

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0523.03 Nate Carr x2584

**HOUSE BILL 23-1301**

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**A BILL FOR AN ACT**

101      **CONCERNING THE NONSUBSTANTIVE REVISION OF STATUTES IN THE**  
102              **COLORADO REVISED STATUTES, AS AMENDED, AND, IN**  
103              **CONNECTION THEREWITH, AMENDING OR REPEALING OBSOLETE,**  
104              **IMPERFECT, AND INOPERATIVE LAW TO PRESERVE THE**  
105              **LEGISLATIVE INTENT, EFFECT, AND MEANING OF THE LAW.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Committee on Legal Services - Revisor's Bill.** To improve the clarity and certainty of the statutes, the bill amends, repeals, and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

HOUSE  
3rd Reading Unamended  
April 26, 2023

HOUSE  
2nd Reading Unamended  
April 25, 2023

reconstructs various statutory provisions of law that are obsolete, imperfect, or inoperative. The specific reasons for each amendment or repeal are set forth in the appendix to the bill. The amendments made by the bill are not intended to change the meaning or intent of the statutes, as amended.

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

2           **SECTION 1.** In Colorado Revised Statutes, 5-3-105, **amend** (2)  
3 as follows:

4           **5-3-105. Notice to cosigners and similar parties.** (2) The notice  
5 required by this section must be A clear and conspicuous notice and  
6 comply with the disclosure requirements of 16 CFR 444.3. ~~12 CFR~~  
7 ~~227.14, or 12 CFR 535.3.~~

8           **SECTION 2.** In Colorado Revised Statutes, 5-3.5-303, **amend** (2)  
9 as follows:

10           **5-3.5-303. Relationship to other laws. (2) Preemption.** Any  
11 provision of this article preempted by federal law with respect to a  
12 national bank or federal savings association shall also, to the same extent,  
13 not apply to an operating subsidiary of a national bank or federal savings  
14 association that satisfies the requirements for operating subsidiaries  
15 established in 12 CFR 5.34, relating to operating subsidiaries, ~~or 12 CFR~~  
16 ~~559.3, relating to the characteristics of and requirements for subordinate~~  
17 ~~organizations of federal savings associations,~~ nor to a bank chartered  
18 under the laws of Colorado or any operating subsidiary of such a state  
19 chartered bank.

20           **SECTION 3.** In Colorado Revised Statutes, 6-1-712, **amend**  
21 (2)(b) as follows:

22           **6-1-712. Discount health plan and cards - deceptive trade**  
23 **practices - definitions.** (2) The provisions of this section shall not apply

1 to:

2 (b) A medicare endorsed drug card as approved by the FEDERAL  
3 centers for medicare and medicaid services pursuant to the "Medicare  
4 Prescription Drug, Improvement, and Modernization Act of 2003", Public  
5 Law 108-173.

6 **SECTION 4.** In Colorado Revised Statutes, 6-4-108, **repeal** (5)  
7 as follows:

8 **6-4-108. Exemptions.** (5) ~~Nothing in this article shall prohibit or~~  
9 ~~be construed to prohibit:~~

10 (a) ~~The formation of a cooperative health-care agreement that has~~  
11 ~~been approved in whole or in part in accordance with the provisions of~~  
12 ~~part 5 of article 1 of title 25.5, C.R.S.;~~

13 (b) ~~Any conduct or activity reasonably necessary and reasonably~~  
14 ~~foreseeable to implement a board-approved cooperative health-care~~  
15 ~~agreement or a decision or order issued by the cooperative health-care~~  
16 ~~agreements board pursuant to part 5 of article 1 of title 25.5, C.R.S.;~~

17 (c) ~~The negotiation of or entering into any cooperative health-care~~  
18 ~~agreement which is filed with the cooperative health-care agreements~~  
19 ~~board; or~~

20 (d) ~~Community planning, discussions, or negotiations intended in~~  
21 ~~good faith to culminate in a cooperative health-care agreement to be filed~~  
22 ~~with the cooperative health-care agreements board. Such agreements,~~  
23 ~~conduct, or activities shall not be held or construed to be illegal~~  
24 ~~combinations or conspiracies in restraint of trade under this article.~~

25 **SECTION 5.** In Colorado Revised Statutes, 10-1-202, **amend** (7)  
26 as follows:

27 **10-1-202. Definitions.** As used in this part 2, unless the context

1 otherwise requires:

2 (7) "NAIC" or "national association of insurance commissioners"  
3 means the organization of insurance regulators from the fifty states, the  
4 District of Columbia, and the ~~four~~ FIVE United States territories.

5 **SECTION 6.** In Colorado Revised Statutes, 10-1-302, **amend**  
6 (10) as follows:

7 **10-1-302. Definitions.** As used in this part 3, unless the context  
8 otherwise requires:

9 (10) "NAIC" or "national association of insurance commissioners"  
10 means the organization of insurance regulators from the fifty states, the  
11 District of Columbia, and the ~~four~~ FIVE United States territories.

12 **SECTION 7.** In Colorado Revised Statutes, 10-3-801, **amend** (7)  
13 as follows:

14 **10-3-801. Definitions.** As used in this part 8, unless the context  
15 otherwise requires:

16 (7) "NAIC" or "national association of insurance commissioners"  
17 means the organization of insurance regulators from the fifty states, the  
18 District of Columbia, and the ~~four~~ FIVE United States territories.

19 **SECTION 8.** In Colorado Revised Statutes, 10-3-1502, **amend**  
20 (3) as follows:

21 **10-3-1502. Definitions.** As used in this part 15, unless the context  
22 otherwise requires:

23 (3) "NAIC" or "national association of insurance commissioners"  
24 means the organization of insurance regulators from the fifty states, the  
25 District of Columbia, and the ~~four~~ FIVE United States territories.

26 **SECTION 9.** In Colorado Revised Statutes, 10-16-106.3, **amend**  
27 (1) as follows:

1           **10-16-106.3. Uniform claims - billing codes - electronic claim**  
2 **forms.** (1) On or before July 1, 2002, all carriers shall accept the claim  
3 form adopted by the American dental association for use by all dental  
4 providers and carriers in the state, and the FEDERAL centers for medicare  
5 and medicaid services' claim forms CMS-1500 and CMS-1450, otherwise  
6 known as form UB-04, as amended, as the uniform health-care claim  
7 forms for use by all other health-care providers and carriers in the state.  
8 All carriers shall accept such claim forms from health-care providers in  
9 electronic form. A carrier shall not prohibit submission of health-care  
10 claims in hard copy form, nor shall a carrier be prohibited from requiring  
11 that a claim be submitted in hard copy form. A carrier shall not require  
12 submission of a claim on a form other than those set forth in this section,  
13 except as provided in subsection (3) of this section.

14           **SECTION 10.** In Colorado Revised Statutes, 12-10-603, **amend**  
15 (2)(b) as follows:

16           **12-10-603. Board of real estate appraisers - creation -**  
17 **compensation - immunity - legislative declaration - subject to review**  
18 **- repeal of part.** (2) (b) The general assembly finds, determines, and  
19 declares that the organization of the board under the division as a **type 1**  
20 ~~agency~~ ENTITY will provide the autonomy necessary to avoid potential  
21 conflicts of interest between the responsibility of the board in the  
22 regulation of real estate appraisers and the responsibility of the division  
23 in the regulation of real estate brokers and salespersons. The general  
24 assembly further finds, determines, and declares that the placement of the  
25 board as a **type 1** ~~agency~~ ENTITY under the division is consistent with the  
26 organizational structure of state government.

27           **SECTION 11.** In Colorado Revised Statutes, 12-20-202, **amend**

1 (6)(b) and (6)(c) as follows:

2 **12-20-202. Licenses, certifications, and registrations - renewal**  
3 **- reinstatement - fees - occupational credential portability program**  
4 **- temporary authority for military spouses - exceptions for military**  
5 **personnel - rules - consideration of criminal convictions or driver's**  
6 **history - executive director authority - definitions. (6) Executive**  
7 **director authority. (b) Review of examinations and procedures.**

8 Notwithstanding any ENTITY STATUS AS A **type 1 transfer** as such transfer  
9 is defined by the "~~Administrative Organization Act of 1968~~", article 1 of  
10 ~~title 24~~ ENTITY, AS DEFINED IN SECTION 24-1-105, the executive director  
11 may review any examination or procedure for granting a license,  
12 certification, or registration by any regulator prior to the execution of the  
13 examination or procedure. After the review, if the executive director has  
14 reason to believe the examination or procedure is unfair to the applicants  
15 or unreasonable in content, the executive director shall call on five people  
16 licensed, certified, or registered in the occupation or profession to review  
17 the examination or procedure jointly with the executive director. The  
18 executive director and the licensees, certificate holders, or registrants,  
19 acting jointly, may make findings of fact and recommendations to the  
20 regulator concerning any examination or procedure. The findings of fact  
21 and recommendations are public documents.

22 (c) **Employment of administrative law judges.** Notwithstanding  
23 any ENTITY STATUS AS A **type 1 transfer** as such transfer is defined by the  
24 "~~Administrative Organization Act of 1968~~", article 1 of title 24 ENTITY,  
25 AS DEFINED IN SECTION 24-1-105, the executive director may employ an  
26 administrative law judge, and may require any regulator to use an  
27 administrative law judge in lieu of a hearing by the regulator, to conduct

1 hearings on any matter within the jurisdiction of the regulator, subject to  
2 appropriations made to the department of personnel. Administrative law  
3 judges are appointed pursuant to part 10 of article 30 of title 24. An  
4 administrative law judge employed pursuant to this subsection (6)(c) shall  
5 conduct hearings in accordance with section 24-4-105, and the  
6 administrative law judge has the authority specified in section 24-4-105.

7 **SECTION 12.** In Colorado Revised Statutes, 12-30-105, **amend**  
8 (5)(n) as follows:

9 **12-30-105. Nurse-physician advisory task force for Colorado**  
10 **health care - creation - duties - definition - repeal.** (5) The NPATCH  
11 shall prioritize consideration of and make recommendations on the  
12 following topics:

13 (n) Feasibility of temporary candidate licenses for students  
14 nearing the completion of an accredited health-care program. At a  
15 minimum, ~~they~~ THE NPATCH must consider reimbursement, liability, and  
16 health and safety issues in ~~their~~ ITS analysis.

17 **SECTION 13.** In Colorado Revised Statutes, 12-30-108, **repeal**  
18 (4)(b) as follows:

19 **12-30-108. Confidential agreement to limit practice - violation**  
20 **grounds for discipline.** (4) (b) ~~Subsection (1)(a) of this section~~  
21 ~~regarding notification for confidential agreements does not apply to:~~

22 ~~(I) and (H) Repealed.~~

23 **SECTION 14.** In Colorado Revised Statutes, 12-30-110, **amend**  
24 (4)(b) as follows:

25 **12-30-110. Prescribing or dispensing opiate antagonists -**  
26 **authorized recipients - definitions.** (4) (b) A person or entity described  
27 in subsection (1)(a) of this section ~~or a mental health professional~~ acting

1 in accordance with this section is not subject to civil liability or criminal  
2 prosecution, as specified in sections 13-21-108.7 (3) and 18-1-712 (2),  
3 respectively.

4 **SECTION 15.** In Colorado Revised Statutes, 12-30-112, **amend**  
5 (1)(a)(V) as follows:

6 **12-30-112. Health-care providers - required disclosures -**  
7 **balance billing - rules - definitions.** (1) As used in this section and  
8 section 12-30-113:

9 (a) "Ancillary services" means:

10 (V) Any other items and services provided by specialty providers  
11 as established by rule of the commissioner OF INSURANCE.

12 **SECTION 16.** In Colorado Revised Statutes, 13-40-127, **amend**  
13 (9)(a) as follows:

14 **13-40-127. Eviction legal assistance - fund - rules - report -**  
15 **definitions - repeal.** (9) (a) In accordance with section 24-75-229 (4),  
16 three days after June 25, 2021, the state treasurer shall transfer one  
17 million five hundred thousand dollars from the affordable housing and  
18 home ownership cash fund created in section 24-75-229 (3)(a) to the fund  
19 for the purpose of providing legal representation to indigent tenants to  
20 resolve civil legal matters arising on and after March 1, 2020, for an  
21 eviction or impending eviction related to the public health emergency  
22 caused by the COVID-19 public health emergency. The money  
23 transferred to the fund pursuant to this subsection (9)(a) must be  
24 maintained in a separate account and must be used only for the purposes  
25 specified in this subsection (9)(a). Notwithstanding subsection (5)(b) of  
26 this section, the state treasurer shall credit all interest and income derived  
27 from the deposit and investment of money in the account to the state



1 emergency RESERVE CASH fund created in section 24-77-104 (6)(a) in  
2 accordance with section 24-75-226 (4)(c)(II). The general assembly shall  
3 appropriate the money transferred to the fund pursuant to this subsection  
4 (9)(a) to the administrator for use in accordance with this subsection  
5 (9)(a). The administrator shall use the money by December 31, 2024, for  
6 the purposes specified in this subsection (9)(a).

7 **SECTION 17.** In Colorado Revised Statutes, 15-5-504, **amend**  
8 (3)(a) as follows:

9 **15-5-504. Discretionary trusts - effect of standard - definitions.**

10 (3) To the extent a trustee has not complied with a standard of  
11 distribution or has abused a discretion:

12 (a) A distribution may be ordered by the court to satisfy a child  
13 support order to which the beneficiary is an ~~obligee~~ OBLIGOR; and

14 **SECTION 18.** In Colorado Revised Statutes, 16-4-101, **amend**  
15 (1)(b)(IV), (1)(c), and (5) as follows:

16 **16-4-101. Bailable offenses - definitions.** (1) All persons shall  
17 be bailable by sufficient sureties except:

18 (b) When, after a hearing held within ninety-six hours of arrest  
19 and upon reasonable notice, the court finds that the proof is evident or the  
20 presumption is great as to the crime alleged to have been committed and  
21 finds that the public would be placed in significant peril if the accused  
22 were released on bail and such person is accused in any of the following  
23 cases:

24 (IV) A crime of possession of a weapon by a previous offender  
25 alleged to have been committed in violation of section 18-12-108 (2)(b),  
26 (2)(c), (4)(b), (4)(c), or (5), ~~C.R.S.~~ AS THOSE PROVISIONS EXISTED PRIOR  
27 TO THEIR REPEAL ON MARCH 1, 2022;

1 (c) When a person has been convicted of a crime of violence or a  
2 crime of possession of a weapon by a previous offender, as described in  
3 section 18-12-108 (2)(b), (2)(c), (4)(b), (4)(c), or (5), ~~C.R.S.~~ AS THOSE  
4 PROVISIONS EXISTED PRIOR TO THEIR REPEAL ON MARCH 1, 2022, at the  
5 trial court level and such person is appealing such conviction or awaiting  
6 sentencing for such conviction and the court finds that the public would  
7 be placed in significant peril if the convicted person were released on  
8 bail.

