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HOUSE BILL 18-1364

BY REPRESENTATIVE(S) Michaelson Jenet and Landgraf, Danielson, Ginal, Hooton, Lontine, Pettersen, Singer, Becker K., Bridges, Buckner, Coleman, Exum, Gray, Hamner, Hansen, Melton, Roberts, Rosenthal, Salazar, Valdez, Young, Duran, Arndt, Herod, Jackson, Kraft-Tharp, McLachlan, Rankin, Winter;
also SENATOR(S) Martinez Humenik and Zenzinger, Aguilar, Court, Crowder, Fields, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Priola, Smallwood, Tate, Todd, Williams A.

CONCERNING THE CONTINUATION OF THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE SUNSET REVIEW RECOMMENDATIONS OF THE DEPARTMENT OF REGULATORY AGENCIES, AND MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **repeal** article 45.5 of title 24.

SECTION 2. In Colorado Revised Statutes, **add** article 24 to title 26 as follows:

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

ARTICLE 24
Colorado Advisory Council
for Persons with Disabilities

26-24-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) NEARLY A HALF MILLION COLORADANS HAVE ONE OR MORE PHYSICAL, MENTAL, OR DEVELOPMENTAL DISABILITIES;

(b) PERSONS WITH DISABILITIES ARE OFTEN SUBJECT TO DISCRIMINATION IN THE AREAS OF TELECOMMUNICATIONS, PUBLIC SERVICES, PUBLIC ACCOMMODATIONS OPERATED BY PRIVATE ENTITIES, AND EMPLOYMENT; AND

(c) THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED, ESTABLISHED PRINCIPLES AND GUIDELINES REGARDING PERSONS WITH DISABILITIES.

(2) THEREFORE, IT IS IN THE BEST INTERESTS OF THE STATE OF COLORADO TO STRIVE TO ENSURE EQUALITY OF OPPORTUNITY, INDEPENDENT LIVING, AND ECONOMIC SELF-SUFFICIENCY FOR ALL OF THE STATE'S CITIZENS, INCLUDING PERSONS WITH DISABILITIES.

26-24-102. Definitions. AS USED IN THIS ARTICLE 24 UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COUNCIL" MEANS THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES CREATED IN SECTION 26-24-103.

(2) "PERSON WITH A DISABILITY" MEANS A PERSON WHO:

(a) HAS A PHYSICAL OR MENTAL IMPAIRMENT OR CHRONIC MEDICAL CONDITION THAT SUBSTANTIALLY LIMITS ONE OR MORE OF HIS OR HER MAJOR LIFE ACTIVITIES;

(b) HAS A RECORD OF SUCH AN IMPAIRMENT; OR

(c) IS REGARDED AS HAVING SUCH AN IMPAIRMENT.

26-24-103. Colorado advisory council for persons with disabilities - creation - appointments - meetings. (1) THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES IS CREATED IN THE STATE DEPARTMENT.

(2) THE COUNCIL CONSISTS OF SEVEN VOTING MEMBERS AND THREE NONVOTING MEMBERS AND MUST REFLECT STATEWIDE PARTICIPATION AND A COMMITMENT TO THE INCLUSION OF PERSONS WITH DISABILITIES AS FOLLOWS:

(a) VOTING MEMBERS INCLUDE:

(I) TWO MEMBERS SELECTED BY THE GOVERNOR; AND

(II) FIVE MEMBERS SELECTED BY THE EXECUTIVE DIRECTOR FOLLOWING A PUBLIC APPLICATION PROCESS FOR CANDIDATES. OF THE FIVE MEMBERS SELECTED PURSUANT TO THIS SUBSECTION (2)(a)(II), AT LEAST THREE MUST BE EITHER A PERSON WITH A DISABILITY OR A FAMILY MEMBER OF A PERSON WITH A DISABILITY; AND

(b) THREE NONVOTING MEMBERS, AS APPOINTED BY THE EXECUTIVE DIRECTOR, WHO MUST REPRESENT THREE SEPARATE TYPES OF ORGANIZATIONS THAT PROVIDE SERVICES TO THE DISABILITY COMMUNITY.

(3) COUNCIL MEMBERS APPOINTED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION SHALL SERVE THREE-YEAR TERMS, AND COUNCIL MEMBERS APPOINTED PURSUANT TO SUBSECTIONS (2)(a)(II) AND (2)(b) OF THIS SECTION SHALL SERVE TWO-YEAR TERMS. SUBSEQUENTLY APPOINTED MEMBERS SHALL SERVE TWO-YEAR TERMS.

