

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 14-0271.01 Nate Carr x2584

**HOUSE BILL 14-1363**

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**HOUSE SPONSORSHIP**

**Gardner**, Foote, Kagan, Labuda, Scott

**SENATE SPONSORSHIP**

**Roberts**, Brophy, Guzman, Steadman

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

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

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**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>.)*

**Committee on Legal Services - Revisor's Bill.** To improve the

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.*

HOUSE  
Amended 2nd Reading  
April 17, 2014

clarity and certainty of the statutes, this bill amends, repeals, and reconstructs various statutory provisions of law that are obsolete, imperfect, or inoperative. The specific reasons for each amendment or repeal are set forth in the appendix to this bill. The amendments made by this bill are not intended to change the meaning or intent of the statutes, as amended.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-7.5-107, **amend** (3)

3 (a) (II) as follows:

4 **1-7.5-107. Procedures for conducting mail ballot election -**  
5 **primary elections - first-time voters casting a mail ballot after having**  
6 **registered by mail to vote - in-person request for ballot.**

7 (3) (a) (II) For a primary mail ballot election for a minor political party  
8 candidate, the mail ballot packet shall be mailed only to those registered  
9 electors ~~described in sub-subparagraph (A) of this subparagraph (II)~~ who  
10 are affiliated with the minor political party of such candidate.

11 **SECTION 2.** In Colorado Revised Statutes, 1-7.5-208, **repeal** (1)  
12 as follows:

13 **1-7.5-208. Certificate of mail ballots cast - survey of returns.**

14 (1) ~~Upon the completion of the count, the election judges shall perform~~  
15 ~~all the official acts required by section 1-7-602.~~

16 **SECTION 3.** In Colorado Revised Statutes, 2-7-202, **amend** (11)  
17 as follows:

18 **2-7-202. Definitions.** As used in this part 2, unless the context  
19 otherwise requires:

20 (11) "Office of economic development" means the Colorado  
21 office of economic development created in section ~~24-38.5-101~~  
22 24-48.5-101, C.R.S.

1           **SECTION 4.** In Colorado Revised Statutes, 8-73-114, **repeal** (4)  
2 (b) (III) as follows:

3           **8-73-114. Enhanced unemployment insurance compensation**  
4 **benefits - eligibility - approved training programs - amount of**  
5 **benefits - outreach - repeal.** (4) (b) (III) ~~(A) The division shall notify~~  
6 ~~the legislative council staff when it has received adequate funding~~  
7 ~~through gifts, grants, or donations to implement this section and shall~~  
8 ~~include in the notification the information specified in section 24-75-1303~~  
9 ~~(3), C.R.S.~~

10           ~~(B) This subparagraph (III) is repealed, effective July 1, 2015.~~

11           **SECTION 5.** In Colorado Revised Statutes, 10-22-106, **amend**  
12 (4) as follows:

13           **10-22-106. Powers and duties of the board.** (4) The board may  
14 enter into an agreement with the department of personnel ~~and~~  
15 ~~administration~~ to authorize administrative law judges employed by the  
16 office of administrative courts to hear and decide matters arising from  
17 eligibility and other determinations made by the exchange consistent with  
18 applicable state and federal law.

19           **SECTION 6.** In Colorado Revised Statutes, **amend** 12-37.3-107  
20 as follows:

21           **12-37.3-107. Registration renewal or reinstatement - fees.** A  
22 naturopathic doctor shall renew or reinstate his or her registration  
23 pursuant to a schedule established by the director, and the director shall  
24 renew or reinstate a registration in accordance with section 24-34-102 (8),  
25 C.R.S. The director may establish renewal fees and delinquency fees for  
26 reinstatement pursuant to section 24-34-105, C.R.S. ~~and shall increase~~  
27 ~~renewal fees consistent with section 24-34-109 (4), C.R.S., to fund the~~

1 ~~division's costs in administering this article.~~ If a person fails to renew his  
2 or her registration pursuant to the schedule established by the director, the  
3 registration expires. A person whose registration expires is subject to the  
4 penalties provided in this article or section 24-34-102 (8), C.R.S. The  
5 director shall transmit fees collected pursuant to this section or section  
6 12-37.3-106 to the state treasurer for deposit in the division of professions  
7 and occupations cash fund pursuant to section 24-34-105, C.R.S.

8 **SECTION 7.** In Colorado Revised Statutes, 12-43.3-501, **amend**  
9 (1) (a) (II), (1) (b) (II), (1) (b) (III), and (1) (b) (IV) as follows:

10 **12-43.3-501. Marijuana cash fund - repeal.** (1) (a) All moneys  
11 collected by the state licensing authority pursuant to this article and article  
12 43.4 of this title shall be transmitted to the state treasurer, who shall credit  
13 the same to the marijuana cash fund, which fund is hereby created and  
14 referred to in this section as the "fund". The fund consists of:

15 (II) Any applicable retail marijuana excise tax transferred pursuant  
16 to section ~~39-28.8-306 (1) (b)~~ 39-28.8-305 (1) (b), C.R.S.;

17 (b) Moneys in the fund shall be subject to annual appropriation by  
18 the general assembly to:

19 (II) The division of criminal justice in the department of public  
20 safety for the study of marijuana implementation pursuant to section  
21 ~~24-33.5-514~~ 24-33.5-516, C.R.S.;

22 (III) The department of public health and environment for the  
23 monitoring of the health effects of marijuana pursuant to section  
24 ~~25-1.5-111~~ 25-1.5-110, C.R.S.;

25 (IV) The department of law for the training described in section  
26 ~~24-31-313~~ 24-31-314, C.R.S.; and

27 **SECTION 8.** In Colorado Revised Statutes, 12-47.1-1601,

1 **amend** (1) (a) as follows:

2 **12-47.1-1601. Local government limited gaming impact fund**  
3 **- rules - repeal.** (1) (a) There is hereby created in the office of the state  
4 treasurer the local government limited gaming impact fund, referred to in  
5 this part 16 as the "fund", and within the fund, there is created the limited  
6 gaming impact account and the gambling addiction account. Of the  
7 moneys transferred to the fund pursuant to section ~~12-47.1-701 (2) (a) (II)~~  
8 ~~(C)~~ 12-47.1-701 (2) (a) (III), ninety-eight percent shall be allocated to the  
9 limited gaming impact account and two percent shall be allocated to the  
10 gambling addiction account. Moneys in the limited gaming impact  
11 account shall be used to provide financial assistance to designated local  
12 governments for documented gaming impacts, and moneys in the  
13 gambling addiction account shall be used to award grants for the  
14 provision of gambling addiction counseling, including prevention and  
15 education, to Colorado residents. For the purposes of this part 16,  
16 "documented gaming impacts" means the documented expenses, costs,  
17 and other impacts incurred directly as a result of limited gaming permitted  
18 in the counties of Gilpin and Teller and on Indian lands.

19 **SECTION 9.** In Colorado Revised Statutes, 14-4-107, **amend** (5)  
20 (e) as follows:

21 **14-4-107. Family violence justice fund - creation - grants from**  
22 **fund.** (5) For purposes of this section:

23 (e) "Protection order" has the same meaning as set forth in section  
24 ~~18-6-803.7 (1) (a.5)~~ 18-6-803.7 (1) (b.5), C.R.S.

25 **SECTION 10.** In Colorado Revised Statutes, **amend** 18-1-403 as  
26 follows:

27 **18-1-403. Legal assistance and supporting services.** Except as

1 ~~provided in section 16-5-501, C.R.S.~~ All indigent persons who are  
2 charged with or held for the commission of a crime are entitled to legal  
3 representation and supporting services at state expense, to the extent and  
4 in the manner provided for in articles 1 and 2 of title 21, C.R.S.