9 (5) When a person is arrested for a crime of violence, as defined  
10 in section 16-1-104 (8.5), or a criminal offense alleging the use or  
11 possession of a deadly weapon or the causing of bodily injury to another  
12 person, or a criminal offense alleging the possession of a weapon by a  
13 previous offender, as described in section 18-12-108 (2)(b), (2)(c), (4)(b),  
14 (4)(c), or (5), ~~C.R.S.~~ AS THOSE PROVISIONS EXISTED PRIOR TO THEIR  
15 REPEAL IN 2022, and such person is on parole, the law enforcement  
16 agency making the arrest shall notify the department of corrections within  
17 twenty-four hours. The person so arrested shall not be eligible for bail to  
18 be set until at least seventy-two hours from the time of his or her arrest  
19 has passed.

20 **SECTION 19.** In Colorado Revised Statutes, 16-4-201.5, **amend**  
21 (1)(f) as follows:

22 **16-4-201.5. Right to bail after a conviction - exceptions.**

23 (1) The court may grant bail after a person is convicted, pending  
24 sentencing or appeal, only as provided by this part 2; except that no bail  
25 is allowed for persons convicted of:

26 (f) A crime of possession of a weapon by a previous offender, as  
27 described in section 18-12-108 (2)(b), (2)(c), (4)(b), (4)(c), or (5), AS

1 THOSE PROVISIONS EXISTED PRIOR TO THEIR REPEAL ON MARCH 1, 2022;

2 **SECTION 20.** In Colorado Revised Statutes, 17-26-109, **amend**

3 (1)(f)(I) as follows:

4 **17-26-109. Deductions of time - record keeping - forfeitures -**

5 **definition.** (1) Every person who is sentenced to and imprisoned in any

6 county jail of this state who performs faithfully the duties assigned to him

7 or her and conducts himself or herself in accordance with the rules of the

8 jail earns deductions from the time of his or her sentence as follows:

9 (f) (I) In addition to the deductions described in subsections

10 (1)(a), (1)(b), ~~(1)(c), and (1)(d)~~ AND (1)(c) of this section, an inmate may

11 receive a three-day maximum deduction when the inmate takes an

12 unusual or extraordinary action, as determined by the county sheriff. This

13 deduction may be granted on an incident-by-incident basis. ~~and is not~~

14 ~~subject to the deduction cap described in subsection (1)(c) of this section.~~

15 **SECTION 21.** In Colorado Revised Statutes, 17-26-140, **amend**

16 (1)(b) as follows:

17 **17-26-140. Continuity of care for persons released from jail.**

18 (1) If a person is treated for a substance use disorder at any time during

19 the person's incarceration, the county jail shall, at a minimum, conduct the

20 following before releasing the person from the county jail's custody:

21 (b) Provide a list of available substance use providers, to the

22 extent the BEHAVIORAL HEALTH administration in the department of

23 human services has such a list available;

24 **SECTION 22.** In Colorado Revised Statutes, 18-1.9-104, **amend**

25 (2)(b) introductory portion as follows:

26 **18-1.9-104. Task force concerning the treatment of persons**

27 **with behavioral health disorders in the criminal and juvenile justice**

1 **systems - creation - membership - duties. (2) Membership - terms.**

2 (b) The following executive branch agencies, divisions, and offices shall  
3 appoint or reappoint from the previous task force ~~eleven~~ TWELVE  
4 members. Nothing in this section prohibits the executive branch agencies  
5 listed from appointing members who served on the previous task force.  
6 The following executive branch agencies shall appoint a representative  
7 on or before August 1, 2022:

8 **SECTION 23.** In Colorado Revised Statutes, 19-3-508, **amend**  
9 (1)(d)(I) as follows:

10 **19-3-508. Neglected or dependent child - disposition -**  
11 **concurrent planning.** (1) When a child has been adjudicated to be  
12 neglected or dependent, the court may enter a decree of disposition the  
13 same day, but in any event it shall do so within forty-five days unless the  
14 court finds that the best interests of the child will be served by granting  
15 a delay. In a county designated pursuant to section 19-1-123, if the child  
16 is under six years of age at the time a petition is filed in accordance with  
17 section 19-3-501 (2), the court shall enter a decree of disposition within  
18 thirty days after the adjudication and shall not grant a delay unless good  
19 cause is shown and unless the court finds that the best interests of the  
20 child will be served by granting the delay. It is the intent of the general  
21 assembly that the dispositional hearing be held on the same day as the  
22 adjudicatory hearing, whenever possible. If a delay is granted, the court  
23 shall set forth the reasons why a delay is necessary and the minimum  
24 amount of time needed to resolve the reasons for the delay and shall  
25 schedule the hearing at the earliest possible time following the delay.  
26 When the proposed disposition is termination of the parent-child legal  
27 relationship, the hearing on termination must not be held on the same date

1 as the adjudication, and the time limits set forth above for dispositional  
2 hearings do not apply. When the proposed disposition is termination of  
3 the parent-child legal relationship, the court may continue the  
4 dispositional hearing to the earliest available date for a hearing in  
5 accordance with the provisions of subsection (3)(a) of this section and  
6 part 6 of this article 3. When the decree does not terminate the  
7 parent-child legal relationship, the court shall approve an appropriate  
8 treatment plan that must include but not be limited to one or more of the  
9 following provisions of subsections (1)(a) to (1)(d) of this section:

10 (d) (I) The court may order that the child be examined or treated  
11 by a physician, surgeon, psychiatrist, or psychologist or that the child  
12 receive other special care and may place the child in a hospital or other  
13 suitable facility for such purposes; except that the child may not be placed  
14 in a mental health facility operated by the department of human services  
15 until the child has received a behavioral or mental health disorder  
16 prescreening resulting in a recommendation that the child be placed in a  
17 facility for evaluation pursuant to section 27-65-106, or a hearing has  
18 been held by the court after notice to all parties, including the department  
19 of human services. An order for an emergency mental health hold must  
20 not be entered unless a hearing is held and evidence indicates that the  
21 prescreening report is inadequate, incomplete, or incorrect and that  
22 competent professional evidence is presented by a mental health  
23 professional that indicates that a behavioral or mental health disorder is  
24 present in the child. The court shall make, prior to the hearing, such  
25 orders regarding temporary custody of the child as are deemed  
26 appropriate. ~~described in section 27-65-106 or a voluntary application for~~  
27 ~~mental health services pursuant to section 27-65-103 or 27-65-104. The~~

1 arrangements for care must be completed through the crisis response  
2 system or prearranged partnerships with other crisis intervention services.

3 **SECTION 24.** In Colorado Revised Statutes, 19-3.3-111, **amend**  
4 (1)(d) and (3)(a)(VII)(F) as follows:

5 **19-3.3-111. Task force to prevent youth from running from**  
6 **out-of-home placement - creation - membership - duties - report -**  
7 **definitions - repeal.** (1) As used in this section, unless the context  
8 otherwise requires:

9 (d) "Out-of-home placement" means placement in a residential  
10 child care facility or foster care home, as each is defined in section  
11 ~~26-6-102~~ 26-6-903.

12 (3) (a) The task force consists of the following members:

13 (VII) The following members, appointed by the child protection  
14 ombudsman:

15 (F) A representative of a statewide association that represents  
16 child placement agencies, as defined in section ~~26-6-102~~ 26-6-903;

17 **SECTION 25.** In Colorado Revised Statutes, 19-5-303, **amend**  
18 (1) introductory portion as follows:

19 **19-5-303. Commission created - duties.** (1) There is created in  
20 the department the adoption intermediary commission, referred to in this  
21 section as the "commission", which consists of thirteen members. The  
22 commission is a **type 1** entity, as defined in section 24-1-105, and  
23 exercises its powers and performs the duties and functions specified by  
24 this part 3 under the ~~department:~~ DEPARTMENT. REPRESENTATION AND  
25 APPOINTMENT OF SUCH MEMBERS SHALL BE AS FOLLOWS:

26 **SECTION 26.** In Colorado Revised Statutes, 22-7-1015, **repeal**  
27 (4)(g); and **add** (5) as follows:

1           **22-7-1015. Postsecondary and workforce readiness program**  
2   **- technical assistance - appropriation - repeal.** (4) The department of  
3 education, the department of higher education, and the state institutions  
4 of higher education, upon request, shall provide support to local  
5 education providers in implementing postsecondary and workforce  
6 readiness. Beginning with the 2009-10 budget year, the department of  
7 education and the department of higher education may include in their  
8 annual budget requests an amount necessary to offset the costs incurred  
9 in complying with this section. Support may include, but need not be  
10 limited to:

11           ~~(g) For the 2022-23 state fiscal year, the general assembly shall~~  
12 ~~appropriate to the department twenty-five thousand dollars from the~~  
13 ~~general fund for the programs described in subsection (4)(f) of this~~  
14 ~~section. Any unexpended money remaining at the end of the 2022-23 state~~  
15 ~~fiscal year from this appropriation:~~

- 16           ~~(I) Does not revert to the general fund or any other fund;~~
- 17           ~~(II) May be used by the department in the 2023-24 or 2024-25~~  
18 ~~state fiscal year without further appropriation; and~~
- 19           ~~(III) Must not be used for any other purpose other than the~~  
20 ~~purposes set forth in subsection (4)(f) of this section.~~

21           (5) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL  
22 ASSEMBLY SHALL APPROPRIATE TO THE DEPARTMENT TWENTY-FIVE  
23 THOUSAND DOLLARS FROM THE GENERAL FUND FOR THE PROGRAMS  
24 DESCRIBED IN SUBSECTION (4)(f) OF THIS SECTION. ANY UNEXPENDED  
25 MONEY REMAINING AT THE END OF THE 2022-23 STATE FISCAL YEAR FROM  
26 THIS APPROPRIATION:

- 27           (I) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND;

1 (II) MAY BE USED BY THE DEPARTMENT IN THE 2023-24 OR  
2 2024-25 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION; AND

3 (III) MUST NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN  
4 THE PURPOSES SET FORTH IN SUBSECTION (4)(f) OF THIS SECTION.

5 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2026.

6 **SECTION 27.** In Colorado Revised Statutes, 22-30.5-513,  
7 **amend** (2)(b.5) as follows:

8 **22-30.5-513. Institute charter schools - funding - at-risk**  
9 **supplemental aid - legislative declaration - definitions.** (2) (b.5) For  
10 purposes of calculating an institute charter school's funding pursuant to  
11 this subsection (2):

12 ~~(A)~~ (I) If the institute charter school operates a full-day  
13 kindergarten educational program, the pupils enrolled in the program are  
14 counted as full-day pupils; except that a student enrolled as less than a  
15 full-time pupil is counted in accordance with rules promulgated by the  
16 state board; and

17 ~~(B)~~ (II) If the institute charter school operates a half-day  
18 kindergarten educational program, the pupils enrolled in the program are  
19 counted as half-day pupils and the number of pupils enrolled in the  
20 institute charter school must include the supplemental kindergarten  
21 enrollment as defined in section 22-54-103 (15).

22 **SECTION 28.** In Colorado Revised Statutes, **amend** 23-1-121.2  
23 as follows:

24 **23-1-121.2. Department directive - educator preparation**  
25 **pathways - public information.** By October 1, 2020, the department  
26 shall post on the department website a description of each of the existing  
27 programs and pathways that lead to teacher licensure, including



1 alternative teacher preparation programs approved pursuant to article 60.5  
2 of title 22, teacher preparation programs approved pursuant to section  
3 23-1-121, teacher residency programs, student teacher programs,  
4 concurrent enrollment programs, teacher cadet programs, ~~grow your own~~  
5 ~~educator programs established pursuant to section 22-60.5-208.5~~, and the  
6 teaching fellowship programs created pursuant to part 3 of article 78 of  
7 this title 23. The department shall annually update the descriptions of  
8 programs and pathways.

9           **SECTION 29.** In Colorado Revised Statutes, 23-3.3-1005,  
10 **amend** (8)(a) as follows:

11           **23-3.3-1005. Colorado opportunity scholarship initiative fund**  
12 **- created - rules - repeal.** (8) (a) Notwithstanding subsection (2) of this  
13 section, the state treasurer shall credit all interest and income derived  
14 from the deposit and investment of money appropriated to the fund  
15 pursuant to subsections (6)(a) and (7)(a) of this section to the state  
16 emergency RESERVE CASH fund created in section 24-77-104 (6)(a) in  
17 accordance with section 24-75-226 (4)(c)(II).

18           **SECTION 30.** In Colorado Revised Statutes, 23-31-313, **amend**  
19 (9.7)(f) as follows:

20           **23-31-313. Healthy forests - vibrant communities - funds**  
21 **created - outreach working group - definitions - legislative**  
22 **declaration - repeal.** (9.7) **Wildfire mitigation resources and best**  
23 **practices grant program.** (f) On or before September 1, 2025, and on  
24 or before September 1 each year thereafter for the duration of the grant  
25 program, the forest service shall submit a report to the wildfire matters  
26 review committee, or any successor committee, on the grant program.  
27 Notwithstanding section 24-1-136 (11)(a)(I), the reporting requirement

1 continues until the grant program is repealed pursuant to ~~subsection (9)~~  
2 SUBSECTION (9.7)(h) of this section.

3 **SECTION 31.** In Colorado Revised Statutes, 24-1-120.5, **amend**  
4 (3) and (4) as follows:

5 **24-1-120.5. Department of early childhood - creation.** (3) The  
6 ~~powers, duties, and functions of the~~ Colorado child abuse prevention  
7 board, created in section 26.5-3-204, ~~are transferred by a type 2 transfer~~  
8 ~~to~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES  
9 ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER the  
10 department of early childhood.

11 (4) The ~~powers, duties, and functions relating to the~~ Colorado  
12 child care assistance program, as described in part 1 of article 4 of title  
13 26.5, ~~are transferred by a type 2 transfer to~~ IS A **TYPE 2** ENTITY, AS  
14 DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS  
15 ITS DUTIES AND FUNCTIONS UNDER the department of early childhood.

16 **SECTION 32.** In Colorado Revised Statutes, 24-31-1204, **amend**  
17 (3)(b)(II) as follows:

18 **24-31-1204. Civil actions for false claims - claims for**  
19 **retaliation - definitions.** (3) **Actions by private persons.** (b) (II) In  
20 determining whether to intervene and proceed with an action pursuant to  
21 this subsection (3)(b), the attorney general shall consider the factors  
22 described in ~~subsection (1)(d)~~ SUBSECTION (1)(b) of this section. The  
23 attorney general's decision-making process concerning whether to  
24 intervene and any records related to the decision-making process are not  
25 discoverable in any action.

26 **SECTION 33.** In Colorado Revised Statutes, 24-32-104, **amend**  
27 (5) as follows:

1           **24-32-104. Functions of the division - interconnectivity grant**  
2 **program - interconnectivity grant program fund - reporting -**  
3 **definition.** (5) The division shall consult with the division of housing  
4 created in section 24-32-704 in connection with the creation and  
5 administration of the housing toolkit program in accordance with section  
6 ~~24-32-721.5 (2)(a)~~ 24-32-721.7 (2)(a).

7           **SECTION 34.** In Colorado Revised Statutes, 24-32-721, **amend**  
8 (1) and (6) as follows:

9           **24-32-721. Colorado affordable housing construction grants**  
10 **and loans - housing development grant fund - creation - housing**  
11 **assistance for persons with behavioral, mental health, or substance**  
12 **use disorders - cash fund - appropriation - report to general assembly**  
13 **- rules - definitions - repeal.** (1) There is hereby created in the state  
14 treasury the housing development grant fund, which fund is administered  
15 by the division and is referred to in this section as the "fund". The fund  
16 consists of money credited to the fund in accordance with section  
17 39-26-123 (3)(b); money transferred to the fund in accordance with  
18 section 24-22-118 (2); money appropriated to the fund by the general  
19 assembly; all money transferred to the fund from the marijuana tax cash  
20 fund created in section 39-28.8-501 (1) and any other cash fund  
21 maintained by the state; all money transferred to the fund from the general  
22 fund pursuant to subsection (6) of this section; all money collected by the  
23 division for purposes of this section from federal grants, from other  
24 contributions, gifts, grants, and donations received from any other  
25 organization, entity, or individual, public or private; and from any fees or  
26 interest earned on such money. The division is hereby authorized and  
27 directed to solicit, accept, expend, and disburse all money collected for

1 the fund from the sources specified in this subsection (1) for the purpose  
2 of making grants, loans, or other forms of assistance that may be awarded  
3 under section ~~24-32-721.5~~ 24-32-721.7 and for program administration  
4 as provided in this section. All such money must be transmitted to the  
5 state treasurer to be credited to the fund. The money in the fund is  
6 continuously appropriated to the division for the purposes of this section.

7 (6) On June 27, 2021, the state treasurer shall transfer one million  
8 six hundred thousand dollars from the general fund to the housing  
9 development grant fund created in subsection (1) of this section. The  
10 division shall use the money transferred pursuant to this subsection (6) for  
11 the affordable housing guided toolkit and local officials guide program  
12 created in section ~~24-32-721.5~~ 24-32-721.7.

13 **SECTION 35.** In Colorado Revised Statutes, 24-33-111, **amend**  
14 (2)(a)(I)(A) as follows:

15 **24-33-111. Conservation of native species - fund created.**

16 (2) **Species conservation trust fund - creation.** (a) (I) (A) There is  
17 hereby created in the state treasury the species conservation trust fund,  
18 which is subject to annual authorization by the general assembly to carry  
19 out the purposes of this section. The fund consists of all money  
20 transferred by the treasurer as specified in subsection (2)(a)(I)(B) of this  
21 section and all money appropriated to the fund pursuant to section  
22 ~~39-29-109 (1)(g)(I)(A)~~ 39-29-109.3 (1)(g)(I). All income derived from  
23 the deposit and investment of money in the fund is credited to the fund.  
24 At the end of any fiscal year, all unexpended money in the fund remains  
25 in the fund and shall not be credited or transferred to the general fund or  
26 any other fund. To the maximum extent practical, only interest from the  
27 fund shall be expended for activities pursuant to this section.

1           **SECTION 36.** In Colorado Revised Statutes, 24-33.5-424,  
2   **amend** (3)(a) as follows:

3           **24-33.5-424. National instant criminal background check**  
4   **system - state point of contact - fee - grounds for denial of firearm**  
5   **transfer - appeal - rule-making - unlawful acts - instant criminal**  
6   **background check cash fund - creation.** (3) (a) The bureau, acting as  
7   the state point of contact for implementation of 18 U.S.C. sec. 922 (t),  
8   shall transmit a request for a background check in connection with the  
9   prospective transfer of a firearm to the NICS system and may also search  
10   other databases. The bureau shall deny a transfer of a firearm to a  
11   prospective transferee if the transfer would violate 18 U.S.C. sec. 922 (g)  
12   or (n) or result in the violation of any provision of state law ~~including but~~  
13   ~~not limited to section 18-12-108 (4)(c), C.R.S.;~~ involving acts which, if  
14   committed by an adult, would constitute a burglary, arson, or any felony  
15   involving the use of force or the use of a deadly weapon.

16           **SECTION 37.** In Colorado Revised Statutes, 24-37.5-903,  
17   **amend** (1) as follows:

18           **24-37.5-903. Colorado broadband office - creation -**  
19   **responsibilities - gifts, grants, or donations.** (1) The Colorado  
20   broadband office is hereby created in the office. The Colorado broadband  
21   office ~~shall exercise~~ IS A **TYPE 1** ENTITY AND EXERCISES its powers and  
22   ~~perform~~ PERFORMS its duties and functions under the office. ~~as if the~~  
23   ~~Colorado broadband office were transferred to the office by a type 1~~  
24   ~~transfer as defined in section 24-1-105.~~

25           **SECTION 38.** In Colorado Revised Statutes, 24-72-703, **amend**  
26   (9)(b) as follows:

27           **24-72-703. Sealing of records - general provisions - order**

1 **applicability - discovery and advisements. (9) Advisements.** (b) In  
2 addition to, and not in lieu of, the requirement described in subsection  
3 (9)(a) of this section:

4 (I) If a defendant is sentenced to probation following a conviction  
5 for an offense described in sections 24-72-706 to 24-72-708, the  
6 probation department, upon the termination of the defendant's probation,  
7 shall provide the defendant with a written advisement of his or her rights  
8 concerning the sealing of his or her conviction records pursuant to this  
9 section if he or she complies with the applicable provisions of this  
10 section; or

11 (II) If a defendant is released on parole following a conviction for  
12 an offense described in sections 24-72-706 to 24-72-708, the defendant's  
13 parole officer, upon the termination of the defendant's parole, shall  
14 provide the defendant with a written advisement of his or her rights  
15 concerning the sealing of his or her conviction records pursuant to this  
16 section if he or she complies with the applicable provisions of this  
17 section.

18 ~~(VIII) A prosecuting attorney's access to records pursuant to this~~  
19 ~~subsection (2) does not require a court order.~~

20 **SECTION 39.** In Colorado Revised Statutes, 24-75-229, **amend**  
21 (3)(a) as follows:

22 **24-75-229. Affordable housing and home ownership cash fund**  
23 **- creation - allowable uses - task force - legislative declaration -**  
24 **definitions - repeal.** (3) (a) The affordable housing and home ownership  
25 cash fund is hereby created in the state treasury. The fund consists of  
26 money deposited in the fund in accordance with subsection (3)(b) of this  
27 section and any other money that the general assembly may appropriate

1 or transfer to the fund. To respond to the public health emergency with  
2 respect to COVID-19 or its negative economic impacts or for the  
3 provision of government services, the general assembly may appropriate  
4 or transfer money from the fund to a department or cash fund for  
5 programs or services that benefit populations, households, or geographic  
6 areas disproportionately affected by the COVID-19 public health  
7 emergency to obtain affordable housing, focusing on programs or services  
8 that address housing insecurity, lack of affordable and workforce housing,  
9 or homelessness. Money from the fund may be expended to support the  
10 task force ~~created in subsection (5)(a)~~ PURSUANT TO SUBSECTION (6)(a)  
11 of this section. Permissible uses of such money include costs associated  
12 with the creation and administration of the task force and related expenses  
13 for research and evaluation undertaken by the task force.

14 **SECTION 40.** In Colorado Revised Statutes, 25-1.5-115.5,  
15 **amend** (1) introductory portion, (2), (3), and (4) as follows:

16 **25-1.5-115.5. Fentanyl prevention and education campaign -**  
17 **website.** (1) Subject to available appropriations, beginning in the  
18 2022-23 state fiscal year, the department shall develop, implement, and  
19 maintain an ongoing statewide prevention and education campaign to  
20 address the fentanyl education needs in the state. In the prevention and  
21 education campaign, the PREVENTION SERVICES division shall provide  
22 information to the general public about fentanyl, its dangers,  
23 precautionary measures to avoid risks and prevent harm caused by  
24 fentanyl, resources for addiction treatment and services, and laws  
25 regarding fentanyl, including criminal penalties and immunity for  
26 reporting an overdose event pursuant to section 18-1-711. Any  
27 unexpended money remaining at the end of the 2022-23 state fiscal year

1 from this appropriation:

2 (2) In furtherance of the goals of the fentanyl prevention and  
3 education campaign, the PREVENTION SERVICES division may use  
4 television advertising, radio broadcasts, print media, digital strategies, or  
5 any other media deemed necessary and appropriate by the division to  
6 reach the target audiences of the campaign.

7 (3) In furtherance of the goals of the fentanyl prevention and  
8 education campaign, the PREVENTION SERVICES division shall provide at  
9 least five regional training sessions during the 2022-23 state fiscal year  
10 for community partners to implement youth health development  
11 strategies.

12 (4) In furtherance of the goals of the fentanyl prevention and  
13 education campaign, the PREVENTION SERVICES division shall develop,  
14 implement, and maintain a website to serve as the state resource for the  
15 most accurate and timely information regarding fentanyl. At a minimum,  
16 the website must include information concerning fentanyl, its dangers,  
17 precautionary measures to avoid risks and prevent harm caused by  
18 fentanyl, resources for addiction treatment and services, and laws  
19 regarding fentanyl, including criminal penalties and immunity for  
20 reporting an overdose event pursuant to section 18-1-711.

21 **SECTION 41.** In Colorado Revised Statutes, 25-7-105, **amend**  
22 (1)(e)(X.4) as follows:

23 **25-7-105. Duties of commission - technical secretary - rules -**  
24 **legislative declaration - definitions.** (1) Except as provided in sections  
25 25-7-130 and 25-7-131, the commission shall promulgate rules that are  
26 consistent with the legislative declaration set forth in section 25-7-102  
27 and necessary for the proper implementation and administration of this



1 article 7, including:

2 (e) (X.4) No later than September 1, 2022, the commission shall  
3 propose rules establishing recovered methane protocols, as that term is  
4 defined in section ~~40-3.2-108 (2)(q)~~ 40-3.2-108 (2)(p), for at least  
5 inactive coal mines, biomethane as that term is defined in section  
6 40-3.2-108 (2)(a), and gas system leaks, and a crediting and tracking  
7 system for recovered methane as that term is defined in section  
8 ~~40-3.2-108 (2)(o)~~ 40-3.2-108 (2)(n). The commission shall adopt the rules  
9 no later than February 1, 2023. The rule-making proceeding is subject to  
10 the procedural requirements of this subsection (1)(e).

11 **SECTION 42.** In Colorado Revised Statutes, **amend** 25-7-125 as  
12 follows:

13 **25-7-125. Organization within department of public health**  
14 **and environment.** The air quality control commission, together with the  
15 technical secretary under said commission, ~~shall exercise~~ IS A **TYPE 1**  
16 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and  
17 ~~perform~~ PERFORMS its duties and functions specified in this article ~~in~~  
18 UNDER the department of public health and environment. ~~as if the same~~  
19 ~~were transferred to the department by a type 1 transfer, as such transfer~~  
20 ~~is defined in the "Administrative Organization Act of 1968", article 1 of~~  
21 ~~title 24, C.R.S.~~

22 **SECTION 43.** In Colorado Revised Statutes, 25-8-901, **amend**  
23 (1) introductory portion, (1)(b), and (5) as follows:

24 **25-8-901. Definitions.** As used in this part 9, unless the context  
25 otherwise requires:

26 (1) "Child care center" has the meaning set forth in section  
27 ~~26-6-102 (5)~~ 26-6-903 (5); except that "child care center" does not

1 include:

2 (b) A children's resident camp, as defined in section ~~26-6-102~~(8)  
3 26.5-5-303 (5).

4 (5) "Family child care home" has the meaning set forth in section  
5 ~~26-6-102~~(13) 26.5-5-303 (7).

6 **SECTION 44.** In Colorado Revised Statutes, 25.5-2-104, **amend**  
7 (4) as follows:

8 **25.5-2-104. State-funded health and medical care.** (4) State  
9 medical assistance must be funded by state funds only, except to the  
10 extent federal funds are made available through express written  
11 authorization through a federal waiver, state plan amendment, or  
12 otherwise, by the FEDERAL centers for medicare and medicaid services.

13 **SECTION 45.** In Colorado Revised Statutes, 25.5-4-203, **amend**  
14 (1)(a) as follows:

15 **25.5-4-203. Advisory council established.** (1) There is created  
16 the state medical assistance and services advisory council, referred to in  
17 this article 4 as the "advisory council", consisting of sixteen members, as  
18 follows:

19 (a) The executive director of the state department and the  
20 executive director of the department of PUBLIC health AND ENVIRONMENT,  
21 the executive directors' designees, or the executive directors' successors  
22 in function, as ex officio members; and

23 **SECTION 46.** In Colorado Revised Statutes, 25.5-4-301, **amend**  
24 (14)(b) as follows:

25 **25.5-4-301. Recoveries - overpayments - penalties - interest -**  
26 **adjustments - liens - review or audit procedures.** (14) Notwithstanding  
27 any provision of this section to the contrary:

1 (b) A provider enrolled in the medicaid program shall permit the  
2 FEDERAL centers for medicare and medicaid services or its agent or  
3 designated contractors and the state department or its agent to conduct  
4 unannounced, on-site inspections of any and all provider locations.  
5 Payment for any agent designated by the state department to perform  
6 on-site inspections shall not be based on any recoveries paid to the state  
7 department by a provider for violations discovered as a result of the  
8 on-site inspection.

9 **SECTION 47.** In Colorado Revised Statutes, 25.5-4-401.2,  
10 **amend** (3) introductory portion as follows:

11 **25.5-4-401.2. Performance-based payments - reporting -**  
12 **repeal.** (3) On or before November 1, 2017, and on or before November  
13 1 each year thereafter, the state department shall submit a report to the  
14 joint budget committee, the public health care and human services  
15 committee of the house of representatives, and the health and human  
16 services committee of the senate, or any successor committees, describing  
17 rules adopted by the state board and contract provisions approved by the  
18 FEDERAL centers for medicare and medicaid services in the preceding  
19 calendar year that authorize payments to providers based on performance.  
20 Notwithstanding the provisions of section 24-1-136 (11)(a)(I), the report  
21 required pursuant to this subsection (3) continues indefinitely. The report  
22 must include, at a minimum:

23 **SECTION 48.** In Colorado Revised Statutes, 25.5-4-402, **amend**  
24 (3)(a) as follows:

25 **25.5-4-402. Providers - hospital reimbursement - hospital**  
26 **review program - rules.** (3) (a) In addition to the reimbursement rate  
27 process described in subsection (1) of this section and subject to adequate

1 funding being made available pursuant to section 25.5-4-402.4, the  
2 Colorado healthcare affordability and sustainability enterprise created in  
3 section 25.5-4-402.4 (3) shall pay an additional amount based upon  
4 performance to those hospitals that provide services that improve  
5 health-care outcomes for their patients. The state department shall  
6 determine this amount based upon nationally recognized performance  
7 measures established in rules adopted by the state board. The state quality  
8 standards must be consistent with federal quality standards published by  
9 an organization with expertise in health-care quality, including but not  
10 limited to, the FEDERAL centers for medicare and medicaid services, the  
11 agency for healthcare research and quality, or the national quality forum.

