

**NOTE: The governor signed this measure on 6/10/2016.**

# An Act

HOUSE BILL 16-1034

BY REPRESENTATIVE(S) Sias, Becker K., Esgar, Fields, Ginal, Hamner, Lawrence, Lontine, Mitsch Bush, Primavera, Priola, Rosenthal, Tyler, Vigil;  
also SENATOR(S) Garcia, Aguilar, Guzman, Heath, Hodge, Johnston, Kefalas, Kerr, Merrifield, Newell, Todd.

CONCERNING EMERGENCY MEDICAL RESPONDER REGISTRATION IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 25-3.5-103, **add** (10.8) as follows:

**25-3.5-103. Definitions.** As used in this article, unless the context otherwise requires:

(10.8) "REGISTERED EMERGENCY MEDICAL RESPONDER" MEANS AN INDIVIDUAL WHO HAS SUCCESSFULLY COMPLETED THE TRAINING AND EXAMINATION REQUIREMENTS FOR EMERGENCY MEDICAL RESPONDERS, WHO PROVIDES ASSISTANCE TO THE INJURED OR ILL UNTIL MORE HIGHLY TRAINED AND QUALIFIED PERSONNEL ARRIVE, AND WHO IS REGISTERED

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

WITH THE DEPARTMENT PURSUANT TO PART 11 OF THIS ARTICLE.

**SECTION 2.** In Colorado Revised Statutes, 25-3.5-603, **amend** (1) (a) and (3) (c) (I) as follows:

**25-3.5-603. Emergency medical services account - creation - allocation of funds.** (1) (a) There is hereby created a special account within the highway users tax fund established under section 43-4-201, C.R.S., to be known as the emergency medical services account, which consists of all moneys transferred thereto in accordance with section 42-3-304 (21), C.R.S., **and** fees collected under section 25-3.5-203 for provisional certifications of emergency medical service providers, **AND FEES COLLECTED UNDER SECTION 25-3.5-1103 FOR PROVISIONAL REGISTRATION OF EMERGENCY MEDICAL RESPONDERS.**

(3) On and after July 1, 2002, the general assembly shall appropriate moneys in the emergency medical services account:

(c) To the direct and indirect costs of planning, developing, implementing, maintaining, and improving the statewide emergency medical and trauma services system. These costs include:

(I) Providing technical assistance and support to local governments, local emergency medical and trauma service providers, and RETACs operating a statewide data collection system, coordinating local and state programs, providing assistance in selection and purchasing of medical and communication equipment, administering the EMTS grant program, **and** establishing and maintaining scope of practice for certified medical service providers, **AND ADMINISTERING A REGISTRATION PROGRAM FOR EMERGENCY MEDICAL RESPONDERS; and**

**SECTION 3.** In Colorado Revised Statutes, **add** part 11 to article 3.5 of title 25, as follows:

PART 11  
EMERGENCY MEDICAL RESPONDERS

**25-3.5-1101. Legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT HAS RESPONSIBILITY FOR OVERSIGHT OF THE EMERGENCY MEDICAL AND TRAUMA SERVICES SYSTEM AND THE CERTIFICATION OF EMERGENCY MEDICAL SERVICE PROVIDERS. EMERGENCY MEDICAL SERVICE PROVIDERS ARE CERTIFIED BY THE DEPARTMENT TO PROVIDE TREATMENT AND TRANSPORT TO THE SICK AND INJURED.

(b) EMERGENCY MEDICAL RESPONDERS ARE THE PART OF THE EMERGENCY MEDICAL AND TRAUMA SERVICES SYSTEM WHO ANSWER EMERGENCY CALLS, PROVIDE EFFECTIVE AND IMMEDIATE CARE TO ILL AND INJURED PATIENTS, PREPARE THE SCENE FOR THE ARRIVAL OF THE AMBULANCE AND EMERGENCY MEDICAL SERVICE PROVIDERS, AND PROVIDE ASSISTANCE TO EMERGENCY MEDICAL SERVICE PROVIDERS AS DIRECTED;

(c) MOST EMERGENCY MEDICAL RESPONDERS PERFORM THEIR DUTIES IN AN ETHICAL AND PROFESSIONAL MANNER;

(d) IT IS IN THE INTERESTS OF THE CITIZENS OF THIS STATE THAT A VOLUNTARY PROCESS EXISTS WHEREBY INDIVIDUALS MAY REGISTER THEIR TRAINING AND STATUS AS AN EMERGENCY MEDICAL RESPONDER WITH THE STATE; AND

(e) IT IS IN THE PUBLIC INTEREST TO PLACE THE VOLUNTARY REGISTRATION OF EMERGENCY MEDICAL RESPONDERS WITHIN THE STATE DEPARTMENT THAT HAS STATUTORY RESPONSIBILITY FOR THE STATEWIDE EMERGENCY MEDICAL AND TRAUMA SERVICES SYSTEM.

(2) THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY TO:

(a) TRANSFER THE OVERSIGHT OF EMERGENCY MEDICAL RESPONDERS, FORMERLY KNOWN AS FIRST RESPONDERS, FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT; AND

(b) FUND THE OVERSIGHT OF THE VOLUNTARY REGISTRATION PROGRAM THROUGH THE HIGHWAY USERS TAX FUND ESTABLISHED IN SECTION 42-3-304 (21), C.R.S., IN ORDER TO AVOID COST-PROHIBITIVE REGISTRATION FEES.

**25-3.5-1102. Definitions.** AS USED IN THIS PART 11:

(1) "EMERGENCY MEDICAL RESPONDER" MEANS AN INDIVIDUAL WHO HAS SUCCESSFULLY COMPLETED THE TRAINING AND EXAMINATION REQUIREMENTS FOR EMERGENCY MEDICAL RESPONDERS, WHO PROVIDES ASSISTANCE TO THE INJURED OR ILL UNTIL MORE HIGHLY TRAINED AND QUALIFIED PERSONNEL ARRIVE.

(2) "PHYSICIAN" MEANS A PERSON LICENSED PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S., IN GOOD STANDING, WHO AUTHORIZES AND DIRECTS, THROUGH PROTOCOLS AND STANDING ORDERS, THE PERFORMANCE OF STUDENTS-IN-TRAINING ENROLLED IN DEPARTMENT-RECOGNIZED EMERGENCY MEDICAL RESPONDER EDUCATION PROGRAMS.

(3) "REGISTERED EMERGENCY MEDICAL RESPONDER" MEANS AN INDIVIDUAL WHO HAS SUCCESSFULLY COMPLETED THE TRAINING AND EXAMINATION REQUIREMENTS FOR EMERGENCY MEDICAL RESPONDERS, WHO PROVIDES ASSISTANCE TO THE INJURED OR ILL UNTIL MORE HIGHLY TRAINED AND QUALIFIED PERSONNEL ARRIVE, AND WHO IS REGISTERED WITH THE DEPARTMENT PURSUANT TO THIS PART 11.

**25-3.5-1103. Registration - rules - funds.** (1) ON AND AFTER JULY 1, 2017, THE DEPARTMENT SHALL ADMINISTER A VOLUNTARY REGISTRATION PROGRAM FOR EMERGENCY MEDICAL RESPONDERS. A PERSON SHALL NOT HOLD HIMSELF OR HERSELF OUT AS A REGISTERED EMERGENCY MEDICAL RESPONDER, PROVIDING CARE OR SERVICES AS IDENTIFIED IN NATIONAL GUIDELINES FOR EMERGENCY MEDICAL RESPONSE AS APPROVED BY THE DEPARTMENT, UNLESS THE PERSON MEETS THE REQUIREMENTS SET FORTH IN THIS PART 11; EXCEPT THAT A PERSON MAY FUNCTION AS A GOOD SAMARITAN PURSUANT TO SECTION 13-21-116, C.R.S.

