

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0999.01 Bart Miller x2173

HOUSE BILL 16-1312

HOUSE SPONSORSHIP

Wist,

SENATE SPONSORSHIP

Tate,

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A TIME LIMITATION FOR RESOLVING REDUNDANT
102 DISCIPLINARY ACTIONS ARISING FROM THE SAME EVENT BY
103 MULTIPLE STATE DISCIPLINARY AUTHORITIES AGAINST A
104 LICENSED PROFESSIONAL WITH MULTIPLE PROFESSIONAL
105 LICENSES.

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://www.leg.state.co.us/billsummaries>.)

Under current law, licensed professionals holding more than one professional license can be investigated simultaneously about the same

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

act or transaction. The bill requires that, for licensed professionals with multiple licenses, in the event of redundant disciplinary actions by multiple state disciplinary authorities arising from the same act or transaction, if one of the disciplinary authorities takes action to resolve an investigation, any other disciplinary authority from which the licensed professional has a license and that is investigating the same act or transaction is required to take action on the matter within 160 days after the conclusion of the action by the first disciplinary authority. If any other disciplinary authority fails to take action on the matter within 160 after the conclusion of the action by the first disciplinary authority, any other disciplinary authority is barred from taking action against the licensed professional for that same act or transaction.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-4-102, **add** (7.5)
3 as follows:

4 **24-4-102. Definitions.** As used in this article, unless the context
5 otherwise requires:

6 (7.5) "LICENSED PROFESSIONAL" MEANS ANY PERSON WITH
7 LICENSING OR REGISTRATION OBLIGATIONS ARISING UNDER TITLE 12,
8 C.R.S.

9 **SECTION 2.** In Colorado Revised Statutes, 24-4-104, **add** (6.5)
10 as follows:

11 **24-4-104. Licenses - issuance - suspension or revocation -**
12 **renewal.** (6.5) FOR ANY LICENSED PROFESSIONAL WITH MORE THAN ONE
13 COLORADO LICENSE REQUIRED BY LAW, IN THE EVENT OF REDUNDANT
14 DISCIPLINARY ACTIONS BY MULTIPLE DISCIPLINARY AUTHORITIES ARISING
15 FROM THE SAME ACT OR TRANSACTION, IF ONE OF THE DISCIPLINARY
16 AUTHORITIES TAKES ACTION TO RESOLVE AN INVESTIGATION, ANY OTHER
17 DISCIPLINARY AUTHORITY FROM WHICH THE LICENSED PROFESSIONAL HAS
18 A LICENSE AND THAT IS INVESTIGATING THE SAME ACT OR TRANSACTION
19 SHALL MUST TAKE ACTION ON THE MATTER WITHIN ONE HUNDRED SIXTY

1 DAYS AFTER THE CONCLUSION OF THE ACTION BY THE FIRST DISCIPLINARY
2 AUTHORITY. IF ANY OTHER DISCIPLINARY AUTHORITY DOES NOT TAKE
3 ACTION WITHIN ONE HUNDRED SIXTY DAYS AFTER CONCLUSION OF THE
4 ACTION BY THE FIRST DISCIPLINARY AUTHORITY, ANY OTHER DISCIPLINARY
5 AUTHORITY IS BARRED FROM TAKING ACTION AGAINST THE LICENSED
6 PROFESSIONAL FOR THAT SAME ACT OR TRANSACTION.

7 **SECTION 3. Act subject to petition - effective date -**
8 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
9 the expiration of the ninety-day period after final adjournment of the
10 general assembly (August 10, 2016, if adjournment sine die is on May 11,
11 2016); except that, if a referendum petition is filed pursuant to section 1
12 (3) of article V of the state constitution against this act or an item, section,
13 or part of this act within such period, then the act, item, section, or part
14 will not take effect unless approved by the people at the general election
15 to be held in November 2016 and, in such case, will take effect on the
16 date of the official declaration of the vote thereon by the governor.

17 (2) This act applies to an action by a disciplinary authority against
18 a licensed professional on or after the applicable effective date of this act.