

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 18-0379.01 Jane Ritter x4342

**HOUSE BILL 18-1364**

**HOUSE SPONSORSHIP**

**Michaelson Jenet and Landgraf**, Danielson, Ginal, Hooton, Lontine, Pettersen, Singer

**SENATE SPONSORSHIP**

**Martinez Humenik and Zenzinger**,

**House Committees**

Public Health Care & Human Services  
Appropriations

**Senate Committees**

**A BILL FOR AN ACT**

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

**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/>.)*

**Sunset Process - House Public Health Care and Human Services Committee.** The bill implements the recommendation of the

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.*

HOUSE  
3rd Reading Unamended  
April 30, 2018

HOUSE  
Amended 2nd Reading  
April 27, 2018

department of regulatory agencies to sunset the Colorado advisory council for persons with disabilities. The bill makes conforming amendments.

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

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

4 **SECTION 2.** In Colorado Revised Statutes, **add** part 7 to article  
5 1 of title 25.5 as follows:

6 **PART 7**

7 **COLORADO ADVISORY COUNCIL**

8 **FOR PERSONS WITH DISABILITIES**

9 **25.5-1-701. Legislative declaration.** (1) **THE GENERAL**  
10 **ASSEMBLY FINDS AND DECLARES THAT:**

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

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

17 (c) **THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990",**  
18 **42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED, ESTABLISHED PRINCIPLES AND**  
19 **GUIDELINES REGARDING PERSONS WITH DISABILITIES.**

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

24 **25.5-1-702. Definitions.** **AS USED IN THIS PART 7, UNLESS THE**  
25 **CONTEXT OTHERWISE REQUIRES:**

1 (1) "COUNCIL" MEANS THE COLORADO ADVISORY COUNCIL FOR  
2 PERSONS WITH DISABILITIES CREATED IN SECTION 25.5-1-703.

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

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

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

8 (c) IS REGARDED AS HAVING SUCH AN IMPAIRMENT.

9 **25.5-1-703. Colorado advisory council for persons with**  
10 **disabilities - creation - appointments - meetings.** (1) THE COLORADO  
11 ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES IS CREATED IN THE  
12 STATE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

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

17 (a) VOTING MEMBERS INCLUDE:

18 (I) TWO MEMBERS SELECTED BY THE GOVERNOR; AND

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

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

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

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

18 (5) THE COUNCIL SHALL CONVENE ITS FIRST MEETING ON OR  
19 BEFORE AUGUST 1, 2018, AND MEET AT LEAST QUARTERLY THEREAFTER.  
20 THE MEETINGS OF THE COUNCIL SHALL ALSO BE HELD ON CALL OF THE  
21 CHAIR OR AT THE REQUEST OF AT LEAST THREE MEMBERS OF THE COUNCIL.  
22 THE MEMBERS OF THE COUNCIL SHALL SELECT THE COUNCIL CHAIR AT THE  
23 FIRST MEETING. THE COUNCIL SHALL PROVIDE SUFFICIENT ADVANCE  
24 NOTICE OF EACH QUARTERLY MEETING TO THE INDIVIDUAL EMPLOYED BY  
25 EACH STATE DEPARTMENT WHO IS RESPONSIBLE FOR COORDINATING  
26 DEPARTMENTAL ACTIONS RELATED TO THE FEDERAL "AMERICANS WITH  
27 DISABILITIES ACT OF 1990", 42 U.S.C. 12101 ET SEQ., AS AMENDED, SO

1 THAT SUCH INDIVIDUALS CAN ATTEND THE QUARTERLY MEETINGS AND  
2 PROVIDE UPDATES TO THE COUNCIL ON INDIVIDUAL DEPARTMENTS'  
3 PROGRAMS AND ACCESSIBILITY ISSUES.

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

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

12 **25.5-1-704. Powers and duties of the council.** (1) THE COUNCIL  
13 HAS THE FOLLOWING POWERS, FUNCTIONS, AND DUTIES:

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

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

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

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

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

1     DISABILITIES;

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

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

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

11            (i) COORDINATING EFFORTS AND RESPONSIBILITIES RELATED TO  
12    THE DISABLED PARKING EDUCATION PROGRAMS PURSUANT TO SECTIONS  
13    42-1-227 AND 42-3-204; AND

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

19            **25.5-1-705. Gifts, grants, and donations.** THE COUNCIL IS  
20    AUTHORIZED TO RECEIVE AND EXPEND GIFTS, GRANTS, AND DONATIONS  
21    FROM INDIVIDUALS, PRIVATE ORGANIZATIONS, FOUNDATIONS, OR ANY  
22    GOVERNMENTAL UNIT; EXCEPT THAT THE COUNCIL MAY NOT ACCEPT A  
23    GIFT, GRANT, OR DONATION IF IT IS SUBJECT TO CONDITIONS THAT ARE  
24    INCONSISTENT WITH THIS PART 7 OR ANY OTHER LAW OF THIS STATE.

25            **26-24-106. Repeal of part.** THIS PART 7 IS REPEALED, EFFECTIVE  
26    SEPTEMBER 1, 2023. PRIOR TO REPEAL, THE COUNCIL MUST BE REVIEWED,  
27    AS PROVIDED IN SECTION 2-3-1203.

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

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

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

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

11          (VI) ~~THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH~~  
12          ~~DISABILITIES CREATED IN SECTION 25.5-1-703.~~

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

15          **19-3.5-104. Colorado children's trust fund board - creation -**  
16          **members.** (2) The board ~~shall consist~~ CONSISTS of nine members, as  
17          follows:

18          (c) Six persons appointed by the governor and confirmed by the  
19          senate, five of whom shall be knowledgeable in the area of child abuse  
20          prevention and represent some of the following areas: Law enforcement;  
21          medicine; law; business; mental health; domestic relations; child abuse  
22          prevention; education; and social work; and one who ~~shall be~~ IS a parent  
23          or a representative of a parent organization. In making appointments to  
24          the board, the governor is encouraged to include representation by at least  
25          one member who is a person with a disability, as defined in ~~section~~  
26          ~~24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family member of a  
27          person with a disability, or a member of an advocacy group for persons

1 with disabilities, provided that the other requirements of this paragraph  
2 ~~(e)~~ SUBSECTION (2)(c) are met.

3 **SECTION 5.** In Colorado Revised Statutes, 24-32-706, **amend**  
4 (1) as follows:

5 **24-32-706. State housing board.** (1) There is hereby created,  
6 within the division of housing, the state housing board. The board shall  
7 ~~consist~~ CONSISTS of seven members ~~who shall be~~ appointed by the  
8 governor for terms of four years each, except as provided in subsection  
9 (2) of this section. In making appointments to the board, the governor  
10 shall include representation by at least one member who is a person with  
11 a disability, as defined in ~~section 24-45.5-102 (2)~~ SECTION 24-34-301  
12 (2.5), a family member of a person with a disability, or a member of an  
13 advocacy group for persons with disabilities.

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

16 **25-1-103. State board of health created.** (1) There is hereby  
17 created a state board of health, referred to in this part 1 as the "board".  
18 ~~which shall consist~~ THE BOARD CONSISTS of nine members, of which one  
19 member shall MUST be appointed by the governor, with the consent of the  
20 senate, from each congressional district and the remainder from the state  
21 at large. A vacancy on the board occurs whenever any member moves out  
22 of the congressional district from which he OR SHE was appointed. A  
23 member who moves out of such congressional district shall promptly  
24 notify the governor of the date of ~~such~~ HIS OR HER move, but ~~such~~ THE  
25 notice is not a condition precedent to the occurrence of the vacancy. The  
26 governor shall fill the vacancy by appointment for the unexpired term. No  
27 more than five members of the board shall be members of the same major



1 political party. Appointments made to take effect on January 1, 1983,  
2 shall be made in accordance with section 24-1-135. ~~C.R.S.~~ Appointments  
3 thereafter ~~shall be~~ ARE made, with the consent of the senate, for terms of  
4 four years each and ~~shall be~~ made so that no business or professional  
5 group ~~shall constitute~~ CONSTITUTES a majority of the board. In making  
6 appointments to the board, the governor is encouraged to include  
7 representation by at least one member who is a person with a disability,  
8 as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a  
9 family member of a person with a disability, or a member of an advocacy  
10 group for persons with disabilities if the other requirements of this  
11 subsection (1) are met.