(2) THE BOARD SHALL ADOPT RULES FOR THE ADMINISTRATION OF THE EMERGENCY MEDICAL RESPONDER REGISTRATION PROGRAM, WHICH RULES SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING:

(a) REQUIREMENTS FOR EMERGENCY MEDICAL RESPONDER REGISTRATION, WHICH INCLUDE CERTIFICATION OF THE APPLICANT THROUGH A NATIONALLY RECOGNIZED EMERGENCY RESPONDER CERTIFICATION ORGANIZATION APPROVED BY THE DEPARTMENT;

(b) THE PERIOD OF TIME FOR WHICH THE REGISTRATION AS AN EMERGENCY MEDICAL RESPONDER IS VALID;

(c) REGISTRATION RENEWAL REQUIREMENTS;

(d) TRAINING REQUIREMENTS FOR NEW AND RENEWING REGISTRANTS;

(e) PROVISIONS GOVERNING NATIONAL AND STATE CRIMINAL HISTORY RECORD CHECKS FOR NEW AND RENEWING REGISTRANTS AND THE USE OF THE RESULTS OF THE CHECKS BY THE DEPARTMENT TO DETERMINE THE ACTION TO TAKE ON A REGISTRATION APPLICATION. NOTWITHSTANDING SECTION 24-5-101, C.R.S., THESE PROVISIONS MUST ALLOW THE DEPARTMENT TO CONSIDER WHETHER THE APPLICANT HAS BEEN CONVICTED OF A FELONY OR MISDEMEANOR INVOLVING MORAL TURPITUDE AND THE PERTINENT CIRCUMSTANCES CONNECTED WITH THE CONVICTION AND TO MAKE A DETERMINATION WHETHER ANY SUCH CONVICTION DISQUALIFIES THE APPLICANT FROM REGISTRATION.

(f) DISCIPLINARY SANCTIONS, WHICH MAY INCLUDE PROVISIONS FOR THE DENIAL, REVOCATION, PROBATION, AND SUSPENSION, INCLUDING SUMMARY SUSPENSION, OF REGISTRATION AND OF EDUCATION PROGRAM RECOGNITION; AND

(g) AN APPEAL PROCESS CONSISTENT WITH SECTIONS 24-4-104 AND 24-4-105, C.R.S., THAT IS APPLICABLE TO DEPARTMENT DECISIONS IN CONNECTION WITH SANCTIONS.

(3) RULES PROMULGATED BY THE DEPARTMENT OF PUBLIC SAFETY REMAIN IN EFFECT UNTIL SUPERCEDED BY RULES DULY ADOPTED PURSUANT TO THIS PART 11.

(4) (a) THE DEPARTMENT MAY ISSUE A PROVISIONAL REGISTRATION TO AN APPLICANT FOR REGISTRATION AS AN EMERGENCY MEDICAL RESPONDER WHO REQUESTS ISSUANCE OF A PROVISIONAL REGISTRATION AND WHO PAYS A FEE AUTHORIZED UNDER RULES ADOPTED BY THE BOARD. A PROVISIONAL REGISTRATION IS VALID FOR NOT MORE THAN NINETY DAYS.

(b) THE DEPARTMENT MAY NOT ISSUE A PROVISIONAL REGISTRATION UNLESS THE APPLICANT SATISFIES THE REQUIREMENTS FOR REGISTRATION ESTABLISHED IN RULES OF THE BOARD. IF THE DEPARTMENT FINDS THAT AN EMERGENCY MEDICAL RESPONDER WHO HAS RECEIVED A PROVISIONAL REGISTRATION HAS VIOLATED ANY REQUIREMENTS FOR REGISTRATION, THE

DEPARTMENT MAY REVOKE THE PROVISIONAL REGISTRATION AND PROHIBIT THE REGISTRATION OF THE EMERGENCY MEDICAL RESPONDER.

(c) THE DEPARTMENT MAY ISSUE A PROVISIONAL REGISTRATION TO AN APPLICANT WHOSE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK HAS NOT YET BEEN COMPLETED. THE DEPARTMENT SHALL REQUIRE THE APPLICANT TO SUBMIT A NAME-BASED CRIMINAL HISTORY RECORD CHECK PRIOR TO ISSUING A PROVISIONAL REGISTRATION.

(d) THE BOARD SHALL ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (4), INCLUDING RULES ESTABLISHING A FEE TO BE CHARGED TO APPLICANTS SEEKING A PROVISIONAL REGISTRATION. THE DEPARTMENT SHALL DEPOSIT ANY FEE COLLECTED FOR A PROVISIONAL REGISTRATION IN THE EMERGENCY MEDICAL SERVICES ACCOUNT CREATED IN SECTION 25-3.5-603.

