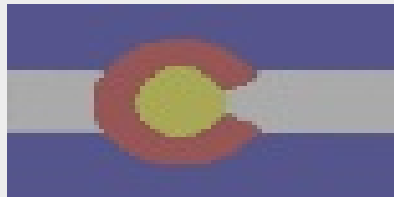


Revisor's Changes

House Bill 10-1039



2009 Colorado Revised Statutes

Prepared by the Office of Legislative Legal Services

REVISOR'S NOTE

NOTE: In the preparation of the 2009 Colorado Revised Statutes, the Office of Legislative Legal Services has compiled, edited, and arranged the statutes to include changes made at the 2009 Regular Session and in accordance with article 5 of title 2, Colorado Revised Statutes.

Itemized below are the changes made in the 2009 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 statutory 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 1

- 1-5-407 (5), Senate Bill 09-108 harmonized with House Bill 09-1326, effective January 1, 2010.
- 1-5-608.5 (3)(a), changed "electromagnetic" to "electromechanical" to correct an error that occurred in the House State, Veterans, and Military Affairs Committee Report to House Bill 09-1355 and conform to the terminology used in the rest of the bill.
- 1-8-111 (1), House Bill 09-1205 harmonized with Senate Bill 09-292 and House Bill 09-1337.
- 1-8-113 (1)(a), House Bill 09-1186 harmonized with House Bill 09-1205.

TITLE 2

- 2-2-1600 Entire part, enacted as part 14 in House Bill 09-1348 but was renumbered on revision for ease of location.
- 2-3-1203 (3)(ff), Senate Bill 09-090 harmonized with House Bill 09-1285, House Bill 09-1293, and House Bill 09-1319.
- 2-5-102 (10), changed "the part" to "the act" in order to correctly refer to the

"Uniform Power of Attorney Act" enacted in House Bill 09-1198.

TITLE 8

8-70-114 (2)(b)(VII), Senate Bill 09-258 harmonized with House Bill 09-1363.
(2)(g)(III)(A), Senate Bill 09-258 harmonized with House Bill 09-1363.

8-72-114 (3)(d), corrects an error in inputting of the House Business Affairs and Labor committee report into the introduced version of House Bill 09-1310, which resulted in the wrong grouping of words being modified.

8-73-114 (5), changed "2009-2010, 2010-2011, and 2011-2012" to "2009-10, 2010-11, and 2011-12" to conform to the preferred method of referring to state fiscal years.

8-76-102 (4)(b), Senate Bill 09-076 harmonized with House Bill 09-1363.

8-77-109 (1), Senate Bill 09-076 harmonized with House Bill 09-1363.

TITLE 10

10-16-104 (1.5), Senate Bill 09-292 superseded by House Bill 09-1204, effective January 1, 2010.

TITLE 11

11-35-101 (1), Senate Bill 09-117 harmonized with Senate Bill 09-151.

11-59.7-106 (4), changed "article 437" to "article 43.7" for the correct citation.

TITLE 12

12-6-517 (1), Senate Bill 09-292 harmonized with House Bill 09-1026.

12-47.1-701 (4)(a)(V)(A), Senate Bill 09-217 harmonized with House Bill 09-1010.
(4)(a)(V)(B) and (4)(a)(V)(C), Senate Bill 09-228 harmonized with House Bill 09-1010.

TITLE 13

13-16-102 Changed "instrument of writing" to "instrument in writing" to correct the term as defined in section 13-16-101 (3).

13-54-104 (1)(b)(II)(B), Senate Bill 09-066 harmonized with Senate Bill 09-282, effective January 1, 2010.

TITLE 15

15-11-103 House Bill 09-1260 harmonized with House Bill 09-1287, effective July 1, 2010; except that the second sentence of subsection (7) and the provisions of subsection (8), as amended by House Bill 09-1260, are superseded by House Bill 09-1287, effective July 1, 2010.
(6), as it takes effect July 1, 2010, changed an internal reference from "subsection (4)" to "subsection (5)" due to the aforementioned harmonization.

15-11-114 (2), House Bill 09-1260 superseded by House Bill 09-1287, effective July 1, 2010.

TITLE 16

16-2.5-101 (2), changed "peace *officer* standards and training board" to "peace *officers* standards and training board" to accurately reflect the name of the board as created in section 24-31-302.

16-2.5-102 Changed "peace *officer* standards and training board" to "peace *officers* standards and training board" to accurately reflect the name of the board as created in section 24-31-302.

TITLE 18

18-3-405.4 (1), House Bill 09-1132 harmonized with House Bill 09-1163.

18-12-202 (2)(b), changed "peace *officer* standards and training board" to "peace *officers* standards and training board" to accurately reflect the name of the board as created in section 24-31-302.

