 07-1018 Legislative oversight - motor vehicles and traffic. Expands the scope of the transportation legislation review committee to include the regulation of traffic, licensing of drivers, registration and titling of motor vehicles, and oversight of the agencies and political

subdivisions of Colorado that administer such laws.

APPROVED by Governor April 2, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

WATER AND IRRIGATION

S.B. 07-8 Water efficiency grant program - eligibility standards - appropriation. Allows any state or local governmental entity that provides water at retail to customers to participate in the water efficiency grant program administered by the Colorado water conservation board. Extends the repeal of the program to July 1, 2012. Transfers revenues from the operational account of the severance tax trust fund to the water efficiency grant program cash fund.

Appropriates \$82,749 and 1.0 FTE to the department of natural resources for allocation to the Colorado water conservation board for the implementation of the act.

APPROVED by Governor June 1, 2007

EFFECTIVE June 1, 2007

S.B. 07-122 Colorado water conservation board construction fund - project authorization - appropriation. Loans \$75,750,000 for the city of Aurora water activity enterprise - prairie waters project pipeline from the Colorado water conservation board construction fund (construction fund). Loans \$60,600,000 to the Southeastern Colorado water conservancy district water activity enterprise and \$8,844,570 to the Penrose water district water activity enterprise from the severance tax trust fund perpetual base account. Decreases a prior water project loan and grant authorization from the construction fund. Creates the stream gauge fund and transfers moneys from the construction fund to the stream gauge fund.

Appropriates the following amounts from the construction fund for the following projects:

- \$350,000 for satellite monitoring system maintenance;
- \$40,000 for the upper Arkansas river basin ground water bibliography;
- \$200,000 for the upper Arkansas river basin decision support system feasibility study;
- \$200,000 for the Colorado decision support system modeling and engineering support services;
- \$40,000 for the snowmelt timing study;
- \$500,000 to continue flood map modernization;
- \$250,000 for the floodplain decision support system;
- \$600,000 to continue the Chatfield reservoir reallocation study;
- \$150,000 to continue the weather modification program;
- \$150,000 for the drought mitigation planning technical assistance program;
- \$500,000 for evaluating water needs and alternatives analysis;
- \$65,000 for CCC ditch rehabilitation on the San Miguel river;
- \$150,000 for the water conservation public awareness research study;
- \$1,500,000 for the South Platte river and Arkansas river basins alternative agriculture water transfer sustainability grant program;
- \$100,000 for the Rocky Mountain fen demonstration project; and
- \$1,000,000 for community-based approaches to forest restoration.

Continuously appropriates to the Colorado water conservation board all revenue from weather modification permit fees. Increases the board's authority to make loans without legislative approval from \$5,000,000 to \$10,000,000.

Transfers \$300,000 from the unreserved cash in the construction fund to the flood

response fund in order to restore the unencumbered balance in the flood response fund.

Makes certain provisions contingent on the passage of House Bill 07-1130.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

NOTE: House Bill 07-1130 was signed by the governor May 29, 2007.

S.B. 07-220 Conservation districts - Rio Grande - financial powers. Adds powers to the Rio Grande water conservation district (district) analogous to those possessed by other conservation districts. Allows subdistricts of the district to finance official water plans with service charges and user fees. Clarifies the methods and procedures for the financing of subdistricts and the creation and approval of official water plans.

APPROVED by Governor May 25, 2007

EFFECTIVE May 25, 2007

H.B. 07-1012 Water rights - instream flows - protection of loaned right. Excludes from consideration in an analysis of historic consumptive use the period of time during which a loaned water right is used by the Colorado water conservation board for instream flow purposes. Exempts from the definition of abandonment of a water right the nonuse of the water as a result of the loan of water to the board for instream flows.

APPROVED by Governor March 14, 2007

EFFECTIVE August 3, 2007

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1056 Conservancy districts - conservation districts - board of directors - compensation limits. Increases to a maximum of \$2,400 per year the compensation payable to directors of conservancy districts. Increases to a maximum of \$100 per day the compensation payable to directors of the Colorado river water conservation district, the Rio Grande water conservation district, and the Republican river water conservation district.

APPROVED by Governor April 2, 2007

EFFECTIVE April 2, 2007

H.B. 07-1088 Grand Junction drainage district - name change - Grand Valley drainage district - elections - board of directors - compensation. Changes the name of the Grand Junction drainage district to the Grand Valley drainage district (district).

Clarifies that persons residing in each division of the district and qualified to vote at general county elections shall be entitled to vote for the director representing that division on the board of directors.

Establishes that special elections may be held on the first Tuesday after the first Monday in February, May, October, or December, except for ballot issue elections, which may be held only in a state general election, the regular district election, or on the first Tuesday in November of odd-numbered years.

Increases the maximum per diem compensation for directors of the district to \$100 per day, not to exceed \$1,600 per year as fixed by the board of directors of the district.

APPROVED by Governor March 22, 2007

EFFECTIVE January 1, 2008

NOTE: This act was passed without a safety clause. For further explanation concerning the effective date, see page vi of this digest.

H.B. 07-1096 Colorado water resources research institute - severance tax trust fund - appropriation. For the 2007-08 fiscal year, appropriates from the operational account of the severance tax trust fund \$150,000 to the department of higher education to be used by the Colorado water resources research institute.

APPROVED by Governor May 31, 2007

EFFECTIVE May 31, 2007

H.B. 07-1132 Water rights - change adjudications - use and point of diversion - water quality term. When a water judge issues a decree for a change of type of use of irrigation water rights that permanently transfers more than 1,000 acre-feet of consumptive use of water per year from irrigation to another use, allows the water judge to include a term or condition that addresses decreases in water quality caused by the change if the change would cause or contribute to an exceedance of water quality standards established by the water quality control commission that are in effect at the time of the decree or, if ordered by the court, subsequently adopted by the commission prior to the entry of the decree, for the stream segment at the original point of diversion. Specifies that the applicant is responsible for only that portion of the exceedance attributable to the proposed change. Prohibits the term or condition from being inconsistent with the state clean water act or the federal law regarding water quality-impaired stream segments. Specifies that the act shall not be interpreted to confer standing on any person to assert injury who would not otherwise have such standing.

APPROVED by Governor March 12, 2007

EFFECTIVE March 12, 2007

H.B. 07-1305 Water bank program - eliminate repeal. Eliminates the repeal of the water bank program.

APPROVED by Governor April 9, 2007

EFFECTIVE April 9, 2007

PROPOSED CONSTITUTIONAL AMENDMENTS

H.C.R. 07-1002 Members of the general assembly - qualifications - age - elector. Subject to the approval of the voters of the state, changes the age of eligibility to serve as a member of the Colorado general assembly from 25 to 21 years. Requires a member of the general assembly to be an elector of the state of Colorado as provided by law.

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