

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

2nd REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 20-0427.02 Kristen Forrestal x4217

HOUSE BILL 20-1236

HOUSE SPONSORSHIP

Lontine and Will, Becker, Benavidez, Bird, Buckner, Buentello, Caraveo, Coleman, Cutter, Duran, Esgar, Exum, Gray, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, McCluskie, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Snyder, Titone, Valdez A., Valdez D., Young

SENATE SPONSORSHIP

Tate and Bridges, Gonzales, Hansen, Moreno, Story

House Committees

Finance
Appropriations

Senate Committees

Finance

A BILL FOR AN ACT

101 CONCERNING A HEALTH CARE COVERAGE ENROLLMENT PROGRAM
102 THAT USES INFORMATION GATHERED FROM STATE INDIVIDUAL
103 INCOME TAX RETURN FORMS TO AID UNINSURED INDIVIDUALS IN
104 OBTAINING HEALTH CARE COVERAGE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the Colorado affordable health care coverage easy enrollment program (program) for the purpose of leveraging the tax filing process to connect uninsured Coloradans to free or subsidized health care

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 3rd Reading
June 4, 2020

SENATE
Recall 3rd Reading
June 4, 2020

SENATE
3rd Reading Unamended
June 1, 2020

SENATE
2nd Reading Unamended
May 28, 2020

HOUSE
3rd Reading Unamended
March 9, 2020

HOUSE
Amended 2nd Reading
March 6, 2020

coverage. The program will allow Coloradans to ask on their state income tax returns for the Colorado health benefit exchange (exchange) to assess whether uninsured household members are potentially eligible for free or subsidized health care coverage. If the tax filer requests that the eligibility of uninsured household members be assessed under the program, the tax filer will receive information about coverage options and assistance with enrollment.

The bill creates the affordable health care coverage easy enrollment advisory committee (advisory committee) to guide implementation of the program. The advisory committee will be chaired by the executive director of the exchange and the executive director of the department of revenue (department) and will include representatives of the department of health care policy and financing, the division of insurance in the department of regulatory agencies, consumer advocacy groups, health care consumers, small employers, health insurance carriers, tax preparers, and insurance producers.

The department is required to implement the tax forms and schedules created by the advisory committee and to share the tax information gathered, as authorized by individual tax filers, with the exchange.

The executive director of the department shall promulgate rules to implement the new tax forms and schedules and to implement the authorized sharing of the tax information provided on the state individual income tax return forms for the purpose of enrolling uninsured individuals in a health care coverage affordability program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 10-16-105.7, **amend**
3 (3)(a)(II)(F); and **add** (3)(a)(II)(F.5) and (3)(a)(III) as follows:

4 **10-16-105.7. Health benefit plan open enrollment periods -**
5 **special enrollment periods - rules.** (3) (a) (II) A triggering event occurs
6 when:

7 (F) An individual gains access to other creditable coverage as a
8 result of a permanent change of residence; ~~or~~

9 (F.5) AN UNINSURED INDIVIDUAL WAS INCLUDED IN THE
10 CALCULATION OF "FAMILY SIZE" AS DEFINED IN THE FEDERAL "INTERNAL
11 REVENUE CODE OF 1986", 26 U.S.C. SEC. 36B (d)(1), AS AMENDED, BY A

1 TAX FILER WHO FILED AN INCOME TAX RETURN FOR THE PRIOR CALENDAR
2 YEAR BY THE APRIL 15 TAX DEADLINE, AND THE EXCHANGE NOTIFIES THE
3 INDIVIDUAL BASED ON INFORMATION PROVIDED THROUGH THE COLORADO
4 AFFORDABLE HEALTH CARE COVERAGE EASY ENROLLMENT PROGRAM
5 CREATED IN SECTION 10-22-113 THAT THE INDIVIDUAL QUALIFIES FOR A
6 SUBSIDIZED HEALTH BENEFIT PLAN; OR

7 (III) FOR THE PURPOSES OF SUBSECTION (3)(a)(II)(F.5) OF THIS
8 SECTION, A CARRIER IS NOT REQUIRED TO FURTHER VERIFY THAT AN
9 INDIVIDUAL IS ELIGIBLE FOR A SPECIAL ENROLLMENT PERIOD.