(4) THE ORIGINAL APPOINTING ENTITY SHALL APPOINT A QUALIFIED PERSON TO FILL A VACANCY ON THE COUNCIL FOR THE REMAINDER OF ANY UNEXPIRED TERM. IF THE ORIGINAL APPOINTING ENTITY DOES NOT APPOINT A PERSON TO FILL THE VACANCY WITHIN SIXTY DAYS AFTER THE DATE THE VACANCY ARISES, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE, WITHIN NINETY DAYS AFTER THE DATE THE VACANCY ARISES, SHALL JOINTLY APPOINT A QUALIFIED PERSON TO FILL THE VACANCY. IF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE DO NOT APPOINT A PERSON TO FILL THE VACANCY WITHIN THE NINETY-DAY PERIOD, THE COUNCIL, BY A MAJORITY VOTE, SHALL

APPOINT A QUALIFIED PERSON TO FILL THE VACANCY.

(5) THE COUNCIL SHALL CONVENE ITS FIRST MEETING ON OR BEFORE AUGUST 1, 2018, AND MEET AT LEAST QUARTERLY THEREAFTER. THE MEETINGS OF THE COUNCIL SHALL ALSO BE HELD ON CALL OF THE CHAIR OR AT THE REQUEST OF AT LEAST THREE MEMBERS OF THE COUNCIL. THE MEMBERS OF THE COUNCIL SHALL SELECT THE COUNCIL CHAIR AT THE FIRST MEETING. THE COUNCIL SHALL PROVIDE SUFFICIENT ADVANCE NOTICE OF EACH QUARTERLY MEETING TO THE INDIVIDUAL EMPLOYED BY EACH STATE DEPARTMENT WHO IS RESPONSIBLE FOR COORDINATING DEPARTMENTAL ACTIONS RELATED TO THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. 12101 ET SEQ., AS AMENDED, SO THAT SUCH INDIVIDUALS CAN ATTEND THE QUARTERLY MEETINGS AND PROVIDE UPDATES TO THE COUNCIL ON INDIVIDUAL DEPARTMENTS' PROGRAMS AND ACCESSIBILITY ISSUES.

(6) EXCEPT AS PROVIDED FOR IN SECTION 2-2-326, COUNCIL MEMBERS SHALL NOT RECEIVE COMPENSATION FOR THEIR TIME BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES, INCLUDING AN ALLOWANCE FOR MILEAGE AS PROVIDED IN SECTION 24-9-104 (2) AND ANY REASONABLE AND NECESSARY EXPENSES ASSOCIATED WITH PROVIDING ACCOMMODATIONS FOR A COUNCIL MEMBER'S DISABILITY.

(7) THE STATE DEPARTMENT SHALL PROVIDE STAFF SUPPORT TO THE COUNCIL AS NECESSARY.

26-24-104. Powers and duties of the council. (1) THE COUNCIL HAS THE FOLLOWING POWERS, FUNCTIONS, AND DUTIES:

(a) RECOMMENDING AND REVIEWING LEGISLATION, THROUGH THE STATE DEPARTMENT, RELATED TO ACCESSIBILITY, SERVICES AND SUPPORTS, AND OTHER ISSUES CONCERNING THE DISABILITY COMMUNITY;

(b) CONDUCTING INFORMAL REVIEWS OF VARIOUS STATE DEPARTMENTS RELATED TO ACCESSIBILITY ISSUES RELATED TO PERSONS WITH DISABILITIES;

(c) CREATING AND MAINTAINING A WEBSITE THAT INCLUDES RESOURCES FOR PERSONS WITH DISABILITIES;

(d) MAINTAINING A CURRENT LIST OF THE INDIVIDUAL EMPLOYED BY EACH STATE DEPARTMENT WHO IS RESPONSIBLE FOR COORDINATING DEPARTMENTAL ACTIONS RELATED TO THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. 12101 ET SEQ., AS AMENDED;

(e) COORDINATING WITH STATE BOARDS, ADVISORY COUNCILS, AND COMMISSIONS ESTABLISHED FOR OR RELATED TO PERSONS WITH DISABILITIES;

(f) ISSUING AN ANNUAL REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY ON THE STATE'S PROGRAMS, SERVICES, AND POLICIES AFFECTING AND ADDRESSING PERSONS WITH DISABILITIES;

(g) MONITORING THE STATE'S IMPLEMENTATION OF TITLE II OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. 12101 ET SEQ., AS AMENDED;