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

14 **25.5-1-301. Medical services board - creation.** (1) There is  
15 ~~hereby~~ created in the state department a medical services board, referred  
16 to in this part 3 as the "board". ~~which shall consist~~ THE BOARD CONSISTS  
17 of eleven members appointed by the governor with the consent of the  
18 senate. The governor shall appoint persons to the board who have  
19 knowledge of medical assistance programs, and one or more of the  
20 appointments may include a person or persons who have received  
21 services through programs administered by the department within two  
22 years of the date of appointment. No more than six members of the board  
23 shall be members of the same political party. Of the eleven members  
24 appointed to the board, at least one ~~shall~~ MUST be appointed from each  
25 congressional district. In making appointments to the board, the governor  
26 shall include representation by at least one member who is a person with  
27 a disability, as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION

1 24-34-301 (2.5), a family member of a person with a disability, or a  
2 member of an advocacy group for persons with disabilities, provided that  
3 the other requirements of this subsection (1) are met.

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

6 **26-1-107. State board of human services - rules.** (1) (a) There  
7 is hereby created the state board of human services, REFERRED TO IN THIS  
8 SECTION AS THE "STATE BOARD". The state board ~~shall consist~~ CONSISTS  
9 of nine members ~~each of whom shall be~~ appointed by the governor, with  
10 the consent of the senate, for terms of four years each. In making  
11 appointments to the board, the governor shall include representation by  
12 at least one member who is a person with a disability, as defined in  
13 ~~section 24-45.5-102 (2), C.R.S.~~ SECTION 24-34-301 (2.5), a family  
14 member of a person with a disability, or a member of an advocacy group  
15 for persons with disabilities.

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

18 **27-65-131. Advisory board - service standards and rules.** An  
19 advisory board, REFERRED TO AS THE "BOARD" IN THIS SECTION, to the  
20 department is established for the purpose of assisting and advising the  
21 executive director in accordance with section 27-65-130 in the  
22 development of service standards and rules. The board consists of not less  
23 than eleven nor more than fifteen members appointed by the governor.  
24 The advisory board includes one representative each from the office of  
25 behavioral health, the department of human services, the department of  
26 public health and environment, the university of Colorado health sciences  
27 center, and a leading professional association of psychiatrists in this state;

1 at least one member representing proprietary skilled health care facilities;  
2 one member representing nonprofit health care facilities; one member  
3 representing the Colorado bar association; one member representing  
4 consumers of services for persons with mental health disorders; one  
5 member representing families of persons with mental health disorders;  
6 one member representing children's health care facilities; and other  
7 persons from both the private and the public sectors who are recognized  
8 or known to be interested and informed in the area of the board's purpose  
9 and function. In making appointments to the board, the governor is  
10 encouraged to include representation by at least one member who is a  
11 person with a disability, as defined in ~~section 24-45.5-102 (2)~~ SECTION  
12 24-34-301 (2.5), a family member of a person with a disability, or a  
13 member of an advocacy group for persons with disabilities, provided that  
14 the other requirements of this section are met.

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

17 **42-1-227. Disabled parking education program.** (1) Subject to  
18 the availability of funds appropriated under section 42-1-226, the  
19 Colorado advisory council for persons with disabilities, created in ~~section~~  
20 ~~24-45.5-103, C.R.S.~~, SECTION 25.5-1-703:

21 (2) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
22 THIS SECTION, BEGINNING JANUARY 1, 2019, AND CONTINUING THROUGH  
23 JUNE 30, 2020, UNLESS OTHERWISE PROVIDED FOR IN SUBSECTION (2)(d)  
24 OF THIS SECTION, THE DEPARTMENT OF HEALTH CARE POLICY AND  
25 FINANCING, REFERRED TO IN THIS SECTION AS THE "DEPARTMENT", SHALL  
26 DESIGNATE A COLORADO NONPROFIT ORGANIZATION, REFERRED TO IN THIS  
27 SUBSECTION (2) AS "NONPROFIT ORGANIZATION", TO PERFORM THE DUTIES

1 AND RESPONSIBILITIES SET FORTH IN SUBSECTIONS (1)(a) AND (1)(b) OF  
2 THIS SECTION CONCERNING THE DISABLED PARKING EDUCATION PROGRAM.  
3 THE DEPARTMENT IS AUTHORIZED TO APPROPRIATE ANY MONEY  
4 APPROPRIATED PURSUANT TO SECTION 42-1-226 TO THE DESIGNATED  
5 NONPROFIT ORGANIZATION.

6 (b) ON OR BEFORE SEPTEMBER 1, 2018, AN INTERESTED NONPROFIT  
7 ORGANIZATION SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT TO  
8 BECOME THE DESIGNATED NONPROFIT ORGANIZATION. THE DEPARTMENT  
9 SHALL CONSIDER THE FOLLOWING CRITERIA IN DETERMINING WHETHER TO  
10 DESIGNATE A NONPROFIT ORGANIZATION TO ADMINISTER THE DISABLED  
11 PARKING EDUCATION PROGRAM:

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

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

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

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

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

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

26 (c) ON OR BEFORE DECEMBER 1, 2019, THE COLORADO ADVISORY  
27 COUNCIL FOR PERSONS WITH DISABILITIES, CREATED IN SECTION

1 25.5-1-703, SHALL MAKE A RECOMMENDATION TO THE DEPARTMENT  
2 CONCERNING WHETHER OR NOT THE DESIGNATED NONPROFIT  
3 ORGANIZATION MUST CONTINUE TO ADMINISTER THE DISABLED PARKING  
4 EDUCATION PROGRAM. ON OR BEFORE DECEMBER 31, 2019, THE  
5 DEPARTMENT SHALL DETERMINE WHETHER TO CONTINUE TO DESIGNATE  
6 THE NONPROFIT ORGANIZATION AS THE ENTITY TO ADMINISTER THE  
7 DISABLED PARKING EDUCATION PROGRAM; HOWEVER, UNDER NO  
8 CIRCUMSTANCE MAY THE DESIGNATION CONTINUE AFTER JULY 1, 2020.

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

11 **42-3-204. Reserved parking for persons with disabilities -**  
12 **applicability - definitions - rules. (2) Administration by the**  
13 **department. (d) Department to establish forms - rules.** The  
14 department, in consultation with the Colorado advisory council for  
15 persons with disabilities, created in ~~section 24-45.5-103, C.R.S.~~ SECTION  
16 25.5-1-703, shall promulgate a rule creating an application and renewal  
17 form that:

18 (5) **Issuance of plate or placard - rules. (d) Department to give**  
19 **notice of rights and responsibilities.** When a person files an application  
20 for issuance or renewal of an identifying plate or placard under this  
21 section, the department shall provide to the applicant an informational  
22 pamphlet or other informational source, DEVELOPED BY THE DEPARTMENT,  
23 that describes reserved parking and the rights and responsibilities of the  
24 holders of identifying plates or placards. ~~The pamphlet or other~~  
25 ~~informational source shall be developed by the department in consultation~~  
26 ~~with the Colorado advisory council for persons with disabilities, created~~  
27 ~~in section 24-45.5-103, C.R.S.~~ THE DEPARTMENT, IN CONSULTATION WITH

1 THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES,  
2 CREATED IN SECTION 25.5-1-703, SHALL DEVELOP THE PAMPHLET OR  
3 OTHER INFORMATIONAL SOURCE.

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

6 43-1-106. **Transportation commission - powers and duties -**  
7 **repeal.** (4) (c) As the terms of the members of the commission expire,  
8 the governor shall consider the appointment to the commission of one or  
9 more individuals with knowledge or experience in mass transportation in  
10 order to provide for a commission with expertise in different modes of  
11 transportation and shall consider the appointment to the commission of  
12 at least one individual with knowledge or experience in engineering. In  
13 making appointments to the commission, the governor is encouraged to  
14 include representation by at least one member who is a person with a  
15 disability, as defined in ~~section 24-45.5-102 (2), C.R.S.~~ SECTION  
16 24-34-301 (2.5), a family member of a person with a disability, or a  
17 member of an advocacy group for persons with disabilities, provided that  
18 the other requirements of this ~~paragraph (c)~~ SUBSECTION (4)(c) are met.

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

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

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

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

1           **SECTION 15. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, and safety.