

An Act

HOUSE BILL 23-1301

BY REPRESENTATIVE(S) Soper and Snyder, Dickson, Weissman, Bacon, Epps, Joseph, Kipp, Pugliese, Valdez, McCluskie, deGruy Kennedy, Titone; also SENATOR(S) Gardner and Rodriguez, Buckner, Moreno.

CONCERNING THE NONSUBSTANTIVE REVISION OF STATUTES IN THE COLORADO REVISED STATUTES, AS AMENDED, AND, IN CONNECTION THEREWITH, AMENDING OR REPEALING OBSOLETE, IMPERFECT, AND INOPERATIVE LAW TO PRESERVE THE LEGISLATIVE INTENT, EFFECT, AND MEANING OF THE LAW.

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

SECTION 1. In Colorado Revised Statutes, 5-3-105, **amend** (2) as follows:

5-3-105. Notice to cosigners and similar parties. (2) The notice required by this section must be A clear and conspicuous notice and comply with the disclosure requirements of 16 CFR 444.3. ~~12 CFR 227.14, or 12 CFR 535.3.~~

SECTION 2. In Colorado Revised Statutes, 5-3.5-303, **amend** (2) as follows:

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

5-3.5-303. Relationship to other laws. (2) Preemption. Any provision of this article preempted by federal law with respect to a national bank or federal savings association shall also, to the same extent, not apply to an operating subsidiary of a national bank or federal savings association that satisfies the requirements for operating subsidiaries established in 12 CFR 5.34, relating to operating subsidiaries, ~~or 12 CFR 559.3, relating to the characteristics of and requirements for subordinate organizations of federal savings associations,~~ nor to a bank chartered under the laws of Colorado or any operating subsidiary of such a state chartered bank.

SECTION 3. In Colorado Revised Statutes, 6-1-712, **amend** (2)(b) as follows:

6-1-712. Discount health plan and cards - deceptive trade practices - definitions. (2) The provisions of this section shall not apply to:

(b) A medicare endorsed drug card as approved by the FEDERAL centers for medicare and medicaid services pursuant to the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003", Public Law 108-173.

SECTION 4. In Colorado Revised Statutes, 6-4-108, **repeal** (5) as follows:

6-4-108. Exemptions. (5) ~~Nothing in this article shall prohibit or be construed to prohibit:~~

~~(a) The formation of a cooperative health-care agreement that has been approved in whole or in part in accordance with the provisions of part 5 of article 1 of title 25.5, C.R.S.;~~

~~(b) Any conduct or activity reasonably necessary and reasonably foreseeable to implement a board-approved cooperative health-care agreement or a decision or order issued by the cooperative health-care agreements board pursuant to part 5 of article 1 of title 25.5, C.R.S.;~~

~~(c) The negotiation of or entering into any cooperative health-care agreement which is filed with the cooperative health-care agreements board;~~
~~or~~

~~(d) Community planning, discussions, or negotiations intended in good faith to culminate in a cooperative health-care agreement to be filed with the cooperative health-care agreements board. Such agreements, conduct, or activities shall not be held or construed to be illegal combinations or conspiracies in restraint of trade under this article.~~

SECTION 5. In Colorado Revised Statutes, 10-1-202, **amend** (7) as follows:

10-1-202. Definitions. As used in this part 2, unless the context otherwise requires:

(7) "NAIC" or "national association of insurance commissioners" means the organization of insurance regulators from the fifty states, the District of Columbia, and the ~~four~~ FIVE United States territories.

SECTION 6. In Colorado Revised Statutes, 10-1-302, **amend** (10) as follows:

10-1-302. Definitions. As used in this part 3, unless the context otherwise requires:

(10) "NAIC" or "national association of insurance commissioners" means the organization of insurance regulators from the fifty states, the District of Columbia, and the ~~four~~ FIVE United States territories.

SECTION 7. In Colorado Revised Statutes, 10-3-801, **amend** (7) as follows:

10-3-801. Definitions. As used in this part 8, unless the context otherwise requires:

(7) "NAIC" or "national association of insurance commissioners" means the organization of insurance regulators from the fifty states, the District of Columbia, and the ~~four~~ FIVE United States territories.

SECTION 8. In Colorado Revised Statutes, 10-3-1502, **amend** (3) as follows:

10-3-1502. Definitions. As used in this part 15, unless the context

otherwise requires:

(3) "NAIC" or "national association of insurance commissioners" means the organization of insurance regulators from the fifty states, the District of Columbia, and the ~~four~~ FIVE United States territories.

SECTION 9. In Colorado Revised Statutes, 10-16-106.3, **amend** (1) as follows:

10-16-106.3. Uniform claims - billing codes - electronic claim forms. (1) On or before July 1, 2002, all carriers shall accept the claim form adopted by the American dental association for use by all dental providers and carriers in the state, and the FEDERAL centers for medicare and medicaid services' claim forms CMS-1500 and CMS-1450, otherwise known as form UB-04, as amended, as the uniform health-care claim forms for use by all other health-care providers and carriers in the state. All carriers shall accept such claim forms from health-care providers in electronic form. A carrier shall not prohibit submission of health-care claims in hard copy form, nor shall a carrier be prohibited from requiring that a claim be submitted in hard copy form. A carrier shall not require submission of a claim on a form other than those set forth in this section, except as provided in subsection (3) of this section.

SECTION 10. In Colorado Revised Statutes, 12-10-603, **amend** (2)(b) as follows:

12-10-603. Board of real estate appraisers - creation - compensation - immunity - legislative declaration - subject to review - repeal of part. (2) (b) The general assembly finds, determines, and declares that the organization of the board under the division as a **type 1 agency** ENTITY will provide the autonomy necessary to avoid potential conflicts of interest between the responsibility of the board in the regulation of real estate appraisers and the responsibility of the division in the regulation of real estate brokers and salespersons. The general assembly further finds, determines, and declares that the placement of the board as a **type 1 agency** ENTITY under the division is consistent with the organizational structure of state government.

SECTION 11. In Colorado Revised Statutes, 12-20-202, **amend** (6)(b) and (6)(c) as follows:

12-20-202. Licenses, certifications, and registrations - renewal - reinstatement - fees - occupational credential portability program - temporary authority for military spouses - exceptions for military personnel - rules - consideration of criminal convictions or driver's history - executive director authority - definitions. (6) Executive director authority. (b) Review of examinations and procedures. Notwithstanding any ENTITY STATUS AS A **type 1** transfer as such transfer is defined by the "~~Administrative Organization Act of 1968~~", article 1 of ~~title 24~~ ENTITY, AS DEFINED IN SECTION 24-1-105, the executive director may review any examination or procedure for granting a license, certification, or registration by any regulator prior to the execution of the examination or procedure. After the review, if the executive director has reason to believe the examination or procedure is unfair to the applicants or unreasonable in content, the executive director shall call on five people licensed, certified, or registered in the occupation or profession to review the examination or procedure jointly with the executive director. The executive director and the licensees, certificate holders, or registrants, acting jointly, may make findings of fact and recommendations to the regulator concerning any examination or procedure. The findings of fact and recommendations are public documents.

(c) Employment of administrative law judges. Notwithstanding any ENTITY STATUS AS A **type 1** transfer as such transfer is defined by the "~~Administrative Organization Act of 1968~~", article 1 of ~~title 24~~ ENTITY, AS DEFINED IN SECTION 24-1-105, the executive director may employ an administrative law judge, and may require any regulator to use an administrative law judge in lieu of a hearing by the regulator, to conduct hearings on any matter within the jurisdiction of the regulator, subject to appropriations made to the department of personnel. Administrative law judges are appointed pursuant to part 10 of article 30 of title 24. An administrative law judge employed pursuant to this subsection (6)(c) shall conduct hearings in accordance with section 24-4-105, and the administrative law judge has the authority specified in section 24-4-105.

SECTION 12. In Colorado Revised Statutes, 12-30-105, **amend** (5)(n) as follows:

12-30-105. Nurse-physician advisory task force for Colorado health care - creation - duties - definition - repeal. (5) The NPATCH shall prioritize consideration of and make recommendations on the

following topics:

(n) Feasibility of temporary candidate licenses for students nearing the completion of an accredited health-care program. At a minimum, ~~they~~ THE NPATCH must consider reimbursement, liability, and health and safety issues in ~~their~~ ITS analysis.

SECTION 13. In Colorado Revised Statutes, 12-30-108, **repeal** (4)(b) as follows:

12-30-108. Confidential agreement to limit practice - violation grounds for discipline. (4) (b) ~~Subsection (1)(a) of this section regarding notification for confidential agreements does not apply to:~~

~~(I) and (II) Repealed.~~

SECTION 14. In Colorado Revised Statutes, 12-30-110, **amend** (4)(b) as follows:

12-30-110. Prescribing or dispensing opiate antagonists - authorized recipients - definitions. (4) (b) A person or entity described in subsection (1)(a) of this section ~~or a mental health professional~~ acting in accordance with this section is not subject to civil liability or criminal prosecution, as specified in sections 13-21-108.7 (3) and 18-1-712 (2), respectively.

SECTION 15. In Colorado Revised Statutes, 12-30-112, **amend** (1)(a)(V) as follows:

12-30-112. Health-care providers - required disclosures - balance billing - rules - definitions. (1) As used in this section and section 12-30-113:

(a) "Ancillary services" means:

(V) Any other items and services provided by specialty providers as established by rule of the commissioner OF INSURANCE.

SECTION 16. In Colorado Revised Statutes, 13-40-127, **amend** (9)(a) as follows:

13-40-127. Eviction legal assistance - fund - rules - report - definitions - repeal. (9) (a) In accordance with section 24-75-229 (4), three days after June 25, 2021, the state treasurer shall transfer one million five hundred thousand dollars from the affordable housing and home ownership cash fund created in section 24-75-229 (3)(a) to the fund for the purpose of providing legal representation to indigent tenants to resolve civil legal matters arising on and after March 1, 2020, for an eviction or impending eviction related to the public health emergency caused by the COVID-19 public health emergency. The money transferred to the fund pursuant to this subsection (9)(a) must be maintained in a separate account and must be used only for the purposes specified in this subsection (9)(a). Notwithstanding subsection (5)(b) of this section, the state treasurer shall credit all interest and income derived from the deposit and investment of money in the account to the state emergency RESERVE CASH fund created in section 24-77-104 (6)(a) in accordance with section 24-75-226 (4)(c)(II). The general assembly shall appropriate the money transferred to the fund pursuant to this subsection (9)(a) to the administrator for use in accordance with this subsection (9)(a). The administrator shall use the money by December 31, 2024, for the purposes specified in this subsection (9)(a).

SECTION 17. In Colorado Revised Statutes, 15-5-504, **amend** (3)(a) as follows:

15-5-504. Discretionary trusts - effect of standard - definitions. (3) To the extent a trustee has not complied with a standard of distribution or has abused a discretion:

(a) A distribution may be ordered by the court to satisfy a child support order to which the beneficiary is an ~~obligee~~ OBLIGOR; and

SECTION 18. In Colorado Revised Statutes, 16-4-101, **amend** (1)(b)(IV), (1)(c), and (5) as follows:

16-4-101. Bailable offenses - definitions. (1) All persons shall be bailable by sufficient sureties except:

(b) When, after a hearing held within ninety-six hours of arrest and upon reasonable notice, the court finds that the proof is evident or the presumption is great as to the crime alleged to have been committed and finds that the public would be placed in significant peril if the accused were

released on bail and such person is accused in any of the following cases:

(IV) A crime of possession of a weapon by a previous offender alleged to have been committed in violation of section 18-12-108 (2)(b), (2)(c), (4)(b), (4)(c), or (5), ~~C.R.S.~~ AS THOSE PROVISIONS EXISTED PRIOR TO THEIR REPEAL ON MARCH 1, 2022;

(c) When a person has been convicted of a crime of violence or a crime of possession of a weapon by a previous offender, as described in section 18-12-108 (2)(b), (2)(c), (4)(b), (4)(c), or (5), ~~C.R.S.~~ AS THOSE PROVISIONS EXISTED PRIOR TO THEIR REPEAL ON MARCH 1, 2022, at the trial court level and such person is appealing such conviction or awaiting sentencing for such conviction and the court finds that the public would be placed in significant peril if the convicted person were released on bail.

(5) When a person is arrested for a crime of violence, as defined in section 16-1-104 (8.5), or a criminal offense alleging the use or possession of a deadly weapon or the causing of bodily injury to another person, or a criminal offense alleging the possession of a weapon by a previous offender, as described in section 18-12-108 (2)(b), (2)(c), (4)(b), (4)(c), or (5), ~~C.R.S.~~ AS THOSE PROVISIONS EXISTED PRIOR TO THEIR REPEAL IN 2022, and such person is on parole, the law enforcement agency making the arrest shall notify the department of corrections within twenty-four hours. The person so arrested shall not be eligible for bail to be set until at least seventy-two hours from the time of his or her arrest has passed.

SECTION 19. In Colorado Revised Statutes, 16-4-201.5, **amend** (1)(f) as follows:

16-4-201.5. Right to bail after a conviction - exceptions. (1) The court may grant bail after a person is convicted, pending sentencing or appeal, only as provided by this part 2; except that no bail is allowed for persons convicted of:

(f) A crime of possession of a weapon by a previous offender, as described in section 18-12-108 (2)(b), (2)(c), (4)(b), (4)(c), or (5), AS THOSE PROVISIONS EXISTED PRIOR TO THEIR REPEAL ON MARCH 1, 2022;

SECTION 20. In Colorado Revised Statutes, 17-26-109, **amend** (1)(f)(I) as follows:

17-26-109. Deductions of time - record keeping - forfeitures - definition. (1) Every person who is sentenced to and imprisoned in any county jail of this state who performs faithfully the duties assigned to him or her and conducts himself or herself in accordance with the rules of the jail earns deductions from the time of his or her sentence as follows:

(f) (I) In addition to the deductions described in subsections (1)(a), (1)(b), ~~(1)(c), and (1)(d)~~ AND (1)(c) of this section, an inmate may receive a three-day maximum deduction when the inmate takes an unusual or extraordinary action, as determined by the county sheriff. This deduction may be granted on an incident-by-incident basis. ~~and is not subject to the deduction cap described in subsection (1)(e) of this section.~~

SECTION 21. In Colorado Revised Statutes, 17-26-140, **amend** (1)(b) as follows:

17-26-140. Continuity of care for persons released from jail. (1) If a person is treated for a substance use disorder at any time during the person's incarceration, the county jail shall, at a minimum, conduct the following before releasing the person from the county jail's custody:

(b) Provide a list of available substance use providers, to the extent the BEHAVIORAL HEALTH administration in the department of human services has such a list available;

SECTION 22. In Colorado Revised Statutes, 18-1.9-104, **amend** (2)(b) introductory portion as follows:

18-1.9-104. Task force concerning the treatment of persons with behavioral health disorders in the criminal and juvenile justice systems - creation - membership - duties. (2) **Membership - terms.** (b) The following executive branch agencies, divisions, and offices shall appoint or reappoint from the previous task force ~~eleven~~ TWELVE members. Nothing in this section prohibits the executive branch agencies listed from appointing members who served on the previous task force. The following executive branch agencies shall appoint a representative on or before August 1, 2022:

SECTION 23. In Colorado Revised Statutes, 19-3-508, **amend** (1)(d)(I) as follows:

19-3-508. Neglected or dependent child - disposition - concurrent planning. (1) When a child has been adjudicated to be neglected or dependent, the court may enter a decree of disposition the same day, but in any event it shall do so within forty-five days unless the court finds that the best interests of the child will be served by granting a delay. In a county designated pursuant to section 19-1-123, if the child is under six years of age at the time a petition is filed in accordance with section 19-3-501 (2), the court shall enter a decree of disposition within thirty days after the adjudication and shall not grant a delay unless good cause is shown and unless the court finds that the best interests of the child will be served by granting the delay. It is the intent of the general assembly that the dispositional hearing be held on the same day as the adjudicatory hearing, whenever possible. If a delay is granted, the court shall set forth the reasons why a delay is necessary and the minimum amount of time needed to resolve the reasons for the delay and shall schedule the hearing at the earliest possible time following the delay. When the proposed disposition is termination of the parent-child legal relationship, the hearing on termination must not be held on the same date as the adjudication, and the time limits set forth above for dispositional hearings do not apply. When the proposed disposition is termination of the parent-child legal relationship, the court may continue the dispositional hearing to the earliest available date for a hearing in accordance with the provisions of subsection (3)(a) of this section and part 6 of this article 3. When the decree does not terminate the parent-child legal relationship, the court shall approve an appropriate treatment plan that must include but not be limited to one or more of the following provisions of subsections (1)(a) to (1)(d) of this section:

(d) (I) The court may order that the child be examined or treated by a physician, surgeon, psychiatrist, or psychologist or that the child receive other special care and may place the child in a hospital or other suitable facility for such purposes; except that the child may not be placed in a mental health facility operated by the department of human services until the child has received a behavioral or mental health disorder prescreening resulting in a recommendation that the child be placed in a facility for evaluation pursuant to section 27-65-106, or a hearing has been held by the court after notice to all parties, including the department of human services. An order for an emergency mental health hold must not be entered unless a hearing is held and evidence indicates that the prescreening report is inadequate, incomplete, or incorrect and that competent professional evidence is presented by a mental health professional that indicates that a

behavioral or mental health disorder is present in the child. The court shall make, prior to the hearing, such orders regarding temporary custody of the child as are deemed appropriate. ~~described in section 27-65-106 or a voluntary application for mental health services pursuant to section 27-65-103 or 27-65-104. The arrangements for care must be completed through the crisis response system or prearranged partnerships with other crisis intervention services.~~

SECTION 24. In Colorado Revised Statutes, 19-3.3-111, **amend** (1)(d) and (3)(a)(VII)(F) as follows:

19-3.3-111. Task force to prevent youth from running from out-of-home placement - creation - membership - duties - report - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(d) "Out-of-home placement" means placement in a residential child care facility or foster care home, as each is defined in section ~~26-6-102~~ 26-6-903.

(3) (a) The task force consists of the following members:

(VII) The following members, appointed by the child protection ombudsman:

(F) A representative of a statewide association that represents child placement agencies, as defined in section ~~26-6-102~~ 26-6-903;

SECTION 25. In Colorado Revised Statutes, 19-5-303, **amend** (1) introductory portion as follows:

19-5-303. Commission created - duties. (1) There is created in the department the adoption intermediary commission, referred to in this section as the "commission", which consists of thirteen members. The commission is a **type 1** entity, as defined in section 24-1-105, and exercises its powers and performs the duties and functions specified by this part 3 under the ~~department~~: DEPARTMENT. REPRESENTATION AND APPOINTMENT OF SUCH MEMBERS SHALL BE AS FOLLOWS:

SECTION 26. In Colorado Revised Statutes, 22-7-1015, **repeal**

(4)(g); and **add** (5) as follows:

22-7-1015. Postsecondary and workforce readiness program - technical assistance - appropriation - repeal. (4) The department of education, the department of higher education, and the state institutions of higher education, upon request, shall provide support to local education providers in implementing postsecondary and workforce readiness. Beginning with the 2009-10 budget year, the department of education and the department of higher education may include in their annual budget requests an amount necessary to offset the costs incurred in complying with this section. Support may include, but need not be limited to:

~~(g) For the 2022-23 state fiscal year, the general assembly shall appropriate to the department twenty-five thousand dollars from the general fund for the programs described in subsection (4)(f) of this section. Any unexpended money remaining at the end of the 2022-23 state fiscal year from this appropriation:~~

~~(I) Does not revert to the general fund or any other fund;~~

~~(II) May be used by the department in the 2023-24 or 2024-25 state fiscal year without further appropriation; and~~

~~(III) Must not be used for any other purpose other than the purposes set forth in subsection (4)(f) of this section.~~

(5) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE DEPARTMENT TWENTY-FIVE THOUSAND DOLLARS FROM THE GENERAL FUND FOR THE PROGRAMS DESCRIBED IN SUBSECTION (4)(f) OF THIS SECTION. ANY UNEXPENDED MONEY REMAINING AT THE END OF THE 2022-23 STATE FISCAL YEAR FROM THIS APPROPRIATION:

(I) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND;

(II) MAY BE USED BY THE DEPARTMENT IN THE 2023-24 OR 2024-25 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION; AND

(III) MUST NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN THE PURPOSES SET FORTH IN SUBSECTION (4)(f) OF THIS SECTION.

(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2026.

SECTION 27. In Colorado Revised Statutes, 22-30.5-513, **amend** (2)(b.5) as follows:

22-30.5-513. Institute charter schools - funding - at-risk supplemental aid - legislative declaration - definitions. (2) (b.5) For purposes of calculating an institute charter school's funding pursuant to this subsection (2):

(A) (I) If the institute charter school operates a full-day kindergarten educational program, the pupils enrolled in the program are counted as full-day pupils; except that a student enrolled as less than a full-time pupil is counted in accordance with rules promulgated by the state board; and

(B) (II) If the institute charter school operates a half-day kindergarten educational program, the pupils enrolled in the program are counted as half-day pupils and the number of pupils enrolled in the institute charter school must include the supplemental kindergarten enrollment as defined in section 22-54-103 (15).

SECTION 28. In Colorado Revised Statutes, **amend** 23-1-121.2 as follows:

23-1-121.2. Department directive - educator preparation pathways - public information. By October 1, 2020, the department shall post on the department website a description of each of the existing programs and pathways that lead to teacher licensure, including alternative teacher preparation programs approved pursuant to article 60.5 of title 22, teacher preparation programs approved pursuant to section 23-1-121, teacher residency programs, student teacher programs, concurrent enrollment programs, teacher cadet programs, ~~grow your own educator programs established pursuant to section 22-60.5-208.5;~~ and the teaching fellowship programs created pursuant to part 3 of article 78 of this title 23. The department shall annually update the descriptions of programs and pathways.

SECTION 29. In Colorado Revised Statutes, 23-3.3-1005, **amend** (8)(a) as follows:

23-3.3-1005. Colorado opportunity scholarship initiative fund - created - rules - repeal. (8) (a) Notwithstanding subsection (2) of this section, the state treasurer shall credit all interest and income derived from the deposit and investment of money appropriated to the fund pursuant to subsections (6)(a) and (7)(a) of this section to the state emergency RESERVE CASH fund created in section 24-77-104 (6)(a) in accordance with section 24-75-226 (4)(c)(II).

SECTION 30. In Colorado Revised Statutes, 23-31-313, **amend** (9.7)(f) as follows:

23-31-313. Healthy forests - vibrant communities - funds created - outreach working group - definitions - legislative declaration - repeal. (9.7) **Wildfire mitigation resources and best practices grant program.** (f) On or before September 1, 2025, and on or before September 1 each year thereafter for the duration of the grant program, the forest service shall submit a report to the wildfire matters review committee, or any successor committee, on the grant program. Notwithstanding section 24-1-136 (11)(a)(I), the reporting requirement continues until the grant program is repealed pursuant to ~~subsection (9)~~ SUBSECTION (9.7)(h) of this section.

SECTION 31. In Colorado Revised Statutes, 24-1-120.5, **amend** (3) and (4) as follows:

24-1-120.5. Department of early childhood - creation. (3) The ~~powers, duties, and functions of the~~ Colorado child abuse prevention board, created in section 26.5-3-204, ~~are transferred by a type 2 transfer to~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER the department of early childhood.

(4) The ~~powers, duties, and functions relating to the~~ Colorado child care assistance program, as described in part 1 of article 4 of title 26.5, ~~are transferred by a type 2 transfer to~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER the department of early childhood.

SECTION 32. In Colorado Revised Statutes, 24-31-1204, **amend** (3)(b)(II) as follows:

24-31-1204. Civil actions for false claims - claims for retaliation - definitions. (3) **Actions by private persons.** (b) (II) In determining whether to intervene and proceed with an action pursuant to this subsection (3)(b), the attorney general shall consider the factors described in ~~subsection (1)(d)~~ SUBSECTION (1)(b) of this section. The attorney general's decision-making process concerning whether to intervene and any records related to the decision-making process are not discoverable in any action.

SECTION 33. In Colorado Revised Statutes, 24-32-104, **amend** (5) as follows:

24-32-104. Functions of the division - interconnectivity grant program - interconnectivity grant program fund - reporting - definition. (5) The division shall consult with the division of housing created in section 24-32-704 in connection with the creation and administration of the housing toolkit program in accordance with section ~~24-32-721.5 (2)(a)~~ 24-32-721.7 (2)(a).

SECTION 34. In Colorado Revised Statutes, 24-32-721, **amend** (1) and (6) as follows:

24-32-721. Colorado affordable housing construction grants and loans - housing development grant fund - creation - housing assistance for persons with behavioral, mental health, or substance use disorders - cash fund - appropriation - report to general assembly - rules - definitions - repeal. (1) There is hereby created in the state treasury the housing development grant fund, which fund is administered by the division and is referred to in this section as the "fund". The fund consists of money credited to the fund in accordance with section 39-26-123 (3)(b); money transferred to the fund in accordance with section 24-22-118 (2); money appropriated to the fund by the general assembly; all money transferred to the fund from the marijuana tax cash fund created in section 39-28.8-501 (1) and any other cash fund maintained by the state; all money transferred to the fund from the general fund pursuant to subsection (6) of this section; all money collected by the division for purposes of this section from federal grants, from other contributions, gifts, grants, and donations received from any other organization, entity, or individual, public or private; and from any fees or interest earned on such money. The division is hereby authorized and directed to solicit, accept, expend, and disburse all money collected for the fund from the sources specified in this subsection (1) for the purpose of

making grants, loans, or other forms of assistance that may be awarded under section ~~24-32-721.5~~ 24-32-721.7 and for program administration as provided in this section. All such money must be transmitted to the state treasurer to be credited to the fund. The money in the fund is continuously appropriated to the division for the purposes of this section.

(6) On June 27, 2021, the state treasurer shall transfer one million six hundred thousand dollars from the general fund to the housing development grant fund created in subsection (1) of this section. The division shall use the money transferred pursuant to this subsection (6) for the affordable housing guided toolkit and local officials guide program created in section ~~24-32-721.5~~ 24-32-721.7.

SECTION 35. In Colorado Revised Statutes, 24-33-111, **amend** (2)(a)(I)(A) as follows:

24-33-111. Conservation of native species - fund created.
(2) Species conservation trust fund - creation. (a) (I) (A) There is hereby created in the state treasury the species conservation trust fund, which is subject to annual authorization by the general assembly to carry out the purposes of this section. The fund consists of all money transferred by the treasurer as specified in subsection (2)(a)(I)(B) of this section and all money appropriated to the fund pursuant to section ~~39-29-109 (1)(g)(I)(A)~~ 39-29-109.3 (1)(g)(I). All income derived from the deposit and investment of money in the fund is credited to the fund. At the end of any fiscal year, all unexpended money in the fund remains in the fund and shall not be credited or transferred to the general fund or any other fund. To the maximum extent practical, only interest from the fund shall be expended for activities pursuant to this section.

SECTION 36. In Colorado Revised Statutes, 24-33.5-424, **amend** (3)(a) as follows:

24-33.5-424. National instant criminal background check system - state point of contact - fee - grounds for denial of firearm transfer - appeal - rule-making - unlawful acts - instant criminal background check cash fund - creation. (3) (a) The bureau, acting as the state point of contact for implementation of 18 U.S.C. sec. 922 (t), shall transmit a request for a background check in connection with the prospective transfer of a firearm to the NICS system and may also search other databases. The

bureau shall deny a transfer of a firearm to a prospective transferee if the transfer would violate 18 U.S.C. sec. 922 (g) or (n) or result in the violation of any provision of state law ~~including but not limited to section 18-12-108 (4)(c), C.R.S.~~, involving acts which, if committed by an adult, would constitute a burglary, arson, or any felony involving the use of force or the use of a deadly weapon.

SECTION 37. In Colorado Revised Statutes, 24-37.5-903, **amend** (1) as follows:

24-37.5-903. Colorado broadband office - creation - responsibilities - gifts, grants, or donations. (1) The Colorado broadband office is hereby created in the office. The Colorado broadband office ~~shall exercise~~ IS A **TYPE 1** ENTITY AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the office. ~~as if the Colorado broadband office were transferred to the office by a type 1 transfer as defined in section 24-1-105.~~

SECTION 38. In Colorado Revised Statutes, 24-72-703, **amend** (9)(b) as follows:

24-72-703. Sealing of records - general provisions - order applicability - discovery and advisements. (9) **Advisements.** (b) In addition to, and not in lieu of, the requirement described in subsection (9)(a) of this section:

(I) If a defendant is sentenced to probation following a conviction for an offense described in sections 24-72-706 to 24-72-708, the probation department, upon the termination of the defendant's probation, shall provide the defendant with a written advisement of his or her rights concerning the sealing of his or her conviction records pursuant to this section if he or she complies with the applicable provisions of this section; or

(II) If a defendant is released on parole following a conviction for an offense described in sections 24-72-706 to 24-72-708, the defendant's parole officer, upon the termination of the defendant's parole, shall provide the defendant with a written advisement of his or her rights concerning the sealing of his or her conviction records pursuant to this section if he or she complies with the applicable provisions of this section.

~~(VIII) A prosecuting attorney's access to records pursuant to this subsection (2) does not require a court order.~~

SECTION 39. In Colorado Revised Statutes, 24-75-229, **amend** (3)(a) as follows:

24-75-229. Affordable housing and home ownership cash fund - creation - allowable uses - task force - legislative declaration - definitions - repeal. (3) (a) The affordable housing and home ownership cash fund is hereby created in the state treasury. The fund consists of money deposited in the fund in accordance with subsection (3)(b) of this section and any other money that the general assembly may appropriate or transfer to the fund. To respond to the public health emergency with respect to COVID-19 or its negative economic impacts or for the provision of government services, the general assembly may appropriate or transfer money from the fund to a department or cash fund for programs or services that benefit populations, households, or geographic areas disproportionately affected by the COVID-19 public health emergency to obtain affordable housing, focusing on programs or services that address housing insecurity, lack of affordable and workforce housing, or homelessness. Money from the fund may be expended to support the task force ~~created in subsection (5)(a)~~ **PURSUANT TO SUBSECTION (6)(a)** of this section. Permissible uses of such money include costs associated with the creation and administration of the task force and related expenses for research and evaluation undertaken by the task force.

SECTION 40. In Colorado Revised Statutes, 25-1.5-115.5, **amend** (1) introductory portion, (2), (3), and (4) as follows:

25-1.5-115.5. Fentanyl prevention and education campaign - website. (1) Subject to available appropriations, beginning in the 2022-23 state fiscal year, the department shall develop, implement, and maintain an ongoing statewide prevention and education campaign to address the fentanyl education needs in the state. In the prevention and education campaign, the PREVENTION SERVICES division shall provide information to the general public about fentanyl, its dangers, precautionary measures to avoid risks and prevent harm caused by fentanyl, resources for addiction treatment and services, and laws regarding fentanyl, including criminal penalties and immunity for reporting an overdose event pursuant to section 18-1-711. Any unexpended money remaining at the end of the 2022-23 state

fiscal year from this appropriation:

(2) In furtherance of the goals of the fentanyl prevention and education campaign, the PREVENTION SERVICES division may use television advertising, radio broadcasts, print media, digital strategies, or any other media deemed necessary and appropriate by the division to reach the target audiences of the campaign.

(3) In furtherance of the goals of the fentanyl prevention and education campaign, the PREVENTION SERVICES division shall provide at least five regional training sessions during the 2022-23 state fiscal year for community partners to implement youth health development strategies.

(4) In furtherance of the goals of the fentanyl prevention and education campaign, the PREVENTION SERVICES division shall develop, implement, and maintain a website to serve as the state resource for the most accurate and timely information regarding fentanyl. At a minimum, the website must include information concerning fentanyl, its dangers, precautionary measures to avoid risks and prevent harm caused by fentanyl, resources for addiction treatment and services, and laws regarding fentanyl, including criminal penalties and immunity for reporting an overdose event pursuant to section 18-1-711.

SECTION 41. In Colorado Revised Statutes, 25-7-105, **amend** (1)(e)(X.4) as follows:

25-7-105. Duties of commission - technical secretary - rules - legislative declaration - definitions. (1) Except as provided in sections 25-7-130 and 25-7-131, the commission shall promulgate rules that are consistent with the legislative declaration set forth in section 25-7-102 and necessary for the proper implementation and administration of this article 7, including:

(e) (X.4) No later than September 1, 2022, the commission shall propose rules establishing recovered methane protocols, as that term is defined in section ~~40-3.2-108 (2)(q)~~ 40-3.2-108 (2)(p), for at least inactive coal mines, biomethane as that term is defined in section 40-3.2-108 (2)(a), and gas system leaks, and a crediting and tracking system for recovered methane as that term is defined in section ~~40-3.2-108 (2)(o)~~ 40-3.2-108 (2)(n). The commission shall adopt the rules no later than February 1, 2023.

The rule-making proceeding is subject to the procedural requirements of this subsection (1)(e).

SECTION 42. In Colorado Revised Statutes, **amend** 25-7-125 as follows:

25-7-125. Organization within department of public health and environment. The air quality control commission, together with the technical secretary under said commission, ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions specified in this article ~~in~~ UNDER the department of public health and environment. ~~as if the same were transferred to the department by a type 1 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 43. In Colorado Revised Statutes, 25-8-901, **amend** (1) introductory portion, (1)(b), and (5) as follows:

25-8-901. Definitions. As used in this part 9, unless the context otherwise requires:

(1) "Child care center" has the meaning set forth in section ~~26-6-102~~ (5) 26-6-903 (5); except that "child care center" does not include:

(b) A children's resident camp, as defined in section ~~26-6-102~~ (8) 26.5-5-303 (5).

(5) "Family child care home" has the meaning set forth in section ~~26-6-102~~ (13) 26.5-5-303 (7).

SECTION 44. In Colorado Revised Statutes, 25.5-2-104, **amend** (4) as follows:

25.5-2-104. State-funded health and medical care. (4) State medical assistance must be funded by state funds only, except to the extent federal funds are made available through express written authorization through a federal waiver, state plan amendment, or otherwise, by the FEDERAL centers for medicare and medicaid services.

SECTION 45. In Colorado Revised Statutes, 25.5-4-203, **amend** (1)(a) as follows:

25.5-4-203. Advisory council established. (1) There is created the state medical assistance and services advisory council, referred to in this article 4 as the "advisory council", consisting of sixteen members, as follows:

(a) The executive director of the state department and the executive director of the department of PUBLIC health AND ENVIRONMENT, the executive directors' designees, or the executive directors' successors in function, as ex officio members; and

SECTION 46. In Colorado Revised Statutes, 25.5-4-301, **amend** (14)(b) as follows:

25.5-4-301. Recoveries - overpayments - penalties - interest - adjustments - liens - review or audit procedures. (14) Notwithstanding any provision of this section to the contrary:

(b) A provider enrolled in the medicaid program shall permit the FEDERAL centers for medicare and medicaid services or its agent or designated contractors and the state department or its agent to conduct unannounced, on-site inspections of any and all provider locations. Payment for any agent designated by the state department to perform on-site inspections shall not be based on any recoveries paid to the state department by a provider for violations discovered as a result of the on-site inspection.

SECTION 47. In Colorado Revised Statutes, 25.5-4-401.2, **amend** (3) introductory portion as follows:

25.5-4-401.2. Performance-based payments - reporting - repeal. (3) On or before November 1, 2017, and on or before November 1 each year thereafter, the state department shall submit a report to the joint budget committee, the public health care and human services committee of the house of representatives, and the health and human services committee of the senate, or any successor committees, describing rules adopted by the state board and contract provisions approved by the FEDERAL centers for medicare and medicaid services in the preceding calendar year that authorize payments to providers based on performance. Notwithstanding the

provisions of section 24-1-136 (11)(a)(I), the report required pursuant to this subsection (3) continues indefinitely. The report must include, at a minimum:

SECTION 48. In Colorado Revised Statutes, 25.5-4-402, **amend** (3)(a) as follows:

25.5-4-402. Providers - hospital reimbursement - hospital review program - rules. (3) (a) In addition to the reimbursement rate process described in subsection (1) of this section and subject to adequate funding being made available pursuant to section 25.5-4-402.4, the Colorado healthcare affordability and sustainability enterprise created in section 25.5-4-402.4 (3) shall pay an additional amount based upon performance to those hospitals that provide services that improve health-care outcomes for their patients. The state department shall determine this amount based upon nationally recognized performance measures established in rules adopted by the state board. The state quality standards must be consistent with federal quality standards published by an organization with expertise in health-care quality, including but not limited to, the FEDERAL centers for medicare and medicaid services, the agency for healthcare research and quality, or the national quality forum.

SECTION 49. In Colorado Revised Statutes, 25.5-4-505, **amend** (1) as follows:

25.5-4-505. Federal authorization related to persons involved in the criminal justice system - assessment - report - repeal. (1) The state department shall evaluate and determine whether the state should seek additional federal authority to provide screening, brief intervention, and care coordination services through the medical assistance program to persons immediately prior to release from jail or a department of corrections facility and to improve processes for determining and redetermining individuals for medical assistance eligibility in order to improve continuity and access to health-care services. If the state department determines that securing additional federal authority will ensure improved access to care and continuity of care for individuals involved in the criminal justice system, the state department shall, subject to available resources, seek approval from the FEDERAL centers for medicare and medicaid services for any additional federal authority. If the state department seeks approval, it shall notify the members of the house of representatives public and

behavioral health and human services committee and the senate health and human services committee, or their successor committees, and the members of the joint budget committee of the general assembly. If the state department receives federal approval, the state department, subject to available resources, shall provide the benefits described in this subsection (1).

SECTION 50. In Colorado Revised Statutes, 25.5-5-308, **amend** (2)(a)(I)(B), (4)(b)(II)(B), and (5)(b) as follows:

25.5-5-308. Breast and cervical cancer prevention and treatment program - creation - legislative declaration - definitions - funds - repeal.
(2) As used in this section, unless the context otherwise requires:

(a) "Eligible person" means a person who:

(I) (B) Has been screened for breast or cervical cancer by any provider, within the provider's scope of practice, who does not receive funds through the FEDERAL centers for disease control and prevention's national breast and cervical cancer early detection program but whose screening activities are recognized by the department of public health and environment as part of screening activities under the centers for disease control and prevention's national breast and cervical cancer early detection program;

(4) (b) Benefits for medical assistance to an eligible person shall also be available for the following period of presumptive eligibility:

(II) Such period of presumptive eligibility shall end with the earlier of:

(B) If the eligible person does not file a simplified application for medical assistance developed by the state department and approved by the FEDERAL centers for medicare and medicaid services on or before the last day of the month following the month during which the eligible person was found to be qualified for services under this section, then benefits shall end on such last day.

(5) The state department shall have the following powers and duties:

(b) To amend the state's medical assistance plan to incorporate the breast and cervical cancer prevention and treatment program. The state department shall submit such proposed amendment to the FEDERAL centers for medicare and medicaid services regional office for approval.

SECTION 51. In Colorado Revised Statutes, 25.5-5-323, **amend** (3)(d) introductory portion as follows:

25.5-5-323. Complex rehabilitation technology - no prior authorization - metrics - report - rules - legislative declaration - definitions. (3) The state department shall provide a separate recognition within the state's medicaid program established under articles 4, 5, and 6 of this title for complex rehabilitation technology and shall make other required changes to protect client access to appropriate products and services. Such separate recognition must take into consideration the customized nature of complex rehabilitation technology and the broad range of related services necessary to meet the unique medical and functional needs of clients and include the following:

(d) Continuing pricing policies for complex rehabilitation technology, unless specifically prohibited by the FEDERAL centers for medicare and medicaid services, including the following:

SECTION 52. In Colorado Revised Statutes, 25.5-6-409.3, **amend** (2) and (4) as follows:

25.5-6-409.3. Consolidated waiver - intellectual and developmental disabilities - conflict-free case management - legislative declaration - repeal. (2) The state department shall establish a redesigned medicaid waiver for home- and community-based services for adults with intellectual and developmental disabilities, effective July 1, 2016, or as soon as the FEDERAL centers for medicare and medicaid services approves the redesigned waiver.

(4) The state department shall notify the joint budget committee no later than June 1, 2016, if the FEDERAL centers for medicare and medicaid services has not approved a single consolidated medicaid waiver for home- and community-based services for adults with intellectual and developmental disabilities. If the state department has not received approval from the FEDERAL centers for medicare and medicaid services by July 1,

2016, the joint budget committee shall establish a notification and review process relating to the status of the pending waiver consolidation process.

SECTION 53. In Colorado Revised Statutes, 26-5-102, **amend** (3)(b) introductory portion as follows:

26-5-102. Provision of child welfare services - system reform goals - out-of-home placements for children and youth with intellectual and developmental disabilities - reporting - rules - definition.

(3) (b) The state department shall promulgate rules concerning the placement of children or youth in the program. The rules must include, but need not be limited to, quality assurance monitoring, admissions, discharge planning, appropriate length of stay, and an appeals process for children or youth who are determined to be ineligible for the program or who are being removed from the program before meeting discharge criteria, as defined by the child's or youth's treatment plan, and without the consent of a parent, legal guardian, or county department. The rules regarding the appeals process must include access to the interdisciplinary appeals review panel, referenced in section ~~26-6-106(3)~~ 26.5-5-314 (5). For an appeal pursuant to this subsection (3)(b), the panel shall include the members appointed pursuant to section ~~26-6-106(3)~~ 26.5-5-314 (5) and, at a minimum:

SECTION 54. In Colorado Revised Statutes, 26-6-905, **amend** (10) as follows:

26-6-905. Licenses - out-of-state notices and consent - demonstration pilot program - definition - rules. (10) The state department shall not issue a license to operate a residential or day treatment child care facility, foster care home, or child placement agency if the person applying for the license or an affiliate of the applicant, a person employed by the applicant, or a person who resides with the applicant at the facility has been determined to be insane or mentally incompetent by a court of competent jurisdiction and, if the court enters, pursuant to part 3 or part 4 of article 14 of title 15, or section ~~27-65-109(4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the mental incompetency or insanity is of such a degree that the applicant is incapable of operating a residential or day treatment child care facility, foster care home, or child placement agency, the record of such determination and entry of such order being conclusive evidence thereof.

SECTION 55. In Colorado Revised Statutes, 26-6-914, **amend** (2)(c) and (6)(a)(I)(C) as follows:

26-6-914. Denial of license - suspension - revocation - probation - refusal to renew license - fines - definitions. (2) The department may deny an application, or suspend, revoke, or make probationary the license, of any facility or agency regulated and licensed pursuant to this part 9 or assess a fine against the licensee pursuant to section 26-6-921 if the licensee, an affiliate of the licensee, a person employed by the licensee, or a person who resides with the licensee at the facility or agency:

(c) Is determined to be insane or mentally incompetent by a court of competent jurisdiction and, a court has entered, pursuant to part 3 or part 4 of article 14 of title 15, or section ~~27-65-109 (4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the mental incompetency or insanity is of such a degree that the licensee is incapable of operating a facility or agency, the record of such determination and entry of such order being conclusive evidence thereof; or

(6) (a) (I) The state department shall deny an application for a license under the circumstances described in section 26-6-905 (8). The state department shall revoke or suspend a license previously issued if:

(C) The licensee, an affiliate of the licensee, a person employed by the licensee, or a person who resides with the licensee at the facility or agency has been determined to be insane or mentally incompetent by a court of competent jurisdiction and a court has entered, pursuant to part 3 or part 4 of article 14 of title 15, or section ~~27-65-109 (4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the mental incompetency or insanity is of such a degree that the licensee is incapable of operating a facility or agency, the record of such determination and entry of such order being conclusive evidence thereof.

SECTION 56. In Colorado Revised Statutes, 26-6.8-102, **amend** (2)(d)(I) as follows:

26-6.8-102. Tony Grampas youth services program - creation - standards - applications. (2) (d) (I) The youth services program fund is created in the state treasury. The principal of the fund consists of tobacco litigation settlement money transferred by the state treasurer to the fund

pursuant to section 24-75-1104.5 (1.7)(e). Subject to annual appropriation by the general assembly, the state department may expend money from the fund for the Tony Grampsas youth services program, including the compensation of youth members of the Tony Grampsas youth services board, as described in section 26-6.8-103 (1)(e)(II). All unexpended and unencumbered money appropriated to the fund at the end of a fiscal year remains available for expenditure by the state department for the Tony Grampsas youth services program in the following fiscal year without further appropriation and must not be transferred or revert to the general fund ~~state~~ at the end of a fiscal year.

SECTION 57. In Colorado Revised Statutes, 26-7.5-104.5, **amend** (2) and (3) introductory portion as follows:

26-7.5-104.5. Domestic violence and sexual assault coalitions - contracts - duties - coalition agreements with programs. (2) A coalition that enters into a contract or agreement with the STATE department shall, at a minimum, provide training and technical assistance for domestic violence, sexual assault, or culturally specific programs and other nongovernmental and governmental service providers.

(3) A coalition that enters into a contract or agreement with the STATE department may:

SECTION 58. In Colorado Revised Statutes, 26.5-4-104, **amend** (2)(a) as follows:

26.5-4-104. Colorado child care assistance program - department authority - cooperation with federal government - acceptance and administration of money. (2) (a) The department may accept on behalf of the state of Colorado the provisions and benefits of acts of congress designed to provide money or other property for the Colorado child care assistance program, which money or other property is designated for purposes within the function of the department, and may accept on behalf of the state any offers that have been or may from time to time be made of money or other property by any persons, agencies, or entities for the Colorado child care assistance program, which money or other property is designated for purposes within the function of the ~~state~~ department; except that, unless otherwise expressly provided by law, the department shall not accept said money or other property unless the department has

recommended acceptance to and received the written approval of the governor and the attorney general. Approval of the governor and the attorney general authorizes the acceptance of the money or property in accordance with the restrictions and conditions and for the purposes for which the money or property is intended.

SECTION 59. In Colorado Revised Statutes, 26.5-4-112, **amend** (2) as follows:

26.5-4-112. Exemptions - requirements. (2) As a prerequisite to entering into a valid CCCAP contract with a county office or to being a party to any other payment agreement for the provision of care for a child whose care is funded in whole or in part with money received on the child's behalf from publicly funded state child care assistance programs, an exempt family child care home provider shall sign an attestation that affirms the provider, and any qualified adult residing in the exempt family child care home, has not been determined to be insane or mentally incompetent by a court of competent jurisdiction and a court has not entered, pursuant to part 3 or 4 of article 14 of title 15, or section ~~27-65-109 (4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the mental incompetency or insanity is of such a degree that the provider cannot safely operate an exempt family child care home.

SECTION 60. In Colorado Revised Statutes, 26.5-4-119, **amend** (2) and (3) as follows:

26.5-4-119. State income tax refund offset - rules. (2) As a condition of certifying an overpayment to the department of revenue as provided in subsection (1) of this section, the department shall ensure that the obligated person has been afforded the opportunity for a conference at the county department level and the opportunity for an appeal to the department pursuant to section 26.5-4-108. In addition, the department, prior to final certification of the information specified in subsection (1) of this section to the department of revenue, shall notify the obligated person, in writing, at the person's last known address, that the state intends to refer the person's name to the department of revenue in an attempt to offset the obligation against the person's state income tax refund. The notification must inform the obligated person of the opportunity for a conference with the county department and of the opportunity for an appeal to the ~~state~~ department pursuant to section 26.5-4-108. In addition, the notice must

specify issues that the obligated person may raise at an evidentiary conference or on appeal, as provided by this subsection (2), in objecting to the offset and must specify that the obligated person may not object to the fact that an overpayment occurred. If the obligated person desires an evidentiary conference or appeal as provided in this subsection (2), the person must request the conference or appeal within thirty days after the date on which the notice was mailed.

(3) Upon receiving notice from the department of revenue of amounts deposited with the state treasurer pursuant to section 39-21-108, the state department shall disburse the amounts to the appropriate county to process for distribution to the state or local agency to whom the person is obligated.

SECTION 61. In Colorado Revised Statutes, 26.5-4-208, **amend** (1)(d) and (1)(e) as follows:

26.5-4-208. Preschool provider funding - per-child rates - local contribution - distribution and use of money - definitions - repeal.

(1) (d) In addition to distributing funding based on the per-child rates established pursuant to subsection (1)(a) of this section, the department may by rule distribute funding to achieve a specified purpose, which may include funding for administrative units to provide special education services through the preschool program and funding for measures related to recruiting, training, and retaining preschool educators. The department may choose to distribute funding pursuant to this subsection (1)(d) only after the department allocates the amounts necessary to fund preschool services for eligible children who are three years of age or younger, up to the amounts described in ~~subsection (2)(c)~~ SUBSECTION (3)(c) of this section, and to fully fund universal preschool services for all eligible children who enroll.

(e) In establishing the formulas and other distribution amounts, the department shall consult with the rules advisory council, the early childhood leadership commission, and members of the early childhood community, including parents of preschool-age children, preschool educators, preschool providers, early childhood councils, school districts, charter schools, representatives of county departments of human ~~services~~ and OR social services, local coordinating organizations, and individuals with financial expertise in public and private funding sources for early childhood services.

SECTION 62. In Colorado Revised Statutes, 26.5-5-303, **amend** (17)(a) as follows:

26.5-5-303. Definitions - repeal. As used in this part 3, unless the context otherwise requires:

(17) (a) "Neighborhood youth organization" means a nonprofit organization that provides programs and services, as described in ~~section 26-6-103.7~~ SECTION 26.5-5-308, to children, youth, and families through comprehensive wraparound supports to ensure positive growth and development during childhood and adolescence, and is designed to serve youth as young as five years of age who are enrolled in kindergarten and as old as eighteen years of age.

SECTION 63. In Colorado Revised Statutes, 26.5-5-309, **amend** (5) as follows:

26.5-5-309. Licenses - definition - rules. (5) The department shall not issue a license to operate an agency or facility defined in this part 3 if the person applying for the license or an affiliate of the applicant, a person employed by the applicant, or a person who resides with the applicant at the facility, has been determined to be insane or mentally incompetent by a court of competent jurisdiction and a court has entered, pursuant to part 3 or part 4 of article 14 of title 15 or section ~~27-65-109(4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the mental incompetency or insanity is of such a degree that the applicant is incapable of operating a family child care home or child care center. The record of the determination and entry of the order are conclusive evidence of the determination.

SECTION 64. In Colorado Revised Statutes, 26.5-5-317, **amend** (2)(c) as follows:

26.5-5-317. Denial of license - suspension - revocation - probation - refusal to renew license - fines. (2) The department may deny an application, or suspend, revoke, or make probationary the license of any facility regulated and licensed under this part 3 or assess a fine against the licensee pursuant to section 26.5-5-323 if the licensee, an affiliate of the licensee, a person employed by the licensee, or a person who resides with the licensee at the facility:

(c) Is determined to be insane or mentally incompetent by a court of competent jurisdiction and, if a court enters, pursuant to part 3 or part 4 of article 14 of title 15, or section ~~27-65-109 (4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the mental incompetency or insanity is of such a degree that the licensee is incapable of operating a family child care home or child care center, the record of such determination and entry of such order being conclusive evidence thereof; or

SECTION 65. In Colorado Revised Statutes, 26.5-5-326, **amend** (1)(c), (4)(b), and (6) as follows:

26.5-5-326. Exempt family child care home providers - fingerprint-based criminal history record check - child care assistance program money - temporary care - rules - definitions. (1) (c) A qualified provider or qualified adult who undergoes an FCC shall, with submittal of fingerprints, pay to the state department a fee established by department rule pursuant to subsection (6) of this section to offset the costs associated with processing the FCC through the Colorado bureau of investigation and the federal bureau of investigation.

(4) The department or a county department shall not issue or renew a contract to provide money pursuant to the Colorado child care assistance program pursuant to part 1 of article 4 of this title 26.5 to a qualified provider if the qualified provider or a qualified adult:

(b) Has been determined to be insane or mentally incompetent by a court of competent jurisdiction and a court has entered, pursuant to part 3 or 4 of article 14 of title 15, or section ~~27-65-109 (4)~~ 27-65-110 (4) or 27-65-127, an order specifically finding that the mental incompetency or insanity is of such a degree that the qualified provider cannot safely operate a child care home. The record of the determination and entry of the order are conclusive evidence thereof. A qualified provider shall sign an attestation affirming the lack of such a finding prior to entering into or renewing a contract for money under the Colorado child care assistance program, pursuant to section 26.5-4-112 (2).

(6) The executive director shall promulgate rules to establish the amount of the fee to collect from a qualified provider or qualified adult who is subject to an FCC pursuant to subsection (1) of this section or a

name-based judicial record check pursuant to subsection (2) of this section. The state department is authorized to collect the fee at the time of the FCC or name-based judicial record check.

SECTION 66. In Colorado Revised Statutes, 26.5-5-329, **amend** (1) as follows:

26.5-5-329. Testing for the presence of lead in drinking water in child care centers and family child care homes - compliance with public health requirements - repeal. (1) Each child care center and, unless it has opted out pursuant to section ~~25-8-903 (1)(a)~~ 25-8-903 (9), each family child care home shall comply with the requirements of part 9 of article 8 of title 25 concerning testing of water in child care centers, family child care homes, and eligible schools.

SECTION 67. In Colorado Revised Statutes, 27-60-104, **amend** (1) and (3.5) as follows:

27-60-104. Behavioral health crisis response system - crisis service facilities - walk-in centers - mobile response units - report. (1) All behavioral health entities, crisis walk-in centers, acute treatment units, mobile crisis programs, respite services, and crisis stabilization units within the crisis response system, regardless of program licensure, shall meet standards for approval pursuant to section 27-66-105. Facility-based crisis service providers must be approved or designated to adequately care for an individual brought to the facility through the emergency mental health procedure described in section ~~27-65-105~~ 27-65-106 and be an approved treatment facility pursuant to section 27-81-106. The arrangements for care must be completed through the crisis response system or prearranged partnerships with other crisis intervention services.

(3.5) Mobile crisis programs and crisis walk-in centers shall provide crisis response screening services to any individual seeking such services, including youth of any age and an individual with a disability, as defined in the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12101 et seq., as amended, regardless of primary diagnosis, co-occurring conditions, or if the individual requires assistance with activities of daily living, as defined in section 12-270-104. All additional or corresponding behavioral health services beyond the crisis response screening must be provided in accordance with all applicable state laws, including, but not

limited to, sections 12-245-203.5, 13-22-102, and 27-65-103, AND 27-65-104.

SECTION 68. In Colorado Revised Statutes, 27-60-301, **amend** (3) as follows:

27-60-301. Definitions. As used in this part 3, unless the context otherwise requires:

(3) "Behavioral health provider" means a recovery community organization as defined in section 27-80-126, a recovery support services organization as defined in section 27-60-108, or a licensed organization or professional that provides diagnostic, therapeutic, or psychological services for behavioral health conditions. Behavioral health providers include a residential child care facility, as defined in section ~~26-6-102~~ 26-6-903 (29), and a federally qualified health center as defined in the federal "Social Security Act", 42 U.S.C. sec. 1395x (aa)(4).

SECTION 69. In Colorado Revised Statutes, 27-60-403, **amend** (2)(a) introductory portion, (2)(b) and (2)(c) as follows:

27-60-403. Grant program application - criteria - award - rules.

(2) (a) There is created in the BHA an early intervention, deflection, and redirection from the criminal justice system grant review committee to review grant applications and make recommendations to the BHA and department of public safety. The commissioner of the BHA shall ensure that the composition of the REVIEW committee is racially, ethnically, and geographically diverse and representative of communities most impacted by the criminal justice system. The REVIEW committee consists of the following members:

(b) Members of the REVIEW committee serve without compensation and without reimbursement for expenses. Members of the review committee shall disclose any conflicts of interest, including whether the member represents an organization that may seek a grant from the grant program.

(c) The REVIEW committee shall review applications for grants submitted pursuant to this section and make recommendations to the BHA and department of public safety about which applicants should receive grants and the amount of each grant.

SECTION 70. In Colorado Revised Statutes, 27-64-103, **amend** (1) as follows:

27-64-103. 988 crisis hotline enterprise - creation - powers and duties. (1) There is created in the behavioral health administration the 988 crisis hotline enterprise. The enterprise is and operates as a government-owned business within the BHA for the business purpose of imposing charges pursuant to subsections (4)(a) and (4)(b) of this section, and utilizing the charges' revenue to fund the 988 crisis hotline and provide crisis outreach, stabilization, and acute care to individuals calling the 988 crisis hotline. The enterprise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND exercises its power and performs its duties ~~as if the same were transferred by a type 1 transfer, as defined in section 24-1-105, to~~ AND FUNCTIONS UNDER the BHA.

SECTION 71. In Colorado Revised Statutes, 30-20-602, **amend** (4.3)(b) as follows:

30-20-602. Definitions. As used in this part 6, unless the context otherwise requires:

(4.3) "Qualified community location" means:

(b) If the affected local electric utility is an investor-owned utility, a community solar garden, as that term is defined in section 40-2-127 (2), or a community geothermal garden, as that term is defined in section ~~42-2-127.5 (2)~~ 40-2-127.5 (2).

SECTION 72. In Colorado Revised Statutes, 30-20-603, **amend** (1)(a) as follows:

30-20-603. Improvements and funding authorized - how instituted - conditions - definitions. (1) (a) A district may be formed in accordance with the requirements of this part 6 for the purpose of constructing, installing, acquiring, or funding, in whole or in part, any public improvement, so long as the county that forms the district is authorized to provide such improvement or provide for such funding under the county's home rule charter, if any, or the laws of this state. Public improvements or the funding thereof shall not include any facility identified in section 30-20-101 (8) or (9). No such district shall provide the same

improvement as an existing special district within the territory of such existing special district unless the existing special district consents. The improvements authorized by this part 6 may consist, without limitation, of constructing, grading, paving, pouring, curbing, guttering, lining, or otherwise improving the whole or any part of any street or providing street lighting, drainage facilities, or service improvements, in the unincorporated area of a county or wholly or partly within the boundaries of any municipality within the county if such municipality consents by ordinance to such improvements. If improvements within a municipality are so included in a county improvement district by municipal consent, the county shall have full authority to construct or acquire such improvements, to assess property within such municipality benefited by such improvements, and to enforce and collect such assessments, in the manner provided in this part 6. The improvements authorized by this part 6 may include, without limitation, the construction of sidewalks adjacent to any such streets or maintenance roads adjacent to any such drainage facilities. Prior to the establishment of any improvement district for the purpose of providing street lighting, arrangements, by contract or otherwise, must be established under which the owners of property included within such district shall be responsible for the maintenance and operation of such street lighting improvement. The costs of maintenance and operation of such street lighting improvements shall not be paid from the county general fund. Drainage facilities shall not be provided in any area which is within an existing drainage district organized or created pursuant to law without the approval of such district. The term "service" as used in this paragraph (a) includes the services provided by a public utility as defined in section 40-1-103, ~~C.R.S.~~, as well as advanced service as defined in section 29-27-102 (1), ~~C.R.S.~~, cable television service as defined in section 29-27-102 (2), ~~C.R.S.~~, telecommunications service as defined in section 40-15-102 (29), ~~C.R.S.~~, geothermal heat suppliers as defined in section 40-40-103, ~~C.R.S.~~, and information service as defined in ~~47 U.S.C. sec. 153~~ (20) 47 U.S.C. SEC. 153 (24), or any successor section.

SECTION 73. In Colorado Revised Statutes, 31-25-501, **amend** (3.5)(b) as follows:

31-25-501. Definitions. As used in this part 5, unless the context otherwise requires:

(3.5) "Qualified community location" means:

(b) If the affected local electric utility is an investor-owned utility, a community solar garden as that term is defined in section 40-2-127 (2), or a community geothermal garden as that term is defined in section ~~42-2-127.5(2)~~ 40-2-127.5 (2).

SECTION 74. In Colorado Revised Statutes, 31-31-1104, **amend** (5) as follows:

31-31-1104. Merger into the statewide retirement plan. (5) The merger is intended to be consistent with the requirements under section ~~414(h) of the internal revenue code~~ 414 (l) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, and shall not be considered a plan termination and shall not result in a distributable event.

SECTION 75. In Colorado Revised Statutes, 31-31.5-101, **amend** (5)(f) as follows:

31-31.5-101. Establishment of the statewide retirement plan - definitions. (5) As used in this article 31.5, unless the context otherwise requires:

(f) "Member" means an active employee who is a full-time salaried employee of a municipality, fire protection district, fire authority, or county improvement district normally serving at least one thousand six hundred hours in any calendar year and whose duties are directly involved with the provision of police or fire protection, as certified by the member's employer. "Member" also includes an active employee who works less than sixteen hundred hours per year but otherwise qualifies as a member and whose employer elects to treat all such other similar employees as members. The term does not include clerical or other personnel whose services are auxiliary to police protection, or any volunteer firefighter, as such term is defined in section 31-30-1102 (9). For the purpose of participation in the statewide defined benefit plan pursuant to part 4 of ~~this article 31~~ OF THIS TITLE 31, or the statewide money purchase plan pursuant to part 5 of ~~this article 31.5~~ ARTICLE 31 OF THIS TITLE 31, but not for the purpose of participation in the statewide death and disability plan pursuant to part 8 of ~~this article 31.5~~ ARTICLE 31 OF THIS TITLE 31, the term may include clerical or other personnel employed by a fire protection district, fire authority, or county improvement district, whose services are auxiliary to fire protection. For the purpose of eligibility for disability or survivor benefits, "member"

includes any employee on an authorized leave of absence.

SECTION 76. In Colorado Revised Statutes, 31-31.5-203, **amend** (3) as follows:

31-31.5-203. Department chief - exemption by written agreement - definition. (3) A department chief exempted pursuant to subsection (1) of this section may maintain coverage for disability and survivor benefits under part 8 of ~~this article~~ ARTICLE 31 OF THIS TITLE 31 if the department chief participates in the statewide money purchase plan, the statewide retirement plan, or a local money purchase plan that is qualified under section 401 (a) of the federal "Internal Revenue Code of 1986" and that has a contribution rate of not less than eighteen percent.