(h) ACTING AS AN ADDITIONAL ENTRY POINT FOR PUBLIC GRIEVANCES REGARDING DISABILITY ISSUES AND REFERRING THOSE GRIEVANCES TO THE APPROPRIATE STATE AGENCY OR PERSONNEL;

(i) COORDINATING EFFORTS AND RESPONSIBILITIES RELATED TO THE DISABLED PARKING EDUCATION PROGRAMS PURSUANT TO SECTIONS 42-1-227 AND 42-3-204; AND

(j) CONDUCTING RESEARCH CONCERNING HOW TO MAKE COLORADO THE BEST STATE FOR PERSONS WITH DISABILITIES, INCLUDING BUT NOT LIMITED TO RESEARCH ON HOUSING, TRANSPORTATION, EMPLOYMENT, EDUCATION, AND HEALTH CARE ISSUES AS THOSE ISSUES RELATE TO PERSONS WITH DISABILITIES.

26-24-105. Gifts, grants, and donations. THE COUNCIL IS AUTHORIZED TO RECEIVE AND EXPEND GIFTS, GRANTS, AND DONATIONS FROM INDIVIDUALS, PRIVATE ORGANIZATIONS, FOUNDATIONS, OR ANY GOVERNMENTAL UNIT; EXCEPT THAT THE COUNCIL MAY NOT ACCEPT A GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS ARTICLE 24 OR ANY OTHER LAW OF THIS STATE.

26-24-106. Repeal of article. THIS ARTICLE 24 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023. PRIOR TO REPEAL, THE COUNCIL MUST BE

REVIEWED, AS PROVIDED IN SECTION 2-3-1203.

SECTION 3. In Colorado Revised Statutes, 2-3-1203, **repeal** (6)(a)(III); and **add** (14)(a)(IX) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (6) (a) The following statutory authorizations for the designated advisory committees will repeal on July 1, 2018:

(III) ~~The Colorado advisory council for persons with disabilities created in section 24-45.5-103, C.R.S.;~~

(14) (a) The following statutory authorizations for the designated advisory committees are scheduled for repeal on September 1, 2023:

(IX) THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES CREATED IN SECTION 26-24-103.

SECTION 4. In Colorado Revised Statutes, 19-3.5-104, **amend** (2) introductory portion and (2)(c) as follows:

19-3.5-104. Colorado children's trust fund board - creation - members. (2) The board ~~shall consist~~ CONSISTS of nine members, as follows:

(c) Six persons appointed by the governor and confirmed by the senate, five of whom shall be knowledgeable in the area of child abuse prevention and represent some of the following areas: Law enforcement; medicine; law; business; mental health; domestic relations; child abuse prevention; education; and social work; and one who ~~shall be~~ IS a parent or a representative of a parent organization. In making appointments to the board, the governor is encouraged to include representation by at least one member who is a person with a disability, as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities, provided that the other requirements of this ~~paragraph (c)~~ SUBSECTION (2)(c) are met.

SECTION 5. In Colorado Revised Statutes, 24-32-706, **amend** (1)

as follows:

24-32-706. State housing board. (1) There is hereby created, within the division of housing, the state housing board. The board ~~shall consist~~ CONSISTS of seven members ~~who shall be~~ appointed by the governor for terms of four years each, except as provided in subsection (2) of this section. In making appointments to the board, the governor shall include representation by at least one member who is a person with a disability, as defined in ~~section 24-45.5-102 (2)~~ SECTION 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities.

SECTION 6. In Colorado Revised Statutes, 25-1-103, **amend** (1) as follows:

25-1-103. State board of health created. (1) There is hereby created a state board of health, referred to in this part 1 as the "board". ~~which shall consist~~ THE BOARD CONSISTS of nine members, of which one member ~~shall~~ MUST be appointed by the governor, with the consent of the senate, from each congressional district and the remainder from the state at large. A vacancy on the board occurs whenever any member moves out of the congressional district from which he OR SHE was appointed. A member who moves out of such congressional district shall promptly notify the governor of the date of ~~such~~ HIS OR HER move, but ~~such~~ THE notice is not a condition precedent to the occurrence of the vacancy. The governor shall fill the vacancy by appointment for the unexpired term. No more than five members of the board shall be members of the same major political party. Appointments made to take effect on January 1, 1983, shall be made in accordance with section 24-1-135. ~~C.R.S.~~ Appointments thereafter ~~shall be~~ ARE made, with the consent of the senate, for terms of four years each and ~~shall be~~ made so that no business or professional group ~~shall constitute~~ CONSTITUTES a majority of the board. In making appointments to the board, the governor is encouraged to include representation by at least one member who is a person with a disability, as defined in ~~section 24-45.5-102 (2)~~; ~~C.R.S.~~ SECTION 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities if the other requirements of this subsection (1) are met.

SECTION 7. In Colorado Revised Statutes, 25.5-1-301, **amend** (1) as follows:

25.5-1-301. Medical services board - creation. (1) There is hereby created in the state department a medical services board, referred to in this part 3 as the "board". ~~which shall consist~~ THE BOARD CONSISTS of eleven members appointed by the governor with the consent of the senate. The governor shall appoint persons to the board who have knowledge of medical assistance programs, and one or more of the appointments may include a person or persons who have received services through programs administered by the department within two years of the date of appointment. No more than six members of the board shall be members of the same political party. Of the eleven members appointed to the board, at least one ~~shall~~ MUST be appointed from each congressional district. In making appointments to the board, the governor shall include representation by at least one member who is a person with a disability, as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities, provided that the other requirements of this subsection (1) are met.

SECTION 8. In Colorado Revised Statutes, 26-1-107, **amend** (1)(a) as follows:

26-1-107. State board of human services - rules. (1) (a) There is hereby created the state board of human services, REFERRED TO IN THIS SECTION AS THE "STATE BOARD". The state board ~~shall consist~~ CONSISTS of nine members ~~each of whom shall be~~ appointed by the governor, with the consent of the senate, for terms of four years each. In making appointments to the board, the governor shall include representation by at least one member who is a person with a disability, as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities.

SECTION 9. In Colorado Revised Statutes, **amend** 27-65-131 as follows:

27-65-131. Advisory board - service standards and rules. An advisory board, REFERRED TO AS THE "BOARD" IN THIS SECTION, to the department is established for the purpose of assisting and advising the executive director in accordance with section 27-65-130 in the development of service standards and rules. The board consists of not less than eleven nor more than fifteen members appointed by the governor. The ~~advisory~~

board includes one representative each from the office of behavioral health, the department of human services, the department of public health and environment, the university of Colorado health sciences center, and a leading professional association of psychiatrists in this state; at least one member representing proprietary skilled health care facilities; one member representing nonprofit health care facilities; one member representing the Colorado bar association; one member representing consumers of services for persons with mental health disorders; one member representing families of persons with mental health disorders; one member representing children's health care facilities; and other persons from both the private and the public sectors who are recognized or known to be interested and informed in the area of the board's purpose and function. In making appointments to the board, the governor is encouraged to include representation by at least one member who is a person with a disability, as defined in ~~section 24-45.5-102~~ (2) SECTION 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities, provided that the other requirements of this section are met.

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

42-1-227. Disabled parking education program. (1) Subject to the availability of funds appropriated ~~under~~ TO THE DEPARTMENT OF HUMAN SERVICES PURSUANT TO section 42-1-226, the Colorado advisory council for persons with disabilities, created in ~~section 24-45.5-103, C.R.S.~~ SECTION 26-24-103:

(2) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, BEGINNING JANUARY 1, 2019, AND CONTINUING THROUGH JUNE 30, 2020, UNLESS OTHERWISE PROVIDED FOR IN SUBSECTION (2)(d) OF THIS SECTION, THE DEPARTMENT OF HUMAN SERVICES, REFERRED TO IN THIS SECTION AS THE "DEPARTMENT", SHALL DESIGNATE A COLORADO NONPROFIT ORGANIZATION, REFERRED TO IN THIS SUBSECTION (2) AS "NONPROFIT ORGANIZATION", TO PERFORM THE DUTIES AND RESPONSIBILITIES SET FORTH IN SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION CONCERNING THE DISABLED PARKING EDUCATION PROGRAM. THE DEPARTMENT IS AUTHORIZED TO APPROPRIATE ANY MONEY APPROPRIATED PURSUANT TO SECTION 42-1-226 TO THE NONPROFIT ORGANIZATION DESIGNATED PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, AND SHALL DISTRIBUTE SUCH MONEY TO THE DESIGNATED NONPROFIT ORGANIZATION ON OR BEFORE NOVEMBER

1, 2018.

(b) ON OR BEFORE SEPTEMBER 1, 2018, AN INTERESTED NONPROFIT ORGANIZATION SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT TO BECOME THE DESIGNATED NONPROFIT ORGANIZATION. ON OR BEFORE OCTOBER 1, 2018, THE DEPARTMENT SHALL DESIGNATE A SINGLE NONPROFIT ORGANIZATION TO ADMINISTER THE DISABLED PARKING EDUCATION PROGRAM, AFTER CONSIDERATION OF THE FOLLOWING CRITERIA:

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

(II) WHETHER MORE THAN THIRTY-THREE PERCENT OF THE NONPROFIT ORGANIZATION'S BOARD QUALIFIES FOR DISABLED PARKING;

(III) WHETHER MORE THAN THIRTY-THREE PERCENT OF THE NONPROFIT ORGANIZATION'S BOARD HAS MARKETING OR ADVERTISING EXPERIENCE;

(IV) WHETHER THE NONPROFIT ORGANIZATION'S BOARD HAS A DISABLED VETERAN;

(V) THE LEVEL OF THE NONPROFIT ORGANIZATION'S SUBJECT MATTER EXPERTISE; AND

(VI) THE NONPROFIT ORGANIZATION'S WILLINGNESS TO PROVIDE IN-KIND OR OTHER CONTRIBUTIONS TO THE DISABLED PARKING EDUCATION PROGRAM.

(c) ON OR BEFORE DECEMBER 1, 2019, THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES, CREATED IN SECTION 26-24-103, SHALL MAKE A RECOMMENDATION TO THE DEPARTMENT CONCERNING WHETHER OR NOT THE DESIGNATED NONPROFIT ORGANIZATION MUST CONTINUE TO ADMINISTER THE DISABLED PARKING EDUCATION PROGRAM. ON OR BEFORE DECEMBER 31, 2019, THE DEPARTMENT SHALL DETERMINE WHETHER TO CONTINUE TO DESIGNATE THE NONPROFIT ORGANIZATION AS THE ENTITY TO ADMINISTER THE DISABLED PARKING EDUCATION PROGRAM; HOWEVER, UNDER NO CIRCUMSTANCE MAY THE DESIGNATION CONTINUE AFTER JULY 1, 2020.

(d) NO LATER THAN ONE MONTH FOLLOWING THE TERMINATION OF THE CONTRACT WITH THE DESIGNATED NONPROFIT ORGANIZATION PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION, THE DEPARTMENT SHALL DISTRIBUTE THE MONEY APPROPRIATED TO IT FOR THE DISABLED PARKING EDUCATION PROGRAM PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION TO THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES FOR THE PURPOSES OF THIS SECTION FOR THE CONTINUED IMPLEMENTATION OF THIS SECTION.

SECTION 11. In Colorado Revised Statutes, 42-3-204, **amend** (2)(d) introductory portion and (5)(d) as follows:

42-3-204. Reserved parking for persons with disabilities - applicability - definitions - rules. (2) Administration by the department. (d) Department to establish forms - rules. The department, in consultation with the Colorado advisory council for persons with disabilities, created in ~~section 24-45.5-103, C.R.S.~~ SECTION 26-24-103, shall promulgate a rule creating an application and renewal form that:

(5) Issuance of plate or placard - rules. (d) Department to give notice of rights and responsibilities. When a person files an application for issuance or renewal of an identifying plate or placard under this section, the department shall provide to the applicant an informational pamphlet or other informational source, DEVELOPED BY THE DEPARTMENT, that describes reserved parking and the rights and responsibilities of the holders of identifying plates or placards. ~~The pamphlet or other informational source shall be developed by the department in consultation with the Colorado advisory council for persons with disabilities, created in section 24-45.5-103, C.R.S.~~ THE DEPARTMENT, IN CONSULTATION WITH THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES, CREATED IN SECTION 26-24-103, SHALL DEVELOP THE PAMPHLET OR OTHER INFORMATIONAL SOURCE.

SECTION 12. In Colorado Revised Statutes, 43-1-106, **amend** (4)(c) as follows:

43-1-106. Transportation commission - powers and duties - repeal. (4) (c) As the terms of the members of the commission expire, the governor shall consider the appointment to the commission of one or more individuals with knowledge or experience in mass transportation in order

to provide for a commission with expertise in different modes of transportation and shall consider the appointment to the commission of at least one individual with knowledge or experience in engineering. In making appointments to the commission, the governor is encouraged to include representation by at least one member who is a person with a disability, as defined in ~~section 24-45.5-102(2), C.R.S.~~ SECTION 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities, provided that the other requirements of this ~~paragraph (c)~~ SUBSECTION (4)(c) are met.

SECTION 13. Appropriation. For the 2018-19 state fiscal year, \$250,000 is appropriated to the department of human services for use by the executive director's office. This appropriation is from the general fund and is based on the assumption that the department will require an additional 1.0 FTE. To implement this act, the office may use this appropriation for the council for persons with disabilities.

SECTION 14. Effective date. This act takes effect July 1, 2018.

SECTION 15. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO