

HOUSE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee

April 27, 2018  
Date

Committee on Appropriations.

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

HB18-1364 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend the Public Health Care & Human Services Report, dated April 17,  
2 2018, page 3, line 8, after the period add "THE COUNCIL SHALL PROVIDE  
3 SUFFICIENT ADVANCE NOTICE OF EACH QUARTERLY MEETING TO THE  
4 INDIVIDUAL EMPLOYED BY EACH STATE DEPARTMENT WHO IS RESPONSIBLE  
5 FOR COORDINATING DEPARTMENTAL ACTIONS RELATED TO THE FEDERAL  
6 "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. 12101 ET SEQ.,  
7 AS AMENDED, SO THAT SUCH INDIVIDUALS CAN ATTEND THE QUARTERLY  
8 MEETINGS AND PROVIDE UPDATES TO THE COUNCIL ON INDIVIDUAL  
9 DEPARTMENTS' PROGRAMS AND ACCESSIBILITY ISSUES."
- 10 Page 3, line 24, after "DISABILITIES;" insert:  
11 (c) CREATING AND MAINTAINING A WEBSITE THAT INCLUDES  
12 RESOURCES FOR PERSONS WITH DISABILITIES;  
13 (d) MAINTAINING A CURRENT LIST OF THE INDIVIDUAL EMPLOYED  
14 BY EACH STATE DEPARTMENT WHO IS RESPONSIBLE FOR COORDINATING  
15 DEPARTMENTAL ACTIONS RELATED TO THE FEDERAL "AMERICANS WITH  
16 DISABILITIES ACT OF 1990", 42 U.S.C. 12101 ET SEQ., AS AMENDED;  
17 (e) COORDINATING WITH STATE BOARDS, ADVISORY COUNCILS,  
18 AND COMMISSIONS ESTABLISHED FOR OR RELATED TO PERSONS WITH  
19 DISABILITIES;  
20 (f) ISSUING AN ANNUAL REPORT TO THE GOVERNOR AND GENERAL  
21 ASSEMBLY ON THE STATE'S PROGRAMS, SERVICES, AND POLICIES  
22 AFFECTING AND ADDRESSING PERSONS WITH DISABILITIES;  
23 (g) MONITORING THE STATE'S IMPLEMENTATION OF TITLE II OF THE  
24 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. 12101

1 ET SEQ., AS AMENDED;  
2 (h) ACTING AS AN ADDITIONAL ENTRY POINT FOR PUBLIC  
3 GRIEVANCES REGARDING DISABILITY ISSUES AND REFERRING THOSE  
4 GRIEVANCES TO THE APPROPRIATE STATE AGENCY OR PERSONNEL;"

5 Reletter succeeding paragraphs accordingly.

6 Page 3, line 29, strike "DISABILITIES." and substitute "DISABILITIES,  
7 INCLUDING BUT NOT LIMITED TO RESEARCH ON HOUSING,  
8 TRANSPORTATION, EMPLOYMENT, EDUCATION, AND HEALTH CARE ISSUES  
9 AS THOSE ISSUES RELATE TO PERSONS WITH DISABILITIES."

10 Page 4, strike lines 11 through 17 and substitute:

11 "Page 6 of the bill, after line 7 insert:

12 "SECTION 10. In Colorado Revised Statutes, 42-1-227, **amend**  
13 (1) introductory portion; and **add** (2) as follows:

14 **42-1-227. Disabled parking education program.** (1) Subject to  
15 the availability of funds appropriated under section 42-1-226, the  
16 Colorado advisory council for persons with disabilities, created in ~~section~~  
17 ~~24-45.5-103, C.R.S.~~, SECTION 25.5-1-703:

18 (2) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
19 THIS SECTION, BEGINNING JANUARY 1, 2019, AND CONTINUING THROUGH  
20 JUNE 30, 2020, UNLESS OTHERWISE PROVIDED FOR IN SUBSECTION (2)(d)  
21 OF THIS SECTION, THE DEPARTMENT OF HEALTH CARE POLICY AND  
22 FINANCING, REFERRED TO IN THIS SECTION AS THE "DEPARTMENT", SHALL  
23 DESIGNATE A COLORADO NONPROFIT ORGANIZATION, REFERRED TO IN THIS  
24 SUBSECTION (2) AS "NONPROFIT ORGANIZATION", TO PERFORM THE DUTIES  
25 AND RESPONSIBILITIES SET FORTH IN SUBSECTIONS (1)(a) AND (1)(b) OF  
26 THIS SECTION CONCERNING THE DISABLED PARKING EDUCATION PROGRAM.  
27 THE DEPARTMENT IS AUTHORIZED TO APPROPRIATE ANY MONEY  
28 APPROPRIATED PURSUANT TO SECTION 42-1-226 TO THE DESIGNATED  
29 NONPROFIT ORGANIZATION.

30 (b) ON OR BEFORE SEPTEMBER 1, 2018, AN INTERESTED NONPROFIT  
31 ORGANIZATION SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT TO  
32 BECOME THE DESIGNATED NONPROFIT ORGANIZATION. THE DEPARTMENT  
33 SHALL CONSIDER THE FOLLOWING CRITERIA IN DETERMINING WHETHER TO  
34 DESIGNATE A NONPROFIT ORGANIZATION TO ADMINISTER THE DISABLED  
35 PARKING EDUCATION PROGRAM:

36 (I) WHETHER MORE THAN FIFTY PERCENT OF THE NONPROFIT  
37 ORGANIZATION'S BOARD HAS A DISABILITY;

1 (II) WHETHER MORE THAN THIRTY-THREE PERCENT OF THE  
2 NONPROFIT ORGANIZATION'S BOARD QUALIFIES FOR DISABLED PARKING;  
3 (III) WHETHER MORE THAN THIRTY-THREE PERCENT OF THE  
4 NONPROFIT ORGANIZATION'S BOARD HAS MARKETING OR ADVERTISING  
5 EXPERIENCE;  
6 (IV) WHETHER THE NONPROFIT ORGANIZATION'S BOARD HAS A  
7 DISABLED VETERAN;  
8 (V) THE LEVEL OF THE NONPROFIT ORGANIZATION'S SUBJECT  
9 MATTER EXPERTISE; AND  
10 (VI) THE NONPROFIT ORGANIZATION'S WILLINGNESS TO PROVIDE  
11 IN-KIND OR OTHER CONTRIBUTIONS TO THE DISABLED PARKING EDUCATION  
12 PROGRAM.  
13 (c) ON OR BEFORE DECEMBER 1, 2019, THE COLORADO ADVISORY  
14 COUNCIL FOR PERSONS WITH DISABILITIES, CREATED IN SECTION  
15 25.5-1-703, SHALL MAKE A RECOMMENDATION TO THE DEPARTMENT  
16 CONCERNING WHETHER OR NOT THE DESIGNATED NONPROFIT  
17 ORGANIZATION MUST CONTINUE TO ADMINISTER THE DISABLED PARKING  
18 EDUCATION PROGRAM. ON OR BEFORE DECEMBER 31, 2019, THE  
19 DEPARTMENT SHALL DETERMINE WHETHER TO CONTINUE TO DESIGNATE  
20 THE NONPROFIT ORGANIZATION AS THE ENTITY TO ADMINISTER THE  
21 DISABLED PARKING EDUCATION PROGRAM; HOWEVER, UNDER NO  
22 CIRCUMSTANCE MAY THE DESIGNATION CONTINUE AFTER JULY 1, 2020."."

23 Page 4 of the report, after line 25 insert:

24 "Page 7 of the bill, before line 14 insert:

25 "SECTION 13. Appropriation. (1) For the 2018-19 state fiscal  
26 year, \$130,798 is appropriated to the department of health care policy and  
27 financing for use by the executive director's office. This appropriation is  
28 from the general fund. To implement this act, the office may use this  
29 appropriation as follows:

30 (a) \$96,067 for personal services, which amount is based on an  
31 assumption that the office will require an additional 1.5 FTE; and

32 (b) \$34,731 for operating expenses."

33 Renumber succeeding sections accordingly.

34 Page 1 of the bill, line 105, strike "AGENCIES." and substitute "AGENCIES,  
35 AND MAKING AN APPROPRIATION."."

\*\* \*\* \*\* \*\* \*\*