5 **SECTION 11.** In Colorado Revised Statutes, 18-6-801, **amend**  
6 (8) (i) (I) (A) as follows:

7 **18-6-801. Domestic violence - sentencing.** (8) (i) (I) Not more  
8 than three business days after the relinquishment, the defendant shall file  
9 a copy of the receipt issued pursuant to paragraph (d), (e), or (h) of this  
10 subsection (8), and, if applicable, the written statement of the results of  
11 a background check performed on the transferee, as described in  
12 subparagraph (II) of paragraph (h) of this subsection (8), with the court  
13 as proof of the relinquishment. If a defendant fails to timely file a receipt  
14 or written statement as described in this paragraph (i):

15 (A) The failure constitutes a class 2 misdemeanor, and the  
16 defendant shall be punished as provided in section ~~18-1.3-401~~  
17 18-1.3-501; and

18 **SECTION 12.** In Colorado Revised Statutes, 18-6-803.5, **amend**  
19 (1) (c) as follows:

20 **18-6-803.5. Crime of violation of a protection order - penalty**  
21 **- peace officers' duties - definitions.** (1) A person commits the crime of  
22 violation of a protection order if, after the person has been personally  
23 served with a protection order that identifies the person as a restrained  
24 person or otherwise has acquired from the court or law enforcement  
25 personnel actual knowledge of the contents of a protection order that  
26 identifies the person as a restrained person, the person:

27 (c) Violates a civil protection order issued pursuant to section

1 ~~13-14-102 (22)~~ 13-14-105.5, C.R.S., or pursuant to section 18-1-1001 (9)  
2 by:

3 (I) Possessing or attempting to purchase or receive a firearm or  
4 ammunition while the protection order is in effect; or

5 (II) Failing to timely file a receipt or written statement with the  
6 court as described in section ~~13-14-102 (22) (i)~~ 13-14-105.5 (9), C.R.S.,  
7 or in section 18-1-1001 (9) (i) or 18-6-801 (8) (i).

8 **SECTION 13.** In Colorado Revised Statutes, 19-2-213, **amend**  
9 (1) (d) (II) as follows:

10 **19-2-213. Restorative justice coordinating council -**  
11 **establishment - membership - repeal.** (1) (d) (II) This section  
12 PARAGRAPH (d) is repealed, effective July 1, 2014.

13 **SECTION 14.** In Colorado Revised Statutes, 22-32-109, **amend**  
14 (1) (nn) and (1) (oo) as follows:

15 **22-32-109. Board of education - specific duties.** (1) In addition  
16 to any other duty required to be performed by law, each board of  
17 education shall have and perform the following specific duties:

18 (nn) To ensure that each student who enrolls in the sixth grade in  
19 a public school of the school district, including but not limited to a district  
20 charter school, on the day of enrollment is registered with the  
21 state-provided, free on-line college planning and preparation resource,  
22 commonly referred to as "CollegeInColorado.org". The school district,  
23 the department of education, and the department of higher education shall  
24 collaborate to monitor the implementation of this paragraph (nn) and to  
25 ensure optimal interactivity between the various databases and student  
26 record systems employed by school districts and college in Colorado. ~~At~~  
27 ~~a minimum, each public school shall ensure that, in developing and~~

1 ~~maintaining each student's individual career and academic plan, the~~  
2 ~~counselor or teacher explains to the student's parent or legal guardian, by~~  
3 ~~electronic mail or other written form, and to the student the requirements~~  
4 ~~for and benefits of concurrently enrolling in courses with an institution of~~  
5 ~~higher education pursuant to the "Concurrent Enrollment Programs Act",~~  
6 ~~article 35 of this title. Based on a request from the student or the student's~~  
7 ~~parent or legal guardian, the counselor or teacher shall assist the student~~  
8 ~~in course planning to enable the student to concurrently enroll in courses~~  
9 ~~with an institution of higher education.~~

10 (oo) (I) To adopt policies to require each school of the school  
11 district, including the charter schools, to assist each student and his or her  
12 parent or legal guardian to develop and maintain the student's individual  
13 career and academic plan, referred to in this paragraph (oo) as an "ICAP",  
14 no later than the beginning of ninth grade. The board of education may  
15 require the schools of the school district to assist the student and his or  
16 her parent or legal guardian to develop and maintain the student's ICAP  
17 in any grade prior to ninth grade. Each student's ICAP shall comply with  
18 the requirements specified in section 22-2-136 and the rules promulgated  
19 by the state board of education pursuant to said section.

20 (II) The board of education shall further require each school of the  
21 school district to assist each student who is enrolled in the school and has  
22 an ICAP to use the plan effectively to direct the student's course  
23 selections and performance expectations in at least grades nine through  
24 twelve; to assist the student in meeting his or her academic and career  
25 goals as described in the ICAP; and to enable the student to demonstrate  
26 postsecondary and workforce readiness prior to or upon graduation from  
27 high school at a level that allows the student to progress toward his or her



1 postsecondary education goals, if any, without requiring remedial  
2 educational services or courses.

3 (III) AT A MINIMUM, EACH PUBLIC SCHOOL SHALL ENSURE THAT,  
4 IN DEVELOPING AND MAINTAINING EACH STUDENT'S ICAP, THE  
5 COUNSELOR OR TEACHER EXPLAINS TO THE STUDENT'S PARENT OR LEGAL  
6 GUARDIAN, BY ELECTRONIC MAIL OR OTHER WRITTEN FORM, AND TO THE  
7 STUDENT THE REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY  
8 ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION  
9 PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS ACT",  
10 ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE STUDENT OR  
11 THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE COUNSELOR OR  
12 TEACHER SHALL ASSIST THE STUDENT IN COURSE PLANNING TO ENABLE  
13 THE STUDENT TO CONCURRENTLY ENROLL IN COURSES WITH AN  
14 INSTITUTION OF HIGHER EDUCATION.

15 **SECTION 15.** In Colorado Revised Statutes, 22-33-105, **amend**  
16 (2) (a) as follows:

17 **22-33-105. Suspension, expulsion, and denial of admission.**

18 (2) In addition to the powers provided in section 22-32-110, the board of  
19 education of each district may:

20 (a) Delegate to any school principal within the school district or  
21 to a person designated in writing by the principal the power to suspend a  
22 pupil in his school for not more than five school days on the grounds  
23 stated in section 22-33-106 (1) (a), (1) (b), (1) (c), or (1) (e) or not more  
24 than ten school days on the grounds stated in section 22-33-106 (1) (d);  
25 ~~unless expulsion is mandatory pursuant to such provision;~~

26 **SECTION 16.** In Colorado Revised Statutes, **amend** 22-33-201  
27 as follows:

1           **22-33-201. Legislative declaration.** The general assembly hereby  
2 finds that except when a student's behavior would cause imminent harm  
3 to others in the school or when an incident requires automatic expulsion  
4 as defined by state law or a school's conduct and discipline code,  
5 expulsion should be the last step taken after several attempts to deal with  
6 a student who has discipline problems. The general assembly further finds  
7 that school districts should work with the student's parent or guardian and  
8 with state agencies and community-based nonprofit organizations to  
9 develop alternatives to help students who are at risk of expulsion before  
10 expulsion becomes a necessary step and to support students who are  
11 unable to avoid mandatory expulsion.

12           **SECTION 17.** In Colorado Revised Statutes, 23-3.1-205.4,  
13 **amend** (1) (c) (IV); and **repeal** (1) (c) (III.5) as follows:

14           **23-3.1-205.4. Collegeinvest fund - creation - control - use.**  
15 (1) (c) Notwithstanding any provision of paragraph (a) of this subsection  
16 (1) to the contrary, if the authority or any other division of the department  
17 sells, transfers, or enters into a contract with another entity concerning all  
18 or any portion of the authority's or division's interest in any student loans  
19 or student obligations, the authority or the division shall deposit the net  
20 proceeds of the sale, transfer, or contract as follows:

21           (III.5) ~~After the retention of the amounts required by~~  
22 ~~subparagraphs (I) and (H) of this paragraph (c) and the transfer required~~  
23 ~~by subparagraph (III) of this paragraph (c), up to one hundred thousand~~  
24 ~~dollars of the remaining proceeds shall be transferred to the job retraining~~  
25 ~~cash fund created pursuant to section 23-3.1-310.~~

26           (IV) After the retention of the amounts required by subparagraphs  
27 (I) and (II) of this paragraph (c) and the ~~transfers~~ TRANSFER required by

1 ~~subparagraphs (H) and (H.5)~~ SUBPARAGRAPH (III) of this paragraph (c),  
2 any remaining amount of the proceeds shall be transferred to the financial  
3 need scholarship fund created in section 23-3.1-206.2 and may reduce the  
4 need for general fund appropriations in the same amount to the  
5 department for need-based grants.

6 **SECTION 18.** In Colorado Revised Statutes, 23-31-301, **amend**  
7 (2) (a) as follows:

8 **23-31-301. Legislative declaration.** (2) (a) The general assembly  
9 hereby declares that it is the public policy of this state to encourage the  
10 health of forest ecosystems through responsible management of the forest  
11 land of the state and through coordination with the United States secretary  
12 of the interior and the United States secretary of agriculture to develop  
13 management plans for federal lands within the state of Colorado pursuant  
14 to 16 U.S.C. sec. 530, 16 U.S.C. sec. 1604, and 43 U.S.C. sec. 1712,  
15 including the following: The use of ~~prescribed and natural ignition fires~~  
16 ~~and~~ other pre-suppression activities, such as the harvest and profitable  
17 utilization of materials, in order to preserve forest and other natural  
18 resources; enhance the growth and maintenance of forests; conserve  
19 forest cover on watersheds; protect recreational, wildlife, and other  
20 values; promote stability of forest-using industries; and prevent loss of  
21 life and damage to property from wildfires and other conflagrations.

22 **SECTION 19.** In Colorado Revised Statutes, 23-41-201, **repeal**  
23 (5) as follows:

24 **23-41-201. Transfer of geological survey - memorandum of**  
25 **understanding - report.** (5) ~~If the Colorado school of mines and the~~  
26 ~~department of natural resources do not enter into a memorandum of~~  
27 ~~understanding on or before December 31, 2012, that is consistent with the~~

1 ~~provisions of this section, then the transfer of the powers, duties, and~~  
2 ~~functions of the geological survey to the Colorado school of mines shall~~  
3 ~~not occur. Pursuant to section 23-41-209, the president of the Colorado~~  
4 ~~school of mines shall notify the revisor of statutes regarding the status of~~  
5 ~~the transfer.~~

6 **SECTION 20.** In Colorado Revised Statutes, 24-1-128.6,  
7 **recreate and reenact, with amendments,** (8) as follows:

8 **24-1-128.6. Department of public safety - creation - repeal.**

9 (8) (a) THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE,  
10 CREATED PURSUANT TO SECTION 16-11.3-102, C.R.S., SHALL EXERCISE ITS  
11 POWERS AND PERFORM ITS DUTIES AND FUNCTIONS AS IF THE SAME WERE  
12 TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF PUBLIC  
13 SAFETY.

14 (b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2018.

15 **SECTION 21.** In Colorado Revised Statutes, 24-33.5-705.4,  
16 **repeal** (6) (c) as follows:

17 **24-33.5-705.4. All-hazards resource mobilization system -**  
18 **creation - plan - duties - reimbursement for expenses incurred by**  
19 **mobilized entities - eligibility - resource mobilization fund - creation**  
20 **- definitions - legislative declaration. (6) Resource mobilization fund.**

21 ~~(c) (f) The general assembly finds that the implementation of this section~~  
22 ~~relies entirely or in part on the receipt of adequate funding through gifts,~~  
23 ~~grants, or donations. The executive director shall notify the legislative~~  
24 ~~council staff when adequate funding through gifts, grants, or donations~~  
25 ~~for the purpose described in paragraph (b) of this subsection (6) has been~~  
26 ~~received and shall include in the notice the information specified in~~  
27 ~~section 24-75-1303 (3).~~

1           ~~(H) This paragraph (c) is repealed, effective July 1, 2016.~~

2           **SECTION 22.** In Colorado Revised Statutes, 24-34-104, **repeal**

3 (44) (g) as follows:

4           **24-34-104. General assembly review of regulatory agencies**  
5 **and functions for termination, continuation, or reestablishment.**

6 (44) The following agencies, functions, or both, terminate on July 1,  
7 2013:

8           ~~(g) The banking board, created by article 102 of title 11, C.R.S.~~

9           **SECTION 23.** In Colorado Revised Statutes, 24-34-110.5, **repeal**

10 (4) (b) as follows:

11           **24-34-110.5. Health care work force data collection - repeal.**

12 (4) (b) ~~(f) In seeking or accepting a gift, grant, or donation, the director~~  
13 ~~shall notify the legislative council staff when he or she has received~~  
14 ~~adequate funding through gifts, grants, or donations to implement this~~  
15 ~~section and shall include in the notification the information specified in~~  
16 ~~section 24-75-1303 (3).~~

17           ~~(H) This paragraph (b) is repealed, effective July 1, 2015.~~

18           **SECTION 24.** In Colorado Revised Statutes, 24-34-402.7,  
19 **amend** (1) (a) (I) as follows:

20           **24-34-402.7. Unlawful action against employees seeking**  
21 **protection.** (1) (a) Employers shall permit an employee to request or take  
22 up to three working days of leave from work in any twelve-month period,  
23 with or without pay, if the employee is the victim of domestic abuse, as  
24 that term is defined in section 13-14-101 (2), C.R.S., the victim of  
25 stalking, as that crime is described in section 18-3-602, C.R.S., the victim  
26 of sexual assault, as that crime is defined in section 18-3-402, C.R.S., or  
27 the victim of any other crime, the underlying factual basis of which has

1 been found by a court on the record to include an act of domestic  
2 violence, as that term is defined in section 18-6-800.3 (1), C.R.S. This  
3 section shall only apply if the employee is using the leave from work to  
4 protect himself or herself by:

5 (I) Seeking a civil protection order to prevent domestic abuse  
6 pursuant to section ~~13-14-102~~ 13-14-104.5, 13-14-106, OR 13-14-108,  
7 C.R.S.;

8 **SECTION 25.** In Colorado Revised Statutes, 24-48.5-301,  
9 **amend** (2) (a) (II) as follows:

10 **24-48.5-301. Creative industries division - creative industries**  
11 **cash fund - creation - definition.** (2) (a) There is hereby created in the  
12 state treasury the creative industries cash fund, referred to in this section  
13 as the "fund". The fund consists of:

14 (II) Moneys transferred to the fund in accordance with section  
15 ~~12-47.1-701(2)(a)(H)(F)~~ 12-47.1-701 (2) (a) (V), C.R.S.;

16 **SECTION 26.** In Colorado Revised Statutes, 24-50-125.4,  
17 **amend** (3) as follows:

18 **24-50-125.4. Hearings.** (3) The board or an administrative law  
19 judge for the board shall issue a written decision within forty-five  
20 calendar days after the conclusion of the hearing and the submission of  
21 briefs. Any party may appeal the decision of the board to the court of  
22 appeals within ~~forty-five~~ FORTY-NINE days in accordance with section  
23 24-4-106 (11).

24 **SECTION 27.** In Colorado Revised Statutes, 25-44-104, **repeal**  
25 (3) (c) as follows:

26 **25-44-104. Comprehensive human sexuality education grant**  
27 **program cash fund.** (3) (c) ~~(f) In seeking or accepting a gift, grant, or~~

1 donation, the department shall notify the legislative council staff when it  
2 has received adequate funding through gifts, grants, or donations for the  
3 program and shall include in the notification the information specified in  
4 section ~~24-75-1303 (3)~~, C.R.S.

5 ~~(H) This paragraph (c) is repealed, effective July 1, 2016.~~

6 **SECTION 28.** In Colorado Revised Statutes, 25.5-1-204, **amend**  
7 (2) (a) (X) as follows:

8 **25.5-1-204. Advisory committee to oversee the all-payer health**  
9 **claims database - legislative declaration - creation - members - duties**  
10 **- creation of all-payer health claims database - rules.** (2) (a) No later  
11 than August 1, 2013, the executive director shall appoint an advisory  
12 committee to oversee the Colorado all-payer health claims database. The  
13 advisory committee shall include the following members:

14 (X) A representative of the department of personnel, ~~and~~  
15 ~~administration~~, serving as an ex officio member;

16 **SECTION 29.** In Colorado Revised Statutes, 25.5-5-314, **repeal**  
17 (2) as follows:

18 **25.5-5-314. Substance abuse treatment for native Americans**  
19 **- federal approval.** (2) (a) ~~If sufficient moneys to support the cost of~~  
20 ~~preparing a request for federal approval have not been credited to the~~  
21 ~~native American substance abuse treatment cash fund established in~~  
22 ~~section 25.5-5-315 prior to December 31, 2004, the state treasurer shall~~  
23 ~~immediately provide notification of such fact to the state department and~~  
24 ~~to the revisor of statutes.~~

25 (b) ~~This section is repealed upon receipt by the revisor of statutes~~  
26 ~~of the notification described in paragraph (a) of this subsection (2).~~

27 **SECTION 30.** In Colorado Revised Statutes, 25.5-5-315, **repeal**

1 (2) as follows:

2 **25.5-5-315. Acceptance of gifts, grants, and donations - native**  
3 **American substance abuse treatment cash fund.** ~~(2) (a) If sufficient~~  
4 ~~moneys have not been credited to the native American substance abuse~~  
5 ~~treatment cash fund for the purpose of preparing the request for federal~~  
6 ~~approval required under section 25.5-5-314 prior to December 31, 2004,~~  
7 ~~the state treasurer shall immediately provide notification of such fact to~~  
8 ~~the state department and to the revisor of statutes.~~

9 (b) ~~This section is repealed upon receipt by the revisor of statutes~~  
10 ~~of the notification described in paragraph (a) of this subsection (2).~~

11 **SECTION 31.** In Colorado Revised Statutes, 26-12-205, **repeal**  
12 (4) (d) as follows:

13 **26-12-205. Homelake military veterans cemetery - definitions**  
14 **- fund - rules - repeal.** ~~(4) (d) (f) The state department shall notify the~~  
15 ~~legislative council staff when it has received adequate funding through~~  
16 ~~gifts, grants, or donations for the purposes of this section and shall~~  
17 ~~include in the notification the information specified in section 24-75-1303~~  
18 ~~(3), C.R.S.~~

19 ~~(f) This paragraph (d) is repealed, effective July 1, 2015.~~

20 **SECTION 32.** In Colorado Revised Statutes, 27-10.5-105,  
21 **amend** (1) introductory portion and (1) (a) as follows:

22 **27-10.5-105. Community-centered boards - purchase of**  
23 **services and supports by community-centered boards.** (1) Once a  
24 community-centered board has been designated pursuant to section  
25 ~~25.5-10-108~~ 25.5-10-209, C.R.S., it shall, subject to available  
26 appropriations:

27 (a) Determine eligibility and develop an individualized plan for



1 each person who receives services or supports pursuant to section  
2 ~~25.5-10-110~~ 25.5-10-211, C.R.S.; except that, for a child from birth  
3 through two years of age, eligibility determination and development of an  
4 individualized family service plan shall be made pursuant to part 7 of this  
5 article;

6 **SECTION 33.** In Colorado Revised Statutes, **amend** 27-10.5-106  
7 as follows:

8 **27-10.5-106. Eligibility determination.** Any person may request  
9 an evaluation pursuant to section ~~25.5-10-110~~ 25.5-10-211, C.R.S., to  
10 determine whether he or she has an intellectual and developmental  
11 disability and is eligible to receive services and supports pursuant to this  
12 article. Application for eligibility determination shall be made to the  
13 designated community-centered board in the designated service area  
14 where the person resides.

15 **SECTION 34.** In Colorado Revised Statutes, 27-10.5-702,  
16 **amend** (3) as follows:

17 **27-10.5-702. Definitions.** As used in this part 7, unless the  
18 context otherwise requires:

19 (3) "Certified early intervention service broker" or "broker" means  
20 a community-centered board or other entity designated by the department  
21 of health care policy and financing pursuant to section ~~25.5-10-108~~  
22 25.5-10-209, C.R.S., to perform the duties and functions specified in  
23 section 27-10.5-708 in a particular designated service area.  
24 Notwithstanding the provisions of section 27-10.5-104 (4), if the  
25 department of health care policy and financing is unable to designate a  
26 community-centered board or other entity to serve as the broker for a  
27 particular designated service area, the department shall serve as the

1 broker for the designated service area and may contract directly with early  
2 intervention service providers to provide early intervention services to  
3 eligible children in the designated service area.

4 **SECTION 35.** In Colorado Revised Statutes, 30-10-421, **amend**  
5 (1) and (3) (b) introductory portion; and **repeal** (2) and (3) (a) as follows:

6 **30-10-421. Filing surcharge - definitions.** (1) (a) ~~Beginning~~  
7 ~~September 1, 2002, and through June 30, 2004, the county clerk and~~  
8 ~~recorder shall collect a surcharge of one dollar for each document~~  
9 ~~received for recording or filing in his or her office. The surcharge shall~~  
10 ~~be in addition to any other fees permitted by statute.~~

11 (b) ~~On and after~~ BEGINNING July 1, 2004, and through June 30,  
12 2017, the county clerk and recorder shall collect a surcharge of one dollar  
13 for each document received for recording or filing in his or her office.  
14 The surcharge shall be in addition to any other fees permitted by statute.

15 (2) ~~The county clerk and recorder shall transmit fifty cents out of~~  
16 ~~each dollar collected pursuant to paragraph (a) of subsection (1) of this~~  
17 ~~section to the secretary of state, who shall transmit such moneys to the~~  
18 ~~state treasurer who shall credit the same to the clerk and recorder~~  
19 ~~technology fund created in section 30-10-422.~~

20 (3) (a) ~~The county clerk and recorder may retain the remaining~~  
21 ~~fifty cents out of each dollar collected pursuant to paragraph (a) of~~  
22 ~~subsection (1) of this section. If the clerk and recorder elects not to retain~~  
23 ~~any portion of the fifty cents, he or she shall transmit such unused portion~~  
24 ~~to the secretary of state, who shall transmit such moneys to the state~~  
25 ~~treasurer who shall credit the same to the clerk and recorder technology~~  
26 ~~fund.~~

27 (b) The county clerk and recorder shall retain the proceeds of the

1 surcharge collected pursuant to paragraph (b) of subsection (1) of this  
2 section. Such proceeds along with the proceeds from the portion of the  
3 surcharge collected pursuant to paragraph (a) of subsection (1) of this  
4 section that the clerk and recorder elects to retain, shall be utilized to  
5 defray the costs of:

6 **SECTION 36.** In Colorado Revised Statutes, **repeal** 30-10-422  
7 as follows:

8 **30-10-422. Clerk and recorder technology fund.** ~~(1) There is~~  
9 ~~hereby created a fund to be known as the clerk and recorder technology~~  
10 ~~fund, referred to in this section as the "fund". The fund shall be~~  
11 ~~administered by the clerk and recorder technology panel created in section~~  
12 ~~30-10-423 and the secretary of state as set forth in section 30-10-424. The~~  
13 ~~fund shall consist of all moneys received pursuant to section 30-10-421.~~

14 ~~(2) Except as otherwise provided in section 30-10-424, the~~  
15 ~~moneys in the fund shall be used by the clerk and recorder technology~~  
16 ~~panel to make grants to counties that apply for such grants. It is the intent~~  
17 ~~of the general assembly that the grants shall be given to counties that~~  
18 ~~otherwise lack sufficient resources either to purchase the technology~~  
19 ~~necessary for the clerk and recorders to accept electronic filings or to~~  
20 ~~provide the necessary training related to such technology. It is the further~~  
21 ~~intent of the general assembly that the grants be used for the purposes~~  
22 ~~established in section 30-10-423.~~

23 ~~(3) The moneys in the fund shall not be deposited in or transferred~~  
24 ~~to the general fund of this state or any other fund. Any interest earned on~~  
25 ~~the investment or deposit of moneys in the fund shall be credited to and~~  
26 ~~used for the same purpose as other moneys in said fund.~~

27 ~~(4) In addition to the appropriations authorized in section~~

1 ~~30-10-423 (6), the moneys in the fund shall be subject to annual~~  
2 ~~appropriation by the general assembly to the secretary of state for the~~  
3 ~~administration of section 30-10-424.~~

4 **SECTION 37.** In Colorado Revised Statutes, 30-10-424, **amend**  
5 (1) (g); and **repeal** (1) (d) and (1) (f) (III) as follows:

6 **30-10-424. Uniform administration - secretary of state.** (1) In  
7 order to ensure uniformity among electronic filing systems, and in  
8 addition to any other powers prescribed by law, the secretary of state shall  
9 have the following powers to:

10 (d) ~~Provide accounting services and staffing for the clerk and~~  
11 ~~recorder technology panel created in section 30-10-423;~~

12 (f) Promulgate rules that establish:

13 (III) ~~An application process for grants made pursuant to section~~  
14 ~~30-10-423 (5) (a); and~~

15 (g) Promulgate any other rules necessary to ~~supervise the clerk~~  
16 ~~and recorder technology panel or to administer the provisions of this~~  
17 ~~section or sections SECTION 30-10-421. 30-10-422, and 30-10-423.~~

18 **SECTION 38.** In Colorado Revised Statutes, 33-14.5-106, **repeal**  
19 (3) as follows:

20 **33-14.5-106. Off-highway vehicle recreation fund - creation -**  
21 **use of moneys.** (3) ~~Notwithstanding any provision of this section to the~~  
22 ~~contrary, on January 1, 2004, the state treasurer shall deduct seven~~  
23 ~~hundred thousand dollars from the off-highway vehicle recreation fund~~  
24 ~~and transfer such sum to the general fund.~~

25 **SECTION 39.** In Colorado Revised Statutes, 34-63-102, **amend**  
26 (7) (b) as follows:

27 **34-63-102. Creation of mineral leasing fund - distribution -**

1 **advisory committee - local government permanent fund created -**  
2 **definitions - repeal.** (7) (b) The provisions of paragraph (a) of this  
3 subsection (7) shall not apply to any moneys received by a state-supported  
4 institution of higher education that provides job training or facilities  
5 related to energy development for counties or communities with energy  
6 impacts. Such a state-supported institution of higher education may  
7 accept and expend moneys from the local government MINERAL impact  
8 fund.

9 **SECTION 40.** In Colorado Revised Statutes, 39-30-103, **amend**  
10 (4) (b) (IX), (4) (b) (X), (6) (a), and (7) (a) introductory portion as  
11 follows:

12 **39-30-103. Zones established - review - termination - repeal.**  
13 (4) (b) The Colorado economic development commission shall work with  
14 the zone administrators of each enterprise zone to ensure that each zone  
15 has specific economic development objectives with outcomes that can be  
16 measured with specific, verifiable data. The director of the Colorado  
17 office of economic development shall require the zone administrators for  
18 each zone to submit annual documentation of efforts to improve  
19 conditions in areas designated as enterprise zones and the results of those  
20 efforts. Such annual documentation shall include specific, verifiable data  
21 that can be used to measure whether the zone has achieved the specific  
22 economic development objectives for the zone that have measurable  
23 outcomes. In order for the commission to determine if the enterprise  
24 zones or portions thereof are achieving the specific economic  
25 development objectives submitted pursuant to this paragraph (b) or to  
26 paragraph (d) of subsection (3) of this section, such annual documentation  
27 shall include, but need not be limited to, the most recent statistics

1 available for companies claiming enterprise zone tax credits on:

2 (IX) The number of employees employed in new or expanded  
3 business facilities for which a credit is claimed pursuant to section  
4 39-30-105 AND THE NUMBER OF BUSINESS FACILITY EMPLOYEES FOR  
5 WHICH A CREDIT IS CLAIMED PURSUANT TO SECTION 39-30-105.1;

6 (X) The amount of investment tax credits claimed pursuant to  
7 section 39-30-104, and the amount of credits claimed for new business  
8 facility employees pursuant to section 39-30-105, AND THE AMOUNT OF  
9 CREDITS CLAIMED PURSUANT TO SECTION 39-30-105.1;

10 (6) (a) When the termination of an enterprise zone or portion of  
11 an enterprise zone would prevent a taxpayer from qualifying for tax  
12 benefits under this article and the taxpayer can identify job creation or  
13 capital expansion activities that were planned prior to the termination  
14 announcement and that would have otherwise entitled the taxpayer to  
15 claim tax benefits under section 39-30-103.5, 39-30-104, or 39-30-105,  
16 OR 39-30-105.1, the enterprise zone administrator and the taxpayer shall  
17 jointly certify detailed information about such planned activities. A  
18 taxpayer who files such certification with the taxpayer's state income tax  
19 return may claim tax benefits otherwise actually earned up to the limits  
20 of such certified information for a period not to exceed the ten tax years  
21 following the year in which the enterprise zone or portion of an enterprise  
22 zone was terminated. It is the intent of this subsection (6) only to permit  
23 taxpayers to claim tax benefits on which they demonstrably relied in  
24 making business planning decisions, and, except as specifically provided  
25 in this subsection (6), nothing in this subsection (6) shall be construed to  
26 authorize the commission or any enterprise zone administrator to grant tax  
27 benefits that have been repealed by the general assembly or to grant tax

1 benefits in excess of the limits established by law.

2 (7) (a) Beginning on January 1, 2012, before a taxpayer engages  
3 in any activity for which the taxpayer intends to claim an income tax  
4 credit pursuant to section 39-30-104, 39-30-105, 39-30-105.1,  
5 39-30-105.5, or 39-30-105.6, an authorized company official of the  
6 taxpayer's business or the taxpayer who is the owner of the business shall  
7 submit a pre-certification form to the enterprise zone administrator as  
8 specified in this subsection (7). A taxpayer that completes an activity  
9 prior to January 1, 2012, for which the taxpayer intends to claim an  
10 income tax credit pursuant to this article shall submit to the zone  
11 administrator on or before December 31, 2012, any information related  
12 to such completed activity that is necessary to receive certification from  
13 the zone administrator that the taxpayer's business is located in the  
14 enterprise zone. Nothing in this subsection (7) shall be construed to  
15 require a taxpayer to submit a pre-certification form to the zone  
16 administrator for activities completed prior to January 1, 2012. In  
17 connection with the pre-certification, the taxpayer shall be required to:

18 **SECTION 41.** In Colorado Revised Statutes, 39-30-103.2,  
19 **amend** (5) as follows:

20 **39-30-103.2. Enhanced rural enterprise zones - criteria -**  
21 **termination.** (5) If the termination of an enhanced rural enterprise zone  
22 would prevent a taxpayer from qualifying for tax benefits under this  
23 article and the taxpayer can identify job creation or capital expansion  
24 activities that were planned before the director of the Colorado office of  
25 economic development issued the list of eligible counties and that would  
26 have otherwise entitled the taxpayer to claim tax benefits under section  
27 39-30-105 OR 39-30-105.1, the enterprise zone administrator and the

1 taxpayer shall jointly certify detailed information about such planned  
2 activities. A taxpayer who files such certification with the taxpayer's state  
3 income tax return may claim tax benefits otherwise actually earned up to  
4 the limits of such certified information for a period not to exceed the five  
5 tax years following the year in which the enhanced rural enterprise zone  
6 was terminated. It is the intent of this subsection (5) to permit taxpayers  
7 to claim only those tax benefits on which they demonstrably relied in  
8 making business planning decisions, and, except as specifically provided  
9 in this subsection (5), nothing in this subsection (5) shall be construed to  
10 authorize any enterprise zone administrator to grant tax benefits that have  
11 been repealed by law or to grant tax benefits in excess of the limits  
12 established by law.

13 **SECTION 42.** In Colorado Revised Statutes, 39-30-105, **repeal**  
14 (1) (a) (I) (B) and (1) (b) (II) as follows:

15 **39-30-105. Credit for new business facility employees -**  
16 **definitions - repeal.** (1) (a) (I) (B) ~~For any income tax year commencing~~  
17 ~~on or after January 1, 2014, any taxpayer who establishes a new business~~  
18 ~~facility in an enterprise zone shall be allowed a credit against the income~~  
19 ~~tax imposed by article 22 of this title in an amount equal to one thousand~~  
20 ~~one hundred dollars per income tax year for each new business facility~~  
21 ~~employee, pursuant to subsection (6) of this section, who is working~~  
22 ~~within the zone, prorated according to the number of months the~~  
23 ~~employee was employed by the taxpayer during the income tax year. An~~  
24 ~~employee whose primary duties consist of operating a commercial motor~~  
25 ~~vehicle with a commercial driver's license shall be deemed to be working~~  
26 ~~one hundred percent within the zone if the employee spends no more than~~  
27 ~~five percent of his or her total time at any facility of the employer other~~



1 than the facility within the zone:

2 (b) (II) ~~In addition to the credit available under sub-subparagraph~~  
3 ~~(B) of subparagraph (I) of paragraph (a) of this subsection (1) and~~  
4 ~~subparagraph (III) of paragraph (a) of this subsection (1), a taxpayer~~  
5 ~~qualified for such credits shall be allowed for the first two full income tax~~  
6 ~~years while located in an enterprise zone a credit in an amount equal to~~  
7 ~~one thousand dollars for each new business facility employee who is~~  
8 ~~insured under a health insurance plan or program provided through his or~~  
9 ~~her employer. To be eligible for such credit, the employer must contribute~~  
10 ~~fifty percent or more of the total cost of a health insurance plan or~~  
11 ~~program, and such plan or program must be in accordance with the~~  
12 ~~provisions of article 8 of title 10 or part 1, 2, 3, or 4 of article 16 of title~~  
13 ~~10, C.R.S., or be a self-insurance program and include partial or complete~~  
14 ~~coverage for hospital and physician services.~~

15 **SECTION 43.** In Colorado Revised Statutes, 39-30-107.5,  
16 **amend** (1) (a) and (2); and **repeal** (3) (a) and (3) (b) as follows:

17 **39-30-107.5. Taxable property valuations - sales taxes -**  
18 **incentives - definitions.** (1) (a) Notwithstanding any law to the contrary,  
19 any special district, county, municipality, or city and county within an  
20 enterprise zone may negotiate with any taxpayer who qualifies for a credit  
21 pursuant to section 39-30-105 ~~who establishes a new business facility~~  
22 ~~within an enterprise zone, or who expands a facility within an enterprise~~  
23 ~~zone, the expansion of which constitutes a new business facility, OR~~  
24 39-30-105.1 for an incentive payment or credit equal to not more than the  
25 amount of the taxes levied upon the taxable property of the taxpayer; but  
26 in no instance shall any such negotiation result in such an incentive  
27 payment or credit which is greater than the difference between the current

1 property tax liability and the tax liability for the same property for the  
2 year preceding the year in which the enterprise zone was approved.

3 (2) Notwithstanding any law to the contrary, any county,  
4 municipality, or city and county within an enterprise zone may negotiate  
5 with any taxpayer who qualifies for a credit pursuant to section 39-30-105  
6 ~~who establishes a new business facility within an enterprise zone, or who~~  
7 ~~expands a facility within an enterprise zone, the expansion of which~~  
8 ~~constitutes a new business facility,~~ OR 39-30-105.1 a refund of the sales  
9 taxes levied by such county, municipality, or city and county for the  
10 purchase of equipment, machinery, machine tools, or supplies used in the  
11 taxpayer's business in the enterprise zone.

12 (3) As used in this section, unless the context otherwise requires:

13 (a) ~~"Facility" means a facility as defined in section 39-30-105 (7)~~  
14 ~~(c).~~

15 (b) ~~"New business facility" means a new business facility as~~  
16 ~~defined in section 39-30-105 (7) (c).~~

17 **SECTION 44.** In Colorado Revised Statutes, 40-1-103.3, **amend**  
18 (4) (b) (I) as follows:

19 **40-1-103.3. Alternative fuel vehicles - definition.** (4) The owner  
20 or operator of a facility that generates electricity for use in alternative fuel  
21 vehicle charging or fueling facilities is not subject to regulation as a  
22 public utility, if:

23 (b) The electricity is generated from a renewable resource that:

24 (I) Qualifies as "retail distributed generation" as defined in section  
25 ~~40-2-124 (1) (a) (V)~~ 40-2-124 (1) (a) (VIII), if located on the system of  
26 an entity subject to the requirements of section 40-2-124. The electric  
27 power requirements for the property pursuant to section 40-2-124 (1)

1 include the demand for existing or proposed alternative fuel vehicle  
2 charging or fueling facilities in addition to buildings and other  
3 improvements.

4 **SECTION 45.** In Colorado Revised Statutes, 42-2-506, **amend**  
5 (1) (b) as follows:

6 **42-2-506. Identification documents - individuals temporarily**  
7 **lawfully present.** (1) An individual who is temporarily present in the  
8 United States may apply for an identification document under this section.  
9 The department shall issue an identification document if:

10 (b) The federal government confirms the individual's status,  
11 including electronically through the ~~SAVE or SOLVE~~ systems SYSTEM.

12 **SECTION 46.** In Colorado Revised Statutes, 42-3-113.5, **repeal**  
13 (2) (b) as follows:

14 **42-3-113.5. Electronic vehicle registration and titling -**  
15 **electronic transmission of vehicle lien information - authority - rules**  
16 **- cash fund.** (2) (b) ~~(I) In seeking or accepting a gift, grant, or donation,~~  
17 ~~the department shall notify the legislative council staff when it has~~  
18 ~~received adequate funding through gifts, grants, or donations for the~~  
19 ~~implementation of this section and shall include in the notification the~~  
20 ~~information specified in section 24-75-1303 (3), C.R.S.~~

21 ~~(H) This paragraph (b) is repealed, effective July 1, 2016.~~

22 **SECTION 47.** In Colorado Revised Statutes, 42-4-1701, **amend**  
23 (4) (a) (I) (N) as follows:

24 **42-4-1701. Traffic offenses and infractions classified -**  
25 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except  
26 as provided in paragraph (c) of subsection (5) of this section, every  
27 person who is convicted of, who admits liability for, or against whom a

1 judgment is entered for a violation of any provision of this title to which  
 2 paragraph (a) or (b) of subsection (5) of this section apply shall be fined  
 3 or penalized, and have a surcharge levied thereon pursuant to sections  
 4 24-4.1-119 (1) (f) and 24-4.2-104 (1) (b) (I), C.R.S., in accordance with  
 5 the penalty and surcharge schedule set forth in sub-subparagraphs (A) to  
 6 (P) of this subparagraph (I); or, if no penalty or surcharge is specified in  
 7 the schedule, the penalty for class A and class B traffic infractions shall  
 8 be fifteen dollars, and the surcharge shall be four dollars. These penalties  
 9 and surcharges shall apply whether the defendant acknowledges the  
 10 defendant's guilt or liability in accordance with the procedure set forth by  
 11 paragraph (a) of subsection (5) of this section or is found guilty by a court  
 12 of competent jurisdiction or has judgment entered against the defendant  
 13 by a county court magistrate. Penalties and surcharges for violating  
 14 specific sections shall be as follows:

15 (N) **Other offenses:**

16	<b>Section Violated</b>	<b>Penalty</b>	<b>Surcharge</b>
17	42-4-1301 (2)(a.5)	\$ 100.00	\$ 16.00
18	42-4-1305	50.00	16.00
19	<i>42-4-1305.5 (2)</i>	<i>50.00</i>	<i>7.80</i>
20	42-4-1402	150.00	16.00
21	42-4-1403	30.00	6.00
22	42-4-1404	15.00	6.00
23	42-4-1406	35.00	10.00
24	42-4-1407 (3)(a)	35.00	10.00
25	42-4-1407 (3)(b)	100.00	30.00
26	42-4-1407 (3)(c)	500.00	200.00
27	42-4-314	35.00	10.00

1	42-4-1408	15.00	6.00
2	42-4-1414 (2)(a)	500.00	156.00
3	42-4-1414 (2)(b)	1,000.00	312.00
4	42-4-1414 (2)(c)	5,000.00	1,560.00
5	42-4-1416 (3)	75.00	4.00
6	42-20-109 (2)	250.00	66.00

7           **SECTION 48. Safety clause.** The general assembly hereby finds,  
8 determines, and declares that this act is necessary for the immediate  
9 preservation of the public peace, health, and safety.



## APPENDIX

C.R.S. Section	Section in bill	Reason
1-7.5-107 (3)(a)(II)	1	House Bill 13-1303 reorganized subsection (3)(a)(II) by deleting the contents of sub-subparagraph (A) and removing the sub-subparagraph designations. In view of the fact that sub-subparagraph (A) no longer exists and that the content formerly associated with sub-subparagraph (A) has been deleted, the citation to sub-subparagraph (A) is being repealed as obsolete. (See HB13-1303, chapter 185, page 727.)
1-7.5-208 (1)	2	Subsection (1) requires election judges to perform all official acts in accordance with section 1-7-602; however, section 1-7-602 was repealed by HB13-1303, thus eliminating the need for subsection (1). Therefore, subsection (1) is being repealed as obsolete. (See HB13-1303, chapter 185, pages 740 and 752.)
2-7-202 (11)	3	The Colorado office of economic development is created in section 24-48.5-101; however, an error in the introduced version of HB13-1299 indicates that the office is created in section 24-38.5-101. (See HB13-1299, chapter 382, page 2233.)
8-73-114 (4)(b)(III)	4	The enactment of SB13-268 rendered the reporting requirement in this provision obsolete; therefore, it is being repealed. (See HB10-1178, chapter 173, page 627, and SB13-268, chapter 298, page 1589.)
10-22-106 (4)	5	Corrects an error in the Senate Health and Human Services Committee Report amending the reengrossed version of HB13-1245 in which the department of personnel is referenced as the department of personnel and administration. (See section 24-1-128, 2013 C.R.S., and the 2013 Senate Journal for April 30, page 1110, line 32, and HB13-1245, chapter 258, page 1360.)
12-37.3-107	6	A strike below amendment adopted by the House Health, Insurance, and Environment Committee amending the introduced version of HB13-1111 incorrectly added language that may result in the increase of naturopathic doctor fees to fund the nurse-physician advisory task force for Colorado health care administration; therefore, this language is being repealed to conform with legislative intent. (See the 2013 House Journal for February 18, page 318, lines 18 to 34, and HB13-1111, chapter 371, page 2172.)

<p>12-43.3-501 (1)(a)(II), (1)(b)(II), (1)(b)(III), and (1)(b)(IV)</p>	<p>7</p>	<ul style="list-style-type: none"> <li>• The Senate Finance Committee Report removed section 39-28.5-305 from the reengrossed version of HB13-1318 and renumbered the following statutory sections but did not include a conforming amendment to change former section 39-28.5-306 to section 39-28.5-305 in this provision. (See the 2013 Senate Journal for May 3, page 1285, lines 40 to 46, and HB13-1318, chapter 330, page 1873.)</li> <li>• Senate Bill 13-283 created sections 24-31-314, 24-33.5-516, and 25-1.5-111, all of which were renumbered prior to publication to allow for proper integration into the statutes; however, the conforming amendments in subsection (1)(b)(II), (1)(b)(III), and (1)(b)(IV) were missed. (See SB13-283, chapter 332, pages 1892 to 1894.)</li> </ul>
<p>12-47.1-1601 (1)(a)</p>	<p>8</p>	<p>Language allocating moneys to the local government limited gaming impact fund was moved from section 12-47.1-701 (2)(a)(II)(C) to section 12-47.1-701 (2)(a)(III) by SB13-133; however, the conforming amendment in this provision was missed. (See SB13-133, chapter 21, page 50.)</p>
<p>14-4-107 (5)(e)</p>	<p>9</p>	<p>House Bill 03-1117 repealed the definition of "restraining order" in section 18-6-803.7 (1)(e) and replaced the term with "protection order" in section 18-6-803.7 (1)(b.5) and made conforming changes. A conforming amendment to correct an internal reference missed in the reengrossed bill was included in a Senate second reading amendment but was done incorrectly. (See the 2003 Senate Journal for March 7, page 568, lines 25 and 26, and HB03-1117, chapter 139, pages 1007 and 1010.)</p>
<p>18-1-403</p>	<p>10</p>	<p>House Bill 13-1210 repealed section 16-5-501. The conforming amendment in this provision was missed. (See HB13-1210, chapter 306, page 1624.)</p>
<p>18-6-801 (8)(i)(I)(A)</p>	<p>11</p>	<p>Corrects an error originating in the introduced version of SB13-197 in which the felony sentencing statutes were referenced rather than the misdemeanor sentencing statutes. (See SB13-197, chapter 366, page 2137.)</p>
<p>19-2-213 (1)(d)(II)</p>	<p>12</p>	<p>Amends this provision to limit the scope of the repeal to subsection (1)(d) only. This corrects an obvious error originating in the introduced version of HB13-1254 which, if not corrected, will result in the repeal of the entire section three years before the intended repeal date noted in subsection (5)(a). (See section 19-2-213 (5) (a), 2013 C.R.S., and HB13-1254, chapter 341, page 1983.)</p>
<p>18-6-803.5 (1)(c)</p>	<p>13</p>	<p>Changes internal references to the civil protection order provisions addressing firearm purchases and possession to correspond with the repeal of section 13-14-102 by HB13-1259 and the enactment of section 13-14-105.5 by SB13-197. (See SB13-197, chapter 366, pages 2140 and 2144, and HB13-1259, chapter 218, page 1004.)</p>



22-32-109 (1)(nn) and (1)(oo)	14	Relocates language addressing individual career and academic plans (ICAP) from subsection (1)(nn) to (1)(oo) to follow standard drafting organizational practices. (See HB12-1345, chapter 188, page 725, and HB12-1043, chapter 209, page 898.)
22-33-105 (2)(a)	15	House Bill 12-1345 removed the mandatory expulsion and suspension offenses for students in section 22-33-106 (1)(d) and replaced the mandatory language with discretionary language that gives school administrators and boards of education the authority to decide when expulsion or suspension is appropriate. The conforming amendment removing the mandatory expulsion language in this provision was not included in the bill. (See HB12-1345, chapter 188, page 741.)
22-33-201	16	See section 22-33-105 (2)(a).
23-3.1-205.4 (1)(c)(III.5) and (1)(c)(IV)	17	Repeals subparagraph (III.5) as obsolete due to the repeal, effective July 1, 2013, of the job retraining cash fund formerly located in section 23-3.1-310, and makes conforming changes in subparagraph (IV). (See section 23-3.1-310 (4), 2012 C.R.S. and SB10-202, chapter 396, page 1883.)
23-31-301 (2)(a)	18	Corrects an error in which repealed language was inadvertently included in the 2013 Colorado Revised Statutes. (See HB12-1283, chapter 240, page 1068 and SB13-273, chapter 406, page 2373.)
23-41-201 (5)	19	Repeals this subsection as obsolete because the revisor of statutes received the notice described in this subsection and section 23-41-209, 2012 C.R.S., on January 24, 2013. (See the editor's note following section 23-41-209 2013 C.R.S., and HB12-1355, chapter 247, pages 1189 and 1195.)
24-1-128.6 (8)	20	The Colorado commission on criminal and juvenile justice, created in the department of public safety, was set to repeal, effective July 1, 2013, pursuant to section 16-11.3-105. Senate Bill 13-007 extended the repeal date to July 1, 2018, in section 16-11.3-105, but, due to an oversight, the repeal date was not extended in this section resulting in the inadvertent removal of the commission from the list of entities that make up the department of public safety. (See SB13-007, chapter 334, page 1945.)
24-33.5-705.4 (6)(c)	21	See section 8-73-114 (4)(b)(III).
24-34-104 (44)(g)	22	Senate Bill 13-154 extended the termination date of the banking board to September 1, 2024; however, the conforming amendment in this provision was missed. (See SB13-154, chapter 282, page 1463.)

24-34-110.5 (4)(b)	23	See section 8-73-114 (4)(b)(III).
24-34-402.7 (1)(a)(I)	24	House Bill 13-1259 amended, relocated, and repealed provisions pertaining to civil protection orders in article 14 of title 13 and made conforming amendments; however the conforming amendments in this provision were missed. (See HB13-1259, chapter 218, pages 1005 and 1008.)
24-48.5-301 (2)(a)(II)	25	Language allocating moneys to the creative industries cash fund was moved from section 12-47.1-701 (2)(a)(II)(F) to section 12-47.1-701 (2)(a)(V) by SB13-133; however, the conforming amendment in this provision was missed. (See SB13-133, chapter 21, page 50.)
24-50-125.4 (3)	26	House Bill 13-1126 changed the time intervals in the appellate process to multiples of seven to avoid actions being due on the weekends. As such, the time interval for the appeal notice to the court of appeals in section 24-4-106 (11) was changed to forty-nine days from forty-five days. Comparatively, the reference in this section to the time interval in section 24-4-106 (11) should also be forty-nine days but due to a missed conforming amendment the time interval was not updated. (See HB13-1126, chapter 58, page 192.)
25-44-104 (3)(c)	27	See section 8-73-114 (4)(b)(III).
25.5-1-204 (2)(a)(X)	28	Corrects an error in the Senate Health and Human Services Committee Report amending the introduced version of SB13-149 in which the department of personnel is referenced as the department of personnel and administration. (See section 24-1-128, 2013 C.R.S., and the 2013 Senate Journal for February 15, page 250, lines 26 and 27, and SB13-149, chapter 152, page 495.)
25.5-5-314 (2)	29	Repeals this subsection as obsolete because the referenced monetary transfer was to have taken place prior to December 31, 2004. (See SB04-028, chapter 284, page 1069.)
25.5-5-315 (2)	30	See section 25.5-5-314 (2).
26-12-205 (4)(d)	31	See section 8-73-114 (4)(b)(III).
27-10.5-105 IP(1) and (1)(a)	32	Corrects internal reference errors that originated in the introduced version of HB13-1314. (See HB13-1314, chapter 323, pages 1760 and 1762.)
27-10.5-106	33	See section 27-10.5-105 IP(1) and (1)(a).

27-10.5-702 (3)	34	See section 27-10.5-105 IP(1) and (1)(a).
30-10-421 (1), (2), (3)(a), IP(3)(b)	35	Repeals obsolete language relating to a surcharge collected by county clerk and recorders between September 1, 2002, and June 30, 2004. (See HB04-1413, chapter 223, page 748.)
30-10-422	36	Repeals this section as inoperative for the following reasons: As of July 1, 2004, the clerk and recorder technology fund could no longer receive revenue from its funding source in section 30-10-421 (1)(a) and, in addition, the clerk and recorder technology panel, which managed the fund jointly with the secretary of state, was disbanded, effective July 1, 2008, as a result of the repeal of section 30-10-423. (See SB04-219, chapter 308, page 1159, and HB04-1413, chapter 223, page 748.)
30-10-424 (1)(d), (1)(f)(III), and (1)(g)	37	<ul style="list-style-type: none"> <li>• See section 30-10-422.</li> <li>• See also SB04-219, chapter 308, page 1160.</li> </ul>
33-14.5-106 (3)	38	Repeals this subsection as obsolete because the referenced monetary transfer was to have taken place on January 1, 2004. (See SB03-271, chapter 230, page 1544.)
34-63-102 (7)(b)	39	Inserts the full name of the fund to correct an oversight originating in the introduced version of SB07-134. (See section 34-63-102 (5)(a)(I) 2013 C.R.S., and SB07-134, chapter 126, page 472.)
39-30-103 (4)(b)(IX), (4)(b)(X), (6)(a) and IP(7)(a)	40	House Bill 13-1265 stopped the availability of all new business facility income tax credits authorized by the "Urban and Rural Enterprise Zone Act" in section 39-30-105, effective January 1, 2014, and created a new income tax credit for business facility employees in section 39-30-105.1; however, the conforming amendments in these provisions were not included in the bill. (See HB13-1265, chapter 164, pages 524 and 526.)
39-30-103.2 (5)	41	See section 39-30-103 (6)(a) and IP(7)(a).
39-30-105 (1)(a)(I)(B) and (1)(b)(II)	42	Sections 2-5-103 (1)(e) and 2-5-104 require duplicative language to be removed to improve the clarity and certainty of the statutes; therefore, as these provisions are duplications of provisions in section 39-30-105.1, they are being repealed. (See HB13-1265, chapter 164, pages 524 and 526.)
39-30-107.5 (1)(a), (2), (3)(a), (3)(b)	43	<ul style="list-style-type: none"> <li>• See section 39-30-103 (6)(a) and IP(7)(a).</li> <li>• See also section 39-30-105 (1)(a)(I)(B) and (1)(b)(II).</li> </ul>

40-1-103.3 (4)(b)(I)	44	Senate Bill 13-252 renumbered section 40-2-124 (1)(a) but did not include the conforming amendment reflecting the renumbered section in this provision. (See SB13-252, chapter 414, page 2452.)
42-2-506 (1)(b)	45	Repeals the reference, originating in the Senate Judiciary Committee Report to SB13-251, to the Safe, Orderly, Legal Visas and Enforcement Act (SOLVE) of 2004 as inoperative. SOLVE was introduced in the 108th Congress (2003-2004) in H.R.4262 and S.2381, both of which were not enacted. (See the 2013 Senate Journal for April 11, page 777, lines 13 to 15, and SB13-251, chapter 402, page 2354.)
42-3-113.5 (2)(b)	46	See section 8-73-114 (4)(b)(III).
42-4-1701 (4)(a)(I)(N)	47	Senate Bill 13-283 created an open container offense for marijuana in section 42-4-1305.5 but the conforming amendment listing the penalty and surcharge in this section was not included in the bill. (See SB13-283, chapter 332, page 1896.)