12 **SECTION 49.** In Colorado Revised Statutes, 25.5-4-505, **amend**  
13 (1) as follows:

14 **25.5-4-505. Federal authorization related to persons involved**  
15 **in the criminal justice system - assessment - report - repeal.** (1) The  
16 state department shall evaluate and determine whether the state should  
17 seek additional federal authority to provide screening, brief intervention,  
18 and care coordination services through the medical assistance program to  
19 persons immediately prior to release from jail or a department of  
20 corrections facility and to improve processes for determining and  
21 redetermining individuals for medical assistance eligibility in order to  
22 improve continuity and access to health-care services. If the state  
23 department determines that securing additional federal authority will  
24 ensure improved access to care and continuity of care for individuals  
25 involved in the criminal justice system, the state department shall, subject  
26 to available resources, seek approval from the FEDERAL centers for  
27 medicare and medicaid services for any additional federal authority. If the

1 state department seeks approval, it shall notify the members of the house  
2 of representatives public and behavioral health and human services  
3 committee and the senate health and human services committee, or their  
4 successor committees, and the members of the joint budget committee of  
5 the general assembly. If the state department receives federal approval,  
6 the state department, subject to available resources, shall provide the  
7 benefits described in this subsection (1).

8 **SECTION 50.** In Colorado Revised Statutes, 25.5-5-308, **amend**  
9 (2)(a)(I)(B), (4)(b)(II)(B), and (5)(b) as follows:

10 **25.5-5-308. Breast and cervical cancer prevention and**  
11 **treatment program - creation - legislative declaration - definitions -**  
12 **funds - repeal.** (2) As used in this section, unless the context otherwise  
13 requires:

14 (a) "Eligible person" means a person who:

15 (I) (B) Has been screened for breast or cervical cancer by any  
16 provider, within the provider's scope of practice, who does not receive  
17 funds through the FEDERAL centers for disease control and prevention's  
18 national breast and cervical cancer early detection program but whose  
19 screening activities are recognized by the department of public health and  
20 environment as part of screening activities under the centers for disease  
21 control and prevention's national breast and cervical cancer early  
22 detection program;

23 (4) (b) Benefits for medical assistance to an eligible person shall  
24 also be available for the following period of presumptive eligibility:

25 (II) Such period of presumptive eligibility shall end with the  
26 earlier of:

27 (B) If the eligible person does not file a simplified application for

1 medical assistance developed by the state department and approved by the  
2 FEDERAL centers for medicare and medicaid services on or before the last  
3 day of the month following the month during which the eligible person  
4 was found to be qualified for services under this section, then benefits  
5 shall end on such last day.

6 (5) The state department shall have the following powers and  
7 duties:

8 (b) To amend the state's medical assistance plan to incorporate the  
9 breast and cervical cancer prevention and treatment program. The state  
10 department shall submit such proposed amendment to the FEDERAL  
11 centers for medicare and medicaid services regional office for approval.

12 **SECTION 51.** In Colorado Revised Statutes, 25.5-5-323, **amend**  
13 (3)(d) introductory portion as follows:

14 **25.5-5-323. Complex rehabilitation technology - no prior**  
15 **authorization - metrics - report - rules - legislative declaration -**  
16 **definitions.** (3) The state department shall provide a separate recognition  
17 within the state's medicaid program established under articles 4, 5, and 6  
18 of this title for complex rehabilitation technology and shall make other  
19 required changes to protect client access to appropriate products and  
20 services. Such separate recognition must take into consideration the  
21 customized nature of complex rehabilitation technology and the broad  
22 range of related services necessary to meet the unique medical and  
23 functional needs of clients and include the following:

24 (d) Continuing pricing policies for complex rehabilitation  
25 technology, unless specifically prohibited by the FEDERAL centers for  
26 medicare and medicaid services, including the following:

27 **SECTION 52.** In Colorado Revised Statutes, 25.5-6-409.3,

1 **amend** (2) and (4) as follows:

2 **25.5-6-409.3. Consolidated waiver - intellectual and**  
3 **developmental disabilities - conflict-free case management -**  
4 **legislative declaration - repeal.** (2) The state department shall establish  
5 a redesigned medicaid waiver for home- and community-based services  
6 for adults with intellectual and developmental disabilities, effective July  
7 1, 2016, or as soon as the FEDERAL centers for medicare and medicaid  
8 services approves the redesigned waiver.

9 (4) The state department shall notify the joint budget committee  
10 no later than June 1, 2016, if the FEDERAL centers for medicare and  
11 medicaid services has not approved a single consolidated medicaid  
12 waiver for home- and community-based services for adults with  
13 intellectual and developmental disabilities. If the state department has not  
14 received approval from the FEDERAL centers for medicare and medicaid  
15 services by July 1, 2016, the joint budget committee shall establish a  
16 notification and review process relating to the status of the pending  
17 waiver consolidation process.

18 **SECTION 53.** In Colorado Revised Statutes, 26-5-102, **amend**  
19 (3)(b) introductory portion as follows:

20 **26-5-102. Provision of child welfare services - system reform**  
21 **goals - out-of-home placements for children and youth with**  
22 **intellectual and developmental disabilities - reporting - rules -**  
23 **definition.** (3) (b) The state department shall promulgate rules  
24 concerning the placement of children or youth in the program. The rules  
25 must include, but need not be limited to, quality assurance monitoring,  
26 admissions, discharge planning, appropriate length of stay, and an appeals  
27 process for children or youth who are determined to be ineligible for the

1 program or who are being removed from the program before meeting  
2 discharge criteria, as defined by the child's or youth's treatment plan, and  
3 without the consent of a parent, legal guardian, or county department. The  
4 rules regarding the appeals process must include access to the  
5 interdisciplinary appeals review panel, referenced in section ~~26-6-106(3)~~  
6 26.5-5-314 (5). For an appeal pursuant to this subsection (3)(b), the panel  
7 shall include the members appointed pursuant to section ~~26-6-106(3)~~  
8 26.5-5-314 (5) and, at a minimum:

9 **SECTION 54.** In Colorado Revised Statutes, 26-6-905, **amend**  
10 (10) as follows:

11 **26-6-905. Licenses - out-of-state notices and consent -**  
12 **demonstration pilot program - definition - rules.** (10) The state  
13 department shall not issue a license to operate a residential or day  
14 treatment child care facility, foster care home, or child placement agency  
15 if the person applying for the license or an affiliate of the applicant, a  
16 person employed by the applicant, or a person who resides with the  
17 applicant at the facility has been determined to be insane or mentally  
18 incompetent by a court of competent jurisdiction and, if the court enters,  
19 pursuant to part 3 or part 4 of article 14 of title 15, or section ~~27-65-109~~  
20 ~~(4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the  
21 mental incompetency or insanity is of such a degree that the applicant is  
22 incapable of operating a residential or day treatment child care facility,  
23 foster care home, or child placement agency, the record of such  
24 determination and entry of such order being conclusive evidence thereof.

25 **SECTION 55.** In Colorado Revised Statutes, 26-6-914, **amend**  
26 (2)(c) and (6)(a)(I)(C) as follows:

27 **26-6-914. Denial of license - suspension - revocation -**



1 **probation - refusal to renew license - fines - definitions.** (2) The  
2 department may deny an application, or suspend, revoke, or make  
3 probationary the license, of any facility or agency regulated and licensed  
4 pursuant to this part 9 or assess a fine against the licensee pursuant to  
5 section 26-6-921 if the licensee, an affiliate of the licensee, a person  
6 employed by the licensee, or a person who resides with the licensee at the  
7 facility or agency:

8 (c) Is determined to be insane or mentally incompetent by a court  
9 of competent jurisdiction and, a court has entered, pursuant to part 3 or  
10 part 4 of article 14 of title 15, or section ~~27-65-109 (4)~~ 27-65-110 (4) or  
11 27-65-127, an order specifically finding that the mental incompetency or  
12 insanity is of such a degree that the licensee is incapable of operating a  
13 facility or agency, the record of such determination and entry of such  
14 order being conclusive evidence thereof; or

15 (6) (a) (I) The state department shall deny an application for a  
16 license under the circumstances described in section 26-6-905 (8). The  
17 state department shall revoke or suspend a license previously issued if:

18 (C) The licensee, an affiliate of the licensee, a person employed  
19 by the licensee, or a person who resides with the licensee at the facility or  
20 agency has been determined to be insane or mentally incompetent by a  
21 court of competent jurisdiction and a court has entered, pursuant to part  
22 3 or part 4 of article 14 of title 15, or section ~~27-65-109 (4)~~ 27-65-110 (4)  
23 or 27-65-127, an order specifically finding that the mental incompetency  
24 or insanity is of such a degree that the licensee is incapable of operating  
25 a facility or agency, the record of such determination and entry of such  
26 order being conclusive evidence thereof.

27 **SECTION 56.** In Colorado Revised Statutes, 26-6.8-102, **amend**

1 (2)(d)(I) as follows:

2 **26-6.8-102. Tony Grampsas youth services program - creation**  
3 **- standards - applications.** (2) (d) (I) The youth services program fund  
4 is created in the state treasury. The principal of the fund consists of  
5 tobacco litigation settlement money transferred by the state treasurer to  
6 the fund pursuant to section 24-75-1104.5 (1.7)(e). Subject to annual  
7 appropriation by the general assembly, the state department may expend  
8 money from the fund for the Tony Grampsas youth services program,  
9 including the compensation of youth members of the Tony Grampsas  
10 youth services board, as described in section 26-6.8-103 (1)(e)(II). All  
11 unexpended and unencumbered money appropriated to the fund at the end  
12 of a fiscal year remains available for expenditure by the state department  
13 for the Tony Grampsas youth services program in the following fiscal  
14 year without further appropriation and must not be transferred or revert  
15 to the general fund ~~state~~ at the end of a fiscal year.

16 **SECTION 57.** In Colorado Revised Statutes, 26-7.5-104.5,  
17 **amend** (2) and (3) introductory portion as follows:

18 **26-7.5-104.5. Domestic violence and sexual assault coalitions**  
19 **- contracts - duties - coalition agreements with programs.** (2) A  
20 coalition that enters into a contract or agreement with the STATE  
21 department shall, at a minimum, provide training and technical assistance  
22 for domestic violence, sexual assault, or culturally specific programs and  
23 other nongovernmental and governmental service providers.

24 (3) A coalition that enters into a contract or agreement with the  
25 STATE department may:

26 **SECTION 58.** In Colorado Revised Statutes, 26.5-4-104, **amend**  
27 (2)(a) as follows:

1           **26.5-4-104. Colorado child care assistance program -**  
2           **department authority - cooperation with federal government -**  
3           **acceptance and administration of money.** (2) (a) The department may

4 accept on behalf of the state of Colorado the provisions and benefits of  
5 acts of congress designed to provide money or other property for the  
6 Colorado child care assistance program, which money or other property  
7 is designated for purposes within the function of the department, and may  
8 accept on behalf of the state any offers that have been or may from time  
9 to time be made of money or other property by any persons, agencies, or  
10 entities for the Colorado child care assistance program, which money or  
11 other property is designated for purposes within the function of the ~~state~~  
12 department; except that, unless otherwise expressly provided by law, the  
13 department shall not accept said money or other property unless the  
14 department has recommended acceptance to and received the written  
15 approval of the governor and the attorney general. Approval of the  
16 governor and the attorney general authorizes the acceptance of the money  
17 or property in accordance with the restrictions and conditions and for the  
18 purposes for which the money or property is intended.

19           **SECTION 59.** In Colorado Revised Statutes, 26.5-4-112, **amend**  
20 (2) as follows:

21           **26.5-4-112. Exemptions - requirements.** (2) As a prerequisite  
22 to entering into a valid CCCAP contract with a county office or to being  
23 a party to any other payment agreement for the provision of care for a  
24 child whose care is funded in whole or in part with money received on the  
25 child's behalf from publicly funded state child care assistance programs,  
26 an exempt family child care home provider shall sign an attestation that  
27 affirms the provider, and any qualified adult residing in the exempt family

1 child care home, has not been determined to be insane or mentally  
2 incompetent by a court of competent jurisdiction and a court has not  
3 entered, pursuant to part 3 or 4 of article 14 of title 15, or section  
4 ~~27-65-109 (4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding  
5 that the mental incompetency or insanity is of such a degree that the  
6 provider cannot safely operate an exempt family child care home.

7 **SECTION 60.** In Colorado Revised Statutes, 26.5-4-119, **amend**  
8 (2) and (3) as follows:

9 **26.5-4-119. State income tax refund offset - rules.** (2) As a  
10 condition of certifying an overpayment to the department of revenue as  
11 provided in subsection (1) of this section, the department shall ensure that  
12 the obligated person has been afforded the opportunity for a conference  
13 at the county department level and the opportunity for an appeal to the  
14 department pursuant to section 26.5-4-108. In addition, the department,  
15 prior to final certification of the information specified in subsection (1)  
16 of this section to the department of revenue, shall notify the obligated  
17 person, in writing, at the person's last known address, that the state  
18 intends to refer the person's name to the department of revenue in an  
19 attempt to offset the obligation against the person's state income tax  
20 refund. The notification must inform the obligated person of the  
21 opportunity for a conference with the county department and of the  
22 opportunity for an appeal to the ~~state~~ department pursuant to section  
23 26.5-4-108. In addition, the notice must specify issues that the obligated  
24 person may raise at an evidentiary conference or on appeal, as provided  
25 by this subsection (2), in objecting to the offset and must specify that the  
26 obligated person may not object to the fact that an overpayment occurred.  
27 If the obligated person desires an evidentiary conference or appeal as

1 provided in this subsection (2), the person must request the conference or  
2 appeal within thirty days after the date on which the notice was mailed.

3 (3) Upon receiving notice from the department of revenue of  
4 amounts deposited with the state treasurer pursuant to section 39-21-108,  
5 the ~~state~~ department shall disburse the amounts to the appropriate county  
6 to process for distribution to the state or local agency to whom the person  
7 is obligated.

8 **SECTION 61.** In Colorado Revised Statutes, 26.5-4-208, **amend**  
9 (1)(d) and (1)(e) as follows:

10 **26.5-4-208. Preschool provider funding - per-child rates - local**  
11 **contribution - distribution and use of money - definitions - repeal.**

12 (1) (d) In addition to distributing funding based on the per-child rates  
13 established pursuant to subsection (1)(a) of this section, the department  
14 may by rule distribute funding to achieve a specified purpose, which may  
15 include funding for administrative units to provide special education  
16 services through the preschool program and funding for measures related  
17 to recruiting, training, and retaining preschool educators. The department  
18 may choose to distribute funding pursuant to this subsection (1)(d) only  
19 after the department allocates the amounts necessary to fund preschool  
20 services for eligible children who are three years of age or younger, up to  
21 the amounts described in ~~subsection (2)(c)~~ SUBSECTION (3)(c) of this  
22 section, and to fully fund universal preschool services for all eligible  
23 children who enroll.

