

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

ENGROSSED

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

LLS NO. 24-0414.01 Michael Dohr x4347

HOUSE BILL 24-1103

HOUSE SPONSORSHIP

Amabile and Herod,

SENATE SPONSORSHIP

Gonzales and Buckner,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROHIBITIONS ON THE OFFICIAL USE OF THE TERM**
102 **"EXCITED DELIRIUM".**

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>.)

The bill prohibits training for law enforcement personnel, emergency medical service providers, or other first responders from including the term "excited delirium". A peace officer is prohibited from using the term "excited delirium" to describe a person in an incident report. A coroner or other person authorized to determine a cause of death shall not register "excited delirium" as the cause of death on a death

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
Amended 2nd Reading
February 12, 2024

certificate.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-31-907 as
3 follows:

4 **24-31-907. Prohibited use of "excited delirium" - definition.**

5 (1) (a) A PERSON OR ENTITY CONDUCTING A TRAINING PROGRAM FOR
6 PEACE OFFICERS, AS DESCRIBED IN SECTION 16-2.5-101 (1), OR OTHER
7 FIRST RESPONDERS SHALL NOT INCLUDE ANY TRAINING ON OR REFERENCE
8 TO THE TERM "EXCITED DELIRIUM" IN ANY TRAINING PROGRAM. A PEACE
9 OFFICER, AS DESCRIBED IN SECTION 16-2.5-101 (1), LAW ENFORCEMENT
10 AGENCY, OR OTHER ORGANIZATION SHALL NOT REPORT TO THE P.O.S.T.
11 BOARD, CREATED IN SECTION 24-31-302, A COURSE THAT CONTAINS THE
12 CONCEPT OF EXCITED DELIRIUM FOR CREDIT TOWARD ANY TRAINING
13 REQUIRED BY SECTIONS 24-31-303 (1), 24-31-315, OR ANY RULE
14 PROMULGATED BY THE P.O.S.T. BOARD. NOTHING IN THIS SECTION
15 PROHIBITS THE INSTRUCTION OF, OR REPORTING TO THE P.O.S.T. BOARD
16 FOR TRAINING CREDIT, COURSES THAT INCLUDE THE SAFE AND EFFECTIVE
17 INTERACTION WITH INDIVIDUALS EXHIBITING AN ALTERED MENTAL STATE,
18 INCLUDING SYMPTOMATOLOGY OF A STATE OF AGITATION, EXCITABILITY,
19 PARANOIA, EXTREME AGGRESSION, PHYSICAL VIOLENCE, AND APPARENT
20 IMMUNITY FROM PAIN.

21 (b) A PEACE OFFICER SHALL NOT USE THE TERM "EXCITED
22 DELIRIUM" TO DESCRIBE AN INDIVIDUAL IN AN INCIDENT REPORT
23 COMPLETED BY A PEACE OFFICER. A PEACE OFFICER MAY DESCRIBE THE
24 CHARACTERISTICS OF AN INDIVIDUAL'S CONDUCT BUT SHALL NOT
25 GENERALLY DESCRIBE THE INDIVIDUAL'S DEMEANOR, CONDUCT, OR

1 PHYSICAL OR MENTAL CONDITION AT ISSUE AS "EXCITED DELIRIUM".

2 (2) FOR PURPOSES OF THIS SECTION, "EXCITED DELIRIUM" MEANS
3 A TERM USED TO DESCRIBE A PERSON'S STATE OF AGITATION,
4 EXCITABILITY, PARANOIA, EXTREME AGGRESSION, PHYSICAL VIOLENCE,
5 AND APPARENT IMMUNITY TO PAIN THAT IS NOT LISTED IN THE MOST
6 RECENT VERSION OF THE DIAGNOSTIC AND STATISTICAL MANUAL OF
7 MENTAL DISORDERS. "EXCITED DELIRIUM" ALSO INCLUDES EXCITED
8 DELIRIUM SYNDROME, HYPERACTIVE DELIRIUM, AGITATED DELIRIUM, AND
9 EXHAUSTIVE MANIA.

10 **SECTION 2.** In Colorado Revised Statutes, 25-2-110, **amend** (5)
11 as follows:

12 **25-2-110. Certificates of death - definition.** (5) (a) When
13 inquiry is required by section 30-10-606, the coroner shall determine the
14 cause of death and shall complete and sign the medical certification
15 within forty-eight hours after receipt of the electronic death registration
16 request, except as permitted by subsection (5.5) of this section. If an
17 autopsy is performed, the certification ~~shall~~ MUST indicate whether the
18 decedent was pregnant at the time of death, and ~~said~~ THE information
19 ~~shall~~ MUST be reported on the certificate of death as required by
20 subsection (9) of this section. Except as otherwise provided in subsection
21 (4.5) of this section, a coroner, medical examiner, forensic pathologist, or
22 other qualified individual that determines the cause of death and
23 completes the medical certification for a certificate of death in accordance
24 with this subsection (5) must use the electronic death registration system
25 used by the department of public health and environment and the state
26 registrar pursuant to subsection (1)(b)(I) of this section.

27 (b) A CORONER, MEDICAL EXAMINER, FORENSIC PATHOLOGIST, OR

1 OTHER QUALIFIED INDIVIDUAL WHO COMPLETES THE MEDICAL
2 CERTIFICATION FOR A CERTIFICATE OF DEATH PURSUANT TO THIS
3 SUBSECTION (5) OR SUBSECTION (5.5) OR (6) OF THIS SECTION SHALL NOT
4 REGISTER "EXCITED DELIRIUM" AS THE CAUSE OF DEATH.

5 (c) FOR PURPOSES OF THIS SUBSECTION (5), "EXCITED DELIRIUM"
6 MEANS A TERM USED TO DESCRIBE A PERSON'S STATE OF AGITATION,
7 EXCITABILITY, PARANOIA, EXTREME AGGRESSION, PHYSICAL VIOLENCE,
8 AND APPARENT IMMUNITY TO PAIN THAT IS NOT LISTED IN THE MOST
9 RECENT VERSION OF THE DIAGNOSTIC AND STATISTICAL MANUAL OF
10 MENTAL DISORDERS. "EXCITED DELIRIUM" ALSO INCLUDES EXCITED
11 DELIRIUM SYNDROME, HYPERACTIVE DELIRIUM, AGITATED DELIRIUM, AND
12 EXHAUSTIVE MANIA.

13 **SECTION 3.** In Colorado Revised Statutes, 25-3.5-203, **amend**
14 (2) as follows:

15 **25-3.5-203. Emergency medical service providers - licensure**
16 **- renewal of license - duties of department - rules - record checks -**
17 **definitions.** (2) (a) The council shall advise the department and the board
18 in establishing the training requirements for certificate or license renewal,
19 which training requirements must include a classroom component
20 requiring at least thirty-six and not more than fifty classroom hours.

21 (b) WITH THE EXCEPTION OF USING THE TERM "EXCITED DELIRIUM"
22 IN THE TEACHING OF THE HISTORY OF THE TERM, A PERSON OR ENTITY
23 CONDUCTING A TRAINING PROGRAM FOR EMERGENCY MEDICAL SERVICE
24 PROVIDERS SHALL NOT INCLUDE ANY TRAINING ON OR REFERENCE TO THE
25 TERM "EXCITED DELIRIUM" IN ANY TRAINING PROGRAM. NOTHING IN THIS
26 SECTION PROHIBITS THE INSTRUCTION OF EMERGENCY MEDICAL SERVICE
27 COURSES THAT INCLUDE THE SAFE AND EFFECTIVE MEDICAL INTERACTION

1 WITH INDIVIDUALS EXHIBITING AN ALTERED MENTAL STATE, INCLUDING
2 SYMPTOMATOLOGY OF A STATE OF AGITATION, EXCITABILITY, PARANOIA,
3 EXTREME AGGRESSION, PHYSICAL VIOLENCE, AND APPARENT IMMUNITY
4 FROM PAIN.

5 (c) FOR PURPOSES OF SUBSECTION (2)(b) OF THIS SECTION,
6 "EXCITED DELIRIUM" MEANS A TERM USED TO DESCRIBE A PERSON'S STATE
7 OF AGITATION, EXCITABILITY, PARANOIA, EXTREME AGGRESSION,
8 PHYSICAL VIOLENCE, AND APPARENT IMMUNITY TO PAIN THAT IS NOT
9 LISTED IN THE MOST RECENT VERSION OF THE DIAGNOSTIC AND
10 STATISTICAL MANUAL OF MENTAL DISORDERS. "EXCITED DELIRIUM"
11 ALSO INCLUDES EXCITED DELIRIUM SYNDROME, HYPERACTIVE DELIRIUM,
12 AGITATED DELIRIUM, AND EXHAUSTIVE MANIA.

13 **SECTION 4. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2024 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.