

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 17-0273.01 Kristen Forrestal x4217

SENATE BILL 17-233

SENATE SPONSORSHIP

Tate, Kerr, Martinez Humenik, Moreno

HOUSE SPONSORSHIP

Arndt, Hooton, Nordberg, Thurlow

Senate Committees
Judiciary

House Committees
Judiciary

A BILL FOR AN ACT

101 **CONCERNING THE SCHEDULED REPEAL OF REPORTS BY THE**
102 **DEPARTMENT OF LAW TO THE GENERAL ASSEMBLY.**

Bill Summary

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

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due, unless the general assembly, acting by bill, continues the requirement. The bill addresses the reporting

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

HOUSE
Amended 2nd Reading
April 7, 2017

SENATE
3rd Reading Unamended
March 30, 2017

SENATE
2nd Reading Unamended
March 29, 2017

requirements of the department of law.

Section 1 of the bill repeals reports that were scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date in the organic statute.

Sections 2 and 3 of the bill continue the reporting requirements indefinitely.

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

2 **SECTION 1.** In Colorado Revised Statutes, 21-1-104, **amend** (4)
3 introductory portion as follows:

4 **21-1-104. Duties of public defender.** (4) NOTWITHSTANDING
5 SECTION 24-1-136 (11)(a)(I), pursuant to section 2-7-203, ~~C.R.S.~~, the state
6 public defender shall report annually to the judiciary committees of the
7 house of representatives and senate, or to any successor committees,
8 information concerning:

9 **SECTION 2.** In Colorado Revised Statutes, 24-31-104.5, **amend**
10 (3) as follows:

11 **24-31-104.5. Funding for insurance fraud investigations and**
12 **prosecutions - creation of fund.** (3) NOTWITHSTANDING SECTION
13 24-1-136 (11)(a)(I), the attorney general shall provide annual reports to
14 the joint budget committee, the senate business, labor, and technology
15 committee, and the house economic and business development
16 committee, or any successor committees, and shall post on the attorney
17 general's website a statistical report of the number of full-time employees
18 dedicated to insurance fraud, referrals, open investigations, convictions,
19 arrests, and actions initiated, and the number of restitutions, fines, costs,
20 and forfeitures obtained, from the investigation and prosecution of
21 insurance fraud as provided in this section. In the report, the attorney
22 general shall make his or her best effort to delineate between the types of

1 cases prosecuted by line of insurance.

2 **SECTION 3.** In Colorado Revised Statutes, 25.5-4-310, **amend**

3 (1) introductory portion as follows:

4 **25.5-4-310. Medicaid false claims report.**

5 (1) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before
6 January 15, 2012, and on or before each January 15 thereafter, the
7 attorney general shall submit a written report to the health and human
8 services committees of the senate and the house of representatives, or any
9 successor committees, and to the joint budget committee of the general
10 assembly concerning claims brought under the "Colorado Medicaid False
11 Claims Act" during the previous fiscal year. The report shall include, but
12 not be limited to:

13 **SECTION 4. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2018 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.