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An Act

SENATE BILL 22-162

BY SENATOR(S) Zenzinger and Kirkmeyer, Moreno, Woodward;
also REPRESENTATIVE(S) Woodrow and Lynch, Pico, Valdez D.

CONCERNING THE MODERNIZATION OF THE TERMINOLOGY USED IN THE COLORADO REVISED STATUTES RELATING TO THE ORGANIZATION OF COLORADO STATE GOVERNMENTAL AGENCIES WITHOUT ALTERING THE STATUS OF THE POWERS ASSIGNED TO THOSE AGENCIES PURSUANT TO THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968".

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

SECTION 1. Short title. The short title of this act is the "Debbie Haskins 'Administrative Organization Act of 1968' Modernization Act".

SECTION 2. In Colorado Revised Statutes, **amend** 24-1-101 as follows:

24-1-101. Legislative declaration. (1) The general assembly declares that this ~~article~~ **ARTICLE 1** is necessary to create a structure of state government ~~which will be~~ **THAT IS** responsive to the needs of the people of this state and sufficiently flexible to meet changing conditions; to strengthen the powers of the governor and provide a reasonable span of

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.

administrative and budgetary controls within an orderly organizational structure of state government; to strengthen the role of the general assembly in state government; to encourage greater participation of the public in state government; to effect the grouping of state agencies into a limited number of principal departments primarily according to function; and to eliminate overlapping and duplication of effort. ~~It is the intent of the general assembly to provide for an orderly transfer of powers, duties, and functions of the various state agencies to such principal departments with a minimum of disruption of governmental services and functions and with a minimum of expense.~~ To the ends stated in this section, this ~~article~~ ARTICLE 1 shall be liberally construed.

(2) SINCE THE GENERAL ASSEMBLY ENACTED THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", WHICH LAID OUT THE STRUCTURE OF THE PRINCIPAL DEPARTMENTS, ASSIGNED AND TRANSFERRED EVERY ENTITY INTO A PRINCIPAL DEPARTMENT, AND SPECIFIED WHETHER THE ENTITY WAS TRANSFERRED BY A **TYPE 1** OR **TYPE 2** TRANSFER OR ABOLISHED BY A **TYPE 3** TRANSFER, THE GENERAL ASSEMBLY HAS DETERMINED THAT:

(a) THE TRANSFER LANGUAGE USED IN THIS ARTICLE 1 IS OVERLY COMPLICATED, AND THE CONCEPT THAT A NEW ENTITY OBTAINS OR RETAINS ITS POWERS "AS IF IT WERE TRANSFERRED", BASED ON A REORGANIZATION THAT OCCURRED IN 1968, IS AN AWKWARD WAY OF EXPRESSING THE ENTITY'S STATUS;

(b) WHILE THE STATUS OF AN ENTITY IS EXPRESSED IN THIS ARTICLE 1, THE **TYPE 1** OR **TYPE 2** STATUS OF THE ENTITY OFTEN IS NOT SPECIFIED IN THE ORGANIC STATUTE THAT GOVERNS THE ENTITY, WHICH IS WHERE A READER WOULD TYPICALLY LOOK FOR THIS INFORMATION;

(c) WHILE THERE WERE MANY REFERENCES TO **TYPE 3** TRANSFERS BY WHICH ENTITIES WERE HISTORICALLY ABOLISHED, IN 2022 THE TERMINOLOGY USED IN THE STATUTES WAS MODERNIZED TO SIMPLY IDENTIFY THE NEW ENTITY RESPONSIBLE FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE ABOLISHED ENTITY WITHOUT THE USE OF THE ARCHAIC **TYPE 3** TRANSFER LANGUAGE; AND

(d) THE COLORADO REVISED STATUTES WOULD BE IMPROVED BY MODERNIZING THE MEANS BY WHICH AN ENTITY'S STATUS IS DESIGNATED AND THE WAY IN WHICH AN ENTITY'S POWERS, DUTIES, AND FUNCTIONS ARE

EXPRESSED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968" AND IN THE ORGANIC STATUTE WHERE THE ENTITY IS CREATED.

SECTION 3. In Colorado Revised Statutes, **repeal and reenact, with amendments**, 24-1-105 as follows:

24-1-105. Types of entities defined - creation of new entities - transfers of existing entities. (1) THE FOLLOWING DEFINITIONS APPLY TO EVERY STATUTE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ENTITY" MEANS A PRINCIPAL DEPARTMENT OF THE STATE OR ANY DIVISION, INSTITUTION, OR PART OF A PRINCIPAL DEPARTMENT, OR ANY AGENCY, BOARD, COMMISSION, OR UNIT OF STATE GOVERNMENT THAT IS CREATED IN OR ASSIGNED TO A PRINCIPAL DEPARTMENT OF THE STATE. "ENTITY" INCLUDES AN INDIVIDUAL CARRYING OUT POWERS OR EXERCISING DUTIES OR FUNCTIONS.

(b) "**TYPE 1** ENTITY" MEANS AN ENTITY THAT IS ADMINISTERED UNDER THE DIRECTION AND SUPERVISION OF A PRINCIPAL DEPARTMENT ESTABLISHED IN THIS ARTICLE 1, BUT EXERCISES ITS PRESCRIBED STATUTORY POWERS AND PERFORMS ITS PRESCRIBED DUTIES AND FUNCTIONS, INCLUDING RULE-MAKING, REGULATION, LICENSING, AND REGISTRATION; THE PROMULGATION OF RULES, RATES, REGULATIONS, AND STANDARDS; AND THE RENDERING OF FINDINGS, ORDERS, AND ADJUDICATIONS, INDEPENDENTLY OF THE HEAD OF THE PRINCIPAL DEPARTMENT. UNDER A **TYPE 1** ENTITY, ANY POWERS, DUTIES, AND FUNCTIONS NOT SPECIFICALLY VESTED BY STATUTE IN THE ENTITY, INCLUDING, BUT NOT LIMITED TO, ALL BUDGETING, PURCHASING, PLANNING, AND RELATED MANAGEMENT FUNCTIONS OF THE ENTITY, ARE PERFORMED UNDER THE DIRECTION AND SUPERVISION OF THE HEAD OF THE PRINCIPAL DEPARTMENT.

(c) "**TYPE 2** ENTITY" MEANS AN ENTITY WHOSE STATUTORY AUTHORITY, POWERS, DUTIES, AND FUNCTIONS, INCLUDING THE FUNCTIONS OF BUDGETING, PURCHASING, AND PLANNING, ARE UNDER THE DIRECTION AND SUPERVISION OF THE HEAD OF THE PRINCIPAL DEPARTMENT.

(2) WHEN A NEW ENTITY IS CREATED, THE ENTITY EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS IN THE PRINCIPAL DEPARTMENT IN WHICH IT IS CREATED AS A **TYPE 1** OR **TYPE 2** ENTITY, AS SPECIFIED IN LAW. WHEN AN EXISTING ENTITY IS TRANSFERRED FROM ONE

PRINCIPAL DEPARTMENT TO ANOTHER PRINCIPAL DEPARTMENT, THE ENTITY EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS IN THE PRINCIPAL DEPARTMENT TO WHICH IT WAS TRANSFERRED AS A **TYPE 1** OR **TYPE 2** ENTITY, AS SPECIFIED IN LAW. WHEN AN EXISTING ENTITY IS ABOLISHED, ALL OR PART OF THE POWERS, DUTIES, AND FUNCTIONS OF THE ABOLISHED ENTITY AS WELL AS ITS RECORDS, PERSONNEL, PROPERTY, AND UNEXPENDED BALANCES OF APPROPRIATIONS, ALLOCATIONS, OR OTHER MONEY, MAY BE TRANSFERRED TO ANOTHER ENTITY AS SPECIFIED IN LAW.

SECTION 4. In Colorado Revised Statutes, **repeal** 24-1-129 as follows:

24-1-129. Effect of transfer of powers, duties, and functions. ~~Any principal department to which powers, duties, and functions of any existing department, institution, or other agency are transferred or any division, section, or unit of any principal department to which such powers, duties, and functions are allocated shall be the successor in every way with respect to such powers, duties, and functions of the department, institution, or other agency in which such powers, duties, and functions were vested prior to July 1, 1968, except as otherwise provided by this article. Every act performed in the exercise of such powers, duties, and functions by or under the authority of the principal department or any division, section, or unit thereof to which such powers, duties, and functions are transferred or allocated by this article shall be deemed to have the same force and effect as if performed by the department, institution, or other agency in which such functions were vested prior to July 1, 1968. When any such department, institution, or other agency is referred to or designated by any law, contract, or other document, such reference or designation shall be deemed to apply to the principal department or the division, section, or unit thereof in which the powers, duties, and functions of such department, institution, or other agency so referred to or designated are vested by the provisions of this article.~~

SECTION 5. In Colorado Revised Statutes, 24-1-111, **amend** (2) and (3) as follows:

24-1-111. Department of state - creation. (2) The department of state and the office of secretary of state, created by IN article IV of the state constitution, ~~and the powers, duties, and functions vested by law in said department and said office are transferred by a **type 2** transfer to the~~

~~department of state~~; ARE **TYPE 2** ENTITIES AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS AS VESTED BY LAW IN THE DEPARTMENT AND OFFICE, subject to the state constitution.

(3) The department of state includes the electronic recording technology board established in section 24-21-402 (1). ~~and its powers, duties, and functions, as if the board were transferred by a type 1 transfer, as such transfer is defined in section 24-1-105~~ THE ELECTRONIC RECORDING TECHNOLOGY BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS SPECIFIED BY LAW UNDER THE DEPARTMENT OF STATE.

SECTION 6. In Colorado Revised Statutes, 24-21-402, **amend** (1)(a) introductory portion as follows:

24-21-402. Electronic recording technology board - creation - enterprise status. (1) (a) The electronic recording technology board is created in the department of state. THE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board consists of the secretary of state, or ~~his or her~~ THE SECRETARY OF STATE'S designee, and eight other members appointed as follows:

SECTION 7. In Colorado Revised Statutes, 24-1-112, **amend** (2) as follows:

24-1-112. Department of the treasury - creation. (2) (a) ~~The powers, duties, and functions of the department of the treasury, created by article 36 of this title, and the powers, duties, and functions vested by law or the state constitution in the office of state treasurer are transferred by a type 2 transfer to the department of the treasury, subject to the state constitution.~~ THE DEPARTMENT OF THE TREASURY, CREATED IN ARTICLE 36 OF THIS TITLE 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS SPECIFIED BY LAW AND SUBJECT TO THE STATE CONSTITUTION.

(b) THE OFFICE OF THE STATE TREASURER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS VESTED BY LAW OR THE STATE CONSTITUTION IN THE OFFICE OF THE STATE TREASURER, SUBJECT TO THE STATE

CONSTITUTION.

SECTION 8. In Colorado Revised Statutes, 24-1-113, **amend** (2) as follows:

24-1-113. Department of law - creation. (2) Except as otherwise provided in this ~~article~~ ARTICLE 1 or by law: ~~the powers, duties, and functions of the department of law, created by article 31 of this title, and all other powers, duties, and functions vested by law or the state constitution in the office of attorney general are transferred by a type 2 transfer to the department of law, subject to the state constitution.~~

(a) THE DEPARTMENT OF LAW, CREATED IN ARTICLE 31 OF THIS TITLE 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS SPECIFIED BY LAW AND SUBJECT TO THE STATE CONSTITUTION.

(b) THE OFFICE OF THE ATTORNEY GENERAL IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS VESTED IN THE OFFICE OF THE ATTORNEY GENERAL BY LAW OR THE STATE CONSTITUTION.

SECTION 9. In Colorado Revised Statutes, 24-31-302, **amend** (2) as follows:

24-31-302. Creation of board. (2) The P.O.S.T. board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department of law. ~~as if transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 10. In Colorado Revised Statutes, 24-1-114, **amend** (2), (3) introductory portion, (3)(b), (3)(c), (3)(d), and (6) as follows:

24-1-114. Department of higher education - creation. (2) The Colorado commission on higher education and the office of executive director ~~thereof~~ OF THE COMMISSION, created by IN article 1 of title 23, C.R.S., ~~and their powers, duties, and functions are transferred by a type 1 transfer to the department of higher education~~ ARE **TYPE 1** ENTITIES, AS

DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HIGHER EDUCATION.

(3) The department of higher education ~~shall include~~ INCLUDES the following divisions:

(b) THE state historical society, created ~~by~~ IN part 2 of article 80 of this title. ~~Its powers, duties, and functions, are transferred by a type 1 transfer to the department of higher education as a division thereof~~ TITLE 24. THE STATE HISTORICAL SOCIETY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS A DIVISION OF THE DEPARTMENT OF HIGHER EDUCATION.

(c) The student loan division, created ~~by~~ IN article 3.1 of title 23. ~~C.R.S. The division and the director thereof shall exercise their powers and perform their duties and functions as if transferred to the department by a~~ **type 2 transfer** OFFICE OF THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HIGHER EDUCATION.

(d) The private occupational school division, created ~~by~~ IN article 64 of title 23. The private occupational school board, created by section 23-64-107, ~~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 ~~as if transferred to the department by a type 1 transfer~~ UNDER THE DEPARTMENT OF HIGHER EDUCATION. The division, except for the private occupational school board, and the OFFICE OF THE director ~~thereof shall~~ OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions ~~as if transferred to the department by a type 2 transfer~~ UNDER THE DEPARTMENT OF HIGHER EDUCATION AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

(6) The office of state archaeologist, created ~~by~~ IN part 4 of article 80 of this title, ~~and its powers, duties, and functions are transferred by a~~ **type 2 transfer** to the state historical society, as a section thereof. TITLE 24, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS A SECTION WITHIN THE STATE HISTORICAL SOCIETY.

SECTION 11. In Colorado Revised Statutes, 23-1-102, **amend** (2) as follows:

23-1-102. Commission established - terms of office. (2) There is ~~hereby~~ established a central policy and coordinating board for higher education in the state of Colorado, to be known as the Colorado commission on higher education, referred to in this ~~article~~ ARTICLE 1 as the "commission". The duties and powers delegated to the commission by this ~~article~~ ARTICLE 1 apply to all state-supported institutions of higher education, including, but not limited to, all postsecondary institutions in the state supported in whole or part by state funds, and including community colleges, extension programs of the state-supported universities and colleges, local district colleges, area technical colleges, the Auraria higher education center established in article 70 of this ~~title~~ TITLE 23, and specifically the regents of the university of Colorado and the institutions it governs. The governing boards and institutions of the public system of higher education in Colorado, including the university of Colorado, are obligated to conform to the policies set by the commission within the authorities delegated to it in this ~~article~~ ARTICLE 1. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 12. In Colorado Revised Statutes, 23-3.1-103, **amend** (1) as follows:

23-3.1-103. Division created - director - staff. (1) ~~There is hereby created~~ The student loan division AND THE OFFICE OF THE DIRECTOR OF THE DIVISION ARE CREATED in the department of higher education. ~~and the office of director of the division.~~ The division and the OFFICE OF THE director ~~shall~~ OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their DUTIES AND functions ~~under this article as if the same were transferred to the department by a type 2 transfer~~ UNDER THE DEPARTMENT. The director of collegeinvest ~~shall be~~ IS the director of the division. The director, with the approval of the executive director of the commission, shall employ such professional and clerical personnel as deemed necessary to carry out the duties and functions of the division. The director and professional personnel ~~are declared to~~ hold educational offices and ~~to be~~ ARE exempt from the state personnel system.

SECTION 13. In Colorado Revised Statutes, 23-41-201, **amend** (1) as follows:

23-41-201. Transfer of geological survey - memorandum of understanding - report. (1) With the exception of the Colorado avalanche information center created pursuant to section 24-33-116, C.R.S., on January 31, 2013, the Colorado geological survey and the office of the state geologist and their powers, duties, and functions are transferred from the department of natural resources to the Colorado school of mines. ~~The Colorado school of mines shall exercise its powers and perform its functions and duties as if the geological survey and the office of the state geologist were transferred to the Colorado school of mines by a type 2 transfer.~~ THE COLORADO GEOLOGICAL SURVEY AND THE OFFICE OF THE STATE GEOLOGIST ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE COLORADO SCHOOL OF MINES.

SECTION 14. In Colorado Revised Statutes, **amend** 23-64-105 as follows:

23-64-105. Private occupational school division - creation. ~~There is hereby created~~ The private occupational school division AND THE OFFICE OF THE DIRECTOR OF THE DIVISION ARE CREATED in the department of higher education. ~~and the office of director of the division.~~ The division and the OFFICE OF THE director ~~shall~~ OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions specified in this article 64 under the department of higher education and the executive director ~~thereof as if the same were transferred to the department by a type 2 transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24~~ OF THE DEPARTMENT. The director ~~shall be~~ IS appointed by the executive director. The director, with the approval of the executive director, shall employ such professional and clerical personnel as deemed necessary to carry out the duties and functions of the division. The director and professional personnel ~~are declared to hold educational offices and to be~~ ARE exempt from the state personnel system.

SECTION 15. In Colorado Revised Statutes, 23-64-107, **amend** (2) as follows:

23-64-107. Private occupational school board - established - membership. (2) Effective July 1, 1998, there is established, in the private occupational school division, the private occupational school board that

shall advise the director on the administration of this article 64 and ~~shall have~~ HAS the powers and duties specified in section 23-64-108. The board ~~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 AS specified in this article 64. ~~as if the same were transferred to the department of higher education by a type 1 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24.~~

SECTION 16. In Colorado Revised Statutes, **amend** 24-80-201 as follows:

24-80-201. Society an educational institution. The state historical society, an incorporated organization, is ~~hereby declared to be~~ one of the educational institutions of the state of Colorado. The state historical society ~~exercises~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers AND PERFORMS ITS duties and functions under the department of higher education. ~~as if it were transferred to the department by a type 1 transfer under the provisions of the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 17. In Colorado Revised Statutes, **amend** 24-80-403 as follows:

24-80-403. Office of state archaeologist - purpose. ~~There is hereby established~~ The office of state archaeologist ~~which shall be~~ IS ESTABLISHED AS a section within the society in the department of higher education. THE OFFICE OF STATE ARCHAEOLOGIST IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The purpose of the office of state archaeologist ~~shall be~~ IS to coordinate, encourage, and preserve by the use of appropriate means the full understanding of this state's archaeological resources as the same pertain to ~~man's~~ HUMANKIND'S cultural heritage, the study and understanding of which within the state of Colorado will result in an ultimate benefit to the citizens of this state.

SECTION 18. In Colorado Revised Statutes, 24-1-115, **amend** (2), (3), (4), (5), (8), (9), (10), (11), (12), (13), (14), (15), and (16) as follows:

24-1-115. Department of education - creation. (2) The state board of education, created by IN part 1 of article 2 of title 22, C.R.S., ~~and its powers, duties, and functions are transferred by a type 1 transfer to the~~

~~department of education~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, SUBJECT TO THE STATE CONSTITUTION.

(3) The state department of education and the office of the commissioner of education, created ~~by~~ IN part 1 of article 2 of title 22, C.R.S., and their powers, duties, and functions are transferred by a **type 2** transfer to the department of education, subject to the state constitution, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, SUBJECT TO THE STATE CONSTITUTION.

(4) The department of education ~~shall include~~ INCLUDES the state library, the ex officio head of which ~~shall be~~ IS the commissioner of education. The state library, created ~~by~~ IN article 90 of this title and its powers, duties, and functions are transferred by a **type 2** transfer to the department of education as a division thereof TITLE 24, 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 EDUCATION AS A DIVISION THEREOF, AND THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

(5) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE state board of teacher certification, created ~~by~~ IN article 1 of chapter 123, C.R.S. 1963, and its powers, duties, and functions are transferred by a **type 3** transfer to the department of education as additional powers, duties, and functions of the state board of education, and the state board of teacher certification is abolished.

(8) The DEPARTMENT OF EDUCATION INCLUDES THE Colorado school for the deaf and the blind, as provided for in article 80 of title 22, C.R.S., and its powers, duties, and functions are transferred by a **type 1** transfer to the department of education AND THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND, CREATED IN SECTION 22-80-103. THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND AND THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS

UNDER THE DEPARTMENT OF EDUCATION.

(9) The department of education ~~shall include~~ INCLUDES the state charter school institute established in section 22-30.5-503. ~~C.R.S., and its powers, duties, and functions, as if the institute were transferred by a type 1 transfer to the department of education~~ THE STATE CHARTER SCHOOL INSTITUTE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION.

(10) The department of education ~~shall include~~ INCLUDES the division of online learning AND THE OFFICE OF THE DIRECTOR OF THE DIVISION established in section 22-30.7-103. ~~C.R.S., and its powers, duties, and functions, as if the division were transferred by~~ IS A **type 2 transfer to the department of education** THE DIVISION OF ONLINE LEARNING AND THE OFFICE OF THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

(11) (a) The department of education ~~shall include~~ INCLUDES the division of public school capital construction assistance AND THE DIRECTOR OF THE DIVISION established in section 22-43.7-105. ~~C.R.S., and its powers, duties, and functions, as if the division were transferred by~~ IS A **type 2 transfer to the department of education** THE DIVISION OF PUBLIC SCHOOL CAPITAL CONSTRUCTION AND THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION.

(b) The department of education ~~shall include~~ INCLUDES the public school capital construction assistance board established in section 22-43.7-106. ~~C.R.S., and its powers, duties, and functions, as if the board were transferred by a type 1 transfer to the department of education~~ THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION.

(12) The department of education ~~shall include~~ INCLUDES the facility

schools unit AND THE OFFICE OF THE DIRECTOR OF THE FACILITY SCHOOLS UNIT established in section 22-2-403. ~~C.R.S., and its powers, duties, and functions, as if the unit were transferred by a type 2 transfer to the department of education~~ THE FACILITY SCHOOLS UNIT AND THE OFFICE OF THE DIRECTOR OF THE FACILITY SCHOOLS UNIT ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

(13) The department of education ~~shall include~~ INCLUDES the facility schools board established in section 22-2-404. ~~C.R.S., and its powers, duties, and functions, as if the board were transferred by a type 1 transfer to entity the department of education~~ THE FACILITY SCHOOLS BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION.

(14) The department of education ~~shall include~~ INCLUDES the Colorado state advisory council for parent involvement in education created in section 22-7-303. ~~C.R.S., and its powers, duties, and functions, as if the council were transferred by a type 2 transfer to the department of education~~ THE COLORADO STATE ADVISORY COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION 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 EDUCATION, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

(15) The department of education ~~shall include~~ INCLUDES the office of dropout prevention and student re-engagement AND THE DIRECTOR OF THE OFFICE, established in section 22-14-103. ~~C.R.S., and its powers, duties, and functions, as if the office were transferred by a type 2 transfer to the department of education~~ THE OFFICE OF DROPOUT PREVENTION AND STUDENT RE-ENGAGEMENT AND THE DIRECTOR OF THE OFFICE ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

(16) The department of education ~~shall include~~ INCLUDES the concurrent enrollment advisory board created in section 22-35-107. ~~C.R.S.;~~

~~and its powers, duties, and functions, as if the board were transferred by a type 2 transfer to the department of education~~ THE CONCURRENT ENROLLMENT ADVISORY BOARD 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 EDUCATION, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD.

