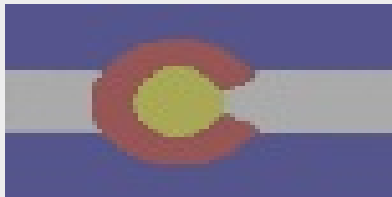


Revisor's Changes

Senate Bill 09-059



2008 Colorado Revised Statutes

Prepared by the Office of Legislative Legal Services

REVISOR'S NOTE

NOTE: In the preparation of the 2008 Colorado Revised Statutes, the Office of Legislative Legal Services has compiled, edited, and arranged the statutes to include changes made at the 2008 Regular Session and First Extraordinary Session of the Sixty-Fifth General Assembly in accordance with article 5 of title 2, Colorado Revised Statutes.

Itemized below are the changes made in the 2008 Colorado Revised Statutes under the authority of the Revisor in accordance with section 2-5-103 to "improve the style and clarity of the laws, yet preserve the intent, effect, and meaning of each statutory provision".

- a. **Punctuation.** A uniform system of punctuation was used in the preparation of C.R.S., and the punctuation has been changed accordingly.
- b. **Capitalization.** A uniform system of capitalization was used, and changes were made accordingly.
- c. **Present tense.** Language in the statutes has been changed to the present tense.
- d. **Short title and definition sections.** Language and format in short title and introductory portions of definition sections were standardized.
- e. **Effective date.** References to "the effective date of said section (article/part)" were changed to the actual date when the section (article/part) became effective.
- f. **Provisos.** The term "provided that" was changed to "except that" or "if" to conform to C.R.S. format.
- g. **Grammatical changes.** In some instances, language was rewritten to correct grammar without changing substantive meaning.
- h. **Form Numbering changes.** Changes were made in C.R.S. numbering or in numbering or wording of internal references to conform to C.R.S. numbering system and statutory format.
- i. **"C.R.S. 1973" and "C.R.S." changes.** References to "C.R.S. 1973" or to "C.R.S." were corrected to conform to H.B. No. 1291, 1983 Session. "C.R.S." was added to an internal reference to a provision outside of the title in which the reference appears or deleted from a reference to a provision within a title to conform with standard form.

- j. **Spelling.** Misspelled words were corrected.
- k. **Move "and" or "or" at the end of a paragraph, subparagraph, sub-subparagraph.** Moved an "and" or "or" to the next to last paragraph, subparagraph, or sub-subparagraph when a paragraph, subparagraph, or sub-subparagraph is added or repealed to conform to statutory format.
- l. **Public Law.** Changed "P.L." or "P.L. No." to "Pub.L." to conform with the method of citing public law provided by the office of the federal register, national archives and records administration.

TITLE 2

2-3-1203 (3)(ee), Senate Bill 08-039 harmonized with Senate Bill 08-165, Senate Bill 08-177, and House Bill 08-1043.

TITLE 6

6-1-302 (1)(p), corrected a federal citation, "U.S.C. sec. 781", by changing the number one to the lower-case letter "L".

TITLE 8

8-1-151 Senate Bill 08-051 harmonized with House Bill 08-1103.

TITLE 10

10-4-637 Senate Bill 08-152 harmonized with Senate Bill 08-219.

10-8-530 (1.5)(d) and (1.5)(h), House Bill 08-1309 harmonized with House Bill 08-1390.

TITLE 12

12-5.5-103 (2), changed "director of the division of registrations" to "director of registrations" to correct the title of the director as created in section 24-1-122 (2)(g).

12-6-517 (2), changed "powersports vehicle *manufacturer's* representative" to "powersports vehicle *manufacturer* representative" to conform to the term as defined in section 12-6-502 (14).

12-45-103 (4), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.

12-47.1-1202 (3)(j), at the end of the paragraph, changed "property; and" to "property." to conform to statutory format.

12-64-104 IP(1)(o)(II) and (1)(o)(II)(A), combined the introductory portion of subparagraph (II) with sub-subparagraph (A) to conform to standard statutory numbering format.

TITLE 13

13-32-101 Senate Bill 08-183 harmonized with Senate Bill 08-206. (8), changed "subsection (1.5) of this section" to "subsection (6) of this section" to correct a reference added by Senate Bill 08-183 that refers to the subsection in which the judicial stabilization cash fund is created but that Senate Bill 08-206 relocated.

TITLE 16

16-8.5-118 Removed the subsection designation "(1)" to conform to statutory format.

16-22-113 (1)(e), Senate Bill 08-172 harmonized with House Bill 08-1382.

TITLE 17

17-2-201 (5.5)(c)(I), (5.5)(c)(II), and (5.5)(c)(III), Senate Bill 08-171 harmonized with Senate Bill 08-172.

17-18-0 Entire article, Senate Bill 08-239 harmonized with House Bill 08-1115, House Bill 08-1194, and House Bill 08-1352.

17-18-101 (1)(b), (1)(c)(II), (1)(d), and (1)(e)(II), changed "department of corrections" to "department" because department is defined for the title as the department of corrections.

17-18-102 Enacted as section 17-18-101 in House Bill 08-1352 but was renumbered on revision for ease of location.

17-18-103 Enacted as section 17-18-101 in Senate Bill 08-239 but was renumbered on revision for ease of location.

17-18-104 Enacted as section 17-18-101 in House Bill 08-1194 but was renumbered on revision for ease of location.
(1)(b)(I), changed "21-75-302" to "24-75-302" to correct a reference to the section in which the capital construction fund is created.
(1)(b)(II), (1)(c), (1)(d), and (1)(e), changed "department of corrections" to "department" because department is defined for the title as the department of corrections.

TITLE 18

18-1-1103 (1)(c)(I), changed "subparagraph (II) of paragraph (b) of this subsection (1)" to "subparagraph (III) of paragraph (b) of this subsection (1)" to correct an incorrect internal reference. Subsection (1)(c)(I) describes the time within which an objection to the destruction of evidence may be filed after receiving notice pursuant to subsection (1)(b)(II); however, the notice in subsection (1)(b)(II) pertains to evidence that will be preserved, while the notice in subsection (1)(b)(III) pertains to evidence that will be destroyed.

18-3-407.5 (3)(b), changed "governmental official" to "government official" to make the term consistent throughout subsection (3).

TITLE 19

19-1-304 (7), enacted as subsection (8.5) in House Bill 08-1264 but was renumbered on revision for ease of location.

19-2-921 (10), changed "90" to "ninety" to conform to statutory format.

TITLE 22

22-2-103 (1)(g) and (1)(h), House Bill 08-1204 harmonized with House Bill 08-1412.

22-2-130 (6)(b)(II), changed "supplement" to "supplemental" for consistency throughout the section.

22-25-104 (1), House Bill 08-1204 harmonized with House Bill 08-1224.
(3)(b)(IV), was amended as subsection (3)(b)(III) in House Bill 08-1204 but was harmonized with House Bill 08-1224 which renumbered it as subsection (3)(b)(IV).

- 22-25-105 House Bill 08-1204 harmonized with House Bill 08-1224.
- 22-25-107 (1), House Bill 08-1204 harmonized with House Bill 08-1224.
- 22-26-108 Added "school" after "facility" to conform with the defined term and for consistency throughout the article.
- 22-28-107 IP(1), sections 21 and 39 of House Bill 08-1388 were harmonized.
- 22-33-205 (1)(a), House Bill 08-1204 harmonized with House Bill 08-1336.
- 22-60.5-108 Senate Bill 08-208 harmonized with House Bill 08-1344.

TITLE 23

- 23-1-104 (1)(a)(I), Senate Bill 08-232 harmonized with House Bill 08-1320.
- 23-2-103.5 Senate Bill 08-018 harmonized with Senate Bill 08-167.
- 23-8-101.5 (4)(b), changed "vocational education" to "career and technical education" per authority granted to the revisor of statutes in section 23-8-105, Colorado Revised Statutes.
- 23-60-202 (1)(c), Senate Bill 08-126 harmonized with Senate Bill 08-181.

TITLE 24

- 24-21-104 (3)(d)(XIII), deleted "April 15, 2008, or the effective date of this subparagraph (XIII), whichever is later" and substituted "June 2, 2008" because the effective date of subparagraph (XIII) is June 2, 2008, which is also the later date.
- 24-32-719 (1), changed "2008-2009" to "2008-09" to conform to the preferred method of referring to state fiscal years.
- 24-34-104 (42)(o), enacted as (42)(n) by House Bill 08-1210 but was relettered on revision for ease of location.
(48)(g), enacted as (48)(e) by House Bill 08-1212 but was relettered on revision for ease of location.
(50), House Bill 08-1213 harmonized with House Bill 08-1244.
- 24-36-104 (4), added "sec." after "U.S.C." to conform to the preferred method of

citing federal law.

- 24-45.5-101 (1)(c), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.
- 24-45.5-104 (1)(d), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.
- 24-47.5-103 (1), House Bill 08-1025 harmonized with House Bill 08-1398.
- 24-72-204 (3)(d)(III), changed "U.S.C. section" to "U.S.C. sec." to conform to the preferred method of citing federal law.
- 24-75-302 (2)(u), House Bill 08-1115 harmonized with House Bill 08-1194, House Bill 08-1352, House Bill 08-1376, and Senate Bill 08-239.
(2)(v), House Bill 08-1115 harmonized with House Bill 08-1194 and Senate Bill 08-239.
(2)(w) and (2)(y), House Bill 08-1115 harmonized with Senate Bill 08-239.
- 24-75-1201 (1), House Bill 08-1025 harmonized with House Bill 08-1398.
- 24-82-1201 (2), changed "commission of higher education" to "commission on higher education" to accurately reflect the name of the commission as created in section 23-1-102.
- 24-103-801 (2), changed "this act" to "this part 8" to conform to the preferred method of self reference in statute.

TITLE 25

- 25-4-506 (2), House Bill 08-1061 harmonized with House Bill 08-1199.
- 25-4-909 (4), changed "U.S.C. section" to "U.S.C. sec." to conform to the preferred method of citing federal law.
- 25-5-402 (4)(b), added "secs." after "U.S.C." to conform to the preferred method of citing federal law.
(4)(c), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.
(4)(d), added "secs." after "U.S.C." to conform to the preferred method of citing federal law.

(10), changed "Title 21 U.S.C. 301" to "21 U.S.C. sec. 301" to conform to the preferred method of citing federal law.

(12)(d), added "secs." after "U.S.C." to conform to the preferred method of citing federal law.

25-5-410 (1)(g), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.

25-5-411 (2), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.

25-5-419 (1), added "sec." and "secs." after "U.S.C." to conform to the preferred method of citing federal law.
(4)(b), added "secs." after "U.S.C." to conform to the preferred method of citing federal law.

25-5-420 (1), added "secs." after "U.S.C." to conform to the preferred method of citing federal law.
(7), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.
(8), added "secs." after "U.S.C." to conform to the preferred method of citing federal law.

25-5-421 (1)(b)(II), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.

25-39-0 Entire article, enacted as article 38 in Senate Bill 08-058 but was renumbered on revision for ease of location.

25-39-103 (1), changed "25-38-104" to "25-39-104" due to the renumbering of the article on revision.
(2), changed "25-38-107" to "25-39-107" due to the renumbering of the article on revision.

25-39-106 (1), changed "25-38-105" to "25-39-105" due to the renumbering of the article on revision.

25-39-107 (1)(a) and (2)(b), changed "25-38-108" to "25-39-108" due to the renumbering of the article on revision.

TITLE 26

26-2-720.5 (1), removed the paragraph (a) designation after "(1)" to conform to statutory numbering format.

26-2-721 (1), removed the paragraph (a) designation after "(1)" to conform to statutory numbering format.

26-6-103.3 Added "(1)" between "26-6-107" and "(a) (I) (C)" to correctly cite the referenced section.

TITLE 27

27-10.5-102 Senate Bill 08-002 harmonized with House Bill 08-1366, and House Bill 08-1031 harmonized with House Bill 08-1366.

27-10.5-104 Senate Bill 08-002 harmonized with House Bill 08-1220.
(1) and (3), House Bill 08-1220 harmonized with House Bill 08-1366.

27-10.5-104.5 IP(3) and (3)(a), Senate Bill 08-002 harmonized with House Bill 08-1220.

27-10.5-105 (2), House Bill 08-1220 harmonized with House Bill 08-1336.

TITLE 28

28-1-104 (5), changed "this subsection" to "this section" to correct the reference to public employees receiving a leave of absence.

TITLE 29

29-2-105 (1)(d), House Bill 08-1013 harmonized with House Bill 08-1269, House Bill 08-1358, and House Bill 08-1368.
(1)(d)(I)(L), enacted as (1)(d)(I)(I) in House Bill 08-1358 but was relettered on revision for ease of location.

29-2-109 IP(1), House Bill 08-1269 harmonized with House Bill 08-1368.

29-5-104 House Bill 08-1106 harmonized with House Bill 08-1347.

TITLE 31

31-10-1010 (1)(a), as it takes effect January 1, 2009, changed "his" to "his or her" to conform to statutory format and to mirror the language used in the

rest of subsection (1)(a).

31-15-602

(4)(b), added "(I)" and "(II)" as subparagraph designations to conform to statutory format.

TITLE 34

34-32-103

(3.5)(b), changed "this subsection (3)" to "this subsection (3.5)" to reflect the actual subsection in which the reference occurs.

34-60-106

(11)(a)(II), House Bill 08-1379 harmonized with House Bill 08-1412.

TITLE 37

37-43-202

(3), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.

37-92-102

IP(3), House Bill 08-1280 harmonized with House Bill 08-1346.

TITLE 38

38-20-116

(2.5)(a), pursuant to section 2-3-703, the revisor of statutes changed "section" to "subsection" to correct an obvious error and to preserve the legislative intent.

TITLE 39

39-10-107

(1) and (3)(x), House Bill 08-1059 harmonized with House Bill 08-1349.

39-21-113

(17), changed "this subsection (16)" to "this subsection (17)" to correct an error that occurred when the subsection was renumbered by correction schedule but the internal reference was not changed.

39-29-109

(1.5)(b)(II), (1.5)(c)(II), (1.5)(d)(I)(B), (1.5)(e)(I)(B), IP(1.5)(h)(I), IP(1.5)(h)(III), (1.5)(h)(IV), IP(1.5)(h)(V), (1.5)(h)(VI), (1.5)(h)(VII), (1.5)(i)(IV), and (8)(a), House Bill 08-1025 superseded by House Bill 08-1398.

39-29-109.3

(2)(m), enacted as (2)(i) in Senate Bill 08-226 but was relettered on revision for ease of location.

(2)(m)(I)(B), inserted "effective" before the future repeal date to

conform to statutory format.

39-30-103

(4)(c)(II), Senate Bill 08-107 harmonized with House Bill 08-1305.

TITLE 40

40-8.7-109

Senate Bill 08-177 harmonized with House Bill 08-1227.

TITLE 42

42-2-121

IP(5)(a), House Bill 08-1121 harmonized with House Bill 08-1166.

42-2-125

(1)(g)(I), House Bill 08-1166 harmonized with House Bill 08-1194, effective January 1, 2009.

42-2-127

(9), House Bill 08-1166 superseded by House Bill 08-1194, effective January 1, 2009.

42-2-132.5

(1.5)(a), House Bill 08-1166 harmonized with House Bill 08-1194, effective January 1, 2009.

42-3-312

Senate Bill 08-178 superseded by Senate Bill 08-186, and Senate Bill 08-186 superseded by House Bill 08-1151 on January 1, 2009.

42-4-1701

(3)(a)(II)(A), House Bill 08-1010 harmonized with House Bill 08-1166.