(5) (a) THE DEPARTMENT SHALL ACQUIRE A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK FROM THE COLORADO BUREAU OF INVESTIGATION TO INVESTIGATE THE HOLDER OF OR APPLICANT FOR AN EMERGENCY MEDICAL RESPONDER REGISTRATION. THE DEPARTMENT MAY ACQUIRE A NAME-BASED CRIMINAL HISTORY RECORD CHECK FOR A REGISTRANT OR AN APPLICANT WHO HAS TWICE SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AND WHOSE FINGERPRINTS ARE UNCLASSIFIABLE. NOTWITHSTANDING PARAGRAPH (b) OF THIS SUBSECTION (5), IF A PERSON SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AT THE TIME OF INITIAL REGISTRATION OR REGISTRATION RENEWAL, THE PERSON SHALL NOT BE REQUIRED TO SUBMIT TO A SUBSEQUENT FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK.

(b) IF, AT THE TIME OF APPLICATION FOR REGISTRY OR FOR RENEWAL, AN INDIVIDUAL HAS LIVED IN THE STATE FOR THREE YEARS OR LESS, THE DEPARTMENT SHALL REQUIRE THE APPLICANT TO SUBMIT TO A FEDERAL BUREAU OF INVESTIGATION FINGERPRINT-BASED NATIONAL CRIMINAL HISTORY RECORD CHECK; EXCEPT THAT THE DEPARTMENT MAY ACQUIRE A NATIONAL NAME-BASED CRIMINAL HISTORY RECORD CHECK FOR AN APPLICANT WHO HAS TWICE SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AND WHOSE FINGERPRINTS ARE UNCLASSIFIABLE. THE DEPARTMENT SHALL BE THE AUTHORIZED AGENCY TO RECEIVE AND DISSEMINATE INFORMATION REGARDING THE RESULT OF ANY

NATIONAL CRIMINAL HISTORY RECORD CHECK.

**25-3.5-1104. Training programs - rules.** (1) THE BOARD SHALL ADOPT RULES REGARDING THE RECOGNITION BY THE DEPARTMENT OF EDUCATION PROGRAMS THAT PROVIDE INITIAL TRAINING AND CONTINUED COMPETENCY EDUCATION FOR EMERGENCY MEDICAL RESPONDERS.

(2) THE RECEIPT OF A CERTIFICATE OR OTHER DOCUMENT OF COURSE COMPLETION ISSUED BY AN EDUCATION PROGRAM OR NATIONAL CERTIFICATION ORGANIZATION IS NOT DEEMED STATE LICENSURE, APPROVAL, OR REGISTRATION.

**25-3.5-1105. Investigation and discipline.** (1) THE DEPARTMENT MAY ADMINISTER OATHS, TAKE AFFIRMATIONS OF WITNESSES, AND ISSUE SUBPOENAS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF ALL RELEVANT RECORDS AND DOCUMENTS TO INVESTIGATE ALLEGED MISCONDUCT BY REGISTERED EMERGENCY MEDICAL RESPONDERS.

(2) UPON FAILURE OF A WITNESS TO COMPLY WITH A SUBPOENA, THE DEPARTMENT MAY APPLY TO A DISTRICT COURT FOR AN ORDER REQUIRING THE PERSON TO APPEAR BEFORE THE DEPARTMENT OR AN ADMINISTRATIVE LAW JUDGE, TO PRODUCE THE RELEVANT RECORDS OR DOCUMENTS, OR TO GIVE TESTIMONY OR EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN QUESTION. WHEN SEEKING AN ORDER, THE DEPARTMENT SHALL APPLY TO THE DISTRICT COURT OF THE COUNTY IN WHICH THE SUBPOENAED PERSON RESIDES OR CONDUCTS BUSINESS. THE COURT MAY PUNISH SUCH FAILURE AS A CONTEMPT OF COURT.