SECTION 77. In Colorado Revised Statutes, 31-31.5-402, **amend** (4) introductory portion as follows:

31-31.5-402. Plan funding, actuarial valuation and adjustments to maintain the actuarial soundness of the plan. (4) If in any year the board determines pursuant to subsection (2) of this section that the cost of the benefits described in ~~part 5~~ THIS PART 4 may not be fully funded on an actuarially sound basis, the board, in its discretion, may take the following actions singularly or in any combination and in any order:

SECTION 78. In Colorado Revised Statutes, 31-31.5-406, **amend** (2) as follows:

31-31.5-406. Optional survivor benefits. (2) If a member reaches age eligibility for a normal, vested, or early retirement pension, and dies before making an election allowed pursuant to subsection (1) of this section or before the first pension payment has been deposited, and is survived by a spouse, dependent child, or designated beneficiary, the member shall be considered to have elected an actuarially reduced pension and retired on the day before the member's death. Payable to the members spouse, dependent child, or designated beneficiary, such reduced pension shall be payable to the member's designated beneficiary. A spouse, dependent child, or designated beneficiary of a member who has not yet reached age eligibility may elect to receive an actuarially reduced benefit beginning on the date that the member would have reached age eligibility in lieu of a death benefit under part 8 of article 31 OF THIS TITLE 31 and in lieu of a refund of member

contributions pursuant to section 31-31.5-411.

SECTION 79. In Colorado Revised Statutes, 32-9-119, **amend** (1)(t) as follows:

32-9-119. Additional powers of district. (1) In addition to any other powers granted to the district in this article, the district has the following powers:

(t) To have the management, control, and supervision of all business and affairs relating to any mass transportation facility authorized in this article, subject to the provisions of section 32-9-119.5 for the operation of the district's bus operations, or otherwise concerning the district, and of the acquisition, improvement, equipment, operation, maintenance, and disposal of any property relating to any such mass transportation facility; except that the oversight of operations and facilities for safety purposes as required by ~~49 CFR 659, "Rail Fixed Guideway Systems; State Safety Oversight"~~ 49 CFR 674, ENTITLED "STATE SAFETY OVERSIGHT", and article 18 of title 40, C.R.S.; shall be subject to the jurisdiction of the public utilities commission of the state of Colorado;

SECTION 80. In Colorado Revised Statutes, 33-10.5-108, **repeal** (3) as follows:

33-10.5-108. Division of parks and wildlife aquatic nuisance species fund - creation. (3) ~~Notwithstanding subsection (1) of this section, on April 30, 2021, the state treasurer shall transfer one million six hundred thousand nine hundred sixty-four dollars from the fund to the severance tax operational fund created in section 39-29-109 (2)(b)(f).~~

SECTION 81. In Colorado Revised Statutes, **amend** 34-25-101 as follows:

34-25-101. Jurisdiction of the courts. ~~County courts in their respective counties have original jurisdiction in prosecution for the violation of section 34-24-103 (1). In all trials in the county courts, the defendants shall be entitled to a trial by jury as in other misdemeanor cases. District courts in their respective districts have original jurisdiction upon information or indictment in all prosecutions for violations of this title.~~

SECTION 82. In Colorado Revised Statutes, 34-60-132, **amend** (5)(b) as follows:

34-60-132. Disclosure of chemicals used in downhole oil and gas operations - chemical disclosure lists - community notification - reports - definitions - rules - repeal. (5) **Chemical disclosure lists.** (b) (I) The commission shall include in the chemical disclosure list an alphabetical list of the names and Chemical Abstracts Service ~~registry~~ numbers of each chemical used in downhole operations at the well site.

(II) Notwithstanding any law to the contrary, the commission shall include the names and Chemical Abstracts Service ~~registry~~ numbers of all chemicals used in downhole operations in the chemical disclosure list and shall not protect the names or Chemical Abstracts Service ~~registry~~ numbers of any chemical as a trade secret or proprietary information. Any formulas and processes continue to have trade secret protections.

SECTION 83. In Colorado Revised Statutes, 38-12-102, **amend** (4) as follows:

38-12-102. Definitions. As used in this part 1, unless the context otherwise requires:

(4) "Normal wear and tear" means deterioration that occurs, based upon the use for which a rental unit or mobile home space, as defined in section ~~38-12-201.5(7)~~ 38-12-201.5 (6.5), is intended, without negligence, carelessness, accident, or abuse of the premises or equipment or chattels by the tenant or home owner or members of the tenant's or home owner's household, or their invitees or guests.

SECTION 84. In Colorado Revised Statutes, 38-12-201.5, **amend** (6.5) and (7) as follows:

38-12-201.5. Definitions. As used in this part 2 and in part 11 of this article 12, unless the context otherwise requires:

(6.5) ~~"Mobile home subdivision" or "manufactured home subdivision" means any parcel of land that is divided into two or more parcels, separate interests, or interests in common, where each parcel or interest is owned by an individual or entity who owns both a mobile home~~

~~and the land underneath the mobile home; except that a parcel is not a "mobile home subdivision" or "manufactured home subdivision" when the same owner owns a parcel or subdivided parcels or interests that are collectively used for the continuous accommodation of five or more occupied mobile homes and operated for the pecuniary benefit of the landowner or their agents, lessees, or assignees. "MOBILE HOME SPACE", "SPACE", "MOBILE HOME LOT", OR "LOT" MEANS A PARCEL OF LAND WITHIN A MOBILE HOME PARK DESIGNATED BY THE MANAGEMENT TO ACCOMMODATE ONE MOBILE HOME AND ITS ACCESSORY BUILDINGS AND TO WHICH THE REQUIRED SEWER AND UTILITY CONNECTIONS ARE PROVIDED BY THE PARK.~~

~~(7) "Mobile home space", "space", "mobile home lot", or "lot" means a parcel of land within a mobile home park designated by the management to accommodate one mobile home and its accessory buildings and to which the required sewer and utility connections are provided by the park. "MOBILE HOME SUBDIVISION" OR "MANUFACTURED HOME SUBDIVISION" MEANS ANY PARCEL OF LAND THAT IS DIVIDED INTO TWO OR MORE PARCELS, SEPARATE INTERESTS, OR INTERESTS IN COMMON, WHERE EACH PARCEL OR INTEREST IS OWNED BY AN INDIVIDUAL OR ENTITY WHO OWNS BOTH A MOBILE HOME AND THE LAND UNDERNEATH THE MOBILE HOME; EXCEPT THAT A PARCEL IS NOT A "MOBILE HOME SUBDIVISION" OR "MANUFACTURED HOME SUBDIVISION" WHEN THE SAME OWNER OWNS A PARCEL OR SUBDIVIDED PARCELS OR INTERESTS THAT ARE COLLECTIVELY USED FOR THE CONTINUOUS ACCOMMODATION OF FIVE OR MORE OCCUPIED MOBILE HOMES AND OPERATED FOR THE PECUNIARY BENEFIT OF THE LANDOWNER OR THEIR AGENTS, LESSEES, OR ASSIGNEES.~~

SECTION 85. In Colorado Revised Statutes, 39-9-101, **amend** (2) as follows:

39-9-101. State board of equalization. (2) Except as otherwise provided in section 2-2-326, each member is entitled to receive a per diem allowance of fifty dollars for each day spent attending meetings or hearings of the state board of equalization or otherwise spent discharging the member's duties as a member of the board; except that a member shall not receive the per diem allowance provided for in this subsection (2) for any day for which the member receives a per diem allowance from the state under any other statute and except that a member shall not receive the per diem allowance provided for in this subsection (2) if the member receives

a salary from the state for a full-time position with the state. Except as otherwise provided in section 2-2-326, each member of the board is entitled to receive REIMBURSEMENT FOR actual and necessary expenses incurred in performing the member's duties as a member of the board. The members appointed by the governor serve at the pleasure of the governor but shall not serve for more than four consecutive years unless reappointed by the governor and reconfirmed by the senate at the conclusion of the four years. Vacancies in either of the appointed positions on the board shall be filled by appointment by the governor with the consent of the senate for the unexpired term.

SECTION 86. In Colorado Revised Statutes, 39-22-547, **amend** (2)(e) as follows:

39-22-547. Early childhood educator income tax credit - tax preference performance statement - legislative declaration - definitions - repeal. (2) As used in this section, unless the context otherwise requires:

(e) "Family child care home" has the same meaning as set forth in section ~~26-6-102(13)~~ 26.5-5-303 (7).

SECTION 87. In Colorado Revised Statutes, 39-26-721, **amend** (1) and (2) as follows:

39-26-721. Manufactured homes and tiny homes. (1) Forty-eight percent of the purchase price of a manufactured home, as defined in section ~~42-1-102(106)(b)~~ 42-1-102 (48.8), is exempt from taxation under part 1 of this article 26; except that the entire purchase price in any subsequent sale of such a manufactured home, after it has been once subject to the payment of sales tax by virtue of section 39-26-113, is exempt from taxation under part 1 of this article 26.

(2) The storage, use, or consumption of a manufactured home, as defined in section ~~42-1-102(106)(b)~~ 42-1-102 (48.8), after the manufactured home has been once subject to the payment of use tax by virtue of section 39-26-208, is exempt from taxation under part 2 of this article 26.

SECTION 88. In Colorado Revised Statutes, 39-29-109, **amend** (2)(b)(III) as follows:

39-29-109. Severance tax trust fund - created - administration - distribution of money - legislative declaration - repeal. (2) State severance tax receipts must be credited to the severance tax trust fund as provided in section 39-29-108. All income derived from the deposit and investment of the money in the fund must be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered money in the fund remains in the fund and must not be credited or transferred to the general fund or any other fund. All money in the fund is subject to appropriation by the general assembly for the following purposes:

(b) **The severance tax operational fund.** (III) The fund also includes amounts that were transferred to natural resources and energy grant programs under section 39-29-109.3 and that were transferred back to the fund in accordance with subsection (2)(c)(V) of this section and sections 24-33-111 (2)(a)(I)(C), ~~33-10.5-108(3)~~, 37-60-126 (12)(a)(V), and 37-75-107 (3).

SECTION 89. In Colorado Revised Statutes, 40-18-101, **amend** (5) as follows:

40-18-101. Definitions. As used in this article 18, unless the context otherwise requires:

(5) "System safety program standard" means a safety standard developed by the commission in conformance with ~~49 CFR 659, "Rail Fixed Guideway Systems; State Safety Oversight"~~ 49 CFR 674, ENTITLED "STATE SAFETY OVERSIGHT".

SECTION 90. In Colorado Revised Statutes, 40-18-103, **amend** (1)(d) and (2) as follows:

40-18-103. Commission to promulgate rules. (1) The commission shall promulgate rules as are necessary to:

(d) Require that system safety program standards comply with the requirements of ~~49 CFR 659, "Rail Fixed Guideway Systems; State Safety Oversight"~~ 49 CFR 674, ENTITLED "STATE SAFETY OVERSIGHT", at a minimum, and also adequately address the issue of personal security.

(2) The commission shall promulgate rules to establish a system

safety oversight program for rail fixed guideway systems operating within the state that, at a minimum, meets the requirements of ~~49 CFR 659~~, "~~Rail Fixed Guideway Systems; State Safety Oversight~~" 49 CFR 674, ENTITLED "STATE SAFETY OVERSIGHT".

SECTION 91. In Colorado Revised Statutes, 43-1-127, **amend** (4)(d)(I) as follows:

43-1-127. Registration of carpooling service internet applications - limitations - disclosure - definitions. (4) As used in this section, unless the context otherwise requires:

(d) (I) "Metropolitan area" means a metropolitan planning area designated by agreement of a governor and a metropolitan planning organization, as those terms are defined in ~~49 U.S.C. sec. 5302 (8)~~ 49 U.S.C. SEC. 5302 (9) and 49 U.S.C. sec. 5303 (b)(1) and (b)(2) of the "Federal Transit Act", as amended.

SECTION 92. In Colorado Revised Statutes, 43-4-205, **amend** (5.5)(c) as follows:

43-4-205. Allocation of fund. (5.5) The following highway users tax fund revenues shall be allocated and expended in accordance with the formula specified in subsection (5) of this section:

(c) Revenues from driver's license fees, motor vehicle title and registration fees, and motorist insurance identification fees that are credited to the fund pursuant to sections ~~42-2-132 (4)(b)~~, ~~42-3-304 (18)(d)(I)~~, 42-2-132 (4)(b) and 42-3-306 (6) and (7), including any of those fees that are paid by the owner of special mobile machinery that is covered by a registration exempt certificate issued by the department in accordance with section 42-3-107 (16)(g);

SECTION 93. In Colorado Revised Statutes, 43-4-217, **amend** (1)(e) and (1)(f) as follows:

43-4-217. Additional funding - road usage fees - rules - legislative declaration - definitions. (1) The general assembly hereby finds and declares that:

(e) Because motor fuel consumption is reasonably related to use of and impact on the transportation system, it is fair to fee payers, reasonable, and appropriate to calculate the amount of the road ~~use~~ USAGE fee based on their motor fuel consumption;

(f) It is also fair to fee payers, reasonable, and appropriate to streamline fee collection by collecting the road ~~use~~ USAGE fee from distributors of motor fuels when motor fuel taxes are collected because the amount of the fee will be incorporated into the retail price of motor fuel and therefore passed on to users of the transportation system in precise proportion to their consumption of motor fuel and in reasonable relation to their use of and impact on the transportation system; and

SECTION 94. In Colorado Revised Statutes, 43-4-1103, **amend** (2)(a)(I) introductory portion; and **repeal** (2)(a)(IV) as follows:

43-4-1103. Multimodal transportation options fund - creation - revenue sources for fund - use of fund. (2) (a) (I) Except as otherwise provided in ~~subsections (2)(a)(IV) and (2)(d)~~ SUBSECTION (2)(d) of this section, subject to annual appropriation by the general assembly, money must be expended from the fund as follows:

~~(IV) (A) On July 1, 2021, the state treasurer shall transfer twelve million dollars from the fund to the fund created in section 43-4-1002 for the purpose of providing additional funding for the Southwest Chief La Junta route restoration program.~~

~~(B) On February 15, 2022, the state treasurer shall transfer two million five hundred thousand dollars to the fund created in section 43-4-1002.~~

SECTION 95. In Colorado Revised Statutes, 43-10-107, **amend** (2) as follows:

43-10-107. Office of director of division created - transfer. (2) The division, the office of director thereof, and the board ~~shall~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions specified in this article under the department of transportation. ~~as if the same were transferred to the department by a type 1 transfer, as such transfer is defined in the~~

~~"Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 96. In Colorado Revised Statutes, 44-30-1201, **repeal** (5)(a)(III), (5)(d)(III), (6), (7), (8), (9), (10), (11), (12), and (13) as follows:

44-30-1201. State historical fund - administration - legislative declaration - state museum cash fund - rules - definition.

~~(5) (a) (III) Notwithstanding the findings in subsection (5)(a)(II) of this section, as a result of the severe losses in gaming revenues and earned revenues of the state historical society caused by the COVID-19 pandemic, the general assembly finds it of critical importance to support the needs of the society and, consistent with the preservation purposes of the state historical fund, to allow a limited amount of money normally used for grants to be transferred to the museum and preservation operations account for the fiscal years commencing July 1, 2020, and July 1, 2021, only.~~

~~(d) (III) On or before October 1, 2008, the state treasurer shall transfer from the state historical fund to the state museum cash fund created pursuant to section 24-80-214 the sum of three million dollars. On or before October 1, 2009, the state treasurer shall transfer from the state historical fund to the state museum cash fund the sum of two million dollars. On or before October 1, 2010, the state treasurer shall transfer from the state historical fund to the state museum cash fund the sum of two million dollars.~~

~~(6) For the fiscal year commencing July 1, 2014, the state treasurer shall transfer one million dollars from the state historical fund at the beginning of the fiscal year to the capital construction fund created in section 24-75-302 for historic renovation of the state house of representatives' chambers and the state senate's chambers.~~

~~(7) For the fiscal year commencing July 1, 2015, the state treasurer shall transfer one million dollars from the preservation grant program account of the state historical fund at the beginning of the fiscal year to the capital construction fund created in section 24-75-302 for historic renovation of the state house of representatives' chambers and the state senate's chambers.~~

~~(8) For the fiscal year commencing July 1, 2016, the state treasurer shall transfer one million dollars from the preservation grant program~~

~~account of the state historical fund at the beginning of the fiscal year to the capital construction fund created in section 24-75-302 for historic renovation of the state house of representatives' chambers and the state senate's chambers.~~

~~(9) For the fiscal year commencing July 1, 2017, the state treasurer shall transfer one million dollars from the preservation grant program account of the state historical fund on October 1, 2017, to the capital construction fund created in section 24-75-302 to restore the windows and granite exterior of the state capitol building.~~

~~(10) For the fiscal year commencing July 1, 2018, the state treasurer shall transfer eight hundred fifty thousand dollars from the preservation grant program account of the state historical fund on October 1, 2018, to the legislative department cash fund created in section 2-2-1601 to restore the old supreme court chamber in the state capitol building.~~

~~(11) For the fiscal year commencing July 1, 2018, the state treasurer shall transfer one hundred fifty thousand dollars from the preservation grant program account of the state historical fund on October 1, 2018, to the capital construction fund created in section 24-75-302 for historical property rehabilitation in the capitol complex.~~

~~(12) For the state fiscal year commencing July 1, 2019, the state treasurer shall transfer one million dollars from the preservation grant program account of the state historical fund on October 1, 2019, to the capital construction fund created in section 24-75-302 for repainting of the interior of the dome of the state capitol building. On July 1, 2020, the state treasurer shall transfer an amount equal to the unencumbered portion of the money provided pursuant to this subsection (12) as of such date for repainting the interior of the dome of the state capitol building from the capital construction fund created in section 24-75-302 to the museum and preservation operations account created in subsection (5)(c)(I)(B) of this section.~~

~~(13) Notwithstanding any other provision of this section to the contrary, for each of the state fiscal years commencing July 1, 2020, and July 1, 2021, the state historical society is authorized to direct the state treasurer to transfer a cumulative total of up to one million dollars from the preservation grant program account created in subsection (5)(c)(I)(A) of this~~

~~section to the museum and preservation operations account created in subsection (5)(c)(1)(B) of this section.~~

SECTION 97. Amend section 11 of House Bill 23-1225 as follows:

Section 11. **Act subject to petition - effective date.** Section 4 of this act takes effect January 1, 2025, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor; except that section 4 of this act takes effect January 1, ~~2026~~ 2025.

SECTION 98. Act subject to petition - effective date. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 97 of this act takes effect only if House Bill 23-1225 becomes law, in which case section 97 takes effect on the effective date of this act or House Bill 23-1225, whichever is later.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO

APPENDIX

C.R.S. Section	Section in bill	Reason for Amendment
5-3-105 (2)	1	<ul style="list-style-type: none"> • Repeals a cross reference to 12 CFR 227.14 because the federal regulation was repealed by the Board of Governor's of the Federal Reserve System, effective March 21, 2016. (See 81 FR 8133.) • Repeals a cross reference to 12 CFR 535.5 because the federal regulations in chapter V of title 12 of the Code of Federal Regulations were repealed by the Department of the Treasury, effective October 11, 2018. (See 82 FR 47083.)
5-3.5-303 (2)	2	See bullet 2 of section 1 of this act amending section 5-3-105 (2).
6-1-712 (2)(b)	3	Inserts "federal" before Centers for Medicare and Medicaid Services for consistency when citing to federal agencies. (See https://www.cms.gov/ .)
6-4-108 (5)	4	Repeals text relevant to part 5 of article 1 of title 25.5 due to the repeal of the part, effective July 1, 2006. (See SB06-219, chapter 355, page 1800, Session Laws of Colorado 2006.)
10-1-202 (7)	5	Updates provisions to show that the National Association of Insurance Commissioners provides regulators and consumers support in five United States territories. (See the National Association of Commissioners website at https://content.naic.org/ . Accessed 12/16/2022.)
10-1-302 (10)	6	See section 5 of this act amending section 10-1-202 (7).
10-3-801 (7)	7	See section 5 of this act amending section 10-1-202 (7).
10-3-1502 (3)	8	See section 5 of this act amending section 10-1-202 (7).
10-16-106.3 (1)	9	See section 3 of this act amending section 6-1-712 (2)(b).

C.R.S. Section	Section in bill	Reason for Amendment
12-10-603 (2)(b)	10	Updates terminology to conform with changes made to section 24-4-105 by SB22-162. (See section 24-1-105 C.R.S. 2022, SB22-162, chapter 469, page 3350, Session Laws of Colorado 2022.)
12-20-202 (6)(b) and (6)(c)	11	See section 10 of this act amending section 12-10-603 (2)(b).
12-30-105 (5)(n)	12	Clarifies that "they" means "NPATCH" to resolve a grammatical ambiguity in the introduced version of SB22-226. (See SB22-226, chapter 179, page 1190, Session Laws of Colorado 2022.)
12-30-108 (4)(b)	13	Repeals an inoperative introductory portion. (See HB22-1233, chapter 398, page 2830 and HB22-1235, chapter 442, page 3101, Session Laws of Colorado 2022.)
12-30-110 (4)(b)	14	Removes duplicative references to mental health professionals. A mental health professional is listed individually and is an entity described in subsection (1)(a) of this section. The dual references are a result of the incorporation of changes to this provision by HB22-1307 and HB22-1326. (See the editor's note following section 12-30-110 in the C.R.S. 2022 and HB22-1307, chapter 207, page 1371, and HB22-1326, chapter 225, page 1637, Session Laws of Colorado 2022.)
12-30-112 (1)(a)(V)	15	Clarifies that "commissioner" means the "commissioner of insurance" because the term is not defined for the article or section for which it is being used. (See HB22-1284, chapter 446, page 3144, Session Laws of Colorado 2022.)
13-40-127 (9)(a)	16	Corrects the name of the referenced fund. The error originated in the introduced version of HB22-1342. (See HB22-1342, chapter 137, page 920, Session Laws of Colorado 2022.)
15-5-504 (3)(a)	17	Changes "obligee" to "obligor" to correspond with the language found in the Uniform Trust

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		Code. The error originated in the introduced version of SB21-162. (See section 504 (c)(1) of the Uniform Trust Code, as found on the Uniform Law Commission's website, and SB21-162, chapter 170, page 941, Session Laws of Colorado 2021.)
16-4-101 (1)(b)(IV), (1)(c), and (5)	18	Inserts language explaining that the violations referenced in this provision are to violations formerly found in certain provisions of section 18-12-108 prior to the reorganization of the section by SB21-271, effective March 1, 2022. (See SB21-271, chapter 462, page 3210, Session Laws of Colorado 2021.)
16-4-201.5 (1)(f)	19	See section 18 of this act amending section 16-4-101 (1)(b)(IV), (1)(c), and (5).
17-26-109 (1)(f)(I)	20	Repeals a cross reference to subsection (1)(d) and text relevant to subsection (1)(e) of this section due to the repeal of the subsections, effective March 1, 2022. (See subsection (2) of the editor's note following section 17-26-109 C.R.S. 2022 and SB21-271, chapter 462, page 3164, Session Laws of Colorado 2021.)
17-26-140 (1)(b)	21	Clarifies that the referenced administration is the behavioral health administration in the department of human services. This corrects an error originating in the introduced version of HB22-1326. (See HB22-1326, chapter 225, page 1642, Session Laws of Colorado 2022.)
18-1.9-104 IP(2)(b)	22	Corrects the number of appointments or reappointments that the executive branch makes to the task force concerning the treatment of persons with behavioral health disorders. This corrects an error originating in the house judiciary committee report amending SB22-021. (See the 2022 House Journal for March 24, page 673 and SB22-021, chapter 471, page 3441.)
19-3-508 (1)(d)(I)	23	Corrects an error originating in the introduced version of HB22-1256 by removing text that

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		was inadvertently added to the bill. (See subsection (4) of the editor's note following section 19-3-508 C.R.S. 2022 and HB22-1256, chapter 451, page 3234, Session Laws of Colorado 2022.)
19-3.3-111 (1)(d) and (3)(a)(VII)(F)	24	Changes cross references to correspond with the relocation of provisions by HB22-1295. (See HB22-1295, chapter 123, page 566, Session Laws of Colorado 2022.)
19-5-303 IP(1)	25	Corrects an error originating in the introduced version of SB22-162 that resulted in the deletion of a portion of the introductory portion of subsection (1). (See SB22-162, chapter 469, page 3376, Session Laws of Colorado 2022.)
22-7-1015 (4)(g) and (5)	26	Renumbers this provision to conform to standard statutory format. Subsection (4)(g) is a standalone subsection that does not fall under the subject matter of subsection (4). (See HB19-1262, chapter 245, page 2398, Session Laws of Colorado 2022.)
22-30.5-513 (2)(b.5)	27	Renumbers this provision to conform to standard statutory format. (See HB19-1262, chapter 245, page 2398, Session Laws of Colorado 2022.)
23-1-121.2	28	Repeals text within this section as obsolete due to the repeal of section 22-60.5-208.5, effective June 30, 2022. (See HB20-1418, chapter 197, page 944, Session Laws of Colorado 2022.)
23-3.3-1005 (8)(a)	29	See section 16 of this act amending section 13-40-127 (9)(a),
23-31-313 (9.7)(f)	30	Corrects a cross reference to the provision requiring the repeal of the wildfire mitigation resources and best practices grant program. The house appropriations committee report amending HB22-1007 did not include a conforming amendment updating the cross reference when the repeal provision was

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		renumbered by the report. (See the 2022 House Journal for April 21, page 1158 and HB22-1007, chapter 343, page 2456, Session Laws of Colorado 2022.)
24-1-120.5 (3) and (4)	31	See section 10 of this act amending section 12-10-603 (2)(b).
24-31-1204 (3)(b)(II)	32	Corrects a cross reference to a provision allowing the attorney general to file a motion to dismiss certain actions after considering specific factors. The senate judiciary committee report amending HB22-1119 did not include a conforming amendment updating the cross reference when it was renumbered by the report. (See the 2022 Senate Journal for May 3, page 1176, and HB22-1129, chapter 394, page 2783, Session Laws of Colorado 2022.)
24-32-104 (5)	33	Updates a cross reference to conform with a revision change that relocated the housing toolkit program from section 24-32-721.5 to section 24-32-721.7. (See the 2022 Revisor's Changes (Gray Book), page 41; the editor's note following section 24-32-721.7 C.R.S. 2021; SB20B-002, chapter 8, page 41, Special Supplement to the Colorado Revised Statutes 2020; and HB21-1271, chapter 356, page 2324, Session Laws of Colorado 2021.)
24-32-721 (1) and (6)	34	See section 33 of this act amending section 24-32-104 (5).
24-33-111 (2)(a)(I)(A)	35	Corrects a cross reference to a provision establishing a source of funds that may be appropriated to the severance tax operational fund. The error originated in the introduced version of SB21-281. (See SB21-281, chapter 255, page 1501, Session Laws of Colorado 2021.)
24-33.5-424 (3)(a)	36	Repeals a cross reference to section 18-12-108 (4)(c) due to the repeal of the section, effective March 1, 2022. (See SB21-271, chapter 462, page 3210, Session Laws of

C.R.S. Section	Section in bill	Reason for Amendment
		Colorado 2021.)
24-37.5-903 (1)	37	See section 10 of this act amending section 12-10-603 (2)(b).
24-72-703 (9)(b)	38	Corrects a publication error that resulted in the duplication of language. Text added to subsection (2)(a)(VIII) of this section by SB22-099 was also inadvertently added to subsection (9)(b)(VIII). (See SB22-099, chapter 276, page 1987, Session Laws of Colorado 2022.)
24-75-229 (3)(a)	39	Corrects a cross reference to the task force created in this section. The senate appropriations committee report amending HB22-1329 did not include a conforming amendment updating the cross reference to the task force when the subsection was renumbered by the report. (See the 2021 Senate Journal for June 7, page 1388, and HB21-1329, chapter 347, page 2253, Session Laws of Colorado 2021.)
25-1.5-115.5 IP(1), (2), (3), and (4)	40	Clarifies that "division" means the "prevention services division" in the department of health care policy and financing because the term is not defined for the article, part, or section for which it is being used. (See section 25-20.5-103, C.R.S. 2022 and the appropriations clause in section 56(5) of HB22-1326, chapter 225, page 1673, Session Laws of Colorado 2022.)
25-7-105 (1)(e)(X.4)	41	Updates cross references within this provision to conform with changes made by senate second reading floor amendment L.006 to the senate transportation committee report amending SB21-264. The amendment relocated the definitions within section 40-3.2-108 (2). (See the 2021 Senate Journal for June 2, page 1270, and SB21-264, chapter 328, pages 2093 and 2106.)
25-7-125	42	See section 10 of this act amending section 12-10-603 (2)(b).

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25-8-901 IP(1), (1)(b), and (5)	43	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
25.5-2-104 (4)	44	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-4-203 (1)(a)	45	Clarifies that the "department of health" is the "department of public health and environment". This corrects an error originating in the introduced version of SB22-013. (See SB22-013, chapter 2, page 64, Session Laws of Colorado 2022.)
25.5-4-301 (14)(b)	46	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-4-401.2 IP(3)	47	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-4-402 (3)(a)	48	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-4-505 (1)	49	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-5-308 (2)(a)(I)(B), (4)(b)(II)(B), and (5)(b)	50	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-5-323 IP(3)(d)	51	See section 3 of this act amending section 6-1-712 (2)(b).
25.5-6-409.3 (2) and (4)	52	See section 3 of this act amending section 6-1-712 (2)(b).
26-5-102 IP(3)(b)	53	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
26-6-905 (10)	54	Changes cross references to correspond with the relocation of provisions by HB22-1256. (See HB22-1256, chapter 451, page 3170, Session Laws of Colorado 2022.)
26-6-914 (2)(c) and (6)(a)(I)(C)	55	See section 54 of this act amending section 26-6-905 (10).

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26-6.8-102 (2)(d)(I)	56	Corrects a typographical error originating in the introduced version of SB22-013. (See SB22-037, chapter 23, page 148, Session Laws of Colorado 2022.)
26-7.5-104.5 (2) and IP(3)	57	Clarifies that "department" is the "state department", which is defined as the department of human services in section 26-1-103 (6). This corrects an error originating in the introduced version of SB22-013. (See SB22-183, chapter 194, page 1300, Session Laws of Colorado 2022.)
26.5-4-104 (2)(a)	58	Clarifies that "state department" is the department of early childhood, which is defined for this title as "department" in section 26.5-1-103 (1). (See HB22-1295, chapter 123, page 566, Session Laws of Colorado 2022.)
26.5-4-112 (2)	59	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
26.5-4-119 (2) and (3)	60	See section 58 of this act amending section 26.5-4-104 (2)(a).
26.5-4-208 (1)(d) and (1)(e)	61	<ul style="list-style-type: none"> • [Subsection (1)(d)] Corrects a cross reference to the provision allocating funds for preschool services for eligible children. The error originated in the introduced version of HB22-1295. (See HB22-1295, chapter 123, page 700, Session Laws of Colorado 2022.) • [Subsection (1)(e)] Changes the wording of an internal reference to make it consistent with other statutory provisions referencing county departments of human or social services. (See HB22-1295, chapter 123, page 700, Session Laws of Colorado 2022.)
26.5-5-303 (17)(a)	62	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
26.5-5-309 (5)	63	See section 54 of this act amending section 26-6-905 (10).
26.5-5-317 (2)(c)	64	See section 54 of this act amending section 26-6-905 (10).

C.R.S. Section	Section in bill	Reason for Amendment
26.5-5-326 (1)(c), (4)(b), and (6)	65	<ul style="list-style-type: none"> • [Subsections (1)(c) and (6)] See section 58 of this act amending section 26.5-4-104 (2)(a). • [Subsection (4)(b)] See section 54 of this act amending section 26-6-905 (10).
26.5-5-329 (1)	66	Corrects a cross reference to a provision exempting certain child care facilities from the testing requirements of part 9 of article 8 of title 25 if certain conditions are met. The error originated in the house appropriations committee report amending HB22-1358. (See the editor's note following section 26.5-5-329 C.R.S. 2022, the 2022 House Journal for May 3, page 1591, and HB22-1358, chapter 382, page 2728, Session Laws of Colorado 2022.)
27-60-104 (1) and (3.5)	67	<ul style="list-style-type: none"> • [Subsection (1)] See section 54 of this act amending section 26-6-905 (10). • [Subsection (3.5)] Inserts a cross reference to correspond with the restructuring of article 65 of this title. House Bill 22-1256 relocated provisions formerly found in section 27-65-103 to section 27-65-104 at the same legislative session that HB22-1214 added subsection (3.5) to this section. Because both bills passed concurrently, the string of cross references was not updated. (See HB22-1214, chapter 142, page 937, and HB22-1256, chapter 451, pages 3176 to 3179 and 3239, Session Laws of Colorado 2022.)
27-60-301 (3)	68	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
27-60-403 IP(2)(a), (2)(b) and (2)(c)	69	Clarifies that "committee" means the "review committee" defined in section 27-60-401 (7). This corrects an error originating in the senate judiciary committee report amending SB22-196. (See the 2022 Senate Journal for April 18, page 764 and SB22-196, chapter 193, page 1285, Session Laws of Colorado 2022.)
27-64-103 (1)	70	See section 10 of this act amending section 12-10-603 (2)(b).

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30-20-602 (4.3)(b)	71	Corrects a cross reference to the definition of a community geothermal garden. The error originated in the senate state, veterans, and military affairs committee report amending SB22-118. (See the 2022 Senate Journal for March 3, page 325, and SB22-118, chapter 335, page 2379, Session Laws of Colorado 2022.)
30-20-603 (1)(a)	72	Updates a cross reference to the United States Code to correspond with the renumbering of provisions by Public Law 111-260. (See 47 U.S.C. sec. 153 (24) and Public Law 111-260, 124 Stat. 2752.)
31-25-501 (3.5)(b)	73	See section 71 of this act amending section 30-20-602 (4.3)(b).
31-31-1104 (5)	74	Corrects a cross reference to the merger and consolidation provisions of the federal "Internal Revenue Code of 1986", as amended. The error originated in the introduced version of HB22-1034. (See 42 U.S.C. sec. 414(l) and HB22-1034, chapter 61, page 311, Session Laws of Colorado 2022.)
31-31.5-101 (5)(f)	75	Corrects cross references to specific provisions within article 31 of title 31. The errors originated in the introduced version of HB22-1034. (See HB22-1034, chapter 61, page 280, Session Laws of Colorado 2022.)
31-31.5-203 (3)	76	See section 75 of this act amending section 31-31.5-101 (5)(f).
31-31.5-402 IP(4)	77	Corrects a typographical error originating in the introduced version of HB22-1034. (See HB22-1034, chapter 61, page 289, Session Laws of Colorado 2022.)
31-31.5-406 (2)	78	See section 75 of this act amending section 31-31.5-101 (5)(f).
32-9-119 (1)(t)	79	Updates a cross reference to the federal rules governing the safety of state rail transit agencies. In 2016, the Federal Transit Authority replaced 49 CFR 659 with 49 CFR

C.R.S. Section	Section in bill	Reason for Amendment
		674. (See 87 FR 6783, 49 CFR 659, and 49 CFR 674.)
33-10.5-108 (3)	80	Repeals as obsolete provisions that require the state treasurer to make transfers of money between certain funds on specific dates or fiscal years because the date has passed or the fiscal year in which the transfer is authorized is over.
34-25-101	81	Repeals a cross reference to the violations listed in section 34-24-103 (1) and related text because SB03-329 repealed the violations from the section. (See SB03-329, chapter 377, page 2490, Session Laws of Colorado 2003.)
34-60-132 (5)(b)	82	Changes "Chemical Abstracts Service registry numbers" to "Chemical Abstracts Service numbers" to accurately reflect the defined terminology for the section. (See section 34-60-132 (1)(d), C.R.S. 2022 and HB22-1348, chapter 478, page 3479, Session Laws of Colorado 2022.)
38-12-102 (4)	83	Updates a cross reference to conform with section 84 of this act, which places defined terms in alphabetical order to conform with standard statutory format.
38-12-201.5 (6.5) and (7)	84	See section 83 of this act amending section 38-12-102 (4).
39-9-101 (2)	85	Corrects a grammatical error originating in HB03-1007. (See HB83-1007, chapter 434, page 1504, Session Laws of Colorado 1983.)
39-22-547 (2)(e)	86	See section 24 of this act amending section 19-3.3-111 (1)(d) and (3)(a)(VII)(F).
39-26-721 (1) and (2)	87	Corrects a cross reference to the definition of manufactured home. (See SB22-212, chapter 421, page 2986.)
39-29-109 (2)(b)(III)	88	See section 80 of this act amending section 33-10.5-108 (3).
40-18-101 (5)	89	See section 79 of this act amending section

C.R.S. Section	Section in bill	Reason for Amendment
		32-9-119 (1)(t).
40-18-103 (1)(d) and (2)	90	See section 79 of this act amending section 32-9-119 (1)(t).
43-1-127 (4)(d)(I)	91	Corrects a cross reference to the federal definition of governor in Title 49 of the United States Code. (See 49 U.S.C. sec. 5302 (9).)
43-4-205 (5.5)(c)	92	Repeals a cross reference to section 42-3-304 (18)(d)(I) as a conforming amendment to SB14-194. Due to a modification of the fee credit provisions in section 42-3-304 (18)(d)(I) by SB14-194, fees collected pursuant to this section are credited to the Colorado DRIVES vehicle services account, not the highway users' tax fund. (See SB14-194, chapter 346, page 1551, Session Laws of Colorado 2014.)
43-4-217 (1)(e) and (1)(f)	93	Changes "road use fee" to "road usage fee" to be consistent with the name of the fee imposed pursuant to section 43-4-217 (3) and (4). (See SB21-260, chapter 250, page 1419, Session Laws of Colorado 2021.)
43-4-1103 IP(2)(a)(I) and (2)(a)(IV)	94	See section 80 of this act amending section 33-10.5-108 (3).
43-10-107 (2)	95	See section 10 of this act amending section 12-10-603 (2)(b).
44-30-1201 (5)(a)(III), (5)(d)(III), (6), (7), (8), (9), (10), (11), (12), and (13)	96	See section 80 of this act amending section 33-10.5-108 (3).
House Bill 23-1225 Petition Clause Section 11	97	Corrects the effective date in section 11 of House Bill 23-1225.