SECTION 19. In Colorado Revised Statutes, 22-2-106, **amend** (1) introductory portion as follows:

22-2-106. State board - duties - rules. (1) THE STATE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. It is the duty of the state board:

SECTION 20. In Colorado Revised Statutes, 22-2-110, **amend** (2) as follows:

22-2-110. Commissioner of education - oath - qualifications - tenure. (2) The STATE BOARD SHALL APPOINT THE commissioner ~~shall be appointed by the state board, serve~~ WHO SHALL SERVE at the pleasure of the board, and receive such compensation as may be determined by the board. THE COMMISSIONER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 21. In Colorado Revised Statutes, 22-2-403, **amend** (2) as follows:

22-2-403. Facility schools unit - created. (2) The facility schools unit and the office of the director of facility schools ~~shall~~ exercise their powers and perform their duties and functions under the department, the commissioner of education, and the state board of education. ~~as if the same were transferred to the department by a type 2 transfer as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~ THE FACILITY SCHOOLS UNIT AND THE OFFICE OF THE DIRECTOR OF FACILITY SCHOOLS ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 22. In Colorado Revised Statutes, 22-2-404, **amend** (1) as follows:

22-2-404. Facility schools board - created - membership. (1) There is ~~hereby~~ created the facility schools board to adopt curriculum

standards and set graduation requirements for facility schools and to collaborate with and advise the unit. The facility schools board ~~shall consist~~ CONSISTS of seven members appointed by the state board as provided in this section. The state board shall appoint the initial members of the facility schools board on or before November 1, 2008. The facility schools board ~~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 ~~as if the same were transferred to the department by a type 1 transfer as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~ UNDER THE DEPARTMENT OF EDUCATION.

SECTION 23. In Colorado Revised Statutes, 22-7-303, **amend** (1) as follows:

22-7-303. Colorado state advisory council for parent involvement in education - created - membership. (1) There is ~~hereby created within~~ IN the department of education the Colorado state advisory council for parent involvement in education. The council ~~shall consist~~ CONSISTS of members appointed as provided in this section and ~~shall have~~ HAS the powers and duties specified in this part 3. The council ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department, the commissioner of education, and the state board of education. ~~as if the same were transferred to the department by a type 2 transfer as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 24. In Colorado Revised Statutes, 22-14-103, **amend** (1)(b) as follows:

22-14-103. Office of dropout prevention and student re-engagement - created - purpose - duties. (1) (b) The office of dropout prevention and student re-engagement and the director of the office ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department of education, the commissioner of education, and the state board of education. ~~as if the same were transferred to the department of education by a type 2 transfer as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 25. In Colorado Revised Statutes, 22-30.5-503, **amend** (1)(a) as follows:

22-30.5-503. State charter school institute - establishment - rules. (1) (a) There is established, as an independent agency in the department of education, the state charter school institute. The institute ~~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 as if it were transferred to the department by a **type 1** transfer under the provisions of the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S. UNDER THE DEPARTMENT OF EDUCATION.

SECTION 26. In Colorado Revised Statutes, 22-30.7-103, **amend** (1)(b) as follows:

22-30.7-103. Division of online learning - created - duties - report. (1) **Creation.** (b) The division of online learning and the office of the director ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department, the commissioner of education, and the state board of education. as if the same were transferred to the department by a **type 2** transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

SECTION 27. In Colorado Revised Statutes, 22-35-107, **amend** (1) as follows:

22-35-107. Concurrent enrollment advisory board - created - membership - duties - reports - repeal. (1) There is ~~hereby~~ created ~~within~~ IN the department the concurrent enrollment advisory board. The board ~~shall consist~~ CONSISTS of members appointed as provided in this section and ~~shall have~~ HAS the powers and duties specified in this section. The board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department, the commissioner of education, and the state board. as if the same were transferred to the department by a **type 2** transfer as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

SECTION 28. In Colorado Revised Statutes, 22-43.7-105, **amend** (1)(b) as follows:

22-43.7-105. Division of public school capital construction assistance - creation - director - function - powers and duties.

(1) (b) The division and the director of the division ~~shall~~ ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 29. In Colorado Revised Statutes, 22-43.7-106, **amend** (1)(a) introductory portion as follows:

22-43.7-106. Public school capital construction assistance board - creation - general powers and duties - rules. (1) (a) There is ~~hereby~~ created ~~within~~ IN the department the public school capital construction assistance board. ~~which shall exercise~~ THE BOARD IS A TYPE 1 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department. ~~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.~~ The board ~~shall consist~~ CONSISTS of nine appointed members, none of whom shall hold any state elective office. Five voting members of the board ~~shall~~ constitute a quorum. Board members ~~shall be~~ ARE appointed as follows:

SECTION 30. In Colorado Revised Statutes, 22-80-103, **amend** (1)(a) as follows:

22-80-103. Board of trustees - appointments - powers - duties - fund created. (1) (a) There is ~~hereby~~ created ~~by a type 1 transfer~~ in the department of education a board of trustees for the Colorado school for the deaf and the blind. THE BOARD OF TRUSTEES IS A TYPE 1 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF EDUCATION. The board of trustees ~~shall consist~~ CONSISTS of seven members who are residents of Colorado, appointed by the governor with the consent of the senate. Of these seven members, at least one appointee ~~shall~~ MUST be a blind person and at least one appointee ~~shall~~ MUST be a deaf person. Beginning with the first appointment made on or after August 5, 2009, the governor shall ensure that, of the seven members of the board of trustees,

at least one appointee is the parent of a child who is deaf or blind or both.

SECTION 31. In Colorado Revised Statutes, 24-90-104, **amend** (1) as follows:

24-90-104. State library created - administration. (1) The state library is ~~hereby~~ created as a division of the department of education, and its operation is declared to be an essential administrative function of the state government. THE STATE LIBRARY 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 EDUCATION, THE COMMISSIONER OF EDUCATION, AND THE STATE BOARD OF EDUCATION.

SECTION 32. In Colorado Revised Statutes, 24-1-117, **amend** (2), (3), (4)(a) introductory portion, (4)(a)(IV), (4)(a)(V), (4)(a)(VI), (4)(a)(VII), and (4)(a)(X); and **add** (4)(a)(XI) as follows:

24-1-117. Department of revenue - creation. (2) The department of revenue and the office of THE EXECUTIVE director of THE DEPARTMENT OF revenue ARE created by IN article 35 of this title, ~~and their powers, duties, and functions are transferred by a type 2 transfer to the department of revenue~~ TITLE 24. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES THE DIRECTOR'S POWERS AND PERFORMS THE DIRECTOR'S DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REVENUE.

(3) The powers, duties, and functions of the ~~secretary of state~~ DEPARTMENT OF REVENUE AND THE LIQUOR ENFORCEMENT DIVISION, WHICH IS CREATED IN SUBSECTION (4)(a) OF THIS SECTION, INCLUDE THE POWERS, DUTIES, AND FUNCTIONS with respect to fermented malt beverages and malt, vinous, and spirituous liquors ~~under~~ PURSUANT TO the provisions of articles 3, 4, and 5 of title 44 ~~are transferred by a type 2 transfer to the department of revenue~~ THAT WERE FORMERLY VESTED IN THE SECRETARY OF STATE.

(4) (a) The department of revenue ~~shall consist~~ CONSISTS of the following divisions:

(IV) THE liquor enforcement division, WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105;

(V) THE state lottery division, INCLUDING THE COLORADO LOTTERY COMMISSION CREATED IN SECTION 44-40-108, AND THE DIRECTOR OF THE STATE LOTTERY DIVISION, CREATED IN SECTION 44-40-102, WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105;

(VI) THE division of racing events ~~including~~ CREATED IN SECTION 44-32-201 (1), THE DIRECTOR OF THE DIVISION OF RACING EVENTS, AND the Colorado racing commission, CREATED IN SECTION 44-32-301 (1), WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105;

(VII) THE division of gaming ~~including~~ CREATED IN SECTION 44-30-201, THE DIRECTOR OF THE DIVISION OF GAMING, AND the Colorado limited gaming control commission, CREATED IN SECTION 44-30-301, WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

(X) The auto industry division, created in ~~section 12-6-105~~ SECTION 44-20-105. The division ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department of revenue; ~~as if the division were transferred to the department by a type 2 transfer as described in section 24-1-105;~~ AND

(XI) THE STATE LICENSING AUTHORITY CREATED IN SECTION 44-10-201.

SECTION 33. In Colorado Revised Statutes, 24-35-102, **amend** (1) as follows:

24-35-102. Executive director - annual report. (1) There is ~~hereby~~ created the office of the executive director of the department of revenue, who ~~shall be~~ IS the head of the department. The executive director shall be appointed by the governor, with the consent of the senate, and shall serve at the pleasure of the governor. The reappointment of an executive director after initial election of a governor shall be subject to ~~the provisions of~~ section 24-20-109. Whenever any law of this state refers to the director of revenue, such law shall be deemed to refer to the executive director of the department of revenue. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 34. In Colorado Revised Statutes, 44-20-105, **amend** (1)

as follows:

44-20-105. Auto industry division - creation - powers and duties of executive director and director. (1) There is hereby created in the department the auto industry division, the head of which is the director of the division. The director is appointed by the executive director and serves at the pleasure of the executive director. The division ~~shall exercise~~ IS A TYPE 2 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department. ~~as if the division were transferred to the department by a type 2 transfer as described in section 24-1-105.~~

SECTION 35. In Colorado Revised Statutes, 44-30-201, **amend** (1) as follows:

44-30-201. Division of gaming - creation. (1) There is hereby created ~~within~~ IN the department the division of gaming, the head of which is the director of the division of gaming. The director is appointed by, and ~~is subject to removal~~ MAY BE REMOVED by, the executive director. The division of gaming, the Colorado limited gaming control commission created in section 44-30-301, and the director of the division of gaming ~~shall~~ ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their respective powers and perform their respective duties and functions as specified in this article 30 under the department; ~~as if they were transferred to the department by a type 2 transfer, as the transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24;~~ except that the commission has full and exclusive authority to promulgate rules related to limited gaming and sports betting without any approval by, or delegation of authority from, the department. Notwithstanding any provision of this subsection (1) to the contrary, sports betting is not authorized unless the voters at the November 2019 statewide election approve the ballot question submitted pursuant to section 44-30-1514, enacted in 2019 in House Bill 19-1327.

SECTION 36. In Colorado Revised Statutes, 44-32-201, **amend** (1) as follows:

44-32-201. Division of racing events - creation - representation - rules. (1) ~~There~~ THE DIVISION OF RACING EVENTS is hereby created ~~within~~ IN the department, ~~the division of racing events~~, the head of which ~~shall be~~

IS the director of the division of racing events. The director ~~shall be~~ IS appointed by, and ~~shall be subject to removal~~ MAY BE REMOVED by, the executive director. The division of racing events, the Colorado racing commission created in section 44-32-301, and the director of the division of racing events ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their respective powers and perform their respective duties and functions as specified in this article 32 under the department; ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24;~~ except that the commission ~~shall have~~ HAS full and exclusive authority to promulgate rules related to racing without any approval by, or delegation of authority from, the department.

SECTION 37. In Colorado Revised Statutes, 44-40-102, **amend** (2) as follows:

44-40-102. State lottery division - creation - location - enterprise status. (2) The state lottery division, including the Colorado lottery commission created in section 44-40-108, and the director of the state lottery division ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions specified in this article 40 under the department; ~~as if the same were transferred to the department by a type 2 transfer, as that transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24;~~ except that the commission ~~shall have~~ HAS full and exclusive authority to promulgate rules related to the lottery without any approval by, or delegation of authority from, the department.

SECTION 38. In Colorado Revised Statutes, 44-40-109, **amend** (1) introductory portion and (1)(a) as follows:

44-40-109. Commission - powers and duties - rules. (1) In addition to any other powers and duties set forth in this article 40, the commission ~~shall have~~ HAS the following powers and duties:

(a) To promulgate rules governing the establishment and operation of the lottery as it deems necessary to carry out the purposes of this article 40. The director shall prepare and submit to the commission written recommendations concerning proposed rules for this purpose. **ALTHOUGH THE COMMISSION IS A TYPE 2 ENTITY, AS DEFINED IN SECTION 24-1-105, THE**

COMMISSION HAS FULL AND EXCLUSIVE AUTHORITY TO PROMULGATE RULES RELATED TO THE LOTTERY WITHOUT ANY APPROVAL BY, OR DELEGATION OF AUTHORITY FROM, THE DEPARTMENT.

SECTION 39. In Colorado Revised Statutes, 24-1-119, **amend** (2), (3), (5) introductory portion, (5)(a), (5)(c), (6) introductory portion, (6)(a), (6)(b), (6)(d), (7)(a), (7)(c), (8), (11), (12), (13), and (14); and **add** (15), (16), (17), and (18) as follows:

24-1-119. Department of public health and environment - creation. (2) The state board of health, created ~~by~~ IN part 1 of article 1 of title 25, ~~C.R.S.~~, and its powers, duties, and functions are transferred by a **type 1** transfer to the department of public health and environment as the ~~state board of health~~. IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(3) The ~~state~~ water quality control commission, created ~~by~~ IN part 2 of article 8 of title 25, ~~C.R.S.~~, and its powers, duties, and functions are transferred by a **type 1** transfer to the department of public health and environment as the ~~state water quality control commission~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. Anything in this ~~article~~ ARTICLE 1 to the contrary notwithstanding, the state board of health ~~shall have~~ HAS no powers, duties, or functions with respect to water pollution control.

(5) The department of public health and environment ~~shall consist~~ CONSISTS of the following divisions:

(a) THE division of administration. The division of administration, created ~~by~~ IN part 1 of article 1 of title 25, ~~C.R.S.~~, except for the office of the executive director of the state department of public health, and its powers, duties, and functions are transferred by a **type 2** transfer to the department of public health and environment as the ~~division of administration~~ 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 PUBLIC HEALTH AND ENVIRONMENT.

(c) The prevention services division, created in article 20.5 of title

25, ~~C.R.S.~~ WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

(6) The division of administration ~~shall include~~ INCLUDES the following:

(a) The office of state chemist, created ~~by~~ IN part 4 of article 1 of title 25, ~~C.R.S.~~ ~~Said office and its powers, duties, and functions are transferred by a **type 2** transfer to the department of public health and environment and allocated to the division of administration as a section thereof~~ THE OFFICE OF THE STATE CHEMIST 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 PUBLIC HEALTH AND ENVIRONMENT AS A SECTION OF THE DIVISION OF ADMINISTRATION.

(b) The office of state registrar of vital statistics, created ~~by~~ IN article 2 of title 25, ~~C.R.S.~~ ~~Said office and its powers, duties, and functions are transferred by a **type 2** transfer to the department of public health and environment and allocated to the division of administration as a section thereof~~ THE OFFICE OF STATE REGISTRAR OF VITAL STATISTICS 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 PUBLIC HEALTH AND ENVIRONMENT.

(d) The ~~plant~~ WATER AND WASTEWATER FACILITY operators certification board, created ~~by article 9 of title 25, C.R.S.~~ IN SECTION 25-9-103. THE WATER AND WASTEWATER FACILITY OPERATORS CERTIFICATION BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

(7) (a) The air quality control commission, created ~~by~~ IN part 1 of article 7 of title 25, ~~C.R.S.~~, ~~shall exercise its powers and perform its duties and functions as if the same were transferred by a **type 1** transfer to the department of public health and environment~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. Anything in this ~~article~~ ARTICLE 1 to the contrary notwithstanding, the state board of health ~~shall have~~ HAS no powers, duties, or functions with respect to air pollution other than as provided in section 25-7-111 (1). ~~C.R.S.~~

(c) The ~~office of~~ technical secretary OF THE AIR QUALITY CONTROL

COMMISSION, created by IN part 1 of article 7 of title 25, ~~C.R.S., shall exercise its powers and perform its duties and functions as if the same were transferred by a type 1 transfer to the department of public health and environment and allocated to the air quality control commission~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE TECHNICAL SECRETARY OF THE AIR QUALITY CONTROL COMMISSION EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND IS ALLOCATED TO THE AIR QUALITY CONTROL COMMISSION.

(8) The solid and hazardous waste commission, created in part 3 of article 15 of title 25, ~~C.R.S., shall exercise its powers and perform its duties and functions as if the same were transferred by a type 1 transfer to the department of public health and environment~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(11) The office of health equity AND THE DIRECTOR OF THE OFFICE, created by IN section 25-4-2204, ~~C.R.S., shall exercise its powers and perform its duties and functions as if the same were transferred by a type 2 transfer to the department of public health and environment~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(12) The primary care office AND THE DIRECTOR OF THE OFFICE, created by IN part 4 of article 1.5 of title 25, ~~C.R.S., shall exercise its powers and perform its duties and functions as if it were transferred by a type 2 transfer to the department of public health and environment~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(13) The clean fleet enterprise, created in section 25-7.5-103, ~~shall exercise its powers and perform its duties as if the same were transferred by a type 1 transfer, as defined in section 24-1-105, to the department of public health and environment~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(14) The nursing home innovations grant board, created in section 25-1-107.5 (6)(a), ~~shall exercise its powers and perform its duties and functions as if it were transferred by a type 2 transfer to the department of public health and environment~~ 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 PUBLIC HEALTH AND ENVIRONMENT.

(15) THE COLORADO CORONERS STANDARDS AND TRAINING BOARD, CREATED IN SECTION 30-10-601.6, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

(16) THE EMERGENCY MEDICAL PRACTICE ADVISORY COUNCIL, CREATED IN SECTION 25-3.5-206, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

(17) THE AIR QUALITY ENTERPRISE, CREATED IN SECTION 25-7-103.5 (3), IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(18) THE FRONT RANGE WASTE DIVERSION ENTERPRISE, CREATED IN SECTION 25-16.5-111 (3), IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

SECTION 40. In Colorado Revised Statutes, 25-1-102, **amend** (2) introductory portion and (2)(a) as follows:

25-1-102. Department created - executive director - divisions.

(2) The department ~~shall consist~~ CONSISTS of the following divisions:

(a) The division of administration, and such sections and units established as provided by law. THE DIVISION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 41. In Colorado Revised Statutes, 25-1-103, **amend** (1) as follows:

25-1-103. State board of health created. (1) There is created a state board of health, referred to in this part 1 as the "board". THE BOARD IS

A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board consists of nine members, of which one member must be appointed by the governor, with the consent of the senate, from each congressional district and the remainder from the state at large. A vacancy on the board occurs whenever any member moves out of the congressional district from which he or she was appointed. A member who moves out of such congressional district shall promptly notify the governor of the date of his or her move, but the notice is not a condition precedent to the occurrence of the vacancy. The governor shall fill the vacancy by appointment for the unexpired term. No more than five members of the board shall be members of the same major political party. Appointments made to take effect on January 1, 1983, shall be made in accordance with section 24-1-135. Appointments thereafter are made, with the consent of the senate, for terms of four years each and made so that no business or professional group constitutes a majority of the board. In making appointments to the board, the governor is encouraged to include representation by at least one member who is a person with a disability, as defined in section 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities if the other requirements of this subsection (1) are met.

SECTION 42. In Colorado Revised Statutes, 25-1-107.5, **amend** (6)(a) introductory portion as follows:

25-1-107.5. Additional authority of department - rules - remedies against nursing facilities - criteria for recommending assessments for civil penalties - cooperation with department of health care policy and financing - nursing home penalty cash fund - nursing home innovations grant board - reports - transfer of contracts to the department. (6) (a) No later than September 1, 2014, the department of health care policy and financing shall establish the nursing home innovations grant board under the department of health care policy and financing either directly or by contract with or grant to any public agency or appropriate private nonprofit organization. On and after July 1, 2021, ~~the powers, duties, and functions related to the board are transferred from the department of health care policy and financing to the department by a **type 2** transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24.~~ THE BOARD IS TRANSFERRED FROM THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO THE DEPARTMENT. THE BOARD 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. The department, in consultation with stakeholders, shall determine the appropriate entity to administer the board. The board consists of ten members as follows:

SECTION 43. In Colorado Revised Statutes, **amend** 25-1-401 as follows:

25-1-401. Office of state chemist created. The professor of food and drug chemistry in the department of chemistry at the university of Colorado ~~shall be~~ IS the state chemist of Colorado. The office and laboratory of the state chemist ~~shall be~~ IS in the department of chemistry at the university of Colorado. The office of state chemist ~~shall be~~ IS a section of the division of administration of the department of public health and environment. THE OFFICE OF STATE CHEMIST IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 44. In Colorado Revised Statutes, 25-1.5-403, **amend** (2) as follows:

25-1.5-403. Primary care office - creation. (2) The primary care office and the director of the office ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions specified in this part 4 under the department. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 45. In Colorado Revised Statutes, 25-2-103, **amend** (1) as follows:

25-2-103. Centralized registration system for all vital statistics - appointment of registrar - rules. (1) In order to provide for the maintenance of a centralized registry of the vital statistics of this state, the office of state registrar of vital statistics, referred to in this ~~article~~ ARTICLE 2 as the "state registrar", is ~~hereby~~ created in THE DIVISION OF ADMINISTRATION in the department of public health and environment. The state registrar ~~shall be~~ IS appointed by the state board of health and ~~shall have~~ HAS such staff and clerical help as IS reasonably ~~may be~~ required in the performance of the state registrar's duties. The state registrar and the staff and clerical help of the state registrar ~~shall be~~ ARE subject to the state

constitution and state personnel system laws. THE OFFICE OF THE STATE REGISTRAR IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 46. In Colorado Revised Statutes, 25-3.5-206, **amend** (1) as follows:

25-3.5-206. Emergency medical practice advisory council - creation - powers and duties - emergency medical service provider scope of practice - definitions - rules. (1) There is hereby created within IN the department, ~~as a type 2 entity~~ under the direction of the director OF THE DEPARTMENT, the emergency medical practice advisory council, referred to in this part 2 as the "advisory council". The advisory council is responsible for advising the department regarding the appropriate scope of practice for emergency medical service providers certified or licensed under section 25-3.5-203. THE ADVISORY COUNCIL IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 47. In Colorado Revised Statutes, 25-4-2204, **amend** (2) as follows:

25-4-2204. Office of health equity - creation. (2) The office and the director of the office ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions specified in this part 22 under the department. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 48. In Colorado Revised Statutes, 25-7-103.5, **amend** (3)(a) as follows:

25-7-103.5. Air quality enterprise - legislative declaration - fund - definitions - gifts, grants, or donations - rules - report - repeal. (3) **Enterprise.** (a) There is hereby created in the department the air quality enterprise. The enterprise is and operates as a government-owned business within the department for the purpose of conducting the business activities specified in this section. The enterprise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND exercises its powers and performs its duties and functions under the department. ~~as if transferred to the department by a type 1 transfer, as defined in section 24-1-105.~~

SECTION 49. In Colorado Revised Statutes, 25-7-104, **amend** (1) as follows:

25-7-104. Air quality control commission created. (1) There is ~~hereby~~ created in the department of public health and environment the air quality control commission, which ~~shall consist~~ CONSISTS of nine citizens of this state ~~who shall be~~ appointed by the governor with the consent of the senate. THE AIR QUALITY CONTROL COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 50. In Colorado Revised Statutes, 25-7-105, **amend** (3) as follows:

25-7-105. Duties of commission - rules - legislative declaration - definitions. (3) The commission shall employ a technical secretary and shall delegate to ~~such~~ THE secretary ~~such~~ THE duties and responsibilities as it may deem necessary; except that, NOTWITHSTANDING SECTION 24-1-105, no authority shall be delegated to ~~such~~ THE secretary to adopt, promulgate, amend, or repeal standards or ~~regulations~~ RULES, or to make determinations, or to issue or countermand orders of the commission. ~~Such~~ THE secretary ~~shall~~ MUST have appropriate practical, educational, and administrative experience related to air pollution control and ~~shall~~ MUST be employed pursuant to the state personnel system laws. THE TECHNICAL SECRETARY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 51. In Colorado Revised Statutes, 25-7.5-103, **amend** (1)(b) as follows:

25-7.5-103. Clean fleet enterprise - creation - board - powers and duties - fees - fund. (1) (b) The enterprise ~~exercises its powers and performs its duties and functions under the department as if the same were transferred to the department by a~~ **type 1** transfer, as defined in section ~~24-1-105~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT.

SECTION 52. In Colorado Revised Statutes, 25-8-201, **amend** (1)(a) as follows:

25-8-201. Water quality control commission created.

(1) (a) There is hereby created in the department of public health and environment a water quality control commission, which shall exercise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND WHICH EXERCISES its powers and perform PERFORMS its duties and functions as if it were transferred to said department by a **type 1** transfer UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. The commission shall consist CONSISTS of nine citizens of the state who shall be appointed by the governor, with the consent of the senate, for terms of three years each; except that, of the members appointed to take office in 1984, one shall be IS appointed for a one-year term, one shall be IS appointed for a two-year term, and three shall be ARE appointed for three-year terms. Members of the commission shall MUST be appointed so as to achieve geographical representation and to reflect the various interests in water in the state. At least two members shall MUST reside in that portion of the state which THAT is west of the continental divide.