10 **SECTION 2.** In Colorado Revised Statutes, 10-22-103, **amend**
11 the introductory portion; and **add** (6.5) as follows:

12 **10-22-103. Definitions.** As used in this ~~article~~ ARTICLE 22, unless
13 the context otherwise requires:

14 (6.5) "HEALTH CARE COVERAGE AFFORDABILITY PROGRAM"
15 MEANS:

16 (a) A MEDICAL ASSISTANCE PROGRAM UNDER THE "COLORADO
17 MEDICAL ASSISTANCE ACT", ARTICLES 4, 5, AND 6 OF TITLE 25.5;

18 (b) THE "CHILDREN'S BASIC HEALTH PLAN ACT", ARTICLE 8 OF
19 TITLE 25.5; OR

20 (c) A HEALTH BENEFIT PLAN OFFERED THROUGH THE EXCHANGE
21 FOR WHICH A PREMIUM TAX CREDIT OR COST-SHARING REDUCTIONS ARE
22 AVAILABLE.

23 **SECTION 3.** In Colorado Revised Statutes, **add** 10-22-113 as
24 follows:

25 **10-22-113. Colorado affordable health care coverage easy**
26 **enrollment program - advisory committee - creation - appointments**
27 **- duties - definitions - repeal.** (1) THERE IS HEREBY CREATED THE

1 COLORADO AFFORDABLE HEALTH CARE COVERAGE EASY ENROLLMENT
2 PROGRAM FOR THE PURPOSE OF LEVERAGING THE INDIVIDUAL INCOME TAX
3 FILING PROCESS TO MAXIMIZE THE ENROLLMENT OF ELIGIBLE UNINSURED
4 INDIVIDUALS IN A HEALTH CARE COVERAGE AFFORDABILITY PROGRAM.

5 (2) (a) FOR THE PURPOSE OF GUIDING THE IMPLEMENTATION AND
6 ADMINISTRATION OF THE PROGRAM, THERE IS HEREBY CREATED THE
7 AFFORDABLE HEALTH CARE COVERAGE EASY ENROLLMENT ADVISORY
8 COMMITTEE. THE EXECUTIVE DIRECTORS OF THE EXCHANGE AND THE
9 DEPARTMENT OF REVENUE, OR THEIR DESIGNEES, SHALL SERVE AS
10 CO-CHAIRS OF THE ADVISORY COMMITTEE. ON OR BEFORE SEPTEMBER 1,
11 2020, THE BOARD SHALL APPOINT NINE ADDITIONAL MEMBERS, AS
12 SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION, TO SERVE ON THE
13 ADVISORY COMMITTEE. IN MAKING THE APPOINTMENTS, THE BOARD SHALL
14 CONSIDER THE GEOGRAPHIC, ECONOMIC, ETHNIC, AND OTHER
15 CHARACTERISTICS OF THE STATE.

16 (b) MEMBERS OF THE ADVISORY COMMITTEE MUST INCLUDE:

17 (I) A REPRESENTATIVE OF THE DEPARTMENT OF HEALTH CARE
18 POLICY AND FINANCING;

19 (II) A REPRESENTATIVE OF THE DIVISION;

20 (III) A REPRESENTATIVE OF CONSUMER ADVOCACY GROUPS;

21 (IV) A REPRESENTATIVE OF SMALL EMPLOYERS, AS DEFINED IN
22 SECTION 10-16-102 (61);

23 (V) A REPRESENTATIVE OF INSURERS;

24 (VI) A HEALTH CARE CONSUMER;

25 (VII) A HEALTH COVERAGE GUIDE OR OTHER PERSON WITH
26 EXPERTISE IN THE PROCESS OF APPLYING FOR FEDERAL INSURANCE OR
27 ASSISTANCE AS PROVIDED BY:

1 (A) TITLE XIX OF THE FEDERAL "SOCIAL SECURITY ACT", AS
2 AMENDED, AND THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES
3 4, 5, AND 6 OF TITLE 25.5; OR

4 (B) THE CHILDREN'S BASIC HEALTH PLAN, AS DEFINED IN ARTICLE
5 8 OF TITLE 25.5;

6 (VIII) AN INSURANCE PRODUCER, AS DEFINED IN SECTION 10-2-103
7 (6); AND

8 (IX) A PROVIDER OF INCOME TAX PREPARATION SERVICES.