24 (e) In establishing the formulas and other distribution amounts,  
25 the department shall consult with the rules advisory council, the early  
26 childhood leadership commission, and members of the early childhood  
27 community, including parents of preschool-age children, preschool

1 educators, preschool providers, early childhood councils, school districts,  
2 charter schools, representatives of county departments of human services  
3 ~~and~~ OR social services, local coordinating organizations, and individuals  
4 with financial expertise in public and private funding sources for early  
5 childhood services.

6 **SECTION 62.** In Colorado Revised Statutes, 26.5-5-303, **amend**  
7 (17)(a) as follows:

8 **26.5-5-303. Definitions - repeal.** As used in this part 3, unless the  
9 context otherwise requires:

10 (17) (a) "Neighborhood youth organization" means a nonprofit  
11 organization that provides programs and services, as described in ~~section~~  
12 ~~26-6-103.7~~ SECTION 26.5-5-308, to children, youth, and families through  
13 comprehensive wraparound supports to ensure positive growth and  
14 development during childhood and adolescence, and is designed to serve  
15 youth as young as five years of age who are enrolled in kindergarten and  
16 as old as eighteen years of age.

17 **SECTION 63.** In Colorado Revised Statutes, 26.5-5-309, **amend**  
18 (5) as follows:

19 **26.5-5-309. Licenses - definition - rules.** (5) The department  
20 shall not issue a license to operate an agency or facility defined in this  
21 part 3 if the person applying for the license or an affiliate of the applicant,  
22 a person employed by the applicant, or a person who resides with the  
23 applicant at the facility, has been determined to be insane or mentally  
24 incompetent by a court of competent jurisdiction and a court has entered,  
25 pursuant to part 3 or part 4 of article 14 of title 15 or section ~~27-65-109~~  
26 ~~(4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the  
27 mental incompetency or insanity is of such a degree that the applicant is

1 incapable of operating a family child care home or child care center. The  
2 record of the determination and entry of the order are conclusive evidence  
3 of the determination.

4 **SECTION 64.** In Colorado Revised Statutes, 26.5-5-317, **amend**  
5 (2)(c) as follows:

6 **26.5-5-317. Denial of license - suspension - revocation -**  
7 **probation - refusal to renew license - fines.** (2) The department may  
8 deny an application, or suspend, revoke, or make probationary the license  
9 of any facility regulated and licensed under this part 3 or assess a fine  
10 against the licensee pursuant to section 26.5-5-323 if the licensee, an  
11 affiliate of the licensee, a person employed by the licensee, or a person  
12 who resides with the licensee at the facility:

13 (c) Is determined to be insane or mentally incompetent by a court  
14 of competent jurisdiction and, if a court enters, pursuant to part 3 or part  
15 4 of article 14 of title 15, or section ~~27-65-109 (4)~~ 27-65-110 (4) or  
16 27-65-127, an order specifically finding that the mental incompetency or  
17 insanity is of such a degree that the licensee is incapable of operating a  
18 family child care home or child care center, the record of such  
19 determination and entry of such order being conclusive evidence thereof;  
20 or

21 **SECTION 65.** In Colorado Revised Statutes, 26.5-5-326, **amend**  
22 (1)(c), (4)(b), and (6) as follows:

23 **26.5-5-326. Exempt family child care home providers -**  
24 **fingerprint-based criminal history record check - child care**  
25 **assistance program money - temporary care - rules - definitions.**

26 (1) (c) A qualified provider or qualified adult who undergoes an FCC  
27 shall, with submittal of fingerprints, pay to the ~~state~~ department a fee

1 established by department rule pursuant to subsection (6) of this section  
2 to offset the costs associated with processing the FCC through the  
3 Colorado bureau of investigation and the federal bureau of investigation.

4 (4) The department or a county department shall not issue or  
5 renew a contract to provide money pursuant to the Colorado child care  
6 assistance program pursuant to part 1 of article 4 of this title 26.5 to a  
7 qualified provider if the qualified provider or a qualified adult:

8 (b) Has been determined to be insane or mentally incompetent by  
9 a court of competent jurisdiction and a court has entered, pursuant to part  
10 3 or 4 of article 14 of title 15, or section ~~27-65-109~~ (4) 27-65-110 (4) or  
11 27-65-127, an order specifically finding that the mental incompetency or  
12 insanity is of such a degree that the qualified provider cannot safely  
13 operate a child care home. The record of the determination and entry of  
14 the order are conclusive evidence thereof. A qualified provider shall sign  
15 an attestation affirming the lack of such a finding prior to entering into or  
16 renewing a contract for money under the Colorado child care assistance  
17 program, pursuant to section 26.5-4-112 (2).

18 (6) The executive director shall promulgate rules to establish the  
19 amount of the fee to collect from a qualified provider or qualified adult  
20 who is subject to an FCC pursuant to subsection (1) of this section or a  
21 name-based judicial record check pursuant to subsection (2) of this  
22 section. The ~~state~~ department is authorized to collect the fee at the time  
23 of the FCC or name-based judicial record check.

24 **SECTION 66.** In Colorado Revised Statutes, 26.5-5-329, **amend**  
25 (1) as follows:

26 **26.5-5-329. Testing for the presence of lead in drinking water**  
27 **in child care centers and family child care homes - compliance with**



1 **public health requirements - repeal.** (1) Each child care center and,  
2 unless it has opted out pursuant to section ~~25-8-903(1)(a)~~ 25-8-903 (9),  
3 each family child care home shall comply with the requirements of part  
4 9 of article 8 of title 25 concerning testing of water in child care centers,  
5 family child care homes, and eligible schools.

6 **SECTION 67.** In Colorado Revised Statutes, 27-60-104, **amend**  
7 (1) and (3.5) as follows:

8 **27-60-104. Behavioral health crisis response system - crisis**  
9 **service facilities - walk-in centers - mobile response units - report.**

10 (1) All behavioral health entities, crisis walk-in centers, acute treatment  
11 units, mobile crisis programs, respite services, and crisis stabilization  
12 units within the crisis response system, regardless of program licensure,  
13 shall meet standards for approval pursuant to section 27-66-105.  
14 Facility-based crisis service providers must be approved or designated to  
15 adequately care for an individual brought to the facility through the  
16 emergency mental health procedure described in section ~~27-65-105~~  
17 27-65-106 and be an approved treatment facility pursuant to section  
18 27-81-106. The arrangements for care must be completed through the  
19 crisis response system or prearranged partnerships with other crisis  
20 intervention services.

21 (3.5) Mobile crisis programs and crisis walk-in centers shall  
22 provide crisis response screening services to any individual seeking such  
23 services, including youth of any age and an individual with a disability,  
24 as defined in the federal "Americans with Disabilities Act of 1990", 42  
25 U.S.C. sec. 12101 et seq., as amended, regardless of primary diagnosis,  
26 co-occurring conditions, or if the individual requires assistance with  
27 activities of daily living, as defined in section 12-270-104. All additional

1 or corresponding behavioral health services beyond the crisis response  
2 screening must be provided in accordance with all applicable state laws,  
3 including, but not limited to, sections 12-245-203.5, 13-22-102, and  
4 27-65-103, AND 27-65-104.

5 **SECTION 68.** In Colorado Revised Statutes, 27-60-301, **amend**  
6 (3) as follows:

7 **27-60-301. Definitions.** As used in this part 3, unless the context  
8 otherwise requires:

9 (3) "Behavioral health provider" means a recovery community  
10 organization as defined in section 27-80-126, a recovery support services  
11 organization as defined in section 27-60-108, or a licensed organization  
12 or professional that provides diagnostic, therapeutic, or psychological  
13 services for behavioral health conditions. Behavioral health providers  
14 include a residential child care facility, as defined in section ~~26-6-102~~  
15 26-6-903 (29), and a federally qualified health center as defined in the  
16 federal "Social Security Act", 42 U.S.C. sec. 1395x (aa)(4).

17 **SECTION 69.** In Colorado Revised Statutes, 27-60-403, **amend**  
18 (2)(a) introductory portion, (2)(b) and (2)(c) as follows:

19 **27-60-403. Grant program application - criteria - award -**  
20 **rules.** (2) (a) There is created in the BHA an early intervention,  
21 deflection, and redirection from the criminal justice system grant review  
22 committee to review grant applications and make recommendations to the  
23 BHA and department of public safety. The commissioner of the BHA  
24 shall ensure that the composition of the REVIEW committee is racially,  
25 ethnically, and geographically diverse and representative of communities  
26 most impacted by the criminal justice system. The REVIEW committee  
27 consists of the following members:

1 (b) Members of the REVIEW committee serve without  
2 compensation and without reimbursement for expenses. Members of the  
3 review committee shall disclose any conflicts of interest, including  
4 whether the member represents an organization that may seek a grant  
5 from the grant program.

6 (c) The REVIEW committee shall review applications for grants  
7 submitted pursuant to this section and make recommendations to the  
8 BHA and department of public safety about which applicants should  
9 receive grants and the amount of each grant.

10 **SECTION 70.** In Colorado Revised Statutes, 27-64-103, **amend**  
11 (1) as follows:

12 **27-64-103. 988 crisis hotline enterprise - creation - powers and**  
13 **duties.** (1) There is created in the behavioral health administration the  
14 988 crisis hotline enterprise. The enterprise is and operates as a  
15 government-owned business within the BHA for the business purpose of  
16 imposing charges pursuant to subsections (4)(a) and (4)(b) of this section,  
17 and utilizing the charges' revenue to fund the 988 crisis hotline and  
18 provide crisis outreach, stabilization, and acute care to individuals calling  
19 the 988 crisis hotline. The enterprise IS A **TYPE 1** ENTITY, AS DEFINED IN  
20 SECTION 24-1-105, AND exercises its power and performs its duties ~~as if~~  
21 ~~the same were transferred by a type 1 transfer, as defined in section~~  
22 ~~24-1-105, to~~ AND FUNCTIONS UNDER the BHA.

23 **SECTION 71.** In Colorado Revised Statutes, 30-20-602, **amend**  
24 (4.3)(b) as follows:

25 **30-20-602. Definitions.** As used in this part 6, unless the context  
26 otherwise requires:

27 (4.3) "Qualified community location" means:

1 (b) If the affected local electric utility is an investor-owned utility,  
2 a community solar garden, as that term is defined in section 40-2-127 (2),  
3 or a community geothermal garden, as that term is defined in section  
4 ~~42-2-127.5 (2)~~ 40-2-127.5 (2).

5 **SECTION 72.** In Colorado Revised Statutes, 30-20-603, **amend**  
6 (1)(a) as follows:

7 **30-20-603. Improvements and funding authorized - how**  
8 **instituted - conditions - definitions.** (1) (a) A district may be formed in  
9 accordance with the requirements of this part 6 for the purpose of  
10 constructing, installing, acquiring, or funding, in whole or in part, any  
11 public improvement, so long as the county that forms the district is  
12 authorized to provide such improvement or provide for such funding  
13 under the county's home rule charter, if any, or the laws of this state.  
14 Public improvements or the funding thereof shall not include any facility  
15 identified in section 30-20-101 (8) or (9). No such district shall provide  
16 the same improvement as an existing special district within the territory  
17 of such existing special district unless the existing special district  
18 consents. The improvements authorized by this part 6 may consist,  
19 without limitation, of constructing, grading, paving, pouring, curbing,  
20 guttering, lining, or otherwise improving the whole or any part of any  
21 street or providing street lighting, drainage facilities, or service  
22 improvements, in the unincorporated area of a county or wholly or partly  
23 within the boundaries of any municipality within the county if such  
24 municipality consents by ordinance to such improvements. If  
25 improvements within a municipality are so included in a county  
26 improvement district by municipal consent, the county shall have full  
27 authority to construct or acquire such improvements, to assess property

1 within such municipality benefited by such improvements, and to enforce  
2 and collect such assessments, in the manner provided in this part 6. The  
3 improvements authorized by this part 6 may include, without limitation,  
4 the construction of sidewalks adjacent to any such streets or maintenance  
5 roads adjacent to any such drainage facilities. Prior to the establishment  
6 of any improvement district for the purpose of providing street lighting,  
7 arrangements, by contract or otherwise, must be established under which  
8 the owners of property included within such district shall be responsible  
9 for the maintenance and operation of such street lighting improvement.  
10 The costs of maintenance and operation of such street lighting  
11 improvements shall not be paid from the county general fund. Drainage  
12 facilities shall not be provided in any area which is within an existing  
13 drainage district organized or created pursuant to law without the  
14 approval of such district. The term "service" as used in this paragraph (a)  
15 includes the services provided by a public utility as defined in section  
16 40-1-103, ~~C.R.S.~~, as well as advanced service as defined in section  
17 29-27-102 (1), ~~C.R.S.~~, cable television service as defined in section  
18 29-27-102 (2), ~~C.R.S.~~, telecommunications service as defined in section  
19 40-15-102 (29), ~~C.R.S.~~, geothermal heat suppliers as defined in section  
20 40-40-103, ~~C.R.S.~~, and information service as defined in ~~47 U.S.C. sec.~~  
21 ~~153 (20)~~ 47 U.S.C. SEC. 153 (24), or any successor section.

22 **SECTION 73.** In Colorado Revised Statutes, 31-25-501, **amend**  
23 (3.5)(b) as follows:

24 **31-25-501. Definitions.** As used in this part 5, unless the context  
25 otherwise requires:

26 (3.5) "Qualified community location" means:

27 (b) If the affected local electric utility is an investor-owned utility,

1 a community solar garden as that term is defined in section 40-2-127 (2),  
2 or a community geothermal garden as that term is defined in section  
3 ~~42-2-127.5 (2)~~ 40-2-127.5 (2).

4 **SECTION 74.** In Colorado Revised Statutes, 31-31-1104, **amend**  
5 (5) as follows:

6 **31-31-1104. Merger into the statewide retirement plan.**

7 (5) The merger is intended to be consistent with the requirements under  
8 section ~~414(h) of the internal revenue code~~ 414 (l) OF THE FEDERAL  
9 "INTERNAL REVENUE CODE OF 1986", AS AMENDED, and shall not be  
10 considered a plan termination and shall not result in a distributable event.

11 **SECTION 75.** In Colorado Revised Statutes, 31-31.5-101,  
12 **amend** (5)(f) as follows:

13 **31-31.5-101. Establishment of the statewide retirement plan**  
14 **- definitions.** (5) As used in this article 31.5, unless the context otherwise  
15 requires:

16 (f) "Member" means an active employee who is a full-time  
17 salaried employee of a municipality, fire protection district, fire authority,  
18 or county improvement district normally serving at least one thousand six  
19 hundred hours in any calendar year and whose duties are directly involved  
20 with the provision of police or fire protection, as certified by the  
21 member's employer. "Member" also includes an active employee who  
22 works less than sixteen hundred hours per year but otherwise qualifies as  
23 a member and whose employer elects to treat all such other similar  
24 employees as members. The term does not include clerical or other  
25 personnel whose services are auxiliary to police protection, or any  
26 volunteer firefighter, as such term is defined in section 31-30-1102 (9).  
27 For the purpose of participation in the statewide defined benefit plan

1 pursuant to part 4 of ~~this article~~ 31 OF THIS TITLE 31, or the statewide  
2 money purchase plan pursuant to part 5 of ~~this article 31.5~~ ARTICLE 31 OF  
3 THIS TITLE 31, but not for the purpose of participation in the statewide  
4 death and disability plan pursuant to part 8 of ~~this article 31.5~~ ARTICLE 31  
5 OF THIS TITLE 31, the term may include clerical or other personnel  
6 employed by a fire protection district, fire authority, or county  
7 improvement district, whose services are auxiliary to fire protection. For  
8 the purpose of eligibility for disability or survivor benefits, "member"  
9 includes any employee on an authorized leave of absence.

10 **SECTION 76.** In Colorado Revised Statutes, 31-31.5-203,  
11 **amend** (3) as follows:

12 **31-31.5-203. Department chief - exemption by written**  
13 **agreement - definition.** (3) A department chief exempted pursuant to  
14 subsection (1) of this section may maintain coverage for disability and  
15 survivor benefits under part 8 of ~~this article~~ ARTICLE 31 OF THIS TITLE 31  
16 if the department chief participates in the statewide money purchase plan,  
17 the statewide retirement plan, or a local money purchase plan that is  
18 qualified under section 401 (a) of the federal "Internal Revenue Code of  
19 1986" and that has a contribution rate of not less than eighteen percent.

20 **SECTION 77.** In Colorado Revised Statutes, 31-31.5-402,  
21 **amend** (4) introductory portion as follows:

22 **31-31.5-402. Plan funding, actuarial valuation and**  
23 **adjustments to maintain the actuarial soundness of the plan.** (4) If in  
24 any year the board determines pursuant to subsection (2) of this section  
25 that the cost of the benefits described in ~~part 5~~ THIS PART 4 may not be  
26 fully funded on an actuarially sound basis, the board, in its discretion,  
27 may take the following actions singularly or in any combination and in

1 any order:

2 **SECTION 78.** In Colorado Revised Statutes, 31-31.5-406,  
3 **amend** (2) as follows:

4 **31-31.5-406. Optional survivor benefits.** (2) If a member  
5 reaches age eligibility for a normal, vested, or early retirement pension,  
6 and dies before making an election allowed pursuant to subsection (1) of  
7 this section or before the first pension payment has been deposited, and  
8 is survived by a spouse, dependent child, or designated beneficiary, the  
9 member shall be considered to have elected an actuarially reduced  
10 pension and retired on the day before the member's death. Payable to the  
11 members spouse, dependent child, or designated beneficiary, such  
12 reduced pension shall be payable to the member's designated beneficiary.  
13 A spouse, dependent child, or designated beneficiary of a member who  
14 has not yet reached age eligibility may elect to receive an actuarially  
15 reduced benefit beginning on the date that the member would have  
16 reached age eligibility in lieu of a death benefit under part 8 of article 31  
17 OF THIS TITLE 31 and in lieu of a refund of member contributions pursuant  
18 to section 31-31.5-411.

19 **SECTION 79.** In Colorado Revised Statutes, 32-9-119, **amend**  
20 (1)(t) as follows:

21 **32-9-119. Additional powers of district.** (1) In addition to any  
22 other powers granted to the district in this article, the district has the  
23 following powers:

24 (t) To have the management, control, and supervision of all  
25 business and affairs relating to any mass transportation facility authorized  
26 in this article, subject to the provisions of section 32-9-119.5 for the  
27 operation of the district's bus operations, or otherwise concerning the



1 district, and of the acquisition, improvement, equipment, operation,  
2 maintenance, and disposal of any property relating to any such mass  
3 transportation facility; except that the oversight of operations and  
4 facilities for safety purposes as required by ~~49 CFR 659, "Rail Fixed~~  
5 ~~Guideway Systems, State Safety Oversight"~~ 49 CFR 674, ENTITLED  
6 "STATE SAFETY OVERSIGHT", and article 18 of title 40, ~~C.R.S.~~, shall be  
7 subject to the jurisdiction of the public utilities commission of the state  
8 of Colorado;

9 **SECTION 80.** In Colorado Revised Statutes, 33-10.5-108, **repeal**  
10 (3) as follows:

11 **33-10.5-108. Division of parks and wildlife aquatic nuisance**  
12 **species fund - creation.** (3) ~~Notwithstanding subsection (1) of this~~  
13 ~~section, on April 30, 2021, the state treasurer shall transfer one million six~~  
14 ~~hundred thousand nine hundred sixty-four dollars from the fund to the~~  
15 ~~severance tax operational fund created in section 39-29-109 (2)(b)(I).~~

16 **SECTION 81.** In Colorado Revised Statutes, **amend** 34-25-101  
17 as follows:

18 **34-25-101. Jurisdiction of the courts.** ~~County courts in their~~  
19 ~~respective counties have original jurisdiction in prosecution for the~~  
20 ~~violation of section 34-24-103 (1). In all trials in the county courts, the~~  
21 ~~defendants shall be entitled to a trial by jury as in other misdemeanor~~  
22 ~~cases.~~ District courts in their respective districts have original jurisdiction  
23 upon information or indictment in all prosecutions for violations of this  
24 title.

25 **SECTION 82.** In Colorado Revised Statutes, 34-60-132, **amend**  
26 (5)(b) as follows:

27 **34-60-132. Disclosure of chemicals used in downhole oil and**

1 **gas operations - chemical disclosure lists - community notification -**  
2 **reports - definitions - rules - repeal. (5) Chemical disclosure lists.**

3 (b) (I) The commission shall include in the chemical disclosure list an  
4 alphabetical list of the names and Chemical Abstracts Service registry  
5 numbers of each chemical used in downhole operations at the well site.

6 (II) Notwithstanding any law to the contrary, the commission shall  
7 include the names and Chemical Abstracts Service registry numbers of all  
8 chemicals used in downhole operations in the chemical disclosure list and  
9 shall not protect the names or Chemical Abstracts Service registry  
10 numbers of any chemical as a trade secret or proprietary information. Any  
11 formulas and processes continue to have trade secret protections.

12 **SECTION 83.** In Colorado Revised Statutes, 38-12-102, **amend**  
13 (4) as follows:

14 **38-12-102. Definitions.** As used in this part 1, unless the context  
15 otherwise requires:

16 (4) "Normal wear and tear" means deterioration that occurs, based  
17 upon the use for which a rental unit or mobile home space, as defined in  
18 section ~~38-12-201.5~~ (7) 38-12-201.5 (6.5), is intended, without  
19 negligence, carelessness, accident, or abuse of the premises or equipment  
20 or chattels by the tenant or home owner or members of the tenant's or  
21 home owner's household, or their invitees or guests.

22 **SECTION 84.** In Colorado Revised Statutes, 38-12-201.5,  
23 **amend** (6.5) and (7) as follows:

24 **38-12-201.5. Definitions.** As used in this part 2 and in part 11 of  
25 this article 12, unless the context otherwise requires:

26 (6.5) ~~"Mobile home subdivision" or "manufactured home~~  
27 ~~subdivision" means any parcel of land that is divided into two or more~~

1 ~~parcels, separate interests, or interests in common, where each parcel or~~  
2 ~~interest is owned by an individual or entity who owns both a mobile home~~  
3 ~~and the land underneath the mobile home; except that a parcel is not a~~  
4 ~~"mobile home subdivision" or "manufactured home subdivision" when~~  
5 ~~the same owner owns a parcel or subdivided parcels or interests that are~~  
6 ~~collectively used for the continuous accommodation of five or more~~  
7 ~~occupied mobile homes and operated for the pecuniary benefit of the~~  
8 ~~landowner or their agents, lessees, or assignees. "MOBILE HOME SPACE",~~  
9 ~~"SPACE", "MOBILE HOME LOT", OR "LOT" MEANS A PARCEL OF LAND WITHIN~~  
10 ~~A MOBILE HOME PARK DESIGNATED BY THE MANAGEMENT TO~~  
11 ~~ACCOMMODATE ONE MOBILE HOME AND ITS ACCESSORY BUILDINGS AND~~  
12 ~~TO WHICH THE REQUIRED SEWER AND UTILITY CONNECTIONS ARE~~  
13 ~~PROVIDED BY THE PARK.~~

14 (7) ~~"Mobile home space", "space", "mobile home lot", or "lot"~~  
15 ~~means a parcel of land within a mobile home park designated by the~~  
16 ~~management to accommodate one mobile home and its accessory~~  
17 ~~buildings and to which the required sewer and utility connections are~~  
18 ~~provided by the park. "MOBILE HOME SUBDIVISION" OR "MANUFACTURED~~  
19 ~~HOME SUBDIVISION" MEANS ANY PARCEL OF LAND THAT IS DIVIDED INTO~~  
20 ~~TWO OR MORE PARCELS, SEPARATE INTERESTS, OR INTERESTS IN COMMON,~~  
21 ~~WHERE EACH PARCEL OR INTEREST IS OWNED BY AN INDIVIDUAL OR ENTITY~~  
22 ~~WHO OWNS BOTH A MOBILE HOME AND THE LAND UNDERNEATH THE~~  
23 ~~MOBILE HOME; EXCEPT THAT A PARCEL IS NOT A "MOBILE HOME~~  
24 ~~SUBDIVISION" OR "MANUFACTURED HOME SUBDIVISION" WHEN THE SAME~~  
25 ~~OWNER OWNS A PARCEL OR SUBDIVIDED PARCELS OR INTERESTS THAT ARE~~  
26 ~~COLLECTIVELY USED FOR THE CONTINUOUS ACCOMMODATION OF FIVE OR~~  
27 ~~MORE OCCUPIED MOBILE HOMES AND OPERATED FOR THE PECUNIARY~~

1 BENEFIT OF THE LANDOWNER OR THEIR AGENTS, LESSEES, OR ASSIGNEES.

2 **SECTION 85.** In Colorado Revised Statutes, 39-9-101, **amend**  
3 (2) as follows:

4 **39-9-101. State board of equalization.** (2) Except as otherwise  
5 provided in section 2-2-326, each member is entitled to receive a per diem  
6 allowance of fifty dollars for each day spent attending meetings or  
7 hearings of the state board of equalization or otherwise spent discharging  
8 the member's duties as a member of the board; except that a member shall  
9 not receive the per diem allowance provided for in this subsection (2) for  
10 any day for which the member receives a per diem allowance from the  
11 state under any other statute and except that a member shall not receive  
12 the per diem allowance provided for in this subsection (2) if the member  
13 receives a salary from the state for a full-time position with the state.  
14 Except as otherwise provided in section 2-2-326, each member of the  
15 board is entitled to receive REIMBURSEMENT FOR actual and necessary  
16 expenses incurred in performing the member's duties as a member of the  
17 board. The members appointed by the governor serve at the pleasure of  
18 the governor but shall not serve for more than four consecutive years  
19 unless reappointed by the governor and reconfirmed by the senate at the  
20 conclusion of the four years. Vacancies in either of the appointed  
21 positions on the board shall be filled by appointment by the governor with  
22 the consent of the senate for the unexpired term.

23 **SECTION 86.** In Colorado Revised Statutes, 39-22-547, **amend**  
24 (2)(e) as follows:

25 **39-22-547. Early childhood educator income tax credit - tax**  
26 **preference performance statement - legislative declaration -**  
27 **definitions - repeal.** (2) As used in this section, unless the context

1 otherwise requires:

2 (e) "Family child care home" has the same meaning as set forth in  
3 section ~~26-6-102 (13)~~ 26.5-5-303 (7).

4 **SECTION 87.** In Colorado Revised Statutes, 39-26-721, **amend**  
5 (1) and (2) as follows:

6 **39-26-721. Manufactured homes and tiny homes.**

7 (1) Forty-eight percent of the purchase price of a manufactured home, as  
8 defined in section ~~42-1-102 (106)(b)~~ 42-1-102 (48.8), is exempt from  
9 taxation under part 1 of this article 26; except that the entire purchase  
10 price in any subsequent sale of such a manufactured home, after it has  
11 been once subject to the payment of sales tax by virtue of section  
12 39-26-113, is exempt from taxation under part 1 of this article 26.

13 (2) The storage, use, or consumption of a manufactured home, as  
14 defined in section ~~42-1-102 (106)(b)~~ 42-1-102 (48.8), after the  
15 manufactured home has been once subject to the payment of use tax by  
16 virtue of section 39-26-208, is exempt from taxation under part 2 of this  
17 article 26.

18 **SECTION 88.** In Colorado Revised Statutes, 39-29-109, **amend**  
19 (2)(b)(III) as follows:

20 **39-29-109. Severance tax trust fund - created - administration**  
21 **- distribution of money - legislative declaration - repeal.** (2) State  
22 severance tax receipts must be credited to the severance tax trust fund as  
23 provided in section 39-29-108. All income derived from the deposit and  
24 investment of the money in the fund must be credited to the fund. At the  
25 end of any fiscal year, all unexpended and unencumbered money in the  
26 fund remains in the fund and must not be credited or transferred to the  
27 general fund or any other fund. All money in the fund is subject to

1 appropriation by the general assembly for the following purposes:

2 (b) **The severance tax operational fund.** (III) The fund also  
3 includes amounts that were transferred to natural resources and energy  
4 grant programs under section 39-29-109.3 and that were transferred back  
5 to the fund in accordance with subsection (2)(c)(V) of this section and  
6 sections 24-33-111 (2)(a)(I)(C), ~~33-10.5-108 (3)~~, 37-60-126 (12)(a)(V),  
7 and 37-75-107 (3).

8 **SECTION 89.** In Colorado Revised Statutes, 40-18-101, **amend**  
9 (5) as follows:

10 **40-18-101. Definitions.** As used in this article 18, unless the  
11 context otherwise requires:

12 (5) "System safety program standard" means a safety standard  
13 developed by the commission in conformance with ~~49 CFR 659, "Rail~~  
14 ~~Fixed Guideway Systems; State Safety Oversight"~~ 49 CFR 674, ENTITLED  
15 "STATE SAFETY OVERSIGHT".

16 **SECTION 90.** In Colorado Revised Statutes, 40-18-103, **amend**  
17 (1)(d) and (2) as follows:

18 **40-18-103. Commission to promulgate rules.** (1) The  
19 commission shall promulgate rules as are necessary to:

20 (d) Require that system safety program standards comply with the  
21 requirements of ~~49 CFR 659, "Rail Fixed Guideway Systems; State~~  
22 ~~Safety Oversight"~~ 49 CFR 674, ENTITLED "STATE SAFETY OVERSIGHT",  
23 at a minimum, and also adequately address the issue of personal security.

24 (2) The commission shall promulgate rules to establish a system  
25 safety oversight program for rail fixed guideway systems operating within  
26 the state that, at a minimum, meets the requirements of ~~49 CFR 659, "Rail~~  
27 ~~Fixed Guideway Systems; State Safety Oversight"~~ 49 CFR 674, ENTITLED

1 "STATE SAFETY OVERSIGHT".

2 **SECTION 91.** In Colorado Revised Statutes, 43-1-127, **amend**  
3 (4)(d)(I) as follows:

4 **43-1-127. Registration of carpooling service internet**  
5 **applications - limitations - disclosure - definitions.** (4) As used in this  
6 section, unless the context otherwise requires:

7 (d) (I) "Metropolitan area" means a metropolitan planning area  
8 designated by agreement of a governor and a metropolitan planning  
9 organization, as those terms are defined in ~~49 U.S.C. sec. 5302 (8)~~ 49  
10 U.S.C. SEC. 5302 (9) and 49 U.S.C. sec. 5303 (b)(1) and (b)(2) of the  
11 "Federal Transit Act", as amended.

12 **SECTION 92.** In Colorado Revised Statutes, 43-4-205, **amend**  
13 (5.5)(c) as follows:

14 **43-4-205. Allocation of fund.** (5.5) The following highway users  
15 tax fund revenues shall be allocated and expended in accordance with the  
16 formula specified in subsection (5) of this section:

17 (c) Revenues from driver's license fees, motor vehicle title and  
18 registration fees, and motorist insurance identification fees that are  
19 credited to the fund pursuant to sections ~~42-2-132 (4)(b), 42-3-304~~  
20 ~~(18)(d)(f)~~, 42-2-132 (4)(b) and 42-3-306 (6) and (7), including any of  
21 those fees that are paid by the owner of special mobile machinery that is  
22 covered by a registration exempt certificate issued by the department in  
23 accordance with section 42-3-107 (16)(g);

24 **SECTION 93.** In Colorado Revised Statutes, 43-4-217, **amend**  
25 (1)(e) and (1)(f) as follows:

26 **43-4-217. Additional funding - road usage fees - rules -**  
27 **legislative declaration - definitions.** (1) The general assembly hereby

1 finds and declares that:

2 (e) Because motor fuel consumption is reasonably related to use  
3 of and impact on the transportation system, it is fair to fee payers,  
4 reasonable, and appropriate to calculate the amount of the road ~~use~~ USAGE  
5 fee based on their motor fuel consumption;

6 (f) It is also fair to fee payers, reasonable, and appropriate to  
7 streamline fee collection by collecting the road ~~use~~ USAGE fee from  
8 distributors of motor fuels when motor fuel taxes are collected because  
9 the amount of the fee will be incorporated into the retail price of motor  
10 fuel and therefore passed on to users of the transportation system in  
11 precise proportion to their consumption of motor fuel and in reasonable  
12 relation to their use of and impact on the transportation system; and

13 **SECTION 94.** In Colorado Revised Statutes, 43-4-1103, **amend**  
14 (2)(a)(I) introductory portion; and **repeal** (2)(a)(IV) as follows:

15 **43-4-1103. Multimodal transportation options fund - creation**  
16 **- revenue sources for fund - use of fund.** (2) (a) (I) Except as otherwise  
17 provided in ~~subsections (2)(a)(IV) and (2)(d)~~ SUBSECTION (2)(d) of this  
18 section, subject to annual appropriation by the general assembly, money  
19 must be expended from the fund as follows:

20 (IV) ~~(A) On July 1, 2021, the state treasurer shall transfer twelve~~  
21 ~~million dollars from the fund to the fund created in section 43-4-1002 for~~  
22 ~~the purpose of providing additional funding for the Southwest Chief La~~  
23 ~~Junta route restoration program.~~

24 ~~(B) On February 15, 2022, the state treasurer shall transfer two~~  
25 ~~million five hundred thousand dollars to the fund created in section~~  
26 ~~43-4-1002.~~

27 **SECTION 95.** In Colorado Revised Statutes, 43-10-107, **amend**



1 (2) as follows:

2 **43-10-107. Office of director of division created - transfer.**

3 (2) The division, the office of director thereof, and the board ~~shall~~ ARE  
4 **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their  
5 powers and perform their duties and functions specified in this article  
6 under the department of transportation. ~~as if the same were transferred to~~  
7 ~~the department by a **type 1** transfer, as such transfer is defined in the~~  
8 ~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

9 **SECTION 96.** In Colorado Revised Statutes, 44-30-1201, **repeal**  
10 (5)(a)(III), (5)(d)(III), (6), (7), (8), (9), (10), (11), (12), and (13) as  
11 follows:

12 **44-30-1201. State historical fund - administration - legislative**  
13 **declaration - state museum cash fund - rules - definition.**

14 (5) (a) (III) ~~Notwithstanding the findings in subsection (5)(a)(II) of this~~  
15 ~~section, as a result of the severe losses in gaming revenues and earned~~  
16 ~~revenues of the state historical society caused by the COVID-19~~  
17 ~~pandemic, the general assembly finds it of critical importance to support~~  
18 ~~the needs of the society and, consistent with the preservation purposes of~~  
19 ~~the state historical fund, to allow a limited amount of money normally~~  
20 ~~used for grants to be transferred to the museum and preservation~~  
21 ~~operations account for the fiscal years commencing July 1, 2020, and July~~  
22 ~~1, 2021, only.~~

23 (d) (III) ~~On or before October 1, 2008, the state treasurer shall~~  
24 ~~transfer from the state historical fund to the state museum cash fund~~  
25 ~~created pursuant to section 24-80-214 the sum of three million dollars. On~~  
26 ~~or before October 1, 2009, the state treasurer shall transfer from the state~~  
27 ~~historical fund to the state museum cash fund the sum of two million~~

1     ~~dollars. On or before October 1, 2010, the state treasurer shall transfer~~  
2     ~~from the state historical fund to the state museum cash fund the sum of~~  
3     ~~two million dollars.~~

4             ~~(6) For the fiscal year commencing July 1, 2014, the state~~  
5     ~~treasurer shall transfer one million dollars from the state historical fund~~  
6     ~~at the beginning of the fiscal year to the capital construction fund created~~  
7     ~~in section 24-75-302 for historic renovation of the state house of~~  
8     ~~representatives' chambers and the state senate's chambers.~~

9             ~~(7) For the fiscal year commencing July 1, 2015, the state~~  
10    ~~treasurer shall transfer one million dollars from the preservation grant~~  
11    ~~program account of the state historical fund at the beginning of the fiscal~~  
12    ~~year to the capital construction fund created in section 24-75-302 for~~  
13    ~~historic renovation of the state house of representatives' chambers and the~~  
14    ~~state senate's chambers.~~

15            ~~(8) For the fiscal year commencing July 1, 2016, the state~~  
16    ~~treasurer shall transfer one million dollars from the preservation grant~~  
17    ~~program account of the state historical fund at the beginning of the fiscal~~  
18    ~~year to the capital construction fund created in section 24-75-302 for~~  
19    ~~historic renovation of the state house of representatives' chambers and the~~  
20    ~~state senate's chambers.~~

21            ~~(9) For the fiscal year commencing July 1, 2017, the state~~  
22    ~~treasurer shall transfer one million dollars from the preservation grant~~  
23    ~~program account of the state historical fund on October 1, 2017, to the~~  
24    ~~capital construction fund created in section 24-75-302 to restore the~~  
25    ~~windows and granite exterior of the state capitol building.~~

26            ~~(10) For the fiscal year commencing July 1, 2018, the state~~  
27    ~~treasurer shall transfer eight hundred fifty thousand dollars from the~~

1 preservation grant program account of the state historical fund on October  
2 1, 2018, to the legislative department cash fund created in section  
3 2-2-1601 to restore the old supreme court chamber in the state capitol  
4 building.

5 (11) For the fiscal year commencing July 1, 2018, the state  
6 treasurer shall transfer one hundred fifty thousand dollars from the  
7 preservation grant program account of the state historical fund on October  
8 1, 2018, to the capital construction fund created in section 24-75-302 for  
9 historical property rehabilitation in the capitol complex.

10 (12) For the state fiscal year commencing July 1, 2019, the state  
11 treasurer shall transfer one million dollars from the preservation grant  
12 program account of the state historical fund on October 1, 2019, to the  
13 capital construction fund created in section 24-75-302 for repainting of  
14 the interior of the dome of the state capitol building. On July 1, 2020, the  
15 state treasurer shall transfer an amount equal to the unencumbered portion  
16 of the money provided pursuant to this subsection (12) as of such date for  
17 repainting the interior of the dome of the state capitol building from the  
18 capital construction fund created in section 24-75-302 to the museum and  
19 preservation operations account created in subsection (5)(c)(I)(B) of this  
20 section.

21 (13) Notwithstanding any other provision of this section to the  
22 contrary, for each of the state fiscal years commencing July 1, 2020, and  
23 July 1, 2021, the state historical society is authorized to direct the state  
24 treasurer to transfer a cumulative total of up to one million dollars from  
25 the preservation grant program account created in subsection (5)(c)(I)(A)  
26 of this section to the museum and preservation operations account created  
27 in subsection (5)(c)(I)(B) of this section.

1            **SECTION 97. Amend section 11 of House Bill 23-1225 as**  
2 **follows:**

3            **Section 11. Act subject to petition - effective date.** Section 4 of  
4 **this act takes effect January 1, 2025, and the remainder of this act takes**  
5 **effect at 12:01 a.m. on the day following the expiration of the ninety-day**  
6 **period after final adjournment of the general assembly; except that, if a**  
7 **referendum petition is filed pursuant to section 1 (3) of article V of the**  
8 **state constitution against this act or an item, section, or part of this act**  
9 **within such period, then the act, item, section, or part will not take effect**  
10 **unless approved by the people at the general election to be held in**  
11 **November 2024 and, in such case, will take effect on the date of the**  
12 **official declaration of the vote thereon by the governor; except that**  
13 **section 4 of this act takes effect January 1, 2026 2025.**

14            **SECTION 98. Act subject to petition - effective date.** (1) This  
15 act takes effect at 12:01 a.m. on the day following the expiration of the  
16 ninety-day period after final adjournment of the general assembly; except  
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
18 of the state constitution against this act or an item, section, or part of this  
19 act within such period, then the act, item, section, or part will not take  
20 effect unless approved by the people at the general election to be held in  
21 November 2024 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.

23            (2) **Section 97 of this act takes effect only if House Bill 23-1225**  
24 **becomes law, in which case section 97 takes effect on the effective date**  
25 **of this act or House Bill 23-1225, whichever is later.**

## APPENDIX

C.R.S. Section	Section in bill	Reason for Amendment
5-3-105 (2)	1	<ul style="list-style-type: none"> <li>• Repeals a cross reference to 12 CFR 227.14 because the federal regulation was repealed by the Board of Governor's of the Federal Reserve System, effective March 21, 2016. (See 81 FR 8133.)</li> <li>• Repeals a cross reference to 12 CFR 535.5 because the federal regulations in chapter V of title 12 of the Code of Federal Regulations were repealed by the Department of the Treasury, effective October 11, 2018. (See 82 FR 47083.)</li> </ul>
5-3.5-303 (2)	2	See bullet 2 of section 1 of this act amending section 5-3-105 (2).
6-1-712 (2)(b)	3	Inserts "federal" before Centers for Medicare and Medicaid Services for consistency when citing to federal agencies. (See <a href="https://www.cms.gov/">https://www.cms.gov/</a> .)
6-4-108 (5)	4	Repeals text relevant to part 5 of article 1 of title 25.5 due to the repeal of the part, effective July 1, 2006. (See SB06-219, chapter 355, page 1800, Session Laws of Colorado 2006.)
10-1-202 (7)	5	Updates provisions to show that the National Association of Insurance Commissioners provides regulators and consumers support in five United States territories. (See the National Association of Commissioners website at <a href="https://content.naic.org/">https://content.naic.org/</a> . Accessed 12/16/2022.)
10-1-302 (10)	6	See section 5 of this act amending section 10-1-202 (7).
10-3-801 (7)	7	See section 5 of this act amending section 10-1-202 (7).
10-3-1502 (3)	8	See section 5 of this act amending section 10-1-202 (7).
10-16-106.3 (1)	9	See section 3 of this act amending section 6-1-712 (2)(b).
12-10-603 (2)(b)	10	Updates terminology to conform with changes made to section 24-4-105 by SB22-162. (See section 24-1-105 C.R.S. 2022, SB22-162, chapter 469, page 3350, Session Laws of Colorado 2022.)

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
12-20-202 (6)(b) and (6)(c)	11	See section 10 of this act amending section 12-10-603 (2)(b).
12-30-105 (5)(n)	12	Clarifies that "they" means "NPATCH" to resolve a grammatical ambiguity in the introduced version of SB22-226. (See SB22-226, chapter 179, page 1190, Session Laws of Colorado 2022.)
12-30-108 (4)(b)	13	Repeals an inoperative introductory portion. (See HB22-1233, chapter 398, page 2830 and HB22-1235, chapter 442, page 3101, Session Laws of Colorado 2022.)
12-30-110 (4)(b)	14	Removes duplicative references to mental health professionals. A mental health professional is listed individually and is an entity described in subsection (1)(a) of this section. The dual references are a result of the incorporation of changes to this provision by HB22-1307 and HB22-1326. (See the editor's note following section 12-30-110 in the C.R.S. 2022 and HB22-1307, chapter 207, page 1371, and HB22-1326, chapter 225, page 1637, Session Laws of Colorado 2022.)
12-30-112 (1)(a)(V)	15	Clarifies that "commissioner" means the "commissioner of insurance" because the term is not defined for the article or section for which it is being used. (See HB22-1284, chapter 446, page 3144, Session Laws of Colorado 2022.)
13-40-127 (9)(a)	16	Corrects the name of the referenced fund. The error originated in the introduced version of HB22-1342. (See HB22-1342, chapter 137, page 920, Session Laws of Colorado 2022.)
15-5-504 (3)(a)	17	Changes "obligee" to "obligor" to correspond with the language found in the Uniform Trust Code. The error originated in the introduced version of SB21-162. (See section 504 (c)(1) of the Uniform Trust Code, as found on the Uniform Law Commission's website, and SB21-162, chapter 170, page 941, Session Laws of Colorado 2021.)
16-4-101 (1)(b)(IV), (1)(c), and (5)	18	Inserts language explaining that the violations referenced in this provision are to violations formerly found in certain provisions of section 18-12-108 prior to the reorganization of the section by SB21-271, effective March 1, 2022. (See SB21-271, chapter 462, page 3210,

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
		Session Laws of Colorado 2021.)
16-4-201.5 (1)(f)	19	See section 18 of this act amending section 16-4-101 (1)(b)(IV), (1)(c), and (5).
17-26-109 (1)(f)(I)	20	Repeals a cross reference to subsection (1)(d) and text relevant to subsection (1)(e) of this section due to the repeal of the subsections, effective March 1, 2022. (See subsection (2) of the editor's note following section 17-26-109 C.R.S. 2022 and SB21-271, chapter 462, page 3164, Session Laws of Colorado 2021.)
17-26-140 (1)(b)	21	Clarifies that the referenced administration is the behavioral health administration in the department of human services. This corrects an error originating in the introduced version of HB22-1326. (See HB22-1326, chapter 225, page 1642, Session Laws of Colorado 2022.)
18-1.9-104 IP(2)(b)	22	Corrects the number of appointments or reappointments that the executive branch makes to the task force concerning the treatment of persons with behavioral health disorders. This corrects an error originating in the house judiciary committee report amending SB22-021. (See the 2022 House Journal for March 24, page 673 and SB22-021, chapter 471, page 3441.)
19-3-508 (1)(d)(I)	23	Corrects an error originating in the introduced version of HB22-1256 by removing text that was inadvertently added to the bill. (See subsection (4) of the editor's note following section 19-3-508 C.R.S. 2022 and HB22-1256, chapter 451, page 3234, Session Laws of Colorado 2022.)
19-3.3-111 (1)(d) and (3)(a)(VII)(F)	24	Changes cross references to correspond with the relocation of provisions by HB22-1295. (See HB22-1295, chapter 123, page 566, Session Laws of Colorado 2022.)
19-5-303 IP(1)	25	Corrects an error originating in the introduced version of SB22-162 that resulted in the deletion of a portion of the introductory portion of subsection (1). (See SB22-162, chapter 469, page 3376, Session Laws of Colorado 2022.)