TITLE 22

- 22-2-103 (1)(g) and (1)(h), House Bill 09-1319 harmonized with Senate Bill 09-090 and House Bill 09-1243.
- 22-2-504 (2), Senate Bill 09-163 harmonized with Senate Bill 09-214.
- 22-7-613 (1), Senate Bill 09-163 harmonized with Senate Bill 09-256.
- 22-7-1007 (2), Senate Bill 09-163 harmonized with House Bill 09-1046.
- 22-11-104 (2)(e), House Bill 09-1319 superseded by Senate Bill 09-163.
- 22-30.5-104 (6)(b), Senate Bill 09-090 harmonized with Senate Bill 09-163.
- 22-30.5-403 (4), Senate Bill 09-089 harmonized with Senate Bill 09-176.
- 22-30.5-507 (7), Senate Bill 09-090 harmonized with Senate Bill 09-163.
- 22-54-112 (2)(a), Senate Bill 09-292 harmonized with House Bill 09-1319.
- 22-54-123.5 (2), Senate Bill 09-163 harmonized with Senate Bill 09-230.
- 22-54-124 (4), added the paragraph "(a)" designation after "(4)" and relettered the remaining paragraphs within the subsection to conform to statutory format.
- 22-82.9-105 (1), Senate Bill 09-033 harmonized with Senate Bill 09-230.

TITLE 24

- 24-7-106 Changed "peace *officer* standards and training board" to "peace *officers* standards and training board" to accurately reflect the name of the board as created in section 24-31-302.
- 24-7.5-105 Changed "peace *officer* standards and training board" to "peace *officers* standards and training board" to accurately reflect the name of the board as created in section 24-31-302.

- 24-22-117 (7), changed "this subsection (7)" to "this section" to correct an error that occurred in Senate Bill 09-270.
- 24-30-1404 (7)(g), Senate Bill 09-022 harmonized with Senate Bill 09-096.
- 24-32-705 (1)(q)(I) and (1)(q)(II), enacted as (1)(q) in House Bill 09-1197 but was renumbered on revision to conform to statutory format.
(1)(r), enacted as (1)(q) in House Bill 09-1276 but was relettered on revision for ease of location.
- 24-32-2106 (2)(a)(II)(A) and (2)(a)(II)(B), enacted as (2)(a)(II) in House Bill 09-1199 but was relettered on revision to conform to statutory format.
- 24-33.5-1216 (1), (2), and (3), enacted as (1)(a), (1)(b), and (1)(c), respectively, in Senate Bill 09-021 but were renumbered on revision to conform to statutory numbering format.
(3), changed "in paragraph (a)" to "in subsection (1) of this section" due to the renumbering of the provisions within the section.
- 24-34-104 (51), Senate Bill 09-114 harmonized with Senate Bill 09-116, Senate Bill 09-127, Senate Bill 09-167, and Senate Bill 09-239.
(51)(f), enacted as (51)(e) in Senate Bill 09-167 but was renumbered on revision for ease of location.
- 24-34-109 (1)(d)(I), changed "state board or medical examiners" to "Colorado state board of medical examiners" to correct an error that occurred in Senate Bill 09-239 and to accurately reflect the name of the board as created in section 12-36-103.
- 24-38.7-102 (3)(a), added "and" at the end of the paragraph to correct a technical error that incorrectly showed the word "and" as stricken language, rather than new language, in Senate Bill 09-051.
- 24-51-205 (1), Senate Bill 09-066 harmonized with Senate Bill 09-282, effective January 1, 2010.
- 24-51-212 (1), Senate Bill 09-066 harmonized with Senate Bill 09-282, effective January 1, 2010.

- 24-51-213 (1), Senate Bill 09-066 harmonized with Senate Bill 09-282, effective January 1, 2010.
- 24-54.8-102 (14), Senate Bill 09-066 harmonized with Senate Bill 09-282, effective January 1, 2010.
- 24-75-201.1 (1)(d)(III), Senate Bill 09-219 harmonized with Senate Bill 09-228 and Senate Bill 09-277.
(1)(d)(XI), enacted as (1)(d)(X) in Senate Bill 09-277 but was renumbered on revision for ease of location.
- 24-75-402 (5)(y), enacted as (5)(x) in House Bill 09-1151 but was renumbered on revision for ease of location.
- 24-75-1104.5 IP(1.5)(a), Senate Bill 09-269 harmonized with House Bill 09-1223.
(3), Senate Bill 09-210 harmonized with Senate Bill 09-269.

TITLE 25

- 25-1-107.5 (4)(d)(I)(A) changed "2009-2010" to "2009-10" to conform to the preferred method of referring to state fiscal years.
(4)(d)(I)(B), changed "2010-2011" to "2010-11" to conform to the preferred method of referring to state fiscal years.
- 25-1.5-109 Removed the subsection "(1)" designation to conform to standard statutory numbering format.
- 25-4-1411 (6)(a), Senate Bill 09-210 harmonized with Senate Bill 09-269.
- 25-8-609 (2), Senate Bill 09-119 harmonized with Senate Bill 09-292.

TITLE 25.5

- 25.5-8-105 (3), Senate Bill 09-210 harmonized with Senate Bill 09-269.

TITLE 26

- 26-6-102 (1.5), changed "preschool and kindergarten program" to "preschool program" to accurately reflect the name of the program as detailed in

article 28 of title 22.

26-6.5-103 (3), Senate Bill 09-292 harmonized with House Bill 09-1343 and changed "Colorado preschool and kindergarten program" to "Colorado preschool program" to accurately reflect the name of the program as detailed in article 28 of title 22.

26-6.5-103.5 (3)(b)(II), changed "preschool and kindergarten programs" to "preschool programs" to accurately reflect the name of the program as detailed in article 28 of title 22.

26-6.5-106 (3.5)(a)(II)(C), changed "Colorado preschool and kindergarten program" to "Colorado preschool program" to accurately reflect the name of the program as detailed in article 28 of title 22.

TITLE 29

29-1-206 (1), changed "peace *officer* standards and training board" to "peace *officers* standards and training board" to accurately reflect the name of the board as created in section 24-31-302.

TITLE 30

30-10-512 Senate Bill 09-001 harmonized with Senate Bill 09-020.

30-10-513 Senate Bill 09-001 harmonized with Senate Bill 09-020, and Senate Bill 09-105 superseded by Senate Bill 09-020.

30-29-101 (1), added "sec." after "U.S.C." to conform to the preferred method of citing federal law.

TITLE 32

32-1-1002 (3)(a), Senate Bill 09-001 harmonized with Senate Bill 09-020.

32-11.5-205 IP(3)(a), (3)(a)(I), (3)(a)(II), and (3)(b), enacted as IP(3), (3)(a), (3)(b), and (3)(c), respectively, in Senate Bill 09-141 but were renumbered on revision to conform to statutory numbering format.

TITLE 33

33-10-109 (1)(a), changed "peace *officer* standards and training board" to "peace *officers* standards and training board" to accurately reflect the name of the board as created in section 24-31-302.

TITLE 35

35-14-124 (5), section 5 of Senate Bill 09-113 harmonized with section 19 of Senate Bill 09-113.

35-33-201 (1), Senate Bill 09-117 harmonized with Senate Bill 09-151.

TITLE 36

36-1-116 (1)(a)(II), Senate Bill 09-257 harmonized with Senate Bill 09-260.

TITLE 38

38-38-101 (1), House Bill 09-1207 harmonized with House Bill 09-1276, effective January 1, 2010.

38-38-109 (1)(c)(I), House Bill 09-1207 harmonized with Senate Bill 09-292 and House Bill 09-1276, effective January 1, 2010.

TITLE 39

39-22-622 (4), House Bill 09-1001 harmonized with House Bill 09-1219.

39-26-123 IP(4)(a), Senate Bill 09-228 harmonized with Senate Bill 09-278.

39-29-109 (2)(a), Senate Bill 09-165 harmonized with Senate Bill 09-279.
(2)(a)(I)(C), enacted as (2)(a)(III) in Senate Bill 09-279 but was renumbered on revision for ease of location.

39-29-109.3 (2)(a), Senate Bill 09-106 harmonized with Senate Bill 09-293.

TITLE 40

40-15-208 (3), Senate Bill 09-272 harmonized with Senate Bill 09-279.

TITLE 42

42-1-102 (55) and (58), Senate Bill 09-075 harmonized with House Bill 09-1026.

42-3-105 (4)(c), changed "motor dealer" to "motor vehicle dealer" to conform to the standard name used throughout title 42.

42-3-301 (2)(a)(VIII), House Bill 09-1026 superseded by House Bill 09-1133.

42-3-304 (18)(d), Senate Bill 09-274 harmonized with House Bill 09-1026.

42-3-312 Senate Bill 09-161 and House Bill 09-1100 superseded by House Bill 09-1347.

42-4-111 IP(1), Senate Bill 09-075 harmonized with House Bill 09-1026.

42-4-234 (1), Senate Bill 09-075 harmonized with House Bill 09-1026.

42-4-1412 IP(5), (5)(a), IP(6)(a), and (6)(a)(II), House Bill 09-1026 superseded by Senate Bill 09-148.

42-6-121 (1), Senate Bill 09-292 harmonized with House Bill 09-1089.

TITLE 43

43-1-117.5 (3)(b), changed "division of transit and rail" to "transit and rail division" to correctly reflect the name of the division created in the section.

43-1-1104 (1), Senate Bill 09-094 harmonized with Senate Bill 09-292.