9 (c) OF THE MEMBERS FIRST APPOINTED, IN ORDER TO ENSURE
10 STAGGERED TERMS, THE INITIAL TERM OF OFFICE OF FIVE OF THE MEMBERS
11 IS TWO YEARS AND THE INITIAL TERM OF OFFICE OF FOUR OF THE MEMBERS
12 IS FOUR YEARS. THEREAFTER, THE TERM OF OFFICE OF ALL MEMBERS IS
13 FOUR YEARS.

14 (d) MEMBERS OF THE ADVISORY COMMITTEE MAY BE REMOVED
15 FOR CAUSE BY THE BOARD OR BY A MAJORITY VOTE OF THE ADVISORY
16 COMMITTEE MEMBERS.

17 (e) THE ADVISORY COMMITTEE SHALL MEET AS OFTEN AS
18 NECESSARY TO CARRY OUT ITS DUTIES PURSUANT TO THIS SECTION.

19 (f) MEMBERS OF THE ADVISORY COMMITTEE ARE NOT ENTITLED TO
20 RECEIVE PER DIEM OR OTHER COMPENSATION FOR PERFORMANCE OF
21 SERVICES FOR THE ADVISORY COMMITTEE BUT MAY BE REIMBURSED FOR
22 ACTUAL AND NECESSARY EXPENSES, INCLUDING ANY REQUIRED
23 DEPENDENT CARE AND DEPENDENT OR ATTENDANT TRAVEL, FOOD, AND
24 LODGING, WHILE ENGAGED IN THE PERFORMANCE OF OFFICIAL DUTIES OF
25 THE ADVISORY COMMITTEE.

26 (g) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE SEPTEMBER 1,
27 2030.

1 (3) (a) THE ADVISORY COMMITTEE SHALL:

2 (I) DETERMINE THE MINIMUM INFORMATION NECESSARY TO
3 COLLECT THROUGH THE STATE INDIVIDUAL INCOME TAX FORMS TO
4 IDENTIFY UNINSURED INDIVIDUALS AND ALLOW THE EXCHANGE TO ASSESS
5 WHETHER THEY ARE POTENTIALLY ELIGIBLE FOR ENROLLMENT IN A
6 HEALTH CARE COVERAGE AFFORDABILITY PROGRAM OR OTHER
7 CREDITABLE COVERAGE;

8 (II) DETERMINE THE PROCEDURES THAT WILL BE USED TO
9 TRANSFER TAX FILER INFORMATION FROM THE DEPARTMENT OF REVENUE
10 TO THE EXCHANGE IN ORDER TO FACILITATE THE PROGRAM;

11 (III) RECOMMEND REVISIONS TO THE STATE INDIVIDUAL INCOME
12 TAX FORM, SUPPLEMENTAL SCHEDULES, OR BOTH TO BE IMPLEMENTED BY
13 THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 39-22-5202 THAT
14 ARE NEEDED TO IMPLEMENT THE PROGRAM. THE RECOMMENDATIONS
15 MUST INCLUDE:

16 (A) A QUESTION ASKING IF THE TAX FILER WANTS THE EXCHANGE
17 TO ASSESS WHETHER THE UNINSURED INDIVIDUALS IN THE TAX
18 HOUSEHOLD ARE POTENTIALLY ELIGIBLE FOR A HEALTH CARE COVERAGE
19 AFFORDABILITY PROGRAM OR OTHER CREDITABLE COVERAGE USING
20 INFORMATION FROM THE TAX FILER'S STATE INDIVIDUAL INCOME TAX
21 RETURN AND OTHER SOURCES AVAILABLE TO THE EXCHANGE;

22 (B) FOR TAX FILERS THAT WANT THE EXCHANGE TO ASSESS
23 POTENTIAL ELIGIBILITY, A REQUEST FOR: THE IDENTITY OF THE UNINSURED
24 INDIVIDUALS AND ANY ADDITIONAL INFORMATION, INCLUDING THE
25 HOUSEHOLD SIZE OF THE TAX FILER, THAT IS NOT OTHERWISE AVAILABLE
26 TO THE EXCHANGE AND THAT IS DEEMED ESSENTIAL BY THE ADVISORY
27 COMMITTEE FOR MAKING ASSESSMENTS OF POTENTIAL ELIGIBILITY;

1 EXCEPT THAT THE REQUEST FOR ADDITIONAL INFORMATION SHALL NOT
2 INCLUDE REQUESTS FOR CITIZENSHIP, IMMIGRATION, OR HEALTH STATUS;

3 (IV) DRAFT RECOMMENDED INSTRUCTIONS FOR THE INDIVIDUAL
4 TAX FORM INSTRUCTION BOOKLET THAT EXPLAIN HOW TO ANSWER THE
5 QUESTIONS ADDED TO THE TAX RETURN FORM OR SCHEDULES PURSUANT
6 TO SECTION 39-22-5202 (1)(b) AND THE EFFECTS OF INDICATING THAT THE
7 TAX FILER WOULD LIKE THE EXCHANGE TO ASSESS THE ELIGIBILITY OF
8 UNINSURED HOUSEHOLD MEMBERS;

9 (V) DETERMINE THE PROCESS THAT THE EXCHANGE WILL USE
10 UNDER THE PROGRAM TO ASSESS POTENTIAL ELIGIBILITY FOR AND ASSIST
11 WITH ENROLLMENT IN A HEALTH CARE COVERAGE AFFORDABILITY
12 PROGRAM OR OTHER CREDITABLE COVERAGE INCLUDING:

13 (A) A TIMELINE FOR ASSESSING EACH INDIVIDUAL'S POTENTIAL
14 ELIGIBILITY FOR A HEALTH CARE COVERAGE AFFORDABILITY PROGRAM OR
15 OTHER CREDITABLE COVERAGE;

16 (B) A PROCESS TO NOTIFY INDIVIDUALS REGARDING THE
17 OUTCOMES OF ASSESSMENTS OF POTENTIAL ELIGIBILITY, WHICH PROCESS
18 IS DESIGNED TO MAXIMIZE HEALTH CARE COVERAGE ENROLLMENT LEVELS;
19 AND

20 (C) A PROCESS FOR HANDLING UNINSURED INDIVIDUALS WHOSE
21 STATUS AS UNITED STATES CITIZENS CANNOT BE VERIFIED THROUGH
22 INFORMATION AVAILABLE TO THE EXCHANGE; AND

23 (VI) DETERMINE THE FEASIBILITY OF AND, IF FEASIBLE,
24 RECOMMEND A PROCESS FOR AUTOMATIC ENROLLMENT, THROUGH THE
25 PROGRAM, OF ELIGIBLE UNINSURED INDIVIDUALS IN A MEDICAL
26 ASSISTANCE PROGRAM UNDER THE "COLORADO MEDICAL ASSISTANCE
27 ACT", ARTICLES 4, 5, 6, OF TITLE 25.5 OR OTHER ZERO-NET-PREMIUM

1 CREDITABLE COVERAGE.

2 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE SEPTEMBER 1,
3 2030.

4 (4) THE EXCHANGE, THROUGH PROCEDURES DETERMINED BY THE
5 ADVISORY COMMITTEE, SHALL:

6 (a) ASSESS WHETHER UNINSURED INDIVIDUALS IDENTIFIED
7 THROUGH THE PROGRAM ARE POTENTIALLY ELIGIBLE FOR A HEALTH CARE
8 COVERAGE AFFORDABILITY PROGRAM OR OTHER CREDITABLE COVERAGE;

9 (b) NOTIFY THE UNINSURED INDIVIDUALS REGARDING THEIR
10 POTENTIAL ELIGIBILITY;

11 (c) ENROLL OR ASSIST WITH ENROLLING THE UNINSURED
12 INDIVIDUALS IN CREDITABLE COVERAGE; AND

13 (d) NOT TAKE ADDITIONAL STEPS TO DETERMINE ELIGIBILITY FOR
14 OR ENROLL AN UNINSURED INDIVIDUAL IDENTIFIED THROUGH THE
15 PROGRAM IF THE EXCHANGE CANNOT VERIFY THAT THE UNINSURED
16 INDIVIDUAL IS A UNITED STATES CITIZEN UNTIL THE INDIVIDUAL PROVIDES
17 AFFIRMATIVE CONSENT USING PROCEDURES DEVELOPED BY THE ADVISORY
18 COMMITTEE PURSUANT TO SUBSECTION (3)(a)(V)(C) OF THIS SECTION.

19 (5) AS USED IN THIS SECTION:

20 (a) (I) "ADVISORY COMMITTEE" MEANS THE AFFORDABLE HEALTH
21 CARE COVERAGE EASY ENROLLMENT ADVISORY COMMITTEE.

22 (II) THIS SUBSECTION (5)(a) IS REPEALED, EFFECTIVE SEPTEMBER
23 1, 2030.

24 (b) "CREDITABLE COVERAGE" HAS THE SAME MEANING AS SET
25 FORTH IN SECTION 10-16-102 (16).

26 (c) "PROGRAM" MEANS THE COLORADO AFFORDABLE HEALTH
27 CARE COVERAGE EASY ENROLLMENT PROGRAM.

1 (d) "UNINSURED INDIVIDUAL" MEANS AN INDIVIDUAL WHO DOES
2 NOT HAVE CREDITABLE COVERAGE.

3 **SECTION 4.** In Colorado Revised Statutes, 39-21-113, **add** (25)
4 as follows:

5 **39-21-113. Reports and returns - rule.** (25) NOTWITHSTANDING
6 THE CONFIDENTIALITY REQUIREMENTS IN THIS SECTION, THE EXECUTIVE
7 DIRECTOR SHALL PROVIDE THE INFORMATION AUTHORIZED BY THE
8 TAXPAYER TO BE COLLECTED PURSUANT TO SECTION 39-22-5202 (1) TO
9 THE COLORADO HEALTH BENEFIT EXCHANGE CREATED IN ARTICLE 22 OF
10 TITLE 10 AND MAY SHARE THE INFORMATION WITH THE DEPARTMENT OF
11 HEALTH CARE POLICY AND FINANCING TO FACILITATE ASSESSMENT OF
12 POTENTIAL ELIGIBILITY FOR AND ENROLLMENT IN A HEALTH CARE
13 COVERAGE AFFORDABILITY PROGRAM THROUGH THE COLORADO
14 AFFORDABLE HEALTH CARE COVERAGE EASY ENROLLMENT PROGRAM
15 CREATED IN SECTION 10-22-113. ANY INFORMATION PROVIDED TO THE
16 COLORADO HEALTH BENEFIT EXCHANGE OR THE DEPARTMENT OF HEALTH
17 CARE POLICY AND FINANCING PURSUANT TO THIS SUBSECTION (25)
18 REMAINS CONFIDENTIAL, AND THE BOARD OF DIRECTORS AND ALL
19 OFFICERS, AGENTS, CLERKS, AND EMPLOYEES OF THE COLORADO HEALTH
20 BENEFIT EXCHANGE AND THE EXECUTIVE DIRECTOR AND ALL AGENTS,
21 CLERKS, AND EMPLOYEES OF THE DEPARTMENT OF HEALTH CARE POLICY
22 AND FINANCING ARE SUBJECT TO THE LIMITATIONS SET FORTH IN
23 SUBSECTION (4) OF THIS SECTION AND THE PENALTIES IN SUBSECTION (6)
24 OF THIS SECTION.

25 **SECTION 5.** In Colorado Revised Statutes, **add** part 52 to article
26 22 of title 39 as follows:

27 PART 52

1 COLORADO AFFORDABLE HEALTH CARE
2 COVERAGE EASY ENROLLMENT PROGRAM

3 **39-22-5201. Definitions.** AS USED IN THIS PART 52, UNLESS THE
4 CONTEXT OTHERWISE REQUIRES:

5 (1) "ADVISORY COMMITTEE" MEANS THE AFFORDABLE HEALTH
6 CARE COVERAGE EASY ENROLLMENT ADVISORY COMMITTEE CREATED IN
7 SECTION 10-22-113.