SECTION 53. In Colorado Revised Statutes, 25-9-104, amend (8) as follows:

25-9-104. Duties of board - rules. (8) The board may exercise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and perform PERFORMS its duties and functions as if it were transferred to UNDER the department. by a **type 1** transfer under the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

SECTION 54. In Colorado Revised Statutes, 25-15-302, amend (1)(a) as follows:

25-15-302. Solid and hazardous waste commission - creation - membership - rules - fees - administration - definition. (1) (a) There is hereby created in the department of public health and environment a solid and hazardous waste commission, referred to in this part 3 as the "commission", which 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 as if it were transferred to said department by a **type 1** transfer UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. The commission shall consist CONSISTS of nine citizens of the state who shall be appointed by the governor, with the consent of the senate, for terms of three years each; except that, of the members appointed to take office initially, three shall be ARE appointed for one-year terms, three shall be ARE

appointed for two-year terms, and three ~~shall be~~ ARE appointed for three-year terms. Members of the commission ~~shall~~ MUST be appointed so as to achieve geographical representation and to reflect the various interests in waste management in the state.

SECTION 55. In Colorado Revised Statutes, 25-16.5-111, **amend** (3)(a) as follows:

25-16.5-111. Front range waste diversion enterprise - legislative declaration - fund - goals - grant program - personal property tax reimbursements - gifts, grants, or donations - definitions - repeal.

(3) **Enterprise.** (a) There is hereby created in the department the front range waste diversion enterprise. The enterprise is and operates as a government-owned business within the department for the purpose of collecting the fee charged to waste generators and using the fee to provide grants and technical assistance to promote waste diversion. The enterprise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND exercises its powers and performs its duties and functions under the department. ~~as if transferred to the department by a type 1 transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24.~~

SECTION 56. In Colorado Revised Statutes, 25-20.5-103, **amend** (2) as follows:

25-20.5-103. Prevention services division - creation. (2) The division ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions specified in this ~~article~~ ARTICLE 20.5 under the department of public health and environment. ~~as if it were transferred to the department by a type 2 transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 57. In Colorado Revised Statutes, 30-10-601.6, **amend** (2) as follows:

30-10-601.6. Coroners standards and training board. (2) The C.C.S.T. board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department of public health and environment. ~~as if transferred to the department by a type 2 transfer, as such transfer is defined~~

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

SECTION 58. In Colorado Revised Statutes, 24-1-119.5, **amend** (2), (4), (4.5), (5), (8), and (9) as follows:

24-1-119.5. Department of health care policy and financing - creation. (2) The powers, duties, and functions OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND FUNCTIONS relating to the "Colorado Medical Assistance Act", as specified in articles 4, 5, and 6 of title 25.5. ~~C.R.S., are transferred by a type 2 transfer to the department of health care policy and financing.~~

(4) The powers, duties, and functions OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND FUNCTIONS relating to the "Colorado Indigent Care Program", as specified in part 1 of article 3 of title 25.5. ~~C.R.S., are transferred by a type 2 transfer to the department of health care policy and financing.~~

(4.5) The powers, duties, and functions OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND FUNCTIONS relating to the old age pension health and medical care program, as specified in section 25.5-2-101. ~~C.R.S., are transferred by a type 2 transfer to the department of health care policy and financing.~~

(5) The medical services board, created in part 3 of article 1 of title 25.5, ~~C.R.S., and its powers, duties, and functions are transferred by a type 1 transfer to in the department of health care policy and financing~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

(8) The powers, duties, and functions OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND FUNCTIONS relating to programs, services, and supports for persons with intellectual and developmental disabilities, as specified in article 10 of title 25.5. ~~C.R.S., are transferred by a type 2 transfer to the department of health care policy and financing~~ SUCH POWERS, DUTIES, AND FUNCTIONS ARE ALLOCATED TO THE DIVISION OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, CREATED IN SECTION 25.5-10-203 (2), WHICH DIVISION IS PART

OF THE OFFICE OF COMMUNITY LIVING, CREATED IN SECTION 25.5-10-101. THE OFFICE OF COMMUNITY LIVING AND THE DIVISION OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

(9) The Colorado healthcare affordability and sustainability enterprise created in section 25.5-4-402.4 (3) ~~shall exercise its powers and perform its duties and functions as if the same were transferred by a **type 2** transfer as defined in section 24-1-105, to the department of health care policy and financing~~ 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 HEALTH CARE POLICY AND FINANCING.

SECTION 59. In Colorado Revised Statutes, 25.5-1-301, **add** (5) as follows:

25.5-1-301. Medical services board - creation. (5) THE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 60. In Colorado Revised Statutes, 25.5-4-402.4, **amend** (3)(e) and (7)(a)(II) as follows:

25.5-4-402.4. Hospitals - healthcare affordability and sustainability fee - legislative declaration - Colorado healthcare affordability and sustainability enterprise - federal waiver - fund created - rules - reports - repeal. (3) ~~Colorado healthcare affordability and sustainability enterprise.~~ (e) ~~The enterprise shall exercise its powers and perform its duties as if the same were transferred to the state department by a **type 2** transfer, as defined in section 24-1-105.~~ 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.

(7) **Colorado healthcare affordability and sustainability enterprise board.** (a) (II) The initial members of the enterprise board are the members of the hospital provider fee oversight and advisory board that was created and existed pursuant to section 25.5-4-402.3 (6), prior to July 1, 2017, and such members shall serve on and after July 1, 2017, for the remainder of the terms for which they were appointed as members of the advisory board. The powers, duties, and functions of the ENTERPRISE BOARD INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE FORMER hospital

provider fee oversight and advisory board, ~~are transferred by a type 3 transfer, as defined in section 24-1-105, to the enterprise, and the hospital provider fee oversight and advisory board is abolished.~~

SECTION 61. In Colorado Revised Statutes, 25.5-10-101, **amend** (1) and (2)(a) as follows:

25.5-10-101. Office of community living - creation - transfer of duties and functions - rules - legislative declaration. (1) There is ~~hereby~~ created in the state department the office of community living, referred to in this ~~article~~ ARTICLE 10 as the "office". THE OFFICE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The head of the office is the director of community living appointed by the executive director in accordance with section 13 of article XII of the state constitution. The director of community living reports directly to the executive director.

(2) (a) On and after March 1, 2014, the powers, duties, and functions OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING INCLUDE THE POWERS, DUTIES, AND FUNCTIONS relating to the programs, services, and supports contained in this ~~article~~ ~~are transferred from~~ ARTICLE 10 THAT WERE FORMERLY VESTED IN the department of human services. ~~to the department of health care policy and financing by a type 2 transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S. and~~ SUCH POWERS, DUTIES, AND FUNCTIONS ARE allocated to the division of intellectual and developmental disabilities of the office, which division is created in part 2 of this ~~article~~ ARTICLE 10.

SECTION 62. In Colorado Revised Statutes, 25.5-10-203, **amend** (2) as follows:

25.5-10-203. Division of intellectual and developmental disabilities - creation - functions - reporting - legislative declaration. (2) There is ~~hereby~~ created ~~within~~ IN the office the division of intellectual and developmental disabilities. THE DIVISION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 63. In Colorado Revised Statutes, 24-1-120, **amend** (2), (3), (4) introductory portion, (4)(a), (5) introductory portion, (5)(a), (5)(b), (5)(c), (5)(e), (5)(f), (5)(g), (5)(h), (5)(k), (6) introductory portion, (6)(c), (6)(d), (6)(e), (7) introductory portion, (8), (9), (10), (11), and (12); and

repeal (5)(d) and (5)(i) as follows:

24-1-120. Department of human services - creation. (2) Except as otherwise provided in title 26, ~~C.R.S.~~, THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF HUMAN SERVICES INCLUDE the powers, duties, and functions of the FORMER department of social services and the FORMER department of institutions, ~~are transferred by a type 3 transfer to the department of human services;~~ and the department of social services and the department of institutions are abolished.

(3) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF HUMAN SERVICES INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE FORMER state board of social services, created ~~by~~ IN article 1 of title 26, ~~C.R.S.~~, and its powers, duties, and functions ~~are transferred by a type 1 transfer to the department of human services~~ WHICH IS RENAMED as the state board of human services. THE STATE BOARD OF HUMAN SERVICES IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

(4) Unless otherwise transferred to the department of health care policy and financing or the department of public health and environment, the department of human services ~~shall exercise~~ EXERCISES the following powers and ~~perform~~ PERFORMS the following duties AND FUNCTIONS:

(a) THE powers, duties, and functions relating to public assistance and welfare; ~~which are transferred by a type 2 transfer to the department of human services;~~

(5) The department of human services ~~shall include~~ INCLUDES the following:

(a) The Colorado commission on the aging, CREATED PURSUANT TO SECTION 26-11-101, and the office of the director ~~thereof. Said office and director and their powers, duties, and functions are transferred by a type 2 transfer to the department of human services~~ OF THE COMMISSION, CREATED PURSUANT TO SECTION 26-11-104, WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND WHICH EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

(b) The Colorado veterans community living center at Homelake,

CREATED PURSUANT TO SECTION 26-12-203, which is ~~transferred by a type 2 transfer to the department of human services~~ A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

(c) The Colorado veterans community living centers, created ~~by~~ IN part 2 of article 12 of title 26, ~~C.R.S., which are transferred by a type 2 transfer to the department of human services~~ WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

(d) ~~The merit system council, created by article 1 of title 26, C.R.S. Said council and its powers, duties, and functions are transferred by a type 2 transfer to the department of human services.~~

(e) The powers, duties, and functions regarding the state information agency ~~under~~ PURSUANT TO the "Uniform Interstate Family Support Act", created ~~by~~ IN article 5 of title 14. ~~C.R.S. Said powers, duties, and functions are transferred by a type 2 transfer to the department of human services;~~

(f) The state office on aging, created ~~by~~ IN part 2 of article 11 of title 26. ~~C.R.S. Said state office and its powers, duties, and functions are transferred by a type 2 transfer to the department of human services~~ THE STATE OFFICE ON AGING 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 HUMAN SERVICES.

(g) The adoption intermediary commission, created ~~by~~ IN part 3 of article 5 of title 19. ~~C.R.S. Said commission and its powers, duties, and functions are transferred by a type 1 transfer to the department of human services~~ THE ADOPTION INTERMEDIARY COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

(h) The Colorado commission for the deaf, hard of hearing, and deafblind, created ~~by~~ IN article 21 of title 26. ~~The commission shall exercise its powers, duties, and functions under the department as if transferred by a type 2 transfer~~ THE COLORADO COMMISSION FOR THE DEAF, HARD OF HEARING, AND DEAFBLIND 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.

(i) ~~The office of homeless youth services, created in section 24-32-723. Said office and its powers, duties, and functions are transferred by a type 2 transfer to the department of human services.~~

(k) The board of commissioners of veterans community living centers, created in section 26-12-402. ~~C.R.S. Said board and its powers, duties, and functions are transferred by a type 2 transfer to the department of human services~~ THE BOARD OF COMMISSIONERS OF VETERANS COMMUNITY LIVING CENTERS 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.

(6) The department consists of the following divisions, units, ~~and~~ offices, AND BOARDS:

(c) The juvenile parole board, created pursuant to section 19-2.5-1201. ~~The juvenile parole board and its powers, duties, and functions are transferred by a type 1 transfer to the department of human services as a division.~~ THE JUVENILE PAROLE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES AS A DIVISION THEREOF.

(d) The office of behavioral health in the department of human services, created pursuant to article 80 of title 27. THE OFFICE OF BEHAVIORAL HEALTH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The POWERS, DUTIES, AND FUNCTIONS OF THE office of behavioral health ~~and its powers, duties, and functions, including~~ INCLUDE the powers, duties, and functions relating to the alcohol and drug driving safety program specified in section 42-4-1301.3. ~~are transferred by a type 2 transfer to the department of human services.~~

(e) The division of youth services, created pursuant to section 19-2.5-1501, ~~The division of youth services and the office of the director of the division of youth services and their powers, duties, and functions are transferred by a type 2 transfer to the department of human services as a division.~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

(7) The department of human services shall supervise and control the following institutions, ~~which are transferred by a type 2 transfer to the department of human services~~ ALL OF WHICH ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105:

(8) The ~~state council on~~ COLORADO developmental disabilities COUNCIL, created by IN part 2 of article 10.5 of title 27, ~~C.R.S., and its powers, duties, and functions are transferred by a type 1 transfer to the department of human services~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

(9) ~~The powers, duties, and functions of~~ The Colorado brain injury trust fund board, created in section 26-1-302, ~~C.R.S., are transferred by a type 2 transfer to the department of human services~~ 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 HUMAN SERVICES.

(10) ~~The powers, duties, and functions of the~~ Colorado child abuse prevention board, created in section 19-3.5-103, ~~are transferred by a type 2 transfer to the department of human services.~~ 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 HUMAN SERVICES.

(11) ~~The powers, duties, and functions of~~ The Tony Grampsas youth services board, created in section 26-6.8-103, ~~C.R.S., are transferred by a type 2 transfer to the department of human services~~ 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 HUMAN SERVICES.

(12) The office of the ombudsman for behavioral health access to care, created in section 27-80-303, ~~shall exercise its powers and perform its duties and functions as if the office were transferred by a type 1 transfer, as defined in section 24-1-105, to the department of human services~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF HUMAN SERVICES.

SECTION 64. In Colorado Revised Statutes, 19-2.5-1201, **amend** (1) as follows:

19-2.5-1201. Juvenile parole board - creation - membership - authority - rules. (1) There is created a juvenile parole board, referred to in this part 12 as the "board". The board consists of nine members appointed by the governor and confirmed by the senate. Any vacancy that occurs when the general assembly is not in session may be filled by the governor, and such member serves temporarily until confirmed at the next regular session of the general assembly. THE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 65. In Colorado Revised Statutes, 19-2.5-1501, **amend** (1)(a) as follows:

19-2.5-1501. Division of youth services - created - interagency agreements - duties of administrators of facilities in connection with voter registration and casting of ballots - reports - definitions. (1) (a) There is created within the department of human services the division of youth services, referred to within this section as the "division", the head of which is the director of the division. The executive director of the department of human services shall appoint the director of the division pursuant to section 13 of article XII of the state constitution and the laws and rules governing the state personnel system. The director ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, WHO EXERCISES THE DIRECTOR'S powers and ~~perform~~ PERFORMS THE DIRECTOR'S duties and functions within the office of the executive director of the department of human services in accordance with ~~the provisions of this article 2.5. and as if transferred by a type 2 transfer as such transfer is defined in the~~ "Administrative Organization Act of 1968", article 1 of title 24.

SECTION 66. In Colorado Revised Statutes, 19-3.5-103, **amend** (1) as follows:

19-3.5-103. Colorado child abuse prevention board - creation - members - terms - vacancies. (1) The Colorado child abuse prevention board, referred to in this article 3.5 as the "board", is transferred to the department of human services from the department of public health and environment. The board ~~shall exercise its powers and duties as if transferred by a type 2 transfer.~~ 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 HUMAN SERVICES. Persons appointed to the board continue serving until completion of their terms and may be

reappointed as provided in this section.

SECTION 67. In Colorado Revised Statutes, 19-5-303, **amend** (1) introductory portion as follows:

19-5-303. Commission created - duties. (1) There is hereby created in the department the adoption intermediary commission, referred to in this section as the "commission", ~~that shall consist~~ WHICH CONSISTS of thirteen members. The commission ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS the duties and functions specified by this part 3 ~~as if the same were transferred to~~ UNDER the department; ~~by a type 1 transfer, as such transfer is defined in article 1 of title 24, C.R.S. Representation and appointment of such members shall be as follows:~~

SECTION 68. In Colorado Revised Statutes, 26-1-107, **amend** (1)(a) as follows:

26-1-107. State board of human services - rules. (1) (a) There is created IN THE DEPARTMENT OF HUMAN SERVICES the state board of human services, referred to in this section as the "state board". THE STATE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The state board consists of nine members appointed by the governor, with the consent of the senate, for terms of four years. ~~each.~~ In making appointments to the board, the governor shall include representation by at least one member who is a person with a disability, as defined in section 24-34-301 (2.5), a family member of a person with a disability, or a member of an advocacy group for persons with disabilities.

SECTION 69. In Colorado Revised Statutes, 26-1-302, **amend** (1) as follows:

26-1-302. Colorado brain injury trust fund board - creation - powers and duties. (1) There is hereby created the Colorado brain injury trust fund board ~~within~~ IN the state department of human services. ~~The board shall exercise its powers and duties as if transferred by a type 2 transfer~~ THE BRAIN INJURY TRUST FUND BOARD 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.

SECTION 70. In Colorado Revised Statutes, 26-6.8-103, **amend** (1)(a) as follows:

26-6.8-103. Tony Grampsas youth services board - members - duties. (1) (a) There is ~~hereby~~ created the Tony Grampsas youth services board, ~~consisting~~ WHICH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. THE BOARD CONSISTS of four adult members appointed by the governor, two youth members appointed by the governor, three adult members appointed by the speaker of the house of representatives, two adult members appointed by the president of the senate, and one adult member appointed by the minority leader of the senate. For the initial appointments, the governor shall appoint members to the board after the speaker of the house of representatives and the president and the minority leader of the senate have made appointments. No more than seven of the members appointed to the board shall be members of the same political party.

SECTION 71. In Colorado Revised Statutes, 26-11-101, **amend** (1) as follows:

26-11-101. Commission on the aging created. (1) There is ~~hereby~~ created in the state department the Colorado commission on the aging, referred to in this ~~article~~ ARTICLE 11 as the "commission". ~~which shall consist~~ THE COMMISSION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND CONSISTS of seventeen members appointed by the governor, with the consent of the senate. Two members ~~shall~~ MUST be appointed from each congressional district of the state, one of whom ~~shall~~ MUST be from each major political party, and, after July 1, 1976, and thereafter when a vacancy occurs, one of ~~such~~ THE members ~~shall~~ MUST be from west of the continental divide. A vacancy on the commission occurs whenever any member moves out of the congressional district from which ~~he or she~~ THE MEMBER was appointed. Any member who moves out of ~~such~~ THE congressional district shall promptly notify the governor of the date of such move, but ~~such~~ notice is not a condition precedent to the occurrence of the vacancy. The governor shall fill the vacancy as provided in subsection (2) of this section. Appointments made to take effect on January 1, 1983, ~~shall~~ MUST be made in accordance with section 24-1-135. ~~C.R.S.~~ No more than nine members of the commission ~~shall~~ MAY be members of the same major political party. One member ~~shall~~ MUST be appointed from the state at large, one member ~~shall~~ MUST be appointed from among the membership of the senate, and one member ~~shall~~ MUST be appointed from among the

membership of the house of representatives. Appointments to the commission ~~shall~~ MUST comply with the requirements of the rules and regulations of the United States department of health and human services promulgated pursuant to Public Law 93-29, known as the "Older Americans Comprehensive Services Amendments of 1973", as such rules and regulations appear in section 903.50 (c) of title 45 of the code of federal regulations. In making appointments to the commission, the governor is encouraged to include representation by at least one member who is a person with a disability, a family member of a person with a disability, or a member of an advocacy group for persons with disabilities, provided that the other requirements of this subsection (1) are met.

SECTION 72. In Colorado Revised Statutes, **amend** 26-11-202 as follows:

26-11-202. State office on aging. The executive director shall create ~~within~~ IN the state department a state office on aging, the head of which ~~shall be~~ IS the director of the state office, who ~~shall be~~ IS appointed by the executive director. The state office and the director of the state office ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the state department. ~~as if the same were transferred to the state department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 73. In Colorado Revised Statutes, 26-12-201, **amend** (2)(a) as follows:

26-12-201. Veterans community living centers authorized.
(2) (a) Subject to available appropriations, there is ~~hereby~~ authorized the establishment and construction of veterans centers for veterans of service in the armed forces of the United States and their spouses, surviving spouses, or dependent parents. Each ~~such~~ veterans center ~~shall be~~ IS known as a Colorado veterans community living center, collectively referred to in this ~~article~~ ARTICLE 12 as "veterans centers". THE VETERANS CENTERS ARE **TYPE 2** ENTITIES, AS DEFINED BY SECTION 24-1-105.

SECTION 74. In Colorado Revised Statutes, 26-12-203, **amend** (1)(a) as follows:

26-12-203. The Colorado veterans community living center at Homelake - jurisdiction - definitions. (1) (a) The Colorado veterans community living center at Homelake, consisting of a veterans center, a domiciliary care unit, and the Homelake military veterans cemetery, referred to in this part 2 as the "veterans center", ~~as transferred to the state department by the "Administrative Organization Act of 1968"~~, is hereby IS declared to be a veterans center for veterans of service in the armed forces of the United States and their spouses, surviving spouses, and dependent parents. THE COLORADO VETERANS COMMUNITY LIVING CENTER AT HOMELAKE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 75. In Colorado Revised Statutes, 26-12-402, **amend** (1) as follows:

26-12-402. Board of commissioners of veterans community living centers - creation - powers and duties. (1) There is hereby created the board of commissioners of veterans community living centers ~~within~~ IN the state department. The board of commissioners ~~shall exercise its powers, duties, and functions under the state department as if it were transferred to the state department by a type 2 transfer under the provisions of the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE STATE DEPARTMENT.

SECTION 76. In Colorado Revised Statutes, 26-21-104, **amend** (1) as follows:

26-21-104. Commission created - appointments. (1) The Colorado commission for the deaf, hard of hearing, and deafblind is created in the department of human services. The commission ~~shall exercise its powers, duties, and functions under the department of human services as if it were transferred to the department by a type 2 transfer under the provisions of the "Administrative Organization Act of 1968", article 1 of title 24~~ 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 HUMAN SERVICES.

SECTION 77. In Colorado Revised Statutes, 27-10.5-203, **amend** (1) as follows:

27-10.5-203. Establishment of state council. (1) There is hereby created ~~within~~ IN the office of the executive director of the department of human services, the Colorado developmental disabilities council. ~~The powers, duties, and functions of the state council are transferred by a type 1 transfer, as such transfer is defined by the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S., to the department of human services~~ THE STATE COUNCIL IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT. The state council shall operate in accordance with the federal "Developmental Disabilities Assistance and Bill of Rights Act of 2000", 42 U.S.C. sec. 15001 et seq.

SECTION 78. In Colorado Revised Statutes, 27-80-102, **amend** (1) introductory portion as follows:

27-80-102. Duties of the office of behavioral health. (1) The office of behavioral health IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND IS RESPONSIBLE FOR THE POWERS, DUTIES, AND FUNCTIONS RELATING TO THE ALCOHOL AND DRUG DRIVING SAFETY PROGRAM SPECIFIED IN SECTION 42-4-1301.3. THE OFFICE OF BEHAVIORAL HEALTH shall formulate a comprehensive state plan for substance use disorder treatment programs. The office of behavioral health shall submit the state plan to the governor and, upon ~~his or her~~ THE GOVERNOR'S approval, submit it to the appropriate United States agency for review and approval. The state plan must include, but not be limited to:

SECTION 79. In Colorado Revised Statutes, 27-80-303, **amend** (1)(a) as follows:

27-80-303. Office of ombudsman for behavioral health access to care - creation - appointment of ombudsman - duties. (1) (a) There is ~~hereby~~ created in the office of the executive director the office of the ombudsman for behavioral health access to care for the purpose of assisting Coloradans in accessing behavioral health care. THE OFFICE OF THE OMBUDSMAN FOR BEHAVIORAL HEALTH ACCESS TO CARE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 80. In Colorado Revised Statutes, 24-1-120.5, **amend as it will become effective July 1, 2022**, (2) as follows:

24-1-120.5. Department of early childhood - creation. (2) The early childhood leadership commission created in part 3 of article 1 of title 26.5 and its powers, duties, and functions are transferred by a **type 2 transfer** IS TRANSFERRED to the department of early childhood. THE EARLY CHILDHOOD LEADERSHIP COMMISSION 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 81. In Colorado Revised Statutes, 26.5-1-302, **amend as it will become effective on July 1, 2022**, (1) as follows:

26.5-1-302. Early childhood leadership commission - created - mission - funding. (1) There is created in the department the early childhood leadership commission, referred to in this part 3 as the "commission". THE COMMISSION 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. The purpose of the commission is to ensure and advance a comprehensive service delivery system for pregnant women and children from birth to eight years of age using data to improve decision-making, alignment, and coordination among federally funded and state-funded services and programs for pregnant women and young children and their families. At a minimum, the comprehensive service delivery system for pregnant women and children and their families must include services in the areas of prenatal health, child health, child mental health, early care and education, and family support and parent education.

SECTION 82. In Colorado Revised Statutes, 24-1-121, **amend** (1.5), (3)(a)(I), (3)(b), (3)(d)(I), (3)(e), (3)(f), (3)(g), (3)(h), (3)(i), (3)(j), (3)(k), (3)(l), (4) introductory portion, (4)(b), and (5); and **add** (6) and (7) as follows:

24-1-121. Department of labor and employment - creation. (1.5) The department of labor and employment ~~shall include~~ INCLUDES, as part of the office of the executive director, the industrial claim appeals office, created by IN section 8-1-102. ~~C.R.S. Said~~ THE industrial claim appeals office ~~shall exercise its powers and perform its duties and functions under the department as if transferred thereto by a type 2 transfer~~ 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.

(3) The department of labor and employment consists of the following divisions and programs:

(a) (I) The division of labor standards and statistics, the head of which is the director of the division of labor standards and statistics, ~~which division and office are hereby~~ created IN SECTION 8-1-103. The division and the DIVISION'S director ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions specified by law under the department of labor and employment. ~~as if they were transferred to the department by a type 2 transfer.~~

(b) The division of employment and training, the head of which is the director of the division of employment and training, CREATED IN SECTION 8-83-102. The division ~~created by article 83 of title 8, C.R.S., and the DIVISION'S director of the division shall exercise their powers, duties, and functions under the department of labor and employment as if transferred by a type 2 transfer~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(d) (I) The division of workers' compensation, the head of which ~~shall be~~ IS the director of the division of workers' compensation, ~~Said division, created by IN section 8-47-101. C.R.S., and the director thereof, shall exercise their powers, duties, and functions under the department of labor and employment as if transferred thereto by a type 2 transfer~~ THE DIVISION AND THE DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(e) The division of oil and public safety, the head of which ~~shall be~~ IS the director of the division of oil and public safety, which division and office are created pursuant to section 8-20-101. ~~C.R.S.~~ The division and the DIVISION'S director ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions specified by law under the department of labor and employment. ~~as if the same were transferred to the department by a type 2 transfer.~~

(f) The state work force development council, created ~~by~~ IN article

46.3 of this title, ~~which shall exercise~~ TITLE 24. THE COUNCIL IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department of labor and employment. ~~as if the same were transferred to the department by a type 2 transfer.~~

(g) The division of unemployment insurance, the head of which is the director of the division of unemployment insurance, ~~The division, created in article 71 of title 8. C.R.S., and the director of the division shall exercise their powers, duties, and functions under the department of labor and employment as if transferred by a type 2 transfer~~ THE DIVISION AND THE DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(h) The powers, duties, and functions relating to vocational rehabilitation programs, including the business enterprise program, ~~which are transferred by a type 2 transfer to the department of labor and employment~~ AS DESCRIBED IN ARTICLE 84 OF TITLE 8.

(i) The powers, duties, and functions relating to the oversight of independent living services pursuant to article 85 of title 8. ~~C.R.S., are transferred by a type 2 transfer.~~

(j) The underground damage prevention safety commission, created by IN section 9-1.5-104.2. The commission ~~and its powers, duties, and functions are transferred by a type 2 transfer to the department of labor and employment~~ 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 LABOR AND EMPLOYMENT.

(k) The office of new Americans, or "ONA", created in article 3.7 of title 8, the head of which is the director of the ONA. The ONA and the director ~~shall exercise their powers, duties, and functions under the department of labor and employment as if transferred by a type 1 transfer~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(l) The state apprenticeship agency created in section 8-15.7-102.

~~which shall exercise~~ THE STATE APPRENTICESHIP AGENCY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS the duties and functions specified by article 15.7 of title 8 under the department of labor and employment and the executive director of the department. ~~as if the same were transferred to the department by a~~ **type 1 transfer.**

(4) The division of oil and public safety ~~shall include~~ INCLUDES the following:

(b) The division of boiler inspection, created ~~by~~ IN article 4 of title 9. C.R.S. ~~Said division and its powers, duties, and functions are transferred by a type 2 transfer to the department of labor and employment, and allocated to the division of oil and public safety as a section thereof~~ THE DIVISION OF BOILER INSPECTION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. THE DIVISION EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT AND IS ALLOCATED TO THE DIVISION OF OIL AND PUBLIC SAFETY AS A SECTION THEREOF.

(5) The petroleum storage tank committee ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS the duties and functions specified by article 20.5 of title 8 ~~C.R.S.~~, under the department of labor and employment and the executive director thereof. ~~as if the same were transferred to the department by a~~ **type 1 transfer.**

(6) THE SPECIAL FUNDS BOARD, CREATED IN SECTION 8-44-206, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

(7) THE WORKERS' COMPENSATION COST CONTAINMENT BOARD, CREATED IN THE DIVISION OF WORKERS' COMPENSATION IN SECTION 8-14.5-104, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 83. In Colorado Revised Statutes, 8-1-102, **amend** (1) as follows:

8-1-102. Industrial claim appeals office - creation - powers and duties. (1) There is ~~hereby~~ created in the office of the executive director of the department of labor and employment the industrial claim appeals office,

which ~~may consist~~ CONSISTS of five industrial claim appeals examiners who ~~shall be~~ ARE appointed to serve on the industrial claim appeals panel by the executive director pursuant to section 13 of article XII of the state constitution and the laws and rules governing the state personnel system. ~~Each industrial claim appeals examiner shall exercise such examiner's powers and perform such examiner's duties and functions in the industrial claim appeals office within the office of the executive director of the department as if transferred thereto by a type 2 transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~ THE INDUSTRIAL CLAIM APPEALS OFFICE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE OFFICE OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT. Decisions and orders of the industrial claim appeals panel may be made by two appeals examiners. In the event of a disagreement between ~~such~~ THE two appeals examiners, a third appeals examiner shall review the case, and the decision and final order of the appeals panel shall reflect the collective decision of all three appeals examiners.

SECTION 84. In Colorado Revised Statutes, 8-1-103, **amend** (3) as follows:

8-1-103. Division of labor standards and statistics - director - employees - qualifications - compensation - expenses. (3) The DIRECTOR EXERCISES THE DIRECTOR'S powers AND PERFORMS THE DIRECTOR'S duties and functions ~~of the director~~ AS prescribed under this ~~article~~ ARTICLE 1, including rule-making, ~~regulation~~, licensing, promulgation of rules, rates, ~~regulations~~, and standards, and the rendering of findings, orders, and adjudications, ~~shall be performed~~ under the direction and supervision of the executive director of the department of labor and employment. ~~as prescribed by section 24-1-105 (4), C.R.S.~~ THE DIRECTOR IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 85. In Colorado Revised Statutes, 8-3.7-103, **amend** (1)(a) as follows:

8-3.7-103. Colorado office of new Americans - creation - duties - report. (1) (a) There is hereby created, initially in the department of labor and employment, the Colorado office of new Americans, the head of which shall be the director of the Colorado office of new Americans, who shall be

appointed by the executive director of the department. THE COLORADO OFFICE OF NEW AMERICANS AND THE DIRECTOR OF THE OFFICE ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT. The director of the ONA has regular access to the office of the governor and has the power to convene other state agencies.

SECTION 86. In Colorado Revised Statutes, 8-14.5-104, **amend** (2) as follows:

8-14.5-104. Creation of board. (2) The board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its DUTIES AND functions under the department and the director of the division. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 87. In Colorado Revised Statutes, 8-15.7-102, **amend** (2) as follows:

8-15.7-102. State apprenticeship agency - created - director - powers and duties - rules. (2) The SAA ~~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 under the department. ~~as if it were transferred to the department by a type 1 transfer, as described in section 24-1-105.~~

SECTION 88. In Colorado Revised Statutes, 8-20-101, **amend** (1) as follows:

8-20-101. Division of oil and public safety - creation - appointment of director - transfer of duties. (1) There is hereby created ~~within~~ IN the department of labor and employment the division of oil and public safety, the head of which ~~shall be~~ IS the director of the division of oil and public safety. The director of the division of oil and public safety ~~shall be~~ IS appointed by the executive director of the department of labor and employment and shall not have an interest in the manufacture, sale, or distribution of oils. THE DIVISION AND THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 89. In Colorado Revised Statutes, 8-20.5-104, **amend** (9) as follows:

8-20.5-104. Rules - petroleum storage tank committee. (9) The petroleum storage tank committee ~~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 by this section under the department of labor and employment and the executive director. ~~thereof as if the same were transferred to the department by a type 1 transfer, as such transfer is defined in section 24-1-105, C.R.S.~~

SECTION 90. In Colorado Revised Statutes, 8-44-206, **amend** (2)(a) as follows:

8-44-206. Guaranty fund - immediate payment fund - special funds board - creation. (2) **Creation of special funds board - duties.** (a) For the purposes of carrying out this section, there is ~~hereby~~ created a special funds board, which ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND WHICH EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions as specified in this subsection (2) under the department of labor and employment. ~~as if the same were transferred to the department by a type 2 transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S. Said~~ THE board ~~shall be~~ IS composed of five members: Four members who are managers or employees of self-insured employers in good standing, two of whom shall demonstrate knowledge of risk management and finance, and the executive director.

SECTION 91. In Colorado Revised Statutes, 8-47-101, **amend** (3)(a) as follows:

8-47-101. Division of workers' compensation - creation - powers, duties, and functions - transfer of functions - change of statutory references. (3) (a) The division of workers' compensation shall, on and after July 1, 1991, execute, administer, perform, and enforce the rights, powers, duties, functions, and obligations vested in the division of labor prior to July 1, 1991, concerning the duties and functions transferred to the division of workers' compensation. On July 1, 1991, all employees of the division of labor whose principal duties are concerned with the duties and functions transferred to the division of workers' compensation and whose

employment in the division of workers' compensation is deemed necessary by the executive director of the department of labor and employment to carry out the purposes of this article 47 shall be transferred to the division of workers' compensation and shall become employees thereof. The employees shall retain all rights to the state personnel system and retirement benefits under the laws of this state, and their services shall be deemed to have been continuous. All transfers and any abolishment of positions in the state personnel system shall be made and processed in accordance with state personnel system laws and rules. THE DIVISION OF WORKERS' COMPENSATION AND THE DIVISION'S DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 92. In Colorado Revised Statutes, 8-71-102, **amend** (1) as follows:

8-71-102. Powers, duties, and functions - acceptance of money.

(1) The functions of the division comprise all administrative functions of the state in relation to the administration of articles 70 to 82 of this title. ~~The director of the division shall exercise the powers, duties, and functions prescribed under articles 70 to 82 of this title under the direction and supervision of the executive director of the department of labor and employment, as prescribed by section 24-1-105 (4), C.R.S.~~ TITLE 8. THE DIVISION AND THE OFFICE OF DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THE POWERS AND PERFORM THE DUTIES AND FUNCTIONS PRESCRIBED UNDER ARTICLES 70 TO 82 OF THIS TITLE 8 UNDER THE DIRECTION AND SUPERVISION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT. Any vacancy in the office of director of the division ~~shall be~~ IS filled in the manner provided by law.

SECTION 93. In Colorado Revised Statutes, 8-83-103, **amend** (1) as follows:

8-83-103. Powers, duties, and functions - acceptance of money.

(1) The functions of the division comprise all administrative functions of the state in relation to the administration of this article. ~~The director shall exercise his or her powers, duties, and functions prescribed under this article under the direction and supervision of the executive director of the department, as prescribed by section 24-1-105 (4), C.R.S.~~ ARTICLE 83. THE DIVISION AND THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS

DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS AS PRESCRIBED UNDER THIS ARTICLE 83 UNDER THE DIRECTION AND SUPERVISION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT. Any vacancy in the office of director ~~shall be~~ IS filled in the manner provided by law.

SECTION 94. In Colorado Revised Statutes, 8-84-108, **amend** (1)(a) as follows:

8-84-108. Transfer of functions - transition plan - report. (1) (a) On and after July 1, 2016, the ~~rights~~, powers, duties, and functions OF THE DEPARTMENT OF LABOR AND EMPLOYMENT INCLUDE THE POWERS, DUTIES, AND FUNCTIONS regarding vocational rehabilitation programs, including the business enterprise program, THAT WERE FORMERLY vested in the department of human services prior to that date. ~~are transferred from the department of human services to the department of labor and employment by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 95. In Colorado Revised Statutes, 8-85-109, **amend** (1) as follows:

8-85-109. Transfer of functions - transition plan - report. (1) On and after July 1, 2016, the ~~rights~~, powers, duties, and functions OF THE DEPARTMENT OF LABOR AND EMPLOYMENT INCLUDE THE POWERS, DUTIES, AND FUNCTIONS regarding independent living services THAT WERE FORMERLY vested in the department of human services prior to that date. ~~are transferred from the department of human services to the department of labor and employment by a type 2 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, 9-1.5-104.2, **amend** (1)(a) introductory portion as follows:

9-1.5-104.2. Underground damage prevention safety commission - creation - review of violations - enforcement - rules. (1) (a) There is ~~hereby~~ created the underground damage prevention safety commission in the department of labor and employment. The safety commission is ~~transferred to the department by a type 2 transfer as that term is~~ A TYPE 2 ENTITY, AS defined in section 24-1-105. The safety commission shall:

SECTION 97. In Colorado Revised Statutes, 9-4-102, **amend** (1) as follows:

9-4-102. Boiler inspection section - created - director - chief boiler inspector - inspectors - qualifications. (1) The director shall carry out the provisions of this ~~article~~ ARTICLE 4. The director may appoint a chief boiler inspector to oversee the boiler inspection section, which is ~~hereby~~ created in the division of oil and public safety. THE BOILER INSPECTION SECTION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The chief boiler inspector and each state boiler inspector must be qualified from practical experience in the construction, maintenance, repair, or operation of boilers as a mechanical or safety engineer, steam engineer, boilermaker, or boiler inspector of not less than five years' actual experience to enable him or her to judge the safety of boilers for use as such. Neither the chief boiler inspector nor any state boiler inspector shall be interested directly or indirectly in the manufacture, ownership, or sale of boilers or boiler supplies.

SECTION 98. In Colorado Revised Statutes, 24-46.3-101, **amend** (1) as follows:

24-46.3-101. State work force development council - creation - membership - funding through gifts, grants, and donations. (1) There is ~~hereby~~ created ~~within~~ IN the department of labor and employment, ~~also~~ referred to in this ~~article~~ ARTICLE 46.3 as the "department", the state work force development council, ~~also~~ referred to in this ~~article~~ ARTICLE 46.3 as the "state council". THE STATE COUNCIL IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The state council ~~shall be~~ IS established as a state work force development board in accordance with the federal "Workforce Innovation and Opportunity Act", 29 U.S.C. sec. 3101 et seq., as amended, ~~also~~ referred to in this ~~article~~ ARTICLE 46.3 as the "federal act".

SECTION 99. In Colorado Revised Statutes, 24-1-122, **amend** (2)(a), (2)(a.5), (2)(b), (2)(c), (2)(d), (2)(e), (2)(g), (2)(h), (2)(k), (2)(l), (3) introductory portion, (4) introductory portion, and (6); and **add** (3)(nn) and (4)(f) as follows:

24-1-122. Department of regulatory agencies - creation. (2) The department of regulatory agencies consists of the following divisions:

(a) The public utilities commission, created by IN article 2 of title 40. C.R.S. ~~Its powers, duties, and functions are transferred by a type 1 transfer to the department of regulatory agencies as a division thereof~~ THE PUBLIC UTILITIES COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AS A DIVISION THEREOF. The director of the commission ~~shall serve~~ SERVES as the division director.

(a.5) The office of the utility consumer advocate and the utility consumers' board, created in article 6.5 of title 40. The office of the utility consumer advocate ~~and its powers, duties, and functions are transferred by a type 1 transfer to~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER the department of regulatory agencies as a division of the department. The utility consumers' board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. THE UTILITY CONSUMERS' BOARD EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department as if the same were transferred to the department by a ~~type 2 transfer~~ and IS allocated to the office of the utility consumer advocate.

(b)(I) THE division of insurance, CREATED IN SECTION 10-1-103, the head of which ~~shall be~~ IS the commissioner of insurance. The division of insurance ~~of the state of Colorado, created by section 10-1-103, C.R.S., and its powers, duties, and functions are transferred by a type 1 transfer to the department of regulatory agencies as the division of insurance~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

(II) The workers' compensation classification appeals board, created by IN section 8-55-101 (1). C.R.S., ~~shall exercise its powers and perform duties and functions under the division of insurance as if such workers' compensation classification appeals board were transferred to the division of insurance by a type 1 transfer~~ THE WORKERS' COMPENSATION CLASSIFICATION APPEALS BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DIVISION OF INSURANCE.

(c) THE division of financial services, the head of which ~~shall be~~ IS

the state commissioner of financial services. The financial services board, created by IN section 11-44-101.6, C.R.S., and its powers, duties, and functions are transferred as if by a **type 1** transfer to the department of regulatory agencies, and allocated to the division of financial services. IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE FINANCIAL SERVICES BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS ALLOCATED TO THE DIVISION OF FINANCIAL SERVICES. The office of state commissioner of financial services and the DIVISION OF financial services, ~~division of the state of Colorado~~, created by IN article 44 of title 11, C.R.S., are transferred by a **type 2** transfer to the department of regulatory agencies, and allocated to the division of financial services ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

(d) THE division of banking, the head of which ~~shall be~~ IS the state bank commissioner. The banking board, created by IN article 102 of title 11 C.R.S., and its powers, duties, and functions are transferred by a **type 1** transfer to the department of regulatory agencies and allocated to the division of banking IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE BANKING BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS ALLOCATED TO THE DIVISION OF BANKING.

(e) THE division of securities, the head of which ~~shall be~~ IS the commissioner of securities. The securities board, created in section 11-51-702.5, C.R.S., and its powers, duties, and functions are transferred by a **type 1** transfer to the department of regulatory agencies and allocated to the division of securities IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE SECURITIES BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS ALLOCATED TO THE DIVISION OF SECURITIES. The division of securities, and the office of commissioner of securities, created by IN article 51 of title 11, C.R.S., and their powers, duties, and functions are transferred by a **type 1** transfer to the department of regulatory agencies as the division of securities ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

(g) ~~THE division of professions and occupations, the head of which shall be~~ IS the director of professions and occupations, which office is hereby created. ~~The division of professions and occupations is transferred by a type 2 transfer to the department of regulatory agencies as the division of professions and occupations~~ THE DIVISION OF PROFESSIONS AND OCCUPATIONS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

(h) THE Colorado civil rights division, the head of which ~~shall be~~ IS the director of the Colorado civil rights division, AND THE COLORADO CIVIL RIGHTS COMMISSION. The Colorado civil rights commission, the Colorado civil rights division, and the office of director of the Colorado civil rights division, created by IN part 3 of article 34 of this title, ~~and their powers, duties, and functions are transferred by a type 1 transfer to the department of regulatory agencies as the Colorado civil rights division~~ TITLE 24, ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

(k) (I) THE division of real estate, the head of which ~~shall be~~ IS the director of the division, AND THE REAL ESTATE COMMISSION. The division of real estate and the director of the division, created by IN part 2 of article 10 of title 12, ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers and perform their duties and functions under the department of regulatory agencies. ~~as if they were transferred to the department by a type 2 transfer.~~ The real estate commission, created by IN part 2 of article 10 of title 12, ~~and its powers, duties, and functions are transferred by a type 1 transfer to the department of regulatory agencies~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

(II) The division ~~shall include~~ OF REAL ESTATE INCLUDES the board of real estate appraisers, created by IN part 6 of article 10 of title 12. ~~which shall exercise~~ THE BOARD OF REAL ESTATE APPRAISERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department of regulatory agencies. ~~as if the same were transferred thereto by a type 1 transfer.~~ The division ~~shall~~ OF REAL ESTATE also ~~include~~ INCLUDES the board of mortgage loan originators, created by IN section 12-10-703. The board of mortgage loan originators ~~shall exercise its powers and perform its duties and~~

~~functions under the department of regulatory agencies as if transferred thereto by a type 1 transfer~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES.

(l) THE division of conservation, the head of which is the director of the division, AND THE CONSERVATION EASEMENT OVERSIGHT COMMISSION. The division of conservation and the director of the division, created by IN article 15 of title 12, ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers and perform their duties and functions under the department of regulatory agencies. ~~as if they were transferred to the department by a type 2 transfer.~~ The conservation easement oversight commission, created by IN section 12-15-103, ~~and its powers, duties, and functions are transferred by a type 2 transfer to the department of regulatory agencies and allocated to the division of conservation~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. THE CONSERVATION EASEMENT OVERSIGHT COMMISSION EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS ALLOCATED TO THE DIVISION OF CONSERVATION.

(3) The following boards and agencies ~~are transferred by a type 1 transfer to~~ IN the department of regulatory agencies ~~and~~ ARE allocated to the division of professions and occupations AND ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105:

(nn) THE STATE PHYSICAL THERAPY BOARD, CREATED IN PART 1 OF ARTICLE 285 OF TITLE 12.

(4) The following boards and agencies ~~are transferred by a type 2 transfer to~~ IN the department of regulatory agencies ~~and~~ ARE allocated to the division of professions and occupations AND ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105:

(f) THE OFFICE OF COMBATIVE SPORTS, CREATED IN SECTION 12-110-105, AND THE COLORADO COMBATIVE SPORTS COMMISSION, CREATED IN SECTION 12-110-106.

(6) (a) The Colorado prescription drug affordability review board created in section 10-16-1402 is ~~transferred by a type 1 transfer to~~ A **TYPE**

1 ENTITY, AS DEFINED IN SECTION 24-1-105. THE COLORADO PRESCRIPTION DRUG AFFORDABILITY REVIEW BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER the department of regulatory agencies and IS allocated to the division of insurance.

(b) The Colorado prescription drug affordability advisory council created in section 10-16-1409 is ~~transferred by a type 2 transfer to~~ A **TYPE 2** ENTITY AS DEFINED IN SECTION 24-1-105. THE COLORADO PRESCRIPTION DRUG AFFORDABILITY ADVISORY COUNCIL EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER the department of regulatory agencies and IS allocated to the division of insurance.

SECTION 100. In Colorado Revised Statutes, 8-55-101, **amend** (1) introductory portion as follows:

8-55-101. Workers' compensation classification appeals board - creation. (1) There is ~~hereby~~ created, in the division of insurance in the department of regulatory agencies, the workers' compensation classification appeals board. THE WORKERS' COMPENSATION CLASSIFICATION APPEALS BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board shall hear grievances brought by employers against insurers and Pinnacol Assurance concerning the calculation of experience modification factors and classification assignment decisions. The board ~~shall consist~~ CONSISTS of five voting members, each of whom ~~shall~~ MUST be knowledgeable about workers' compensation classification and experience modification factors, and one nonvoting member, as follows:

SECTION 101. In Colorado Revised Statutes, 10-1-103, **amend** (1) as follows:

10-1-103. Division of insurance - subject to repeal - repeal of functions. (1) There is established a division of insurance ~~within~~ IN the department of regulatory agencies. THE DIVISION OF INSURANCE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. This division is charged with the execution of the laws relating to insurance and has a supervising authority over the business of insurance in this state. Offices of the division of insurance ~~shall~~ MUST be provided in the capitol buildings group at Denver, Colorado. Whenever any law of this state refers to the insurance department of the state of Colorado, ~~said~~ THE law shall be construed as referring to the division of insurance.

SECTION 102. In Colorado Revised Statutes, 10-16-1402, **amend** (1) as follows:

10-16-1402. Colorado prescription drug affordability review board - created - membership - terms - conflicts of interest. (1) The Colorado prescription drug affordability review board is created in the division. THE BOARD IS A **TYPE 1** ENTITY AS DEFINED IN SECTION 24-1-105. THE BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS ALLOCATED TO THE DIVISION OF INSURANCE. The board is a body politic and corporate and is an instrumentality of the state. The board is an independent unit of state government, and the exercise by the board of its authority under this part 14 is an essential public function.

SECTION 103. In Colorado Revised Statutes, 10-16-1409, **amend** (1)(a) introductory portion as follows:

10-16-1409. Colorado prescription drug affordability advisory council - created - membership - powers and duties. (1) (a) The Colorado prescription drug affordability advisory council is created in the division to provide stakeholder input to the board regarding the affordability of prescription drugs. THE ADVISORY COUNCIL IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. THE ADVISORY COUNCIL EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AND IS ALLOCATED TO THE DIVISION OF INSURANCE. The advisory council includes fifteen members as follows:

SECTION 104. In Colorado Revised Statutes, **amend** 11-44-101 as follows:

11-44-101. Division of financial services created. There is ~~hereby~~ created a division of financial services ~~within~~ IN the department of regulatory agencies, which shall be administered by the state commissioner of financial services. When any law of this state refers to the savings and loan department of the state of Colorado, said law shall be construed as referring to the division of financial services. THE DIVISION OF FINANCIAL SERVICES AND THE OFFICE OF THE STATE COMMISSIONER OF FINANCIAL SERVICES ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 105. In Colorado Revised Statutes, 11-44-101.6, **amend** (1) as follows:

11-44-101.6. Financial services board - creation. (1) There is ~~hereby~~ established in the division OF FINANCIAL SERVICES the financial services board, which ~~shall consist~~ CONSISTS of five members. THE FINANCIAL SERVICES BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 106. In Colorado Revised Statutes, **amend** 11-51-701 as follows:

11-51-701. Division of securities - creation - powers and duties. There is ~~hereby~~ created the division of securities ~~within~~ IN the department of regulatory agencies, the head of which ~~shall be~~ IS the commissioner of securities, who shall be appointed by the executive director of the department of regulatory agencies, pursuant to ~~the provisions of~~ section 13 of article XII of the state constitution, and the securities board. THE DIVISION OF SECURITIES AND THE OFFICE OF COMMISSIONER OF SECURITIES ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. The division ~~shall be~~ IS responsible for the administration of the provisions of articles 51, 53, and 59 of this ~~title~~ TITLE 11 and part 7 of article 75 of title 24, ~~C.R.S.~~, and shall perform such other duties as are imposed upon it by law.

SECTION 107. In Colorado Revised Statutes, 11-51-702.5, **add** (2.5) as follows:

11-51-702.5. Securities board - creation - duties - repeal. (2.5) THE SECURITIES BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 108. In Colorado Revised Statutes, 11-102-104, **add** (1.5) as follows:

11-102-104. Powers and duties of banking board. (1.5) THE BANKING BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 109. In Colorado Revised Statutes, 12-10-206, **amend** (1) as follows:

12-10-206. Real estate commission - created - compensation - immunity. (1) There is hereby created a commission of five members, appointed by the governor, which shall administer parts 2 and 5 of this article 10. This commission is known as the real estate commission. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, and consists of three real estate brokers who have had not less than five years' experience in the real estate business in Colorado, one of whom has substantial experience in property management, and two representatives of the public at large. Members of the commission ~~hold office for a period of three years~~ SERVE THREE-YEAR TERMS. Upon the death, resignation, removal, or otherwise of any member of the commission, the governor shall appoint a member to fill out the unexpired term. The governor may remove any member for misconduct, neglect of duty, or incompetence.

SECTION 110. In Colorado Revised Statutes, 12-10-207, **amend** (1) as follows:

12-10-207. Division of real estate - creation - director, clerks, and assistants. (1) There is hereby created ~~within~~ IN the department the division of real estate. The executive director is authorized by this section to employ, subject to the provisions of the state personnel system laws of the state, a director of the division, who in turn shall employ such attorneys, deputies, investigators, clerks, and assistants as are necessary to discharge the duties imposed by parts 2 and 5 of this article 10. The division and the director ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers and perform their duties and functions under the department. ~~as if they were transferred to the department by a type 2 transfer.~~

SECTION 111. In Colorado Revised Statutes, 12-10-603, **amend** (2)(a) as follows:

12-10-603. Board of real estate appraisers - creation - compensation - immunity - legislative declaration - subject to review - repeal of part. (2) (a) The board ~~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 under the division of real estate. ~~as if transferred to the division by a type 1 transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24.~~

SECTION 112. In Colorado Revised Statutes, 12-10-703, **amend** (2)(a) as follows:

12-10-703. Board of mortgage loan originators - creation - compensation - enforcement of part after board creation - immunity.

(2) (a) The board ~~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 under the department. ~~as if 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.~~

SECTION 113. In Colorado Revised Statutes, 12-15-102, **amend** (1) as follows:

12-15-102. Division of conservation - creation - director.

(1) There is ~~hereby~~ created ~~within~~ IN the department the division of conservation, referred to in this article 15 as the "division". The executive director is authorized by this section to employ, subject to the provisions of the state personnel system laws of the state, a director of the division, who in turn shall employ such deputies, clerks, and assistants as are necessary to discharge the duties imposed by this article 15. The division and the director of the division ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers and perform their duties and functions under the department. ~~as if they were transferred to the department by a type 2 transfer.~~

SECTION 114. In Colorado Revised Statutes, 12-15-103, **amend** (1) introductory portion as follows:

12-15-103. Conservation easement oversight commission - created - repeal.

(1) There is ~~hereby~~ created in the division a conservation easement oversight commission, referred to in this article 15 as the "commission". The commission ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the division. ~~as if transferred thereto by a type 2 transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24.~~ The commission consists of eight members as follows:

SECTION 115. In Colorado Revised Statutes, 12-20-103, **amend**

(1)(a) as follows:

12-20-103. Division of professions and occupations - creation - duties of division and department head - office space - per diem for board or commission members - review of functions. (1) **Division created.** (a) There is hereby created a division of professions and occupations in the department of regulatory agencies, the head of which is the director of professions and occupations. THE DIVISION OF PROFESSIONS AND OCCUPATIONS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The executive director of the department shall appoint the director in accordance with section 13 of article XII of the state constitution. Except as provided in subsection (1)(b) of this section, the director shall appoint other personnel as necessary for the efficient operation of the division.

SECTION 116. In Colorado Revised Statutes, 12-100-104, **add** (1.5) as follows:

12-100-104. State board of accountancy - subject to termination. (1.5) THE STATE BOARD OF ACCOUNTANCY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 117. In Colorado Revised Statutes, **amend** 12-110-105 as follows:

12-110-105. Office of combative sports - creation. There is hereby created ~~within~~ IN the division the office of combative sports. The office of combative sports and the Colorado combative sports commission, created in section 12-110-106, ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their respective powers and perform their respective duties and functions as specified in this article 110 under the department. ~~as if the powers, duties, and functions were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24.~~

SECTION 118. In Colorado Revised Statutes, **amend** 12-115-106 as follows:

12-115-106. Board under department of regulatory agencies. The state electrical board ~~and its powers, duties, and functions are transferred, effective July 1, 1978, by a type 1 transfer, as such transfer is~~

~~defined in the "Administrative Organization Act of 1968", article 1 of title 24, to the department and allocated to the division~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE STATE ELECTRICAL BOARD EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT AND IS ALLOCATED TO THE DIVISION.

SECTION 119. In Colorado Revised Statutes, 12-120-103, **amend** (1) as follows:

12-120-103. State board of licensure for architects, professional engineers, and professional land surveyors - creation - composition - appointment of members - terms - meetings - program director and staff - subject to review - repeal of article. (1) **Board creation.** A state board of licensure for architects, professional engineers, and professional land surveyors is ~~hereby~~ created, the duty of which ~~shall be~~ IS to administer ~~the provisions of this article 120,~~ including the duties and powers specified in section 12-120-104. THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 120. In Colorado Revised Statutes, 12-150-104, **amend** (1) as follows:

12-150-104. Passenger tramway safety board - composition. (1) There is ~~hereby~~ created IN THE DEPARTMENT OF REGULATORY AGENCIES AND ALLOCATED TO THE DIVISION OF PROFESSIONS AND OCCUPATIONS PURSUANT TO SECTION 24-1-122 (3)(q) a passenger tramway safety board of six appointive members and one member designated by the United States forest service. THE PASSENGER TRAMWAY SAFETY BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The appointive members ~~shall be~~ ARE appointed by the governor from persons representing the following interests: Two members to represent the industry or area operators; two members to represent the public at large; one member who is a licensed professional engineer not employed by a ski area or related industry; and one member familiar with or experienced in the tramway industry who may represent the passenger tramway manufacturing or design industry or an area operator. ~~No person shall be so appointed or designated except those~~ THE GOVERNOR AND THE UNITED STATES FOREST SERVICE SHALL ONLY APPOINT OR DESIGNATE MEMBERS who, by reason of knowledge or experience, ~~shall be~~ ARE deemed to be qualified. The knowledge or

experience ~~shall~~ MUST be either from active and relevant involvement in the design, manufacture, or operation of passenger tramways or as a result of extensive and relevant involvement in related activities. The governor, in making appointments, shall consider recommendations made to ~~him or her~~ THE GOVERNOR by the membership of the particular interest from which the appointments are to be made.

SECTION 121. In Colorado Revised Statutes, 12-155-104, **amend** (1) as follows:

12-155-104. State plumbing board - subject to review - repeal of article. (1) There is ~~hereby~~ established ~~within~~ IN the division the state plumbing board. The board ~~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 ~~in~~ UNDER the department of regulatory agencies. ~~as if it 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.~~

SECTION 122. In Colorado Revised Statutes, 12-215-104, **add** (1.5) as follows:

12-215-104. State board of chiropractic examiners - board meetings - election of officers - subject to review - repeal of article. (1.5) THE COLORADO STATE BOARD OF CHIROPRACTIC EXAMINERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 123. In Colorado Revised Statutes, 12-220-105, **amend** (1)(a) as follows:

12-220-105. Colorado dental board - qualifications of board members - quorum - panel - rules - review of functions - repeal of article. (1) (a) The Colorado dental board is ~~hereby~~ created as the agency of this state for the regulation of the practice of dentistry in this state and to carry out the purposes of this article 220. The board IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND is subject to the supervision and control of the division as provided by section 12-20-103 (2).

SECTION 124. In Colorado Revised Statutes, 12-240-105, **amend** (1)(a) introductory portion as follows:

12-240-105. Colorado medical board - immunity - subject to review - repeal of article. (1) (a) There is hereby created the Colorado medical board, referred to in this article 240 as the "board". THE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board shall consist CONSISTS of seventeen members appointed by the governor and possessing the qualifications specified in this article 240 and as follows:

SECTION 125. In Colorado Revised Statutes, 12-245-302, **amend** (1) as follows:

12-245-302. State board of psychologist examiners - created - members - terms. (1) There is hereby created a state board of psychologist examiners under the supervision and control of the division. THE STATE BOARD OF PSYCHOLOGIST EXAMINERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 126. In Colorado Revised Statutes, 12-245-402, **amend** (1) as follows:

12-245-402. State board of social work examiners - created - members - terms. (1) There is hereby created under the supervision and control of the division the state board of social work examiners, which consists of seven members who are residents of the state of Colorado. THE STATE BOARD OF SOCIAL WORK EXAMINERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 127. In Colorado Revised Statutes, 12-245-502, **amend** (1) as follows:

12-245-502. State board of marriage and family therapist examiners - created - members - terms. (1) There is hereby created under the supervision and control of the division the state board of marriage and family therapist examiners, which consists of seven members who are residents of the state of Colorado. THE STATE BOARD OF MARRIAGE AND FAMILY THERAPIST EXAMINERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 128. In Colorado Revised Statutes, 12-245-602, **amend** (1) as follows:

12-245-602. State board of licensed professional counselor examiners - created - members - fines. (1) There is hereby created the state board of licensed professional counselor examiners under the supervision and control of the division. The board IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND consists of seven members who are residents of the state of Colorado.

SECTION 129. In Colorado Revised Statutes, 12-245-702, **amend** (1) as follows:

12-245-702. State board of unlicensed psychotherapists - creation - membership. (1) There is hereby created the state board of unlicensed psychotherapists, which is under the supervision and control of the division as provided in section 12-20-103 (2). The board IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND consists of seven members who are residents of the state of Colorado.

SECTION 130. In Colorado Revised Statutes, 12-245-802, **amend** (1) as follows:

12-245-802. State board of addiction counselor examiners - created - members - terms. (1) There is hereby created a state board of addiction counselor examiners under the supervision and control of the division. THE STATE BOARD OF ADDICTION COUNSELOR EXAMINERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. Once the governor appoints the board members and the board adopts necessary rules, the board is responsible for regulating addiction counselors pursuant to this part 8 and this article 245.

SECTION 131. In Colorado Revised Statutes, 12-255-105, **amend** (1)(a) introductory portion as follows:

12-255-105. State board of nursing created - removal of board members - meetings of board. (1) (a) There is hereby created the state board of nursing in the division, which IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. THE board consists of eleven members who are residents of this state, appointed by the governor as follows:

SECTION 132. In Colorado Revised Statutes, 12-265-106, **amend** (5) as follows:

12-265-106. Board of examiners of nursing home administrators - creation - subject to termination. (5) The board ~~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 by this article 265 under the department, the executive director, and the division. ~~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.~~

SECTION 133. In Colorado Revised Statutes, 12-275-107, **amend** (1)(a) as follows:

12-275-107. State board of optometry - created - members. (1) (a) The state board of optometry, referred to in this article 275 as the "board", is ~~hereby~~ created and is under the supervision and control of the division as provided by section 12-20-103 (2). THE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board consists of five optometrists and two members-at-large, to be appointed by the governor to serve for terms of four years; except that no person shall be appointed to serve more than two consecutive terms. Each member of the board, except for the members-at-large, must have been actually engaged and licensed in the practice of optometry in Colorado for the five years preceding the member's appointment. At least one of the two members-at-large must not be a member or representative of, nor have any direct interest in, any profession, agency, or institution providing health services.

SECTION 134. In Colorado Revised Statutes, 12-280-104, **amend** (2) as follows:

12-280-104. State board of pharmacy - creation - subject to review - repeal of parts. (2) The board ~~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 by this article 280 under the department and the executive director. ~~as if the same were transferred to the department by a type 1 transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24.~~

SECTION 135. In Colorado Revised Statutes, 12-285-104, **amend** (3) as follows:

12-285-104. Definitions. As used in this article 285, unless the context otherwise requires:

(3) "Board" means the STATE physical therapy board created in section 12-285-105.

SECTION 136. In Colorado Revised Statutes, 12-285-105, **amend** (1)(b) as follows:

12-285-105. State physical therapy board - created. (1) (b) The board ~~exercises its powers and performs its duties and functions under the division as if the powers, duties, and functions were transferred to the division by a type 1 transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DIVISION. The division shall provide necessary management support to the board under section 12-20-103 (2).

SECTION 137. In Colorado Revised Statutes, 12-290-106, **amend** (1) introductory portion as follows:

12-290-106. Powers and duties of board - limitation on authority - rules. (1) The board shall regulate the practice of podiatry AND IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The board ~~shall exercise~~ EXERCISES, subject to ~~the provisions of~~ this article 290, the following powers, ~~and~~ duties, AND FUNCTIONS:

SECTION 138. In Colorado Revised Statutes, 12-315-106, **add** (1.5) as follows:

12-315-106. Board of veterinary medicine - creation - powers - rules. (1.5) THE STATE BOARD OF VETERINARY MEDICINE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 139. In Colorado Revised Statutes, 24-34-302, **amend** (1) as follows:

24-34-302. Civil rights division - director - powers and duties. (1) There is ~~hereby~~ created ~~within~~ IN the department of regulatory agencies a division of state government ~~to be known and~~ designated as the Colorado

civil rights division, the head of which ~~shall be~~ IS the director of the Colorado civil rights division. The director ~~shall be~~ IS appointed by the executive director of the department of regulatory agencies pursuant to section 13 of article XII of the state constitution, and the executive director shall give good faith consideration to the recommendations of the commission prior to making the appointment. THE COLORADO CIVIL RIGHTS DIVISION AND THE DIRECTOR OF THE COLORADO CIVIL RIGHTS DIVISION ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 140. In Colorado Revised Statutes, 24-34-303, **amend** (1)(a) as follows:

24-34-303. Civil rights commission - membership. (1) (a) There is ~~hereby~~ created ~~within~~ IN the division the Colorado civil rights commission. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 141. In Colorado Revised Statutes, 40-2-101, **amend** (1) as follows:

40-2-101. Creation - appointment - term - subject to termination - repeal of part. (1) (a) A public utilities commission is ~~hereby~~ created IN THE DEPARTMENT OF REGULATORY AGENCIES, which ~~shall be~~ IS known as the public utilities commission of the state of Colorado. ~~to consist~~ THE PUBLIC UTILITIES COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

(b) THE PUBLIC UTILITIES COMMISSION CONSISTS of three members ~~who shall be~~ appointed by the governor with the consent of the senate. Persons holding office on July 1, 1993, shall continue to serve in such office, but the term of one of these persons shall expire on the Monday preceding the second Tuesday of January, 1995, of another, the Monday preceding the second Tuesday of January, 1996, and of the third, the Monday preceding the second Tuesday of January, 1997, all as the governor shall designate; except that such designation shall not result in the extension of the term of any member to more than four years' duration. Thereafter, appointments shall be made for terms of four years.

SECTION 142. In Colorado Revised Statutes, 40-2-103, **amend** (1) as follows:

40-2-103. Director - duties. (1) The executive director of the department of regulatory agencies, pursuant to section 13 of article XII of the state constitution, and with the approval of the commission, shall appoint a director of the commission. The director shall manage the operations of the agency in order to carry out the public utilities law, to carry out and implement policies, procedures, and decisions made by the commission, and to meet the requirements of the commission concerning any matters within the authority of ~~an agency transferred by a type 1 transfer~~ ENTITY, as defined in section 24-1-105, C.R.S., and which requirements are under the jurisdiction of the commission. The director has all the powers and responsibilities of the division director for this purpose, including the power to issue all necessary process, writs, warrants, and notices. The director has the requisite power to serve warrants and other process in any county or city and county of this state and to delegate such actions to duly authorized employees or agents of the agency as appropriate.

SECTION 143. In Colorado Revised Statutes, 40-6.5-102, **amend** (2) and (3)(a) as follows:

40-6.5-102. Office of the utility consumer advocate and utility consumers' board - creation - appointment - attorney general to represent. (2) The office ~~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 6.5 under the department of regulatory agencies. ~~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.~~

(3) (a) The utility consumers' board ~~which is hereby created~~ AND shall guide the policy of the office. The board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and perform its duties and functions specified in this article 6.5 under the department of regulatory agencies and the executive director. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24.~~

SECTION 144. In Colorado Revised Statutes, 24-1-123, **amend** (2), (3), (4) introductory portion, (4)(a), (4)(b), (4)(c), (4)(d), (4)(e), (4)(g)(I), (4)(h), (4)(i), (5), (6), and (7) as follows:

24-1-123. Department of agriculture - creation. (2) The state agricultural commission, created by IN article 1 of title 35, C.R.S., and its powers, duties, and functions are transferred by a **type 1** transfer to the department of agriculture IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

(3) The state department of agriculture and the office of commissioner of agriculture, created by IN article 1 of title 35, C.R.S., and their powers, duties, and functions are transferred by a **type 2** transfer to the department of agriculture ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

(4) The department of agriculture shall consist CONSISTS of the following divisions:

(a) THE division of markets, the head of which shall be IS the director of the division of markets. The division of markets and the office of chief THE DIRECTOR thereof, created by IN article 1 of title 35, C.R.S., and their powers, duties, and functions are transferred by a **type 2** transfer to the department of agriculture as the division of markets ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

(b) THE division of plant industry, the head of which shall be IS the director of the division of plant industry. The division of plant industry and the office of chief THE DIRECTOR thereof, created by IN article 1 of title 35, C.R.S., and their powers, duties, and functions are transferred by a **type 2** transfer to the department of agriculture as the division of plant industry ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

(c) (I) THE division of animal industry HEALTH, the head of which shall be IS the director of the division of animal industry HEALTH. The division of animal industry HEALTH and the office of chief THE DIRECTOR thereof, created by IN article 1 of title 35, C.R.S., and their powers, duties, and functions are transferred by a **type 2** transfer to the department of agriculture as the division of animal industry ARE **TYPE 2** ENTITIES, AS

DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

(II) The state bureau of animal protection, created by IN article 42 of title 35, ~~C.R.S., and its powers, duties, and functions are transferred by a type 2 transfer to the department of agriculture and allocated to the division of animal industry as a section thereof~~ THE STATE BUREAU OF ANIMAL PROTECTION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. THE STATE BUREAU OF ANIMAL PROTECTION EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE AND IS ALLOCATED TO THE DIVISION OF ANIMAL INDUSTRY AS A SECTION THEREOF.

(d) ~~Division of~~ THE administrative services DIVISION, the head of which ~~shall be~~ IS the director of THE administrative services division. The division of administrative services and the office of ~~chief~~ THE DIRECTOR thereof, created by IN article 1 of title 35, ~~C.R.S., and their powers, duties, and functions are transferred by a type 2 transfer to the department of agriculture as the division of administrative services~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

(e) THE division of inspection and consumer services, the head of which ~~shall be~~ IS the director of THE DIVISION OF inspection and consumer services. ~~division.~~ The division of inspection and consumer services and the office of ~~chief~~ THE DIRECTOR thereof, created by IN article 1 of title 35, ~~C.R.S., and their powers, duties, and functions are transferred by a type 2 transfer to the department of agriculture as the division of inspection and consumer services.~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

(g) (I) THE division of brand inspection, the head of which ~~shall be~~ IS the brand commissioner. The state board of stock inspection commissioners and the office of brand commissioner, created by IN article 41 of title 35, ~~C.R.S., and their powers, duties, and functions are transferred by a type 1 transfer to the department of agriculture as a part of the division of brand inspection~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS

UNDER THE DEPARTMENT OF AGRICULTURE AS A PART OF THE DIVISION OF BRAND INSPECTION.

(h) (I) The Colorado state fair authority, the head of which ~~shall be~~ IS the manager of the Colorado state fair and industrial exposition. The Colorado state fair authority and the office of THE manager of the Colorado state fair and industrial exposition, created by IN part 4 of article 65 of title 35, ~~C.R.S., shall exercise their powers duties and functions as a division of the department of agriculture as if the same were transferred by a type 1 transfer to the department of agriculture~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS AS A DIVISION OF THE DEPARTMENT OF AGRICULTURE.

(II) The Colorado state fair authority ~~shall include~~ INCLUDES the board of commissioners of the Colorado state fair authority, created by IN part 4 of article 65 of title 35. ~~C.R.S., which shall exercise~~ THE BOARD OF COMMISSIONERS OF THE COLORADO STATE FAIR AUTHORITY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions as specified by law under the department of agriculture as a part of the Colorado state fair authority. ~~as if the same were transferred by a type 1 transfer.~~

(i) The state conservation board, created in article 70 of title 35. ~~C.R.S. All its powers, duties, and functions are transferred by a type 1 transfer to the department of agriculture as a division thereof~~ THE STATE CONSERVATION BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE AS A DIVISION THEREOF. The employees of the state conservation board appointed pursuant to section 35-70-103 ~~(5)(g), C.R.S.,~~ are transferred to the department of agriculture. ~~by a type 2 transfer.~~

(5) The Colorado wine industry development board, created by IN article 29.5 of title 35, ~~C.R.S., and its powers, duties, and functions are transferred as if by a type 1 transfer to the department of agriculture~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF AGRICULTURE.

(6) The aquaculture board, created by IN article 24.5 of title 35, C.R.S., ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions as specified by law under the department of agriculture and the ~~executive director~~ COMMISSIONER thereof. ~~as if the same were transferred to the department by a type 2 transfer.~~

(7) The Colorado agricultural value-added development board, created in section 35-75-203, C.R.S., ~~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 as specified by law under the department. ~~as if the same were transferred to the department by a type 1 transfer.~~

SECTION 145. In Colorado Revised Statutes, 35-1-105, **amend** (1)(a) as follows:

35-1-105. State agricultural commission - creation - composition.

(1) (a) There is ~~hereby~~ created the state agricultural commission, referred to in this ~~article~~ ARTICLE 1 as the "commission", which ~~shall consist~~ CONSISTS of nine members ~~each of whom shall be~~ appointed by the governor, with the consent of the senate, for terms of four years each. Of such members, one member ~~shall~~ MUST be appointed from each of the four agricultural districts, as defined in ~~paragraph (c) of this subsection (1)~~ SUBSECTION (1)(c) OF THIS SECTION, and five members ~~shall~~ MUST be appointed from the state at large; except that no more than three members ~~shall~~ MAY be appointed from any one agricultural district. No more than five of the nine members ~~shall~~ MAY be members of the same political party. THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 146. In Colorado Revised Statutes, **amend** 35-1-108 as follows:

35-1-108. Divisions created. There is ~~hereby~~ created in the department an administrative services division, a division of plant industry, a division of animal ~~industry~~ HEALTH, a division of markets, and a division of inspection and consumer services. THESE DIVISIONS ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 147. In Colorado Revised Statutes, 35-24.5-104, **amend** (6) as follows:

35-24.5-104. Aquaculture board. (6) The board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions specified in this ~~article~~ ARTICLE 24.5 under the department and the executive director thereof. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 148. In Colorado Revised Statutes, 35-29.5-103, **amend** (1) as follows:

35-29.5-103. Colorado wine industry development board - creation - members. (1) There is ~~hereby~~ established a Colorado wine industry development board in the department of agriculture for the purpose of encouraging and promoting viticultural and enological research and experimentation to develop maximum yields and quality from Colorado lands suitable to the production of grapes for commercial wine production, to promote the marketing of wines and wine grapes produced in Colorado, to promote the responsible consumption of all wines, to promote the integration of the Colorado wine industry as a component of the state's tourism program, and to serve as a resource for the entire wine industry of Colorado. The board ~~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 by this ~~article~~ ARTICLE 29.5 under the department of agriculture. ~~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 149. In Colorado Revised Statutes, 35-41-101, **amend** (4) as follows:

35-41-101. State board of stock inspection commissioners - creation - brand commissioner - enterprise - bonds. (4) The state board of stock inspection commissioners and the office of brand commissioner created by IN this section ~~shall comprise a part of~~ ARE PART OF the division of brand inspection in the department of agriculture. THE STATE BOARD OF STOCK INSPECTION COMMISSIONERS AND THE OFFICE OF BRAND COMMISSIONER ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 150. In Colorado Revised Statutes, **amend** 35-42-105

as follows:

35-42-105. State bureau of animal protection - creation. There is hereby created IN THE DEPARTMENT OF AGRICULTURE the state bureau of animal protection, referred to in this ~~article~~ ARTICLE 42 as the "bureau". THE BUREAU IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 151. In Colorado Revised Statutes, 35-65-401, **amend** (1)(a) and (2)(b) as follows:

35-65-401. Colorado state fair authority - creation - board - powers and duties. (1) (a) The Colorado state fair authority, as it existed prior to June 30, 1997, is abolished. There is hereby created the Colorado state fair authority ~~which is created within~~ IN the department of agriculture as a division thereof. The Colorado state fair authority ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers AND PERFORMS ITS duties and functions under the department of agriculture. ~~as if it were transferred to said department by a type 1 transfer under the provisions of the "Administrative Organization Act of 1968".~~

(2) (b) There is hereby created the board of commissioners of the Colorado state fair authority, which ~~shall have~~ CONSISTS OF eleven members, ten of whom ~~shall be~~ ARE appointed by the governor with the consent of the senate and one who ~~shall be~~ IS the commissioner of agriculture or his or her designee. At no time ~~shall~~ MAY more than six members of the board be affiliated with the same political party as the governor. ~~Within thirty days after June 30, 1997, the governor shall appoint the initial members of the board. The governor may appoint, as a member of the board, any person who was a member of the board prior to its termination.~~ THE BOARD OF COMMISSIONERS OF THE COLORADO STATE FAIR AUTHORITY IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 152. In Colorado Revised Statutes, 35-65-403, **amend** (2) as follows:

35-65-403. Office of manager of the Colorado state fair authority - creation. (2) The manager ~~shall be~~ IS the chief administrative head of the Colorado state fair authority under the direction and supervision of the board; ~~and shall have~~ HAS general supervision and control of all activities, functions, and employees of the Colorado state fair authority; and

shall exercise all necessary powers incident thereto. The manager shall exercise all the powers and functions of the board in the interim of its meetings and shall perform such other duties as ~~may be~~ prescribed by the board or by law. THE OFFICE OF MANAGER IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 153. In Colorado Revised Statutes, 35-70-103, **amend** (1)(a) introductory portion as follows:

35-70-103. State conservation board - composition - powers. (1) (a) There is ~~hereby~~ created in the department of agriculture the state conservation board, referred to in this ~~article~~ ARTICLE 70 as the "state board", which ~~shall consist~~ CONSISTS of nine members. THE STATE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. One member ~~shall~~ OF THE STATE BOARD MUST be a qualified elector of the state appointed by the governor from the state at large for a term commencing January 1, 1974. The remaining eight positions on the state board shall be filled by elections held within the areas described in this section. The boards of supervisors of local conservation districts within each such area shall elect the number of members specified in this subsection (1) between November 1 and December 31 in 1973 for terms commencing January 1, 1974, and within such dates in succeeding years as necessary to fill expiring terms. A candidate ~~shall~~ MUST be or ~~shall~~ have been an elected supervisor of a local conservation district. The number of members to be elected and the areas from which they are to be elected are as follows:

SECTION 154. In Colorado Revised Statutes, 35-75-203, **amend** (1) as follows:

35-75-203. Colorado agricultural value-added development board - creation - members. (1) There is ~~hereby~~ created ~~within~~ IN the department the Colorado agricultural value-added development board for the purpose of encouraging and promoting agricultural business projects that add value to agricultural products and aid the economies of rural communities. THE COLORADO AGRICULTURAL VALUE-ADDED DEVELOPMENT BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 155. In Colorado Revised Statutes, 24-1-124, **amend** (2), (2.1) introductory portion, (2.1)(a), (2.1)(c), (3)(a), (3)(b), (3)(d), (3)(e) introductory portion, (3)(e)(I), (3)(e)(II), (3)(e)(III), (3)(f), (3)(j), (3)(k), (4)

introductory portion, (4)(a), (4)(b), (4)(c), and (4)(d) as follows:

24-1-124. Department of natural resources - creation - divisions.

(2) The office of ~~natural resources coordinator~~ THE EXECUTIVE DIRECTOR, created by IN article 33 of this title, ~~and its powers, duties, and functions are transferred by a type 2 transfer to the department of natural resources~~ TITLE 24, 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 NATURAL RESOURCES.

(2.1) The department of natural resources ~~shall include~~ INCLUDES, as a part of the office of the executive director:

(a) The office of commissioner of mines, created by IN section 1 of article XVI of the state constitution. ~~Its powers, duties, and functions are transferred by a type 2 transfer to the office of the executive director of the department of natural resources.~~ THE OFFICE OF COMMISSIONER OF MINES 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 NATURAL RESOURCES.

(c) The Colorado avalanche information center, created pursuant to section 24-33-116. ~~The powers, duties, and functions are transferred by a type 2 transfer to the department of natural resources and allocated to the office of the executive director~~ COLORADO AVALANCHE INFORMATION CENTER 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 NATURAL RESOURCES.

(3) The department of natural resources consists of the following divisions:

(a) THE division of water resources, the head of which ~~shall be~~ IS the state engineer, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION;

(b) The Colorado water conservation board and the office of director thereof, created by IN article 60 of title 37. C.R.S. ~~Their powers, duties, and functions are transferred by a type 1 transfer to the department of natural resources as a division thereof.~~ THE COLORADO WATER CONSERVATION BOARD AND THE OFFICE OF THE DIRECTOR ARE **TYPE 1** ENTITIES, AS DEFINED

IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AS A DIVISION THEREOF.

(d) The state board of land commissioners, created by IN section 9 of article IX of the state constitution. ~~Its powers, duties, and functions are transferred by a type 1 transfer to the department of natural resources as a division thereof, subject to the state constitution.~~ THE STATE BOARD OF LAND COMMISSIONERS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AS A DIVISION THEREOF, SUBJECT TO THE STATE CONSTITUTION.

(e) The division of reclamation, mining, and safety, created by IN section 34-20-103, ~~C.R.S.~~, the head of which ~~shall be~~ IS the director of the division of reclamation, mining, and safety, under the supervision of the executive director of the department of natural resources. ~~Said~~ THE division and director ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers AND PERFORM THEIR duties and functions as prescribed by law under the department of natural resources and the executive director thereof. ~~as if the same were transferred to the department by a type 2 transfer.~~ The division of reclamation, mining, and safety ~~shall include~~ INCLUDES the following:

(I) The coal mine board of examiners, created by IN article 22 of title 34. ~~C.R.S.~~ ~~Its powers, duties, and functions are transferred by a type 2 transfer to the department of natural resources as a section of the division of reclamation, mining, and safety.~~ THE COAL MINE BOARD OF EXAMINERS 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 NATURAL RESOURCES AS A SECTION OF THE DIVISION OF RECLAMATION, MINING, AND SAFETY.

(II) The mined land reclamation board and the office of mined land reclamation, created by IN article 32 of title 34. ~~C.R.S.~~ The mined land reclamation board ~~and its powers, duties, and functions are transferred by a type 1 transfer to the department of natural resources and allocated to the division of reclamation, mining, and safety~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND IS

ALLOCATED TO THE DIVISION OF RECLAMATION, MINING, AND SAFETY. The office of mined land reclamation ~~shall exercise its powers, duties, and functions as if the same were transferred to the department of natural resources and allocated to the division of reclamation, mining, and safety as a section thereof.~~ by a **type 2** transfer 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 NATURAL RESOURCES AND IS ALLOCATED TO THE DIVISION OF RECLAMATION, MINING, AND SAFETY AS A SECTION THEREOF.

(III) The office of active and inactive mines, created by IN article 21 of title 34. C.R.S. ~~Said office shall exercise its powers, duties, and functions as prescribed by law under the division of reclamation, mining, and safety as if the same were transferred to the department of natural resources and allocated to the division of reclamation, mining, and safety as a section thereof~~ by a **type 2** transfer THE OFFICE OF ACTIVE AND INACTIVE MINES IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS AS PRESCRIBED BY LAW UNDER THE DEPARTMENT OF NATURAL RESOURCES AND IS ALLOCATED TO THE DIVISION OF RECLAMATION, MINING, AND SAFETY AS A SECTION THEREOF.

(f) The oil and gas conservation commission of the state of Colorado and the office of the director thereof, created by IN article 60 of title 34. C.R.S. ~~Said commission and office and the powers, duties, and functions thereof are transferred by a type 1 transfer to the department of natural resources as a division thereof~~ THE OIL AND GAS CONSERVATION COMMISSION OF THE STATE OF COLORADO AND THE OFFICE OF THE DIRECTOR ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AS A DIVISION THEREOF.

(j) The division of forestry, created in section 24-33-201 (1), the head of which ~~shall be~~ IS the state forester, appointed pursuant to section 23-31-207. C.R.S. ~~The division of forestry and the state forester shall exercise their powers, duties, and functions as prescribed by law under the department of natural resources and the executive director thereof as if the same were transferred to the department by a type 2 transfer~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS AS PRESCRIBED BY LAW UNDER

THE DEPARTMENT OF NATURAL RESOURCES AND THE EXECUTIVE DIRECTOR THEREOF.

(k) (I) (A) The parks and wildlife commission, created in article 9 of title 33. ~~C.R.S.~~ The powers, duties, and functions of the PARKS AND WILDLIFE COMMISSION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE wildlife commission and the board of parks and outdoor recreation. ~~are transferred by a type 1 transfer to the parks and wildlife commission as powers, duties, and functions of the parks and wildlife commission.~~ THE PARKS AND WILDLIFE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

(B) The parks and wildlife commission includes, as an advisory council, the Colorado natural areas council created ~~by~~ IN article 33 of title 33. ~~C.R.S.~~

(II) (A) The division of parks and wildlife, the head of which is the director of the division of parks and wildlife, CREATED IN SECTION 33-9-104. The division of parks and wildlife and the office of the director of the division of parks and wildlife ~~are transferred by a type 1 transfer to the department of natural resources~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105.

(B) The division of parks and wildlife includes the fish health board created ~~by~~ IN article 5.5 of title 33. ~~C.R.S.~~ The fish health board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions as specified by law under the department of natural resources and the executive director of the department of natural resources. ~~as if the same were transferred to the department by a type 2 transfer.~~

(4) The division of water resources ~~shall include~~ INCLUDES the following:

(a) The office of THE state engineer, created ~~by~~ IN article 80 of title 37. ~~C.R.S.~~ ~~Said office and its powers, duties, and functions are transferred by a type 1 transfer to the department of natural resources and allocated to the division of water resources as a section thereof~~ THE OFFICE OF THE STATE ENGINEER IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER

THE DEPARTMENT OF NATURAL RESOURCES AND IS ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION THEREOF.

(b) The division engineers, created by IN part 2 of article 92 of title 37. ~~C.R.S. Said engineers and their powers, duties, and functions are transferred by a type 1 transfer to the department of natural resources and allocated to the division of water resources as a section thereof~~ THE DIVISION ENGINEERS ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND ARE ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION THEREOF.

(c) The ground water commission, created by IN article 90 of title 37. ~~C.R.S. Said commission and its powers, duties, and functions are transferred by a type 1 transfer to the department of natural resources, and allocated to the division of water resources as a section thereof~~ THE GROUND WATER COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND IS ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION THEREOF.

(d) The state board of examiners of water well construction and pump installation contractors, created by IN article 91 of title 37. ~~C.R.S. Said board and its powers, duties, and functions are transferred by a type 1 transfer to the department of natural resources and allocated to the division of water resources as a section thereof~~ THE STATE BOARD OF EXAMINERS OF WATER WELL CONSTRUCTION AND PUMP INSTALLATION CONTRACTORS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES AND IS ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION THEREOF.

SECTION 156. In Colorado Revised Statutes, 24-33-116, **amend** (1) as follows:

24-33-116. Colorado avalanche information center - creation - duties - fund - repeal. (1) There is ~~hereby~~ created in the department of natural resources IN THE OFFICE OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, the Colorado avalanche information center to promote safety by reducing the impact of avalanches on recreation, industry, and

transportation in the state through a program of avalanche forecasting and education. THE COLORADO AVALANCHE INFORMATION CENTER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 157. In Colorado Revised Statutes, 24-33-201, **amend** (1) as follows:

24-33-201. Division of forestry - creation - state forest service agreement. (1) There is ~~hereby~~ created the division of forestry in the department of natural resources. THE DIVISION OF FORESTRY IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The executive director of the department of natural resources shall enter into an agreement with Colorado state university, through the board of governors of the Colorado state university system, to cooperate in the state's efforts to improve the management and health of Colorado's forests and to provide staff for the division of forestry.

SECTION 158. In Colorado Revised Statutes, 33-5.5-101, **amend** (6) as follows:

33-5.5-101. Fish health board - created. (6) The fish health board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions specified in this ~~article~~ ARTICLE 5.5 under the department and the executive director thereof. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 159. In Colorado Revised Statutes, 33-9-101, **amend** (9) as follows:

33-9-101. Commission - creation - composition - terms - vacancies - removal - meetings - strategic plan - legislative declaration. (9) The 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 under the department and the executive director of the department. ~~as if the same were transferred to the department by a type 1 transfer, as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 160. In Colorado Revised Statutes, 33-9-104, **amend** (2) as follows:

33-9-104. Division of parks and wildlife - creation - duties.

(2) The division ~~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 ~~title~~ TITLE 33 under the department of natural resources and the executive director thereof. ~~as if the same were transferred to the department by a type 1 transfer as defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~ The division has all the powers, duties, obligations, and functions previously exercised by the division of wildlife or the division of parks and outdoor recreation, as those divisions existed on June 30, 2011.

SECTION 161. In Colorado Revised Statutes, 34-20-103, **amend** (1) as follows:

34-20-103. Division of reclamation, mining, and safety - creation - powers and duties - transfer of functions and property - change of statutory references. (1) There is ~~hereby~~ created the division of reclamation, mining, and safety in the department of natural resources. Pursuant to section 13 of article XII of the state constitution, the executive director of the department of natural resources shall appoint the director of the division of reclamation, mining, and safety, and the director shall appoint such employees as are necessary to carry out the duties and exercise the powers conferred by law upon the division and the director. Appointing authority for such employees may be delegated by the director to the heads of the offices in the division as appropriate. THE DIVISION OF RECLAMATION, MINING, AND SAFETY AND THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF NATURAL RESOURCES.

SECTION 162. In Colorado Revised Statutes, 34-21-101, **amend** (1) introductory portion as follows:

34-21-101. Office of active and inactive mines - creation - duties.

(1) There is ~~hereby~~ created in the division of reclamation, mining, and safety in the department of natural resources the office of active and inactive mines, the head of which ~~shall be~~ IS appointed by the director of the

division. THE OFFICE OF ACTIVE AND INACTIVE MINES 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 NATURAL RESOURCES. The office ~~shall have~~ HAS the following duties:

SECTION 163. In Colorado Revised Statutes, 34-22-102, **add** (5) as follows:

34-22-102. Board of examiners - created - duties - members.

(5) THE COAL MINE BOARD OF EXAMINERS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 164. In Colorado Revised Statutes, 34-32-105, **amend** (1) and (3) as follows:

34-32-105. Office of mined land reclamation - mined land reclamation board - created. (1) There is ~~hereby~~ created, in the division of reclamation, mining, and safety in the department of natural resources, the office of mined land reclamation and, in the department of natural resources, the mined land reclamation board. The head of the office of mined land reclamation ~~shall be~~ IS appointed by the director. The head of the office of mined land reclamation ~~shall~~ MUST have professional and supervisory experience in mined land reclamation, mining, or natural resource planning and management. THE OFFICE OF MINED LAND RECLAMATION IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

(3) The MINED LAND RECLAMATION board ~~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~~ ARTICLE 32 under the department. ~~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 165. In Colorado Revised Statutes, 34-60-104.3, **amend** (1) as follows:

34-60-104.3. Oil and gas conservation commission - report - publication. (1) There is ~~hereby~~ created, in the department of natural resources, the oil and gas conservation commission. THE OIL AND GAS CONSERVATION COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION

24-1-105.

SECTION 166. In Colorado Revised Statutes, 34-60-104.5, **amend** (1) as follows:

34-60-104.5. Director of commission - duties. (1) Pursuant to section 13 of article XII of the state constitution, the executive director of the department of natural resources shall appoint a director of the commission who ~~shall~~ **MUST** possess such qualifications as may be established by the executive director, the commission, and the state personnel board. THE DIRECTOR OF THE COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 167. In Colorado Revised Statutes, **amend** 37-60-102 as follows:

37-60-102. Colorado water conservation board - creation. For the purpose of aiding in the protection and development of the waters of the state AND for the benefit of the present and future inhabitants of the state, there is created a Colorado water conservation board with the powers and duties set out in this ~~article~~. ~~Said~~ ARTICLE 60. THE board is ~~declared to be~~ an agency of the state, and the functions it is to perform, as set out in this ~~article~~ ARTICLE 60, are ~~declared to be~~ governmental functions for the welfare and benefit of the state and its inhabitants. THE COLORADO WATER CONSERVATION BOARD IS A DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES AND IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 168. In Colorado Revised Statutes, **add** 37-80-101.5 as follows:

37-80-101.5. Office of the state engineer. THE OFFICE OF THE STATE ENGINEER IS CREATED IN THE DIVISION OF WATER RESOURCES IN THE DEPARTMENT OF NATURAL RESOURCES AND IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 169. In Colorado Revised Statutes, 37-90-104, **amend** (1) as follows:

37-90-104. Commission - organization - expenses. (1) There is created a ground water commission to consist of twelve members, nine of

whom shall be appointed by the governor and confirmed by the senate. THE GROUND WATER COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 170. In Colorado Revised Statutes, 37-91-103, **amend** (1) as follows:

37-91-103. State board of examiners of water well construction and pump installation contractors. (1) There is created, ~~under~~ IN the division of water resources in the department of natural resources, a state board of examiners of water well construction and pump installation contractors, consisting of five members and comprised of the following persons: The state engineer or a representative designated by ~~him~~ THE STATE ENGINEER; a representative of the department of PUBLIC health AND ENVIRONMENT designated by the executive director of the department; and three members appointed by the governor, two of whom ~~shall~~ MUST be well construction contractors or pump installation contractors, each with a minimum of ten years' experience in the well construction or pump installation business preceding ~~his~~ THE INDIVIDUAL'S appointment, and one of whom ~~shall~~ MUST be an engineer or geologist with a minimum of ten years' experience in water supply and well construction preceding ~~his~~ THE INDIVIDUAL'S appointment. THE STATE BOARD OF EXAMINERS OF WATER WELL CONSTRUCTION AND PUMP INSTALLATION CONTRACTORS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 171. In Colorado Revised Statutes, 37-92-202, **amend** (1)(a) as follows:

37-92-202. Division engineers. (1) (a) The state engineer, with the approval of the executive director of the department of natural resources, shall appoint one division engineer for each division. THE DIVISION ENGINEERS ARE ALLOCATED TO THE DIVISION OF WATER RESOURCES AS A SECTION OF THE DIVISION. THE DIVISION ENGINEERS ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. Each division engineer ~~shall~~ MUST be a licensed professional engineer and ~~shall~~ MUST have such additional qualifications as may be specified from time to time by the state engineer. The state engineer, with the approval of said executive director, may employ such assistants and staff members as are necessary to enable each division engineer to carry out ~~his or her~~ THE DIVISION ENGINEER'S duties.

SECTION 172. In Colorado Revised Statutes, 24-1-125, **amend** (2) introductory portion, (2)(a), (2)(b), (2)(c)(I), (2)(f), (2)(g), (2)(i), (2)(k), (3), and (4); and **add** (10) and (11) as follows:

24-1-125. Department of local affairs - creation. (2) The department of local affairs ~~shall consist~~ CONSISTS of the following divisions:

(a) (I) THE division of local government, the head of which ~~shall be~~ IS the director of local government. The division of local government and the office of the director ~~thereof~~ OF LOCAL GOVERNMENT, created by IN part 1 of article 32 of this title 24, ~~and their powers, duties, and functions are transferred by a type 2 transfer to the department of local affairs as the division of local government~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

(II) The division of local government includes the Colorado resiliency office, the head of which is the director of the Colorado resiliency office. The Colorado resiliency office ~~exercises its powers, duties, and functions under the division and the department as~~ IS a **type 2** entity, as defined in section 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DIVISION OF LOCAL GOVERNMENT AND THE DEPARTMENT OF LOCAL AFFAIRS.

(b) THE division of property taxation, the head of which ~~shall be~~ IS the property tax administrator, ~~The rule-making, administrative, and enforcement powers, duties, and functions, except as provided in subsection (3) of this section, of the Colorado tax commission are transferred by a type 1 transfer to the department of local affairs, and said powers, duties, and functions shall be exercised or performed by the property tax administrator or the division of property taxation as is otherwise provided by law~~ CREATED IN SECTION 39-2-101. THE DIVISION OF PROPERTY TAXATION AND THE PROPERTY TAX ADMINISTRATOR ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105. EXCEPT FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE FORMER COLORADO TAX COMMISSION THAT ARE VESTED WITH THE BOARD OF ASSESSMENT APPEALS PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE POWERS, DUTIES, AND FUNCTIONS OF THE PROPERTY TAX ADMINISTRATOR AND THE DIVISION OF PROPERTY TAXATION, AS IS OTHERWISE PROVIDED IN LAW, INCLUDE THE RULE-MAKING,

ADMINISTRATIVE, AND ENFORCEMENT POWERS, DUTIES, AND FUNCTIONS OF THE FORMER COLORADO TAX COMMISSION.

(c) (I) THE division of commerce and development, the head of which ~~shall be~~ IS the director of commerce and development. The division of commerce and development and the office of THE director thereof, created by IN part 3 of article 32 of this title, ~~and their powers, duties, and functions are transferred by a type 2 transfer to the department of local affairs as the division of commerce and development~~ TITLE 24, ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

(f) The division of housing, created by IN the "Colorado Housing Act of 1970", part 7 of article 32 of this title. ~~Its powers, duties, and functions are transferred by a type 1 transfer to the department of local affairs as a division thereof~~ TITLE 24. THE DIVISION OF HOUSING IS A TYPE 1 ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

(g) THE division of planning, the head of which ~~shall be~~ IS the director of the division of planning. The division of planning and the office of THE director, ~~thereof~~, created by IN part 2 of article 32 of this title, ~~and their powers, duties, and functions are transferred by a type 2 transfer to the department of local affairs as a division thereof~~ TITLE 24, ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

(i) THE office of rural development, the head of which ~~shall be~~ IS the coordinator of rural development. The office of rural development and the position of coordinator of rural development, created by IN part 8 of article 32 of this title ~~and their powers, duties, and functions are transferred by a type 2 transfer to the department of local affairs~~ TITLE 24, ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF LOCAL AFFAIRS.

(k) The office of the Colorado youth service corps, created by IN

part 20 of article 32 of this title, ~~shall exercise~~ TITLE 24. THE OFFICE OF THE COLORADO YOUTH SERVICE CORPS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department of local affairs. ~~as if the same were transferred to said department by a type 2 transfer.~~

(3) The board of assessment appeals, created ~~by~~ IN article 2 of title 39, ~~C.R.S., shall be~~ IS vested with the quasi-judicial powers, duties, and functions of the FORMER Colorado tax commission, ~~which board shall constitute~~ AND CONSTITUTES a part of the department of local affairs. ~~and said board is transferred by a type 1 transfer to the department of local affairs~~ THE BOARD OF ASSESSMENT APPEALS IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

(4) The advisory committee to the property tax administrator, created ~~by~~ IN article 2 of title 39, ~~C.R.S., shall constitute~~ CONSTITUTES a part of the department of local affairs ~~and shall exercise.~~ THE ADVISORY COMMITTEE TO THE PROPERTY TAX ADMINISTRATOR IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department. ~~as if it were transferred to said department by a type 1 transfer.~~

(10) THE OFFICE OF SMART GROWTH, CREATED IN SECTION 24-32-3203, IN THE DEPARTMENT OF LOCAL AFFAIRS 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.

(11) THE OFFICE OF HOMELESS YOUTH SERVICES IS CREATED IN THE DEPARTMENT PURSUANT TO SECTION 24-32-723.

SECTION 173. In Colorado Revised Statutes, **amend** 24-32-103 as follows:

24-32-103. Division of local government - created. There is ~~hereby~~ created, as a division of the department of local affairs, the division of local government. The ~~division shall be in the charge of a director who shall be appointed by the~~ executive director of the department SHALL APPOINT A DIRECTOR TO BE THE HEAD OF THE DIVISION. The director, and any assistants and employees of the division, ~~shall be~~ ARE appointed pursuant to section 13 of article XII of the state constitution. THE DIVISION AND THE OFFICE OF

THE DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 174. In Colorado Revised Statutes, 24-32-121, **amend** (1) as follows:

24-32-121. Colorado resiliency office - creation - director - repeal. (1) The Colorado resiliency office is created in the division of local government within the department of local affairs. The head of the office is the director of the Colorado resiliency office. The director of the division of local government shall appoint the director of the office in accordance with section 13 of article XII of the state constitution. The office ~~exercises its powers~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS duties and functions under the division and the department. ~~as a type 2 entity, as defined in section 24-1-105.~~

SECTION 175. In Colorado Revised Statutes, 24-32-202, **amend** (2) as follows:

24-32-202. Division of planning - creation. (2) The division of planning and the office of the director ~~thereof shall exercise~~ OF THE DIVISION OF PLANNING ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers and perform their duties and functions specified by this part 2 under the department of local affairs and the executive director thereof. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", being article 1 of this title.~~

SECTION 176. In Colorado Revised Statutes, **amend** 24-32-301 as follows:

24-32-301. Division of commerce and development - creation - director - assistants. There is ~~hereby~~ created a division in the department of local affairs to be known as the division of commerce and development, referred to in this part 3 as the "division". The ~~division shall be in the charge of a director, who shall be appointed by the~~ executive director of the department SHALL APPOINT A DIRECTOR OF THE DIVISION. The director shall appoint ~~such~~ assistants and clerical employees as ~~may be deemed~~ necessary to effectively administer this part 3. The director, ~~and such~~ assistants, and employees ~~shall be~~ ARE appointed pursuant to section 13 of article XII of

the state constitution. THE DIVISION AND THE OFFICE OF THE DIRECTOR ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 177. In Colorado Revised Statutes, 24-32-704, **amend** (2) as follows:

24-32-704. Division of housing - director. (2) The division of housing ~~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 part 7 under the department of local affairs. ~~as if it were transferred to the department by a type 1 transfer as such transfer is defined in the "Administrative Organization Act of 1968", being article 1 of this title.~~

SECTION 178. In Colorado Revised Statutes, 24-32-802, **amend** (2) as follows:

24-32-802. Office of rural development created. (2) The office and the coordinator of rural development ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers and perform their duties and functions specified in this part 8 under the department of local affairs. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 179. In Colorado Revised Statutes, 24-32-2004, **amend** (2) as follows:

24-32-2004. Colorado youth service corps established - director's duties. (2) The youth service corps ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions specified in this part 20 under the department. ~~as if the same were transferred to the department by a type 2 transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 180. In Colorado Revised Statutes, 24-32-3203, **amend** (2) as follows:

24-32-3203. Office of smart growth - creation - powers and

duties of executive director. (2) The office ~~shall exercise~~ OF SMART GROWTH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions specified by this part 32 under the department of local affairs and the executive director thereof. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 181. In Colorado Revised Statutes, **amend** 39-2-103 as follows:

39-2-103. Exercise of power. The division of property taxation and the property tax administrator ~~shall exercise~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE their powers AND PERFORM THEIR duties and functions under the department of local affairs. ~~as if they were transferred to said department by a type 1 transfer under the provisions of the "Administrative Organization Act of 1968".~~

SECTION 182. In Colorado Revised Statutes, 39-2-123, **amend** (4) as follows:

39-2-123. Board of assessment appeals created - members - compensation. (4) The board of assessment appeals ~~shall exercise~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers AND PERFORMS ITS duties and functions under the department of local affairs. ~~as if it were transferred to said department by a type 1 transfer under the provisions of the "Administrative Organization Act of 1968".~~

SECTION 183. In Colorado Revised Statutes, 39-2-129, **amend** (1) as follows:

39-2-129. Advisory committee to the property tax administrator created. (1) There is ~~hereby~~ created in the department of local affairs the advisory committee to the property tax administrator. ~~Said~~ THE advisory committee ~~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 under the department of local affairs. ~~as if it were transferred to said department by a type 1 transfer under the provisions of the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 184. In Colorado Revised Statutes, 24-1-127, **amend** (2), (3) introductory portion, (3)(a), (3)(b), (3)(d), (3)(f), and (3)(g) as follows:

24-1-127. Department of military and veterans affairs - creation.

(2) The office of the adjutant general, created by IN part 1 of article 3 of title 28, ~~C.R.S.~~, and its powers, duties, and functions are transferred by a ~~type 2~~ transfer to the department of military and veterans affairs 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 MILITARY AND VETERANS AFFAIRS.

(3) The department of military and veterans affairs ~~shall consist~~ CONSISTS of the following divisions:

(a) The Colorado National Guard, created by IN part 2 of article 3 of title 28. ~~C.R.S.~~ Its powers, duties, and functions are transferred by a ~~type 2~~ transfer to the department of military and veterans affairs as a division thereof. THE COLORADO NATIONAL GUARD 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 MILITARY AND VETERANS AFFAIRS.

(b) The Colorado ~~department~~ DIVISION of civil air patrol, created by IN article 1 of title 28. ~~C.R.S.~~ Its powers, duties, and functions are transferred by a ~~type 1~~ transfer to the department of military and veterans affairs as the Colorado division of the civil air patrol. THE COLORADO DIVISION OF CIVIL AIR PATROL IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

(d) The Colorado state defense force, when organized by the governor pursuant to article 4 of title 28. ~~C.R.S.~~ If organized, its powers, duties, and functions are transferred by a ~~type 2~~ transfer to the department of military and veterans affairs as a division thereof. IF ORGANIZED, THE COLORADO STATE DEFENSE FORCE 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 MILITARY AND VETERANS AFFAIRS.

(f) The division of veterans affairs, created by IN part 7 of article 5 of title 28. C.R.S. Its powers, duties, and functions are transferred by a **type 2** transfer to the department of military and veterans affairs as a division thereof THE DIVISION OF VETERANS AFFAIRS 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 MILITARY AND VETERANS AFFAIRS.

(g) The Colorado board of veterans affairs, created by IN section 28-5-702. C.R.S. Its powers, duties, and functions are transferred by a **type 2** transfer to the department of military and veterans affairs as a division thereof THE COLORADO BOARD OF VETERANS AFFAIRS 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 MILITARY AND VETERANS AFFAIRS.

SECTION 185. In Colorado Revised Statutes, 28-1-101, **amend** (1)(a) as follows:

28-1-101. Colorado division of civil air patrol - publication - benefits. (1) (a) There is hereby created and established within IN the department of military and veterans affairs the Colorado division of civil air patrol. THE DIVISION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The mission of the division shall be IS to provide support for and facilitate the operation of the civil air patrol, Colorado wing, which shall be IS under the command and control of the duly appointed commanding officer of such THE wing. On and after July 1, 2004, the head of the division shall be IS appointed by the adjutant general acting on behalf of the governor and in consultation with the duly appointed commanding officer of the civil air patrol, Colorado wing. Warrants shall be ARE drawn against appropriations made for the division upon vouchers issued and signed by the head of the division.

SECTION 186. In Colorado Revised Statutes, 28-3-105, **amend** (1) as follows:

28-3-105. Adjutant general - assistants. (1) There shall be IS an adjutant general of the state who shall be IS appointed by the governor, with the advice and consent of the senate, who shall MUST be a staff officer, who at the time of appointment shall MUST be a commissioned officer of the

National Guard of this state with not fewer than ten years' military service in the armed forces of this state or of the United States at least five of which have been commissioned service in the Colorado National Guard, and who has attained the grade of lieutenant colonel or a higher grade with federal recognition in such grade at least one year prior to ~~his or her~~ THE INDIVIDUAL'S appointment as adjutant general. The adjutant general ~~shall~~ ~~serve~~ SERVES at the pleasure of the governor. THE ADJUTANT GENERAL IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 187. In Colorado Revised Statutes, **amend** 28-3-201 as follows:

28-3-201. Composition. The Colorado National Guard consists of the regularly enlisted militia within the ages prescribed by federal law and regulations, organized, armed, and equipped as provided in this ~~article~~ ARTICLE 3, and of commissioned officers and warrant officers within the ages and having the qualifications prescribed by federal law and regulations. "National Guard" applies only to militia organized as provided for in this ~~article~~ ARTICLE 3 and authorized by federal law and regulations relating to the National Guard. The number of officers and enlisted ~~men~~ PERSONNEL of the National Guard ~~shall~~ MUST be fixed from time to time and organized so as to meet the requirements of the federal laws and regulations. THE COLORADO NATIONAL GUARD IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 188. In Colorado Revised Statutes, **amend** 28-4-104 as follows:

28-4-104. State defense force - composition. The governor is authorized to organize and maintain within this state such military forces as the governor deems necessary to defend this state. Such forces ~~shall be~~ ARE known as the state defense force and ~~shall be~~ ARE composed of such citizens of the state ~~as shall~~ WHO volunteer or ~~be~~ WHO ARE ordered by the governor and qualify for service therein. Such forces ~~shall be~~ ARE additional to and distinct from the National Guard. The Colorado state defense force ~~shall be~~ IS maintained in numbers to be determined by the governor. IF ORGANIZED BY THE GOVERNOR, THE COLORADO STATE DEFENSE FORCE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. No officer or enlisted person of this force ~~shall~~ MAY be a member of the National Guard or other armed force of the United States. Such part of this force as ordered by the

governor ~~shall be~~ IS uniformed. Any part or all of this force may be called to state defense force active duty at the pleasure of the governor. All costs and expenses of the state defense force ~~shall be~~ ARE paid from the general fund by separate appropriation to the department of military and veterans affairs.

SECTION 189. In Colorado Revised Statutes, 28-5-701, **amend** (1) as follows:

28-5-701. Division of veterans affairs - transfer of functions - terminology. (1) There is ~~hereby~~ created the division of veterans affairs ~~within~~ IN the department of military and veterans affairs, the head of which ~~shall be~~ IS the director of the division of veterans affairs who ~~shall be~~ IS appointed by the adjutant general acting in ~~his or her~~ THE ADJUTANT GENERAL'S capacity as the administrative head of the department. The director shall appoint such assistants and clerical employees as may be deemed necessary to effectively administer this part 7 and part 8 of this ~~article~~ ARTICLE 5. The director and such assistants and employees ~~shall~~ MUST be appointed pursuant to section 13 of article XII of the state constitution. THE DIVISION OF VETERANS AFFAIRS AND THE DIRECTOR OF THE DIVISION OF VETERANS AFFAIRS ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

SECTION 190. In Colorado Revised Statutes, 28-5-702, **amend** (1) as follows:

28-5-702. Board of veterans affairs. (1) The Colorado board of veterans affairs and its powers, duties, and functions are ~~hereby~~ transferred ~~by a type 2 transfer~~ from the department of human services to the department of military and veterans affairs. The board shall advise and consult with the division in the administration and enforcement of this ~~article~~ ARTICLE 5. THE COLORADO BOARD OF VETERANS AFFAIRS IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 191. In Colorado Revised Statutes, 24-1-128, **amend** (2), (3), (4), (6), (7) introductory portion, (7)(a), (7)(b), (7)(d), (7)(f), (7)(g), (7)(h), (7)(k), and (7)(l) as follows:

24-1-128. Department of personnel - creation. (2) The state personnel board, created ~~by~~ IN section 14 of article XII of the state

constitution, and its powers, duties, and functions are transferred by a ~~type 1~~ transfer to the department of personnel, subject to the provisions of the state constitution IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PERSONNEL, SUBJECT TO THE PROVISIONS OF THE STATE CONSTITUTION.

(3) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE civil service commission. ~~and its powers, duties, and functions are transferred by a type 3 transfer to the department of personnel and~~ THE POWERS, DUTIES, AND FUNCTIONS OF THE CIVIL SERVICE COMMISSION ARE allocated to the state personnel board and the state personnel director, pursuant to the provisions of the state constitution and laws enacted pursuant thereto, and the civil service commission is abolished.

(4) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE state employees' and officials' group insurance board of administration, created by IN part 2 of article 8 of title 10, ~~C.R.S., and its powers, duties, and functions are transferred by a type 3 transfer to the department of personnel and~~ PRIOR TO ITS REPEAL IN 1994. THE POWERS, DUTIES, AND FUNCTIONS OF THE STATE EMPLOYEES' AND OFFICIALS' GROUP INSURANCE BOARD OF ADMINISTRATION ARE allocated to the state personnel director, pursuant to the provisions of the state constitution and laws enacted pursuant thereto, and the state employees' and officials' group insurance board of administration is abolished.

(6) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers, duties, and functions of the department of administration, ~~are transferred by a type 3 transfer to the department of personnel;~~ and the department of administration is hereby abolished.

(7) The POWERS, DUTIES, AND FUNCTIONS OF THE department of personnel ~~shall~~ include the following administrative support services:

(a) The powers, duties, and functions concerning purchasing, specified in part 2 of article 102 of this title, ~~shall be administered as if transferred by a type 2 transfer to the department of personnel~~ TITLE 24.

(b) The powers, duties, and functions concerning state archives and public records, specified in part 1 of article 80 of this title, ~~shall be administered as if transferred by a type 2 transfer to the department of personnel~~ TITLE 24.

(d) The powers, duties, and functions concerning accounts and control and the office of THE controller, specified in part 2 of article 30 of this title, ~~except those powers, duties, and functions transferred by paragraph (c) of this subsection (7), shall be administered as if transferred by a type 2 transfer to the department of personnel~~ TITLE 24. THE OFFICE OF THE CONTROLLER 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 PERSONNEL.

(f) The office of administrative courts, the head of which ~~shall be~~ IS the executive director of the department of personnel. The office of administrative courts, created ~~by~~ IN part 10 of article 30 of this title, ~~and its powers, duties, and functions are transferred by a type 2 transfer to the department of personnel as an office thereof~~ TITLE 24, 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 PERSONNEL.

(g) The powers, duties, and functions concerning central services, specified in part 11 of article 30 of this title, ~~shall be administered as if transferred by a type 2 transfer to the department of personnel~~ TITLE 24.

(h) The powers, duties, and functions concerning the risk management system, specified in part 15 of article 30 of this title, ~~shall be administered as if transferred by a type 2 transfer to the department of personnel~~ TITLE 24.

(k) The powers, duties, and functions concerning state buildings, ~~Such powers, duties, and functions,~~ specified by part 13 of article 30 of this title TITLE 24 and formerly vested in the office of state planning and budgeting. ~~are transferred by a type 2 transfer to the department of personnel.~~

(l) The state claims board, created ~~by~~ IN part 15 of article 30 of this title and its powers, duties, and functions are transferred by a **type 1** transfer

~~to the department of personnel~~ TITLE 24. THE STATE CLAIMS BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PERSONNEL.

SECTION 192. In Colorado Revised Statutes, 24-30-201, **amend** (2) as follows:

24-30-201. Accounts and control - controller. (2) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers, duties, and functions concerning accounts and control and the office of the controller. ~~shall be administered as if transferred by a type 2 transfer to the department of personnel.~~ THE OFFICE OF THE CONTROLLER IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 193. In Colorado Revised Statutes, 24-30-1001, **amend** (1) as follows:

24-30-1001. Office of administrative courts - administrative courts cash fund - creation. (1) Effective July 1, 2005, there is hereby created the office of administrative courts in the department of personnel, the head of which ~~shall be~~ IS the executive director of the department of personnel. The office of administrative courts ~~shall exercise its powers, duties, and functions as a type 2 agency~~ 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 PERSONNEL.

SECTION 194. In Colorado Revised Statutes, 24-30-1103, **amend** (2) as follows:

24-30-1103. Central services. (2) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers, duties, and functions concerning central services, specified by this part 11. ~~shall be administered as if transferred by a type 2 transfer, as such transfer is defined by the "Administrative Organization Act of 1968", article 1 of this title, to the department of personnel.~~

SECTION 195. In Colorado Revised Statutes, 24-30-1302, **amend** (1) as follows:

24-30-1302. State buildings - transfer. (1) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers, duties, and functions ~~of the office of state planning and budgeting~~ relating to state buildings ~~are transferred by a type 2 transfer to the department of personnel~~ THAT WERE FORMERLY VESTED IN THE OFFICE OF STATE PLANNING AND BUDGETING.

SECTION 196. In Colorado Revised Statutes, 24-30-1503, **amend** (2) as follows:

24-30-1503. Risk management system. (2) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers, duties, and functions concerning risk management, specified by this part 15. ~~shall be administered as if transferred to the department of personnel by a type 2 transfer, as such transfer is defined by the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 197. In Colorado Revised Statutes, 24-30-1508, **amend** (2) as follows:

24-30-1508. State claims board - creation. (2) The state claims board ~~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 as if it were transferred to UNDER the department of personnel. ~~by a type 1 transfer, as such transfer is defined by the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 198. In Colorado Revised Statutes, 24-50-103, **amend** (2) as follows:

24-50-103. State personnel board. (2) The board ~~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 under the department of personnel and the state personnel director. ~~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 this title.~~

SECTION 199. In Colorado Revised Statutes, 24-80-102, **amend** (11) as follows:

24-80-102. State archives and records - personnel - duties - cash fund - rules - definition. (11) ~~The powers, duties, and functions of The state archivist and the department of personnel concerning state archives and records shall be administered as if transferred by a type 2 transfer to the department of personnel~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES THE ARCHIVIST'S POWERS AND PERFORMS THE ARCHIVIST'S DUTIES AND FUNCTIONS CONCERNING STATE ARCHIVES AND RECORDS UNDER THE DEPARTMENT OF PERSONNEL.

SECTION 200. In Colorado Revised Statutes, 24-102-201, **amend** (2) as follows:

24-102-201. Purchasing. (2) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PERSONNEL INCLUDE THE powers, duties, and functions concerning purchasing. ~~shall be administered as if transferred to the department of personnel by a type 2 transfer, as such transfer is defined by the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 201. In Colorado Revised Statutes, 24-1-128.5, **amend** (1.5), (2) introductory portion, (2)(a), (2)(b), (3), and (3.5) as follows:

24-1-128.5. Department of corrections - creation. (1.5) The department of corrections shall supervise and control each correctional facility, as defined in section 17-1-102. ~~C.R.S.~~ The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF CORRECTIONS INCLUDE THE powers, duties, and functions of the FORMER department of institutions relating to honor camps, work release programs, and other adult correctional programs. ~~are transferred by a type 2 transfer to the department of corrections.~~ The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF CORRECTIONS ALSO INCLUDE THE powers, duties, and functions of the FORMER division of parole in the department of institutions, ~~are transferred by a type 3 transfer to the department of corrections,~~ and the division of parole in the department of institutions is abolished. The executive director of the department of corrections ~~shall have~~ HAS the powers and duties specified in title 17. ~~C.R.S.~~

(2) The department of corrections ~~shall consist~~ CONSISTS of the following divisions:

(a) The division of adult parole, the head of which ~~shall be~~ IS the

director of the division of adult parole. The division of adult parole ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department of corrections. ~~as if the same were transferred by a type 2 transfer.~~

(b) The division of correctional industries, the head of which ~~shall be~~ IS the director of the division of correctional industries. The division ~~shall supervise~~ SUPERVISES and ~~control~~ CONTROLS correctional industries programs in this state. The division ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the department of corrections. ~~as if the same were transferred by a type 2 transfer.~~

(3) The state board of parole, created by IN part 2 of article 2 of title 17, C.R.S., ~~is transferred by a type 1 transfer to the department of corrections~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

(3.5) The division of correctional industries ~~shall include~~ INCLUDES, as a section thereof, the Colorado state agency for surplus property, created by IN part 4 of article 82 of this title TITLE 24. The agency ~~and its powers, duties, and functions are transferred by a type 2 transfer to the department of corrections and allocated to the division of correctional industries, as a section thereof~~ 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 CORRECTIONS. THE AGENCY IS ALLOCATED TO THE DIVISION OF CORRECTIONAL INDUSTRIES AS A SECTION THEREOF.

SECTION 202. In Colorado Revised Statutes, 17-2-102, **amend** (1) as follows:

17-2-102. Division of adult parole - general powers, duties, and functions - definition. (1) The division of adult parole in the department shall administer the adult parole program. THE DIVISION OF ADULT PAROLE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105. The division shall keep a complete record in respect to all domestic as well as interstate parolees. The director of the division of adult parole ~~shall exercise~~ EXERCISES the power of suspension of paroles in the interim of the meetings of the state board of parole, referred to in this part 1 as the "board", and in connection therewith the director may arrest ~~such~~ A suspended parolee

without warrant and return ~~such~~ A suspended parolee to an appropriately secure facility to await the further action of the board. In case of ~~such~~ A suspension of parole, the director shall send to the board, at its first session thereafter, a transcript of all proceedings taken in connection with ~~such~~ THE suspension and the reasons for ~~his or her~~ THE DIRECTOR'S action.

SECTION 203. In Colorado Revised Statutes, 17-2-201, **amend** (1)(a) as follows:

17-2-201. State board of parole - duties - definitions.

(1) (a) There is ~~hereby~~ created a state board of parole, referred to in this part 2 as the "board", which consists of nine members. THE BOARD IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105. The members of the board are appointed by the governor and confirmed by the senate, and they shall devote their full time to their duties as members of the board. The members are appointed for three-year terms and may serve consecutive terms. The governor may remove a board member for incompetency, neglect of duty, malfeasance in office, continued failure to use the risk assessment guidelines as required by section 17-22.5-404, or failure to regularly attend meetings as determined by the governor. Final conviction of a felony during the term of office of a board member automatically disqualifies the member from further service on the board. The board is composed of representatives from multidisciplinary areas of expertise. Two members must have experience in law enforcement, and one member must have experience in offender supervision, including parole, probation, or community corrections. Six members must have experience in other relevant fields. Each member of the board must have a minimum of five years of experience in a relevant field and knowledge of parole laws and guidelines, rehabilitation, correctional administration, the functioning of the criminal justice system, issues associated with victims of crime, the duties of board members, and actuarial risk assessment instruments and other offender assessment instruments used by the board and the department of corrections. A person who has been convicted of a felony or of a misdemeanor involving moral turpitude or who has any financial interests that conflict with the duties of a member of the board is ineligible for appointment.

SECTION 204. In Colorado Revised Statutes, 17-24-104, **amend** (1) as follows:

17-24-104. Creation of division of correctional industries and

advisory committee - enterprise status of division - duties of committee - sunset review of committee - rules. (1) There is hereby created in the department of corrections the division of correctional industries, which shall be IS under the direction of the director of correctional industries, who shall be IS appointed by the executive director of the department of corrections pursuant to section 13 of article XII of the state constitution. The division shall constitute CONSTITUTES an enterprise for the purposes of section 20 of article X of the state constitution so long as it retains the authority to issue revenue bonds and receives less than ten percent of its total annual revenues in grants, as defined in section 24-77-102 (7), C.R.S., from all Colorado state and local governments combined. So long as it constitutes an enterprise pursuant to the provisions of this section, the division of correctional industries shall IS not be a district for purposes of section 20 of article X of the state constitution. THE DIVISION OF CORRECTIONAL INDUSTRIES IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 205. In Colorado Revised Statutes, amend 24-82-402 as follows:

24-82-402. Director - staff. The Colorado state agency for surplus property, referred to in this part 4 as the "state agency", shall consist IS A SECTION OF THE DIVISION OF CORRECTIONAL INDUSTRIES. THE STATE AGENCY CONSISTS of a director, who shall be IS the executive officer of the state agency, and such THE deputies, assistants, and employees as in the opinion of the director and the governor are necessary to carry out the provisions of this part 4. The director shall be IS the director of the division of correctional industries. All deputies, assistants, and employees shall be ARE appointed by the director pursuant to section 13 of article XII of the state constitution and shall receive such compensation and reimbursement of expenses incurred in the performance of their duties as other employees of the state government are paid. All employees of the state agency on July 1, 1987, shall remain employees of such THE agency without the need for further appointment due to the transfer of the state agency from the department of personnel. The employees of the state agency shall MUST not exceed ten employees. THE STATE AGENCY IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 206. In Colorado Revised Statutes, 24-1-128.6, amend (2)(a), (2)(c), (2)(d), (2)(h), (2)(i), (4)(a) introductory portion, (5), (6), (7), (8)(a), and (9) as follows:

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

(2) The department of public safety consists of the following divisions:

(a) THE Colorado state patrol, the head of which ~~shall be~~ IS the chief of the Colorado state patrol. The Colorado state patrol and the office of chief, ~~thereof created by~~ IN part 2 of article 33.5 of this title, ~~and their powers, duties, and functions are transferred by a type 2 transfer to the department of public safety~~ TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY. THE RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC SAFETY AND THE COLORADO STATE PATROL INCLUDE the powers, duties, and functions of the state department of highways relating to the Colorado state patrol. ~~are transferred by a type 2 transfer to the department of public safety and allocated to the Colorado state patrol.~~ The RESPONSIBILITIES OF THE DEPARTMENT OF PUBLIC SAFETY AND THE COLORADO STATE PATROL INCLUDE THE powers, duties, and functions of the ports of entry section of the FORMER motor carrier services division of the division of motor vehicles of the department of revenue, which motor carrier services division is abolished pursuant to section 24-1-117 (5), enacted by House Bill 12-1019, enacted in 2012. ~~are transferred by a type 3 transfer to the department of public safety and allocated to the Colorado state patrol.~~

(c) THE Colorado bureau of investigation, the head of which ~~shall be~~ IS the director of the Colorado bureau of investigation. The Colorado bureau of investigation and the office of THE director, ~~thereof, created by~~ IN part 4 of article 33.5 of this title ~~and their powers, duties, and functions are transferred by a type 2 transfer to the department of public safety~~ TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY. THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY AND THE COLORADO BUREAU OF INVESTIGATION INCLUDE the powers, duties, and functions ~~of the department of local affairs~~ relating to the Colorado bureau of investigation ~~are transferred by a type 2 transfer to the department of public safety and allocated to the Colorado bureau of investigation~~ THAT WERE FORMERLY VESTED IN THE DEPARTMENT OF LOCAL AFFAIRS.

(d) THE division of criminal justice, the head of which ~~shall be~~ IS the director of the division of criminal justice. The division of criminal justice

and the office of THE director, ~~thereof~~, created by IN part 5 of article 33.5 of this title, and their powers, duties, and functions are transferred by a **type 2** transfer to the department of public safety TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY. THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY AND THE DIVISION OF CRIMINAL JUSTICE INCLUDE the powers, duties, and functions of the department of local affairs relating to the division of criminal justice ~~are transferred by a type 2 transfer to the department of public safety and allocated to the division of criminal justice~~ THAT WERE FORMERLY VESTED IN THE DEPARTMENT OF LOCAL AFFAIRS.

(h) (I) THE division of homeland security and emergency management, the head of which is the director of the division of homeland security and emergency management. The division of homeland security and emergency management and the office of THE director, ~~thereof~~, created by IN part 16 of article 33.5 of this title, ~~shall exercise their powers and perform their duties and functions as if the same were transferred by a type 2 transfer to the department of public safety, and allocated to the division of homeland security and emergency management~~ TITLE 24 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105. THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT AND THE OFFICE OF THE DIRECTOR OF THE DIVISION EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY AND ARE ALLOCATED TO THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

(II) The division of homeland security and emergency management includes the following agencies, which ~~shall exercise~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND WHICH EXERCISE their powers and perform their duties and functions under the department of public safety: ~~as if the same were transferred thereto by a type 2 transfer:~~

(A) The office of emergency management, created by IN part 7 of article 33.5 of this title TITLE 24, the head of which is the director of the office of emergency management. Effective July 1, 2012, THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY AND THE OFFICE OF EMERGENCY MANAGEMENT UNDER THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT PURSUANT TO THIS ARTICLE 1 INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF the FORMER division of

~~emergency management, in the department of local affairs, created by IN part 21 of article 32 of this title TITLE 24, prior to its repeal in 2012. and its powers, duties, and functions are transferred by a **type 2** transfer to the department of public safety and allocated to the office of emergency management under the division of homeland security and emergency management pursuant to this article.~~

(B) THE office of prevention and security, created in section 24-33.5-1606; and

(C) The office of preparedness, created in section 24-33.5-1606.5.

(i) THE division of fire prevention and control, the head of which is the director of the division of fire prevention and control. The division of fire prevention and control and the office of the director, ~~thereof~~, created by IN part 12 of article 33.5 of this title, and their powers, duties, and functions are transferred by a **type 2** transfer to the department of public safety TITLE 24, ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY.

(4) (a) THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE Colorado emergency planning commission, created by IN section 24-33.5-1503, prior to the repeal of that section by House Bill 14-1004, is ~~abolished, and its powers, duties, and functions are transferred by a **type 3** transfer~~ as follows:

(5) The witness protection board, created by IN section 24-33.5-106, ~~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 as if the same were transferred by a **type 1** transfer to UNDER the department of public safety.

(6) The identity theft and financial fraud board, created by IN section 24-33.5-1703, ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions as if the same were transferred by a **type 2** transfer to UNDER the department of public safety.

(7) The cold case task force, created in section 24-33.5-109, ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions ~~as if the same were transferred by a type 2 transfer to~~ UNDER the department of public safety.

(8) (a) The Colorado commission on criminal and juvenile justice, created pursuant to section 16-11.3-102, ~~C.R.S., shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions ~~as if the same were transferred by a type 2 transfer to~~ UNDER the department of public safety.

(9) The crime victim services advisory board, created pursuant to section 24-4.1-117.3, ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions ~~as if the same were transferred by a type 2 transfer to~~ UNDER the division of criminal justice in the department of public safety.

SECTION 207. In Colorado Revised Statutes, 16-11.3-102, **amend** (1)(b) as follows:

16-11.3-102. Colorado commission on criminal and juvenile justice - creation - membership - operation. (1) (b) The commission ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions ~~as if the same were transferred to~~ UNDER the department of public safety. ~~by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 208. In Colorado Revised Statutes, 24-4.1-117.3, **amend** (1) as follows:

24-4.1-117.3. Crime victim services advisory board - creation - duties. (1) There is ~~hereby~~ created in the division of criminal justice in the department of public safety the crime victim services advisory board, referred to in this section as the "advisory board". The advisory board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions under the division of criminal justice in the department of public safety and the executive director of the department of public safety, referred to in this

section as the "executive director". ~~as if the same were transferred to the department of public safety by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 209. In Colorado Revised Statutes, 24-33.5-106, **amend** (2) as follows:

24-33.5-106. Witness protection board - creation - Javad Marshall-Fields and Vivian Wolfe witness protection program - witness protection fund. (2) The witness protection board ~~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 ~~as if the same were transferred to~~ UNDER the department of public safety. ~~by a type 1 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 210. In Colorado Revised Statutes, 24-33.5-109, **amend** (1)(b) as follows:

24-33.5-109. Cold case task force - creation - rules - repeal. (1) (b) The task force ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and perform its duties and functions ~~as if the same were transferred to~~ UNDER the department of public safety. ~~by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 211. In Colorado Revised Statutes, 24-33.5-201, **amend** (2) as follows:

24-33.5-201. Colorado state patrol created. (2) The Colorado state patrol and the office of the chief ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department of public safety and the executive director. ~~as transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 212. In Colorado Revised Statutes, 24-33.5-401, **amend** (2) as follows:

24-33.5-401. Colorado bureau of investigation. (2) The Colorado bureau of investigation and the office of the director ~~shall~~ ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department of public safety and the executive director. ~~as transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 213. In Colorado Revised Statutes, 24-33.5-502, **amend** (2) as follows:

24-33.5-502. Division of criminal justice created. (2) The division of criminal justice and the office of the director ~~shall~~ ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department of public safety and the executive director. ~~as transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 214. In Colorado Revised Statutes, 24-33.5-1201, **amend** (2), (3)(a), (4)(a)(II), and (5)(a) as follows:

24-33.5-1201. Division of fire prevention and control - creation - public school construction and inspection section - health facility construction and inspection section - legislative declaration. (2) The division, the office of the director, the advisory board created ~~by~~ IN section 24-33.5-1204, and the board of appeals created ~~by~~ IN section 24-33.5-1213.7 ~~shall~~ ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department of public safety and the executive director. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

(3) (a) There is ~~hereby~~ created ~~within~~ IN the division the public school construction and inspection section to implement the provisions of sections 22-32-124 (2) and 23-71-122 (1)(v) ~~C.R.S.~~; and to administer and enforce the codes in accordance with sections 24-33.5-1213 and 24-33.5-1213.3. The public school construction and inspection section ~~shall perform~~ IS A TYPE 2 ENTITY, AS DEFINED IN SECTION 24-1-105, AND

EXERCISES ITS POWERS AND PERFORMS its duties and functions under the division and the executive director. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

(4) (a) (II) There is ~~hereby~~ created in the division of fire prevention and control the wildland fire management section to implement this subsection (4) and sections 24-33.5-1217 to 24-33.5-1226.5. The wildland fire management section ~~shall perform its duties and functions under the division of fire prevention and control as if the same were transferred by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title~~ 24. IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DIVISION OF FIRE PREVENTION AND CONTROL.

(5) (a) There is ~~hereby~~ created ~~within~~ IN the division the health facility construction and inspection section to implement section 24-33.5-1212.5 and to administer and enforce the codes in accordance with sections 24-33.5-1212.5 and 24-33.5-1213. The health facility construction and inspection section ~~shall perform~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS its duties and functions under the division and the executive director. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 215. In Colorado Revised Statutes, **amend** 24-33.5-1603 as follows:

24-33.5-1603. Division of homeland security and emergency management - creation - director. (1) There is ~~hereby~~ created ~~within~~ IN the department the division of homeland security and emergency management, the head of which is the director of the division. The executive director shall appoint the director pursuant to section 13 of article XII of the state constitution. THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT AND THE DIRECTOR OF THE DIVISION ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105.

(2) The division includes the following agencies, which ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND WHICH exercise

their powers and perform their duties and functions under the department:
~~as if the same were transferred thereto by a type 2 transfer:~~

(a) The office of emergency management, created in section 24-33.5-705;

(b) The office of prevention and security, created in section 24-33.5-1606; and

(c) The office of preparedness, created in section 24-33.5-1606.5.

SECTION 216. In Colorado Revised Statutes, 24-33.5-1703, **amend** (1)(b) as follows:

24-33.5-1703. Identity theft and financial fraud board - creation - rules. (1) (b) The board ~~shall exercise~~ IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES its powers and ~~perform~~ PERFORMS its duties and functions ~~as if the same were transferred to~~ UNDER the department of public safety. ~~by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title.~~

SECTION 217. In Colorado Revised Statutes, 24-1-128.7, **amend** (2), (3), (4), (5), (6), (9), and (10) as follows:

24-1-128.7. Department of transportation - creation - repeal. (2) The transportation commission, created ~~by~~ IN part 1 of article 1 of title 43, ~~C.R.S., and its powers, duties, and functions are transferred by a type 1 transfer to the department of transportation~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION.

(3) The department of transportation consists of the following divisions:

(a) THE highway maintenance division, the head of which is the director of the highway maintenance division. The highway maintenance division and the office of the director, ~~thereof,~~ created ~~by~~ IN part 1 of article 1 of title 43, ~~C.R.S., and their powers, duties, and functions are transferred by a type 2 transfer to the department of transportation~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS

AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION.

(b) THE aeronautics division, the head of which ~~shall be~~ IS the director of the aeronautics division. The aeronautics division and the office of the director, ~~thereof, created by~~ IN article 10 of title 43, ~~€R.S., and their powers, duties, and functions are transferred by a type 1 transfer to the department of transportation~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION. THE RESPONSIBILITIES OF THE DEPARTMENT OF TRANSPORTATION AND THE AERONAUTICS DIVISION INCLUDE THE powers, duties, and functions of the division of aviation, FORMERLY UNDER THE AUTHORITY of the department of military and veterans affairs. ~~are transferred by a type 1 transfer to the department of transportation and allocated to the aeronautics division.~~

(c) THE transportation development division, the head of which ~~shall be~~ IS the director of the transportation development division. The transportation development division and the office of the director, ~~thereof, created by~~ IN part 1 of article 1 of title 43, ~~€R.S., and their powers, duties, and functions are transferred by a type 2 transfer to the department of transportation~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION.

(d) THE engineering, design, and construction division, the head of which ~~shall be~~ IS the chief engineer. The ~~transportation development division~~ ENGINEERING, DESIGN, AND CONSTRUCTION DIVISION and the office of the chief engineer, ~~created by~~ IN part 1 of article 1 of title 43, ~~€R.S., and their powers, duties, and functions are transferred by a type 2 transfer to the department of transportation~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION.

(e) The transit and rail division created in part 1 of article 1 of title 43, ~~€R.S.~~, the head of which ~~shall be~~ IS the director of the transit and rail division. The transit and rail division and the office of the director of the division ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department of transportation and the executive director of the department.

~~as if the same were transferred thereto by a **type 2** transfer.~~

(4) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE state department of highways, created by IN section 24-1-126, prior to its repeal in 1991, and ~~its powers, duties, and functions, are transferred by a **type 3** transfer to the department of transportation, pursuant to the provisions of this article, and the state department of highways is abolished.~~

(5) The statewide bridge and tunnel enterprise created in section 43-4-805 (2) ~~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 as if the same were transferred by a **type 1** transfer, as defined in ~~section 24-1-105, to~~ UNDER the department of transportation.

(6) (a) The high-performance transportation enterprise, created in section 43-4-806 (2)(a), ~~C.R.S., 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 as if the same were transferred by a **type 1** transfer, as defined in ~~section 24-1-105, to~~ UNDER the department of transportation.

(b) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION AND THE HIGH-PERFORMANCE TRANSPORTATION ENTERPRISE INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE statewide tolling enterprise, created by IN the transportation commission pursuant to section 43-4-803 (1), ~~C.R.S., prior to the repeal and reenactment of said section by Senate Bill 09-108, enacted in 2009, and its powers, duties, and functions are transferred by a **type 3** transfer, as defined in section 24-1-105, to the high-performance transportation enterprise created in section 43-4-806 (2)(a), C.R.S., and the statewide tolling enterprise is abolished.~~

(9) The clean transit enterprise, created in section 43-4-1203, ~~shall exercise its powers and perform its duties as if the same were transferred by a **type 1** transfer, as defined in section 24-1-105, to the department of transportation~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION.

(10) The nonattainment area air pollution mitigation enterprise, created in section 43-4-1303, ~~shall exercise its powers and perform its duties as if the same were transferred by a type 1 transfer, as defined in section 24-1-105, to the department of transportation~~ IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF TRANSPORTATION.

SECTION 218. In Colorado Revised Statutes, 43-1-106, **amend** (1) as follows:

43-1-106. Transportation commission - powers and duties.

(1) There is ~~hereby~~ created a transportation commission, which ~~shall consist~~ CONSISTS of eleven members. The initial members of the commission shall be the members of the state highway commission immediately prior to July 1, 1991, and each such commission member shall continue to represent the same district. THE TRANSPORTATION COMMISSION IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 219. In Colorado Revised Statutes, 43-1-114, **amend** (2) as follows:

43-1-114. Highway maintenance division - creation. (2) The highway maintenance division and the director of the division ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department and the executive director. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 220. In Colorado Revised Statutes, 43-1-116, **amend** (2) as follows:

43-1-116. Engineering, design, and construction division - created - duties - environmental justice and equity branch. (2) The engineering, design, and construction division and the office of the chief engineer ~~shall~~ ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department of transportation and the executive director. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24,~~

C.R.S.

SECTION 221. In Colorado Revised Statutes, 43-1-117, **amend** (2) as follows:

43-1-117. Transportation development division - created - duties - freight mobility and safety branch. (2) The transportation development division and the office of the director of ~~such~~ THE division ~~shall~~ ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department of transportation and the executive director. ~~as if the same were transferred to the department by a type 2 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.~~

SECTION 222. In Colorado Revised Statutes, 43-1-117.5, **amend** (2) as follows:

43-1-117.5. Transit and rail division - created - powers and duties. (2) The transit and rail division and the office of the director of the division ~~shall~~ ARE TYPE 2 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties and functions under the department and the executive director. ~~as if the same were transferred to the department by a type 2 transfer, as defined in section 24-1-105, C.R.S.~~

SECTION 223. In Colorado Revised Statutes, 43-4-805, **amend** (2)(a)(II) as follows:

43-4-805. Statewide bridge enterprise - creation - board - funds - powers and duties - legislative declaration - definition. (2) (a) (II) The bridge enterprise and the bridge enterprise director ~~shall~~ ARE TYPE 1 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties ~~as if the same were transferred to~~ AND FUNCTIONS UNDER the department. ~~by a type 1 transfer, as defined in section 24-1-105, C.R.S.~~

SECTION 224. In Colorado Revised Statutes, 43-4-806, **amend** (2)(a)(III) as follows:

43-4-806. High-performance transportation enterprise - creation - board - funds - powers and duties - limitations - reporting

requirements - legislative declaration - definition. (2) (a) (III) (A) The transportation enterprise and the transportation enterprise director ~~shall~~ ARE **TYPE 1** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND exercise their powers and perform their duties ~~as if the same were transferred to~~ AND FUNCTIONS UNDER the department. ~~by a type 1 transfer, as defined in section 24-1-105, C.R.S.~~

(B) The POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION INCLUDE THE POWERS, DUTIES, AND FUNCTIONS OF THE statewide tolling enterprise, created ~~by~~ IN the commission pursuant to section 43-4-803 (1), prior to the repeal and reenactment of said section by Senate Bill 09-108, enacted in 2009, ~~and its powers, duties, and functions are transferred by a type 3 transfer, as defined in section 24-1-105, C.R.S., to the transportation enterprise,~~ and the statewide tolling enterprise is abolished.

SECTION 225. In Colorado Revised Statutes, 43-4-1203, **amend** (1) as follows:

43-4-1203. Clean transit enterprise - creation - board - powers and duties - rules - fees - fund. (1) (a) The clean transit enterprise is ~~hereby~~ created in the department. The enterprise is and operates as a government-owned business within the department in order to execute its business purpose as specified in subsection (3) of this section by exercising the powers and performing the duties AND FUNCTIONS set forth in this section.

(b) The enterprise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND exercises its powers and performs its duties and functions under the department. ~~as if the same were transferred to the department by a type 1 transfer, as defined in section 24-1-105.~~

SECTION 226. In Colorado Revised Statutes, 43-4-1303, **amend** (1) as follows:

43-4-1303. Nonattainment area air pollution mitigation enterprise - creation - board - powers and duties - rules - fees - fund. (1) (a) The nonattainment area air pollution mitigation enterprise is ~~hereby~~ created in the department. The enterprise is and operates as a government-owned business within the department in order to execute its

business purpose as specified in subsection (3) of this section by exercising the powers and performing the duties AND FUNCTIONS set forth in this section.

(b) The enterprise IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND exercises its powers and performs its duties and functions under the department. ~~as if the same were transferred to the department by a **type 1** transfer, as defined in section 24-1-105.~~

SECTION 227. In Colorado Revised Statutes, 24-1-120, **amend as amended by House Bill 22-1278** (6)(d) as follows:

24-1-120. Department of human services - creation. (6) The department consists of the following divisions, units, and offices:

(d) The office of behavioral health in the department of human services created pursuant to article 80 of title 27. THE OFFICE OF BEHAVIORAL HEALTH IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105.

SECTION 228. Act subject to petition - effective date.

(1) Except as otherwise provided in this section, 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 24-1-120 (6)(d), Colorado Revised Statutes, as amended in section 63 of this act, takes effect only if House Bill 22-1278 does not become law.

(3) Section 227 of this act, takes effect only if House Bill 22-1278 becomes law, in which case said section 24-1-120 (6)(d) takes effect on the effective date of this act or House Bill 22-1278, whichever is later.

Steve Fenberg
PRESIDENT OF
THE SENATE

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO