

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 18-1064.01 Kristen Forrestal x4217

HOUSE BILL 18-1302

HOUSE SPONSORSHIP

Ginal and Landgraf,

SENATE SPONSORSHIP

Marble,

House Committees

Health, Insurance, & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ALLOWANCE OF THE DEPARTMENT OF PUBLIC**
102 **HEALTH AND ENVIRONMENT TO WAIVE CERTIFICATION**
103 **REQUIREMENTS FOR TOXICOLOGY LABORATORIES THAT HAVE**
104 **BEEN ACCREDITED BY AN ENTITY USING RECOGNIZED FORENSIC**
105 **STANDARDS.**

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>.)

Current law allows the department of public health and environment (department) to waive certain certification requirements for

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

toxicology laboratories that are accredited by the American board of forensic toxicology or the international standards organization. The bill changes the waiver requirement to allow the department to waive certification requirements if the laboratory is accredited by an entity using nationally or internationally recognized forensic standards.

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

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1304, **amend**
3 (4) introductory portion and (4)(a) as follows:

4 **42-4-1304. Samples of blood or other bodily substance - duties**
5 **of department of public health and environment - rules.** (4) The state
6 board of health shall establish and promulgate such administrative
7 ~~regulations~~ RULES and procedures as are necessary to ensure that
8 collection and testing of samples is accomplished to the fullest extent.
9 Such ~~regulations~~ RULES and procedures shall include but not be limited
10 to the following:

11 (a) The certification of laboratories to ensure that the collection
12 and testing of samples is performed in a competent manner, which may
13 include waiving specific certification requirements for laboratories that
14 are accredited by ~~the American board of forensic toxicology, the~~
15 ~~international standards organization, or a successor to either organization~~
16 **A NATIONALLY OR INTERNATIONALLY RECOGNIZED ACCREDITATION**
17 **ORGANIZATION THAT INCLUDES THE SCOPE OF FORENSIC TOXICOLOGY; and**

18 **SECTION 2. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2018 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.