

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 23, 2017

Date

Committee on Judiciary.

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

HB17-1087 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 4, line 1, strike the second "AND".
- 2 Page 4, after line 4 insert:
 - 3 "(C) ARE NOT SUBJECT TO A PETITION FOR APPOINTMENT OF
 - 4 GUARDIAN FILED BY A COUNTY ADULT PROTECTIVE SERVICES UNIT OR
 - 5 OTHERWISE AUTHORIZED BY SECTION 26-3.1-104; AND".
- 6 Page 5, after line 9 insert:
 - 7 "(b) "DIRECT CARE PROVIDER" MEANS A HEALTH CARE FACILITY,
 - 8 AS DEFINED IN SECTION 15-14-505 (5), OR A HEALTH CARE PROVIDER, AS
 - 9 DEFINED IN SECTION 15-14-505 (6)".
- 10 Re-letter succeeding paragraphs accordingly.
- 11 Page 6, strike lines 5 and 6 and substitute "APPOINT TWO MEMBERS. ONE
- 12 OF THE GOVERNOR'S APPOINTEES MUST BE AN".
- 13 Page 6, after line 15 insert:
 - 14 "(2) EACH MEMBER OF THE COMMISSION SERVES AT THE PLEASURE
 - 15 OF HIS OR HER APPOINTING AUTHORITY, EXCEPT THAT EACH MEMBER'S
 - 16 TERM OF SERVICE CONCLUDES WITH THE REPEAL OF THIS ARTICLE 93
 - 17 PURSUANT TO SECTION 13-93-111".

1 Renumber succeeding subsections accordingly.

2 Page 6, line 16, strike "ON OR BEFORE JUNE 1, 2018," and substitute "NOT
3 MORE THAN ONE MONTH AFTER RECEIVING AT LEAST ONE MILLION SEVEN
4 HUNDRED THOUSAND DOLLARS IN GIFTS, GRANTS, AND DONATIONS TO THE
5 OFFICE OF PUBLIC GUARDIANSHIP CASH FUND CREATED IN SECTION
6 13-93-108,".

7 Page 7, line 10, strike "DISTRICTS. ON AND AFTER OCTOBER 31, 2018,"
8 and substitute "DISTRICTS AND SHALL COORDINATE ITS EFFORTS WITH
9 COUNTY DEPARTMENTS OF HUMAN SERVICES AND COUNTY DEPARTMENTS
10 OF SOCIAL SERVICES WITHIN THOSE DISTRICTS. NOT MORE THAN FIVE
11 MONTHS AFTER RECEIVING AT LEAST ONE MILLION SEVEN HUNDRED
12 THOUSAND DOLLARS IN GIFTS, GRANTS, AND DONATIONS TO THE OFFICE OF
13 PUBLIC GUARDIANSHIP CASH FUND CREATED IN SECTION 13-93-108,".

14 Page 7, line 12, strike "SECTION 13-93-104 (3)." and substitute "SECTION
15 13-93-104 (4).".

16 Page 8, strike line 25 and substitute "GUARDIAN-DESIGNEES, INCLUDING
17 A POLICY CONCERNING CONFLICTS OF INTEREST.".

18 Page 10, strike lines 8 and 9 and substitute:

19 **"13-93-107. Director may develop rules.** (1) THE DIRECTOR
20 SHALL DEVELOP RULES TO IMPLEMENT THIS ARTICLE 93. THE RULES, AT A
21 MINIMUM, MUST INCLUDE POLICIES CONCERNING:

22 (a) CONFLICTS OF INTEREST FOR GUARDIANS AND
23 GUARDIAN-DESIGNEES EMPLOYED PURSUANT TO THIS ARTICLE 93; AND

24 (b) THE SOLICITATION AND ACCEPTANCE OF GIFTS, GRANTS, AND
25 DONATIONS PURSUANT TO SECTION 13-93-108 (3).".

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