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
22-7-1015 (4)(g) and (5)	26	Renumbers this provision to conform to standard statutory format. Subsection (4)(g) is a standalone subsection that does not fall under the subject matter of subsection (4). (See HB19-1262, chapter 245, page 2398, Session Laws of Colorado 2022.)
22-30.5-513 (2)(b.5)	27	Renumbers this provision to conform to standard statutory format. (See HB19-1262, chapter 245, page 2398, Session Laws of Colorado 2022.)
23-1-121.2	28	Repeals text within this section as obsolete due to the repeal of section 22-60.5-208.5, effective June 30, 2022. (See HB20-1418, chapter 197, page 944, Session Laws of Colorado 2022.)
23-3.3-1005 (8)(a)	29	See section 16 of this act amending section 13-40-127 (9)(a),
23-31-313 (9.7)(f)	30	Corrects a cross reference to the provision requiring the repeal of the wildfire mitigation resources and best practices grant program. The house appropriations committee report amending HB22-1007 did not include a conforming amendment updating the cross reference when the repeal provision was renumbered by the report. (See the 2022 House Journal for April 21, page 1158 and HB22-1007, chapter 343, page 2456, Session Laws of Colorado 2022.)
24-1-120.5 (3) and (4)	31	See section 10 of this act amending section 12-10-603 (2)(b).
24-31-1204 (3)(b)(II)	32	Corrects a cross reference to a provision allowing the attorney general to file a motion to dismiss certain actions after considering specific factors. The senate judiciary committee report amending HB22-1119 did not include a conforming amendment updating the cross reference when it was renumbered by the report. (See the 2022 Senate Journal for May 3, page 1176, and HB22-1129, chapter 394, page 2783, Session Laws of Colorado 2022.)
24-32-104 (5)	33	Updates a cross reference to conform with a revision change that relocated the housing toolkit program from section 24-32-721.5 to section 24-32-721.7. (See the 2022 Revisor's Changes (Gray Book), page 41; the editor's



<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
		note following section 24-32-721.7 C.R.S. 2021; SB20B-002, chapter 8, page 41, Special Supplement to the Colorado Revised Statutes 2020; and HB21-1271, chapter 356, page 2324, Session Laws of Colorado 2021.)
24-32-721 (1) and (6)	34	See section 33 of this act amending section 24-32-104 (5).
24-33-111 (2)(a)(I)(A)	35	Corrects a cross reference to a provision establishing a source of funds that may be appropriated to the severance tax operational fund. The error originated in the introduced version of SB21-281. (See SB21-281, chapter 255, page 1501, Session Laws of Colorado 2021.)
24-33.5-424 (3)(a)	36	Repeals a cross reference to section 18-12-108 (4)(c) due to the repeal of the section, effective March 1, 2022. (See SB21-271, chapter 462, page 3210, Session Laws of Colorado 2021.)
24-37.5-903 (1)	37	See section 10 of this act amending section 12-10-603 (2)(b).
24-72-703 (9)(b)	38	Corrects a publication error that resulted in the duplication of language. Text added to subsection (2)(a)(VIII) of this section by SB22-099 was also inadvertently added to subsection (9)(b)(VIII). (See SB22-099, chapter 276, page 1987, Session Laws of Colorado 2022.)
24-75-229 (3)(a)	39	Corrects a cross reference to the task force created in this section. The senate appropriations committee report amending HB22-1329 did not include a conforming amendment updating the cross reference to the task force when the subsection was renumbered by the report. (See the 2021 Senate Journal for June 7, page 1388, and HB21-1329, chapter 347, page 2253, Session Laws of Colorado 2021.)
25-1.5-115 IP(1), (2), (3), and (4)	40	Clarifies that "division" means the "prevention services division" in the department of health care policy and financing because the term is not defined for the article, part, or section for which it is being used. (See section 25-20.5-103, C.R.S. 2022 and the appropriations clause in section 56(5) of HB22-1326, chapter 225, page 1673, Session

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
		Laws of Colorado 2022.)
25-7-105 (1)(e)(X.4)	41	Updates cross references within this provision to conform with changes made by senate second reading floor amendment L.006 to the senate transportation committee report amending SB21-264. The amendment relocated the definitions within section 40-3.2-108 (2). (See the 2021 Senate Journal for June 2, page 1270, and SB21-264, chapter 328, pages 2093 and 2106.)
25-7-125	42	See section 10 of this act amending section 12-10-603 (2)(b).
25-8-901 IP(1), (1)(b), and (5)	43	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
25.5-2-104 (4)	44	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-4-203 (1)(a)	45	Clarifies that the "department of health" is the "department of public health and environment". This corrects an error originating in the introduced version of SB22-013. (See SB22-013, chapter 2, page 64, Session Laws of Colorado 2022.)
25.5-4-301 (14)(b)	46	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-4-401.2 IP(3)	47	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-4-402 (3)(a)	48	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-4-505 (1)	49	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-5-308 (2)(a)(I)(B), (4)(b)(II)(B), and (5)(b)	50	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-5-323 IP(3)(d)	51	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-6-409.3 (2) and (4)	52	See section 3 of this act amending section 6-1-712 (2)(b).
26-5-102 IP(3)(b)	53	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
26-6-905 (10)	54	Changes cross references to correspond with the relocation of provisions by HB22-1256. (See HB22-1256, chapter 451, page 3170, Session Laws of Colorado 2022.)
26-6-914 (2)(c) and (6)(a)(I)(C)	55	See section 54 of this act amending section 26-6-905 (10).
26-6.8-102 (2)(d)(I)	56	Corrects a typographical error originating in the introduced version of SB22-013. (See SB22-037, chapter 23, page 148, Session Laws of Colorado 2022.)
26-7.5-104.5 (2) and IP(3)	57	Clarifies that "department" is the "state department", which is defined as the department of human services in section 26-1-103 (6). This corrects an error originating in the introduced version of SB22-013. (See SB22-183, chapter 194, page 1300, Session Laws of Colorado 2022.)
26.5-4-104 (2)(a)	58	Clarifies that "state department" is the department of early childhood, which is defined for this title as "department" in section 26.5-1-103 (1). (See HB22-1295, chapter 123, page 566, Session Laws of Colorado 2022.)
26.5-4-112 (2)	59	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
26.5-4-119 (2) and (3)	60	See section 58 of this act amending section 26.5-4-104 (2)(a).
26.5-4-208 (1)(d) and (1)(e)	61	<ul style="list-style-type: none"> <li>• [Subsection (1)(d)] Corrects a cross reference to the provision allocating funds for preschool services for eligible children. The error originated in the introduced version of HB22-1295. (See HB22-1295, chapter 123, page 700, Session Laws of Colorado 2022.)</li> <li>• [Subsection (1)(e)] Changes the wording of an internal reference to make it consistent with other statutory provisions referencing county departments of human or social services. (See HB22-1295, chapter 123, page 700, Session Laws of Colorado 2022.)</li> </ul>
26.5-5-303 (17)(a)	62	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
26.5-5-309 (5)	63	See section 54 of this act amending section 26-6-905 (10).

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
26.5-5-317 (2)(c)	64	See section 54 of this act amending section 26-6-905 (10).
26.5-5-326 (1)(c), (4)(b), and (6)	65	<ul style="list-style-type: none"> <li>• [Subsections (1)(c) and (6)] See section 58 of this act amending section 26.5-4-104 (2)(a).</li> <li>• [Subsection (4)(b)] See section 54 of this act amending section 26-6-905 (10).</li> </ul>
26.5-5-329 (1)	66	Corrects a cross reference to a provision exempting certain child care facilities from the testing requirements of part 9 of article 8 of title 25 if certain conditions are met. The error originated in the house appropriations committee report amending HB22-1358. (See the editor's note following section 26.5-5-329 C.R.S. 2022, the 2022 House Journal for May 3, page 1591, and HB22-1358, chapter 382, page 2728, Session Laws of Colorado 2022.)
27-60-104 (1) and (3.5)	67	<ul style="list-style-type: none"> <li>• [Subsection (1)] See section 54 of this act amending section 26-6-905 (10).</li> <li>• [Subsection (3.5)] Inserts a cross reference to correspond with the restructuring of article 65 of this title. House Bill 22-1256 relocated provisions formerly found in section 27-65-103 to section 27-65-104 at the same legislative session that HB22-1214 added subsection (3.5) to this section. Because both bills passed concurrently, the string of cross references was not updated. (See HB22-1214, chapter 142, page 937, and HB22-1256, chapter 451, pages 3176 to 3179 and 3239, Session Laws of Colorado 2022.)</li> </ul>
27-60-301 (3)	68	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
27-60-403 IP(2)(a), (2)(b) and (2)(c)	69	Clarifies that "committee" means the "review committee" defined in section 27-60-401 (7). This corrects an error originating in the senate judiciary committee report amending SB22-196. (See the 2022 Senate Journal for April 18, page 764 and SB22-196, chapter 193, page 1285, Session Laws of Colorado 2022.)
27-64-103 (1)	70	See section 10 of this act amending section 12-10-603 (2)(b).
30-20-602 (4.3)(b)	71	Corrects a cross reference to the definition of a community geothermal garden. The error originated in the senate state, veterans, and military affairs committee report amending

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
		SB22-118. (See the 2022 Senate Journal for March 3, page 325, and SB22-118, chapter 335, page 2379, Session Laws of Colorado 2022.)
30-20-603 (1)(a)	72	Updates a cross reference to the United States Code to correspond with the renumbering of provisions by Public Law 111-260. (See 47 U.S.C. sec. 153 (24) and Public Law 111-260, 124 Stat. 2752.)
31-25-501 (3.5)(b)	73	See section 71 of this act amending section 30-20-602 (4.3)(b).
31-31-1104 (5)	74	Corrects a cross reference to the merger and consolidation provisions of the federal "Internal Revenue Code of 1986", as amended. The error originated in the introduced version of HB22-1034. (See 42 U.S.C. sec. 414(l) and HB22-1034, chapter 61, page 311, Session Laws of Colorado 2022.)
31-31.5-101 (5)(f)	75	Corrects cross references to specific provisions within article 31 of title 31. The errors originated in the introduced version of HB22-1034. (See HB22-1034, chapter 61, page 280, Session Laws of Colorado 2022.)
31-31.5-203 (3)	76	See section 75 of this act amending section 31-31.5-101 (5)(f).
31-31.5-402 IP(4)	77	Corrects a typographical error originating in the introduced version of HB22-1034. (See HB22-1034, chapter 61, page 289, Session Laws of Colorado 2022.)
31-31.5-406 (2)	78	See section 75 of this act amending section 31-31.5-101 (5)(f).
32-9-119 (1)(t)	79	Updates a cross reference to the federal rules governing the safety of state rail transit agencies. In 2016, the Federal Transit Authority replaced 49 CFR 659 with 49 CFR 674. (See 87 FR 6783, 49 CFR 659, and 49 CFR 674.)
33-10.5-108 (3)	80	Repeals as obsolete provisions that require the state treasurer to make transfers of money between certain funds on specific dates or fiscal years because the date has passed or the fiscal year in which the transfer is authorized is over.

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
34-25-101	81	Repeals a cross reference to the violations listed in section 34-24-103 (1) and related text because SB03-329 repealed the violations from the section. (See SB03-329, chapter 377, page 2490, Session Laws of Colorado 2003.)
34-60-132 (5)(b)	82	Changes "Chemical Abstracts Service registry numbers" to "Chemical Abstracts Service numbers" to accurately reflect the defined terminology for the section. (See section 34-60-132 (1)(d), C.R.S. 2022 and HB22-1348, chapter 478, page 3479, Session Laws of Colorado 2022.)
38-12-102 (4)	83	Updates a cross reference to conform with section 84 of this act, which places defined terms in alphabetical order to conform with standard statutory format.
38-12-201.5 (6.5) and (7)	84	See section 83 of this act amending section 38-12-102 (4).
39-9-101 (2)	85	Corrects a grammatical error originating in HB03-1007. (See HB83-1007, chapter 434, page 1504, Session Laws of Colorado 1983.)
39-22-547 (2)(e)	86	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
39-26-721 (1) and (2)	87	Corrects a cross reference to the definition of manufactured home. (See SB22-212, chapter 421, page 2986.)
39-29-109 (2)(b)(III)	88	See section 80 of this act amending section 33-10.5-108 (3).
40-18-101 (5)	89	See section 79 of this act amending section 32-9-119 (1)(t).
40-18-103 (1)(d) and (2)	90	See section 79 of this act amending section 32-9-119 (1)(t).
43-1-127 (4)(d)(I)	91	Corrects a cross reference to the federal definition of governor in Title 49 of the United States Code. (See 49 U.S.C. sec. 5302 (9).)
43-4-205 (5.5)(c)	92	Repeals a cross reference to section 42-3-304 (18)(d)(I) as a conforming amendment to SB14-194. Due to a modification of the fee credit provisions in section 42-3-304 (18)(d)(I) by SB14-194, fees collected pursuant to this section are credited to the Colorado DRIVES vehicle services account,

<b>C.R.S. Section</b>	<b>Section in bill</b>	<b>Reason for Amendment</b>
		not the highway users' tax fund. (See SB14-194, chapter 346, page 1551, Session Laws of Colorado 2014.)
43-4-217 (1)(e) and (1)(f)	93	Changes "road use fee" to "road usage fee" to be consistent with the name of the fee imposed pursuant to section 43-4-217 (3) and (4). (See SB21-260, chapter 250, page 1419, Session Laws of Colorado 2021.)
43-4-1103 IP(2)(a)(I) and (2)(a)(IV)	94	See section 80 of this act amending section 33-10.5-108 (3).
43-10-107 (2)	95	See section 10 of this act amending section 12-10-603 (2)(b).
44-30-1201 (5)(a)(III), (5)(d)(III), (6), (7), (8), (9), (10), (11), (12), and (13)	96	See section 80 of this act amending section 33-10.5-108 (3).