8 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

9 (3) "EXCHANGE" MEANS THE COLORADO HEALTH BENEFIT
10 EXCHANGE CREATED IN ARTICLE 22 OF TITLE 10.

11 (4) "HEALTH CARE COVERAGE AFFORDABILITY PROGRAM" MEANS:

12 (a) A MEDICAL ASSISTANCE PROGRAM UNDER THE "COLORADO
13 MEDICAL ASSISTANCE ACT", ARTICLES 4, 5, AND 6 OF TITLE 25.5;

14 (b) THE "CHILDREN'S BASIC HEALTH PLAN ACT", ARTICLE 8 OF
15 TITLE 25.5; OR

16 (c) A HEALTH BENEFIT PLAN, AS DEFINED IN SECTION 10-22-103
17 (6), OFFERED THROUGH THE EXCHANGE FOR WHICH PREMIUM TAX CREDITS
18 OR COST-SHARING REDUCTIONS ARE AVAILABLE.

19 **39-22-5202. Uninsured designation - required forms - rules.**

20 (1) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1,
21 2021:

22 (a) THE COLORADO STATE INDIVIDUAL INCOME TAX FORM MUST
23 ALLOW TAX FILERS TO:

24 (I) REQUEST THAT THE EXCHANGE ASSESS WHETHER UNINSURED
25 TAX HOUSEHOLD MEMBERS ARE POTENTIALLY ELIGIBLE FOR FREE OR
26 LOWER-COST HEALTH COVERAGE UNDER A HEALTH CARE COVERAGE
27 AFFORDABILITY PROGRAM USING INFORMATION FROM THEIR TAX RETURN

1 AND OTHER SOURCES AVAILABLE TO THE EXCHANGE; AND

2 (II) IDENTIFY UNINSURED HOUSEHOLD MEMBERS AND PROVIDE
3 OTHER INFORMATION DETERMINED NECESSARY BY THE ADVISORY
4 COMMITTEE PURSUANT TO SECTION 10-22-113 (3)(a) TO FACILITATE THE
5 COLORADO AFFORDABLE HEALTH CARE COVERAGE EASY ENROLLMENT
6 PROGRAM CREATED IN SECTION 10-22-113;

7 (b) THE ASSOCIATED TAX FORM INSTRUCTION BOOKLET MUST
8 EXPLAIN HOW TO ANSWER THE QUESTIONS ADDED TO THE STATE
9 INDIVIDUAL INCOME TAX FORM OR SCHEDULES PURSUANT TO THIS SECTION
10 AND SECTION 10-22-113 (3)(a)(IV) AND THE EFFECT OF ASKING THE
11 EXCHANGE TO ASSESS WHETHER UNINSURED HOUSEHOLD MEMBERS ARE
12 POTENTIALLY ELIGIBLE FOR FREE OR LOWER-COST HEALTH COVERAGE
13 UNDER A HEALTH CARE COVERAGE AFFORDABILITY PROGRAM.

14 (2) IN IMPLEMENTING SUBSECTION (1) OF THIS SECTION, THE
15 DEPARTMENT SHALL CONSIDER THE DETERMINATIONS AND
16 RECOMMENDATIONS DEVELOPED BY THE ADVISORY COMMITTEE PURSUANT
17 TO SECTION 10-22-113 (3)(a).

18 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
19 PROMULGATE RULES AS NECESSARY TO IMPLEMENT THE TAX FORMS AND
20 SCHEDULES REQUIRED BY THIS SECTION AND TO IMPLEMENT THE SHARING
21 OF INFORMATION AUTHORIZED BY THIS SECTION WITH THE EXCHANGE AND
22 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

23 **SECTION 6. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly (August
26 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
27 referendum petition is filed pursuant to section 1 (3) of article V of the

1 state constitution against this act or an item, section, or part of this act
2 within such period, then the act, item, section, or part will not take effect
3 unless approved by the people at the general election to be held in
4 November 2020 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.