

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0909.01 Kristen Forrestal x4217

SENATE BILL 16-159

SENATE SPONSORSHIP

Martinez Humenik, Todd, Aguilar, Crowder, Merrifield, Newell, Tate, Kefalas

HOUSE SPONSORSHIP

Primavera, Arndt, Ginal, Landgraf, Lawrence, McCann, Roupe, Singer

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 CONCERNING THE UNAUTHORIZED USE OF THE TITLE "MUSIC
102 THERAPIST".

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>.)

The bill makes the use of the title "certified music therapist" or "music therapist" a deceptive trade practice in the course of a person's business, vocation, or occupation if the person using the title does not maintain the proper credentials.

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.

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 finds and declares that the use of the title "music therapist" affects
4 consumers, and therefore its use should be subject to regulation for the
5 purpose of consumer protection.

6 **SECTION 2.** In Colorado Revised Statutes, 6-1-707, **add** (1) (f)
7 as follows:

8 **6-1-707. Use of title or degree - deceptive trade practice.** (1) A
9 person engages in a deceptive trade practice when, in the course of such
10 person's business, vocation, or occupation, such person:

11 (f) CLAIMS EITHER ORALLY OR IN WRITING TO BE A "MUSIC
12 THERAPIST" OR "CERTIFIED MUSIC THERAPIST" OR USES THE INITIALS
13 "MT-BC" OR ANY OTHER WORDS, LETTERS, ABBREVIATIONS, OR INSIGNIA
14 INDICATING OR IMPLYING THE PERSON IS A MUSIC THERAPIST UNLESS THE
15 PERSON HOLDS AND MAINTAINS THE MT-BC CREDENTIAL ADMINISTERED
16 BY THE CERTIFICATION BOARD FOR MUSIC THERAPISTS OR IS DESIGNATED
17 BY THE NATIONAL MUSIC THERAPY REGISTRY AS A REGISTERED MUSIC
18 THERAPIST, CERTIFIED MUSIC THERAPIST, OR ADVANCED CERTIFIED MUSIC
19 THERAPIST AND IS IN GOOD STANDING WITH THE REGISTRY. THIS
20 PARAGRAPH (f) DOES NOT PROHIBIT A PERSON FROM PERFORMING WORK,
21 INCLUDING THE USE OF MUSIC, INCIDENTAL TO HIS OR HER PROFESSION OR
22 OCCUPATION IF THAT PERSON DOES NOT REPRESENT HIMSELF OR HERSELF
23 AS A MUSIC THERAPIST.

24 **SECTION 3. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly (August
27 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2016 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.