(3) A REGISTERED EMERGENCY MEDICAL RESPONDER, THE EMPLOYER OF A REGISTERED EMERGENCY MEDICAL RESPONDER, OR A PHYSICIAN SHALL REPORT TO THE DEPARTMENT ANY MISCONDUCT BY A REGISTERED EMERGENCY MEDICAL RESPONDER THAT IS KNOWN OR REASONABLY BELIEVED BY THE PERSON TO HAVE OCCURRED.

(4) A PERSON ACTING AS A WITNESS OR CONSULTANT TO THE DEPARTMENT, A WITNESS TESTIFYING, AND A PERSON OR EMPLOYER WHO REPORTS MISCONDUCT TO THE DEPARTMENT UNDER THIS SECTION IS IMMUNE FROM LIABILITY IN ANY CIVIL ACTION BROUGHT FOR ACTS OCCURRING WHILE TESTIFYING, PRODUCING EVIDENCE, OR REPORTING MISCONDUCT UNDER THIS SECTION IF THE INDIVIDUAL OR EMPLOYER WAS

ACTING IN GOOD FAITH AND WITH A REASONABLE BELIEF OF THE FACTS. A PERSON OR EMPLOYER PARTICIPATING IN GOOD FAITH IN AN INVESTIGATION OR AN ADMINISTRATIVE PROCEEDING PURSUANT TO THIS SECTION IS IMMUNE FROM ANY CIVIL OR CRIMINAL LIABILITY THAT MAY RESULT FROM SUCH PARTICIPATION.

(5) RECORDS, DOCUMENTS, TESTIMONY, OR EVIDENCE OBTAINED UNDER THIS SECTION ARE CONFIDENTIAL EXCEPT TO THE EXTENT NECESSARY TO SUPPORT THE ADMINISTRATIVE ACTION TAKEN BY THE DEPARTMENT, TO REFER THE MATTER TO ANOTHER REGULATORY AGENCY, OR TO REFER THE MATTER TO A LAW ENFORCEMENT AGENCY FOR CRIMINAL PROSECUTION.

**SECTION 4.** In Colorado Revised Statutes, 24-33.5-1202, **repeal** (6.5) and (7) as follows:

**24-33.5-1202. Definitions.** As used in this part 12, unless the context otherwise requires:

~~(6.5) "First responder" means a designated level of emergency medical care provider as described by the national highway traffic safety administration or successor agency.~~

~~(7) "First responder program" means the program developed by the national highway traffic safety administration to train emergency response personnel to deal with an emergency incident upon first arrival at the scene.~~

**SECTION 5.** In Colorado Revised Statutes, 24-33.5-1203, **amend** (1) (h), (1) (i), (1) (j), and (1) (k) as follows:

**24-33.5-1203. Duties of division.** (1) The division shall perform the following duties:

(h) Upon the request of local government officials, provide technical assistance in defining and developing solutions to local fire safety problems including, but not limited to, fireworks statutes; electrical hazards; public education programs; regulations concerning explosives; inspection of facilities when the performance of the inspections is the statutory duty of another state agency; ~~certification of emergency medical service providers and paramedics~~; hazardous materials storage, handling,



and transportation; and volatile, flammable, and carcinogenic materials;

(i) Coordinate fire service education and training programs, hazardous materials responder training programs, and firefighter ~~first responder~~, and hazardous materials responder certification programs, which shall be available statewide;

(j) Administer the certification programs for firefighters ~~first responders~~, and hazardous materials responders, providing office space, equipment, and the services of a clerical staff as necessary for the carrying out of the intent of this part 12;

(k) Train and instruct firefighters ~~and first responders~~ in subjects relating to the fire service; coordinate fire service-related education and training classes, programs, conferences, and seminars; and train and instruct, or coordinate the training of, hazardous materials responders; except that all training related to terrorism shall be coordinated with the division of homeland security and emergency management created in part 16 of this article;

**SECTION 6.** In Colorado Revised Statutes, 24-33.5-1204, **amend** (1) and (3) as follows:

**24-33.5-1204. Voluntary education and training program - voluntary certification of firefighters and hazardous materials responders - advisory board.** (1) For the purposes of advising the director on the administration of the voluntary fire service education and training program within the division of fire prevention and control, the local firefighter safety and disease prevention grant program created in section 24-33.5-1231, and the voluntary firefighter ~~first responder~~, and hazardous materials responder certification programs, there is hereby created in the division of fire prevention and control the fire service training and certification advisory board, referred to in this part 12 as the "advisory board", to serve as an advisory board to the director.

(3) The advisory board shall meet as determined necessary by the chairperson or the director. The members of the advisory board shall receive no compensation but shall be reimbursed for necessary travel and other expenses actually incurred in the performance of their official duties. The expenses shall be paid from the firefighter ~~first responder~~, hazardous

materials responder, and prescribed fire training and certification fund created in section 24-33.5-1207.

**SECTION 7.** In Colorado Revised Statutes, 24-33.5-1205, **amend** (1) introductory portion, (1) (b), (1) (d), (1) (e), (1) (g), (2) introductory portion, (2) (b), (2) (d), and (4) as follows:

**24-33.5-1205. Duties of the director and the advisory board.**

(1) The director has the following duties relating to the voluntary firefighter ~~first responder~~, and hazardous materials responder certification programs and the fire service education and training program:

(b) To promulgate rules establishing standards for the firefighter ~~first responder~~, and hazardous materials responder certification programs and for determining whether a firefighter or an applicant for first responder or hazardous materials responder certification meets the established standards;

(d) To certify firefighters and applicants for ~~first responder and~~ hazardous materials responder certification or withhold or revoke certification in the manner provided for by rules adopted by the director pursuant to the provisions of article 4 of this title;

(e) To issue a certificate to any firefighter or rescuer who presents evidence that the minimum firefighter certification standards have been met and to issue a certificate to any applicant who presents evidence that the minimum standards of the ~~first responder or~~ hazardous materials responder certification program have been met;

(g) To establish fees for the actual direct and indirect costs of the administration of the firefighter ~~first responder~~, and hazardous materials responder certification programs, which fees shall be assessed against any person participating in such programs. All fees collected shall be credited to the firefighter, first responder, hazardous materials responder, and prescribed fire training and certification fund created in section 24-33.5-1207.

(2) The advisory board has the following duties relating to the voluntary firefighter ~~first responder~~, and hazardous materials responder certification programs and the fire service education and training program:

(b) To advise the director on the promulgation of rules enacting standards for the certification of ~~first responders~~ and hazardous materials responders and procedures for determining whether an applicant meets such standards;

(d) To advise the director on the establishment of fees for the actual direct and indirect costs of the administration of the firefighter ~~first responder~~, and hazardous materials responder certification programs;

(4) Nothing in this section shall be construed as creating mandatory certification programs for firefighters ~~first responders~~, or hazardous materials responders, or creating a mandatory fire service education and training program. All fire departments in the state shall have the option of whether or not to participate in the firefighter ~~first responder~~, or hazardous materials responder certification programs or the fire service education and training program.

**SECTION 8.** In Colorado Revised Statutes, 24-33.5-1207, **amend** (1) as follows:

**24-33.5-1207. Firefighter and hazardous materials responder, and prescribed fire training and certification fund - created.** (1) All moneys received by the director pursuant to the coordination and administration of the firefighter ~~first responder~~, hazardous materials responder, and prescribed fire training and certification programs and all interest earned on the moneys shall be deposited in the state treasury in the firefighter, ~~first responder~~, hazardous materials responder, and prescribed fire training and certification fund, which fund is hereby created, and the moneys shall be used, subject to annual appropriations by the general assembly, for the purposes set forth in this part 12 and shall not be deposited in or transferred to the general fund of the state of Colorado or any other fund.

**SECTION 9. Appropriation.** (1) For the 2016-17 state fiscal year, \$24,985 is appropriated to the department of public health and environment. This appropriation is from the emergency medical services account within the highway users tax fund created in section 25-3.5-603 (1) (a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) \$21,185 for use by the health facilities and emergency medical services division for the state EMS coordination, planning and certification program, which amount is based on an assumption that the division will require an additional 0.3 FTE; and

(b) \$3,800 for the purchase of legal services.

(2) For the 2016-17 state fiscal year, \$3,800 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of public health and environment under paragraph (b) of subsection (1) of this section. To implement this act, the department of law may use this appropriation to provide legal services for the department of public health and environment.

**SECTION 10. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO