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SENATE BILL 15-264

BY SENATOR(S) Johnston, Guzman, Roberts, Scott, Steadman, Jones, Merrifield, Newell;
also REPRESENTATIVE(S) Kagan, Foote, McCann, Brown, Rosenthal.

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

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

SECTION 1. Nonstatutory directive to the revisor of statutes - change of name. To conform with the name change made by Public Law 106-78, the Colorado general assembly directs the revisor of statutes to change all references to the federal "National School Lunch Act" to the federal "Richard B. Russell National School Lunch Act" everywhere the reference is located in the Colorado Revised Statutes unless the revisor of statutes concludes that changing the name could create a potential conflict with the intent, effect, or meaning of the statutory provision. All name changes made under the authority of this section must be reported in the publication commonly known as the "Grey Book", which is prepared to report corrective actions authorized by section 2-5-103, Colorado Revised

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

Statutes. This directive remains in effect until August 6, 2018.

SECTION 2. In Session Laws of Colorado 2014, **amend** section 7 of chapter 314 as follows:

Section 7. Accountability. Two years after this act becomes law and in accordance with section 2-2-1201, Colorado Revised Statutes, the legislative service agencies of the Colorado General Assembly shall conduct a post-enactment review of the implementation of this act utilizing the information contained in the legislative declaration set forth in section ~~26-11-208(2)~~ 25.5-3-402, Colorado Revised Statutes, enacted in section 1 of this act.

SECTION 3. In Colorado Revised Statutes, 2-4-401, **repeal** (8.5); and **add** (9.5) as follows:

2-4-401. Definitions. The following definitions apply to every statute, unless the context otherwise requires:

(8.5) ~~"Petty offense" includes a drug petty offense described in article 18 of title 18, C.R.S.~~

(9.5) "PETTY OFFENSE" INCLUDES A DRUG PETTY OFFENSE DESCRIBED IN ARTICLE 18 OF TITLE 18, C.R.S.

SECTION 4. In Colorado Revised Statutes, **amend** 2-5-119 as follows:

2-5-119. Tax levy on civil actions. ~~In lieu of the tax imposed by section 135-4-29, C.R.S. 1963,~~ A tax of one dollar is imposed upon each action filed in the office of each clerk of a court of record of the state of Colorado, except criminal actions, cases filed for reviews of findings and orders of the industrial claim appeals office, petitions relating to the distribution of estates under sections 15-12-1203 and 15-12-1204, C.R.S., petitions relating to a person with a mental illness filed under articles 10 to 16 10.5, 65, AND 92 of title 27, C.R.S., cases filed by the state of Colorado, cases filed by the United States of America or any of its agencies in any matter under articles 10 to 20 of title 15, C.R.S., and cases where a party is allowed to sue as a poor person. The tax shall be paid to the clerk by the party filing the action at the time of such filing. Each clerk shall keep the

taxes so received in a separate fund and remit them to the state treasurer on the first day of each month for the purpose of reimbursing the general fund for appropriations made for the use of the committee on legal services for statutory revision purposes.

SECTION 5. In Colorado Revised Statutes, **add** 2-7-200.1 as follows:

2-7-200.1. Short title. THIS PART 2 SHALL BE KNOWN AND MAY BE CITED AS THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT".

SECTION 6. In Colorado Revised Statutes, 5-6-204, **repeal** (2) and (3) as follows:

5-6-204. Cash fund created. (2) ~~Notwithstanding any provision of subsection (1) of this section to the contrary, on March 27, 2002, the state treasurer shall deduct one hundred fifty thousand dollars from the uniform consumer credit code cash fund and transfer such sum to the general fund.~~

(3) ~~Notwithstanding any provision of subsection (1) of this section to the contrary, on March 5, 2003, the state treasurer shall deduct one hundred thousand dollars from the uniform consumer credit code cash fund and transfer such sum to the general fund.~~

SECTION 7. In Colorado Revised Statutes, 6-1-105, **repeal** (1) (yy) as follows:

6-1-105. Deceptive trade practices. (1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(yy) ~~Violates any provision of part 3 of article 5.5 of title 12, C.R.S.;~~

SECTION 8. In Colorado Revised Statutes, 8-17-101, **amend** (2) (b) as follows:

8-17-101. Colorado labor employed on public works. (2) As used in this article:

(b) "Public works project" shall have the same meaning as "public project" as defined in section 8-19-102 (1) 8-19-102 (2).

SECTION 9. In Colorado Revised Statutes, 8-70-103, **amend** (6.5) as follows:

8-70-103. Definitions. As used in articles 70 to 82 of this title, unless the context otherwise requires:

(6.5) "Chargeable wages" means those wages paid to an individual employee during a calendar year on which the employer of that employee is required to pay premiums as provided by article 76 of this title, including all wages subject to a tax under federal law, which imposes a tax against which credit may be taken for premiums required to be paid into a state unemployment fund. For each calendar year, chargeable wages is the first ten thousand dollars paid to an individual; except that, effective January 1, 2012, chargeable wages for each calendar year is the first eleven thousand dollars paid to an individual and except that, after ~~December 31 of the calendar year in which the revisor of statutes receives the written report pursuant to section 8-76-102.5 (1) indicating that the fund balance of the unemployment compensation fund on any June 30 is equal to or greater than zero dollars and all advances in accordance with the conditions specified in Title XII of the federal "Social Security Act", as amended, have been repaid~~ JANUARY 1, 2013, chargeable wages is the first eleven thousand dollars paid to an individual, adjusted by the change in the average weekly earnings prescribed in section 8-73-102, rounded to the nearest one hundred dollars. As used in articles 70 to 82 of this title, chargeable wages paid includes chargeable wages constructively paid as well as chargeable wages actually paid.

SECTION 10. In Colorado Revised Statutes, 8-70-114, **amend** (2) (g) (IV) and (2) (g) (V) as follows:

8-70-114. Employing unit - definitions - rules - employee leasing company certification fund. (2) (g) (IV) The department may, at its discretion, ~~reduce or waive the bonding, money, or letter of credit requirements in sub subparagraph (A) of subparagraph (III) of this paragraph (g). This waiver or reduction may be reviewed at any time, and in the department's discretion, it may require the employee leasing company to resume compliance with sub subparagraph (A) of subparagraph (III) of~~

this paragraph (g) or provide evidence of compliance with sub-subparagraph (B) or (C) of subparagraph (III) of this paragraph (g) immediately.

(V) An employee leasing company shall, within fifteen days following any deduction from a money deposit or sale of deposited securities, ~~under the provisions of sub-subparagraph (A) of subparagraph (III) of this paragraph (g)~~, deposit sufficient additional moneys or securities to make whole the employee leasing company's deposit at the prior level. Any cash remaining from the department's sale of such securities shall be a part of the employee leasing company's escrow account. The department may, at any time, review the adequacy of the deposit made by any employee leasing company. If, as a result of such review, the department determines that an adjustment is necessary, it shall require the employee leasing company to make an additional deposit within thirty days after receipt of written notice of the department's determination or shall return to the employee leasing company such portion of the deposit as the department no longer considers necessary, whichever action is appropriate.

SECTION 11. In Colorado Revised Statutes, 8-76-102.5, **amend** (2); and **repeal** (1) as follows:

8-76-102.5. Rates effective upon fund solvency - repeal of prior rates - solvency surcharge - definitions. (1) ~~On each August 31, the executive director shall file a written report with the general assembly, the governor, and the legislative audit committee indicating the balance in the unemployment compensation fund. When the written report indicates that the fund balance on any June 30 is equal to or greater than zero dollars and all advances in accordance with the conditions specified in Title XII of the federal "Social Security Act", as amended, have been repaid, the executive director shall also report these facts in writing to the revisor of statutes. Upon receipt by the revisor of statutes of the written report, the following provisions are repealed, effective December 31 of the calendar year of the written report to the revisor of statutes, and thereafter this section governs the payment of premiums:~~

(a) ~~Section 8-76-102; and~~

(b) ~~Section 8-76-103.~~

(2) Effective January 1 of the calendar year after the calendar year of the repeal of the provisions under subsection (1) of this section JANUARY 1, 2013, each employer shall pay premiums in the manner prescribed by this section.

SECTION 12. In Colorado Revised Statutes, 8-76-115, **amend** (1) and (5) (a) as follows:

8-76-115. Coverage of Indian tribes. (1) Indian tribes or tribal units, including all subdivisions or subsidiaries of, and business enterprises wholly owned by, such Indian tribes, subject to the provisions of articles 70 to 82 of this title shall pay premiums and surcharges under the same terms and conditions under sections 8-76-101 to 8-76-103 AND 8-76-102.5 as apply to other premium-paying employers unless an election is made, in the same manner provided in section 8-76-108 (1) (d), to make payments in lieu of premiums into the unemployment compensation fund in amounts equal to the amount of benefits attributable to service in the employ of the Indian tribe.

(5) (a) Failure of the Indian tribe or tribal unit to make required payments pursuant to subsection (3) of this section, to pay premiums pursuant to sections 8-76-101 to 8-76-103 AND 8-76-102.5, to pay assessments of interest and penalties pursuant to sections 8-79-101 and 8-79-104, or to execute and file a surety bond or deposit money or other security pursuant to section 8-76-110 (4) within ninety days after receipt of a delinquency notice by the division shall cause the Indian tribe to lose the option to make payments in lieu of premiums effective with the beginning of the following calendar year unless a division-approved payment plan is established or payment in full is received within the ninety-day period.

SECTION 13. In Colorado Revised Statutes, 10-3-243, **amend** (4) as follows:

10-3-243. Derivative transactions - definitions - restrictions - rules. (4) The ~~commission~~ COMMISSIONER may promulgate rules as necessary to implement this section.

SECTION 14. In Colorado Revised Statutes, 11-51-308, **amend** (1) (p) as follows:

11-51-308. Exempt transactions. (1) The following transactions are exempted from sections 11-51-301 and 11-51-305:

(p) Any offer or sale of a security in compliance with an exemption from registration with the securities and exchange commission under section 3(b) or ~~4(2)~~ 4(a)(2) of the federal "Securities Act of 1933", AS AMENDED, 15 U.S.C. SECS. 77c (b) (1) AND 77d (a) (2), pursuant to regulations adopted thereunder by the securities and exchange commission. The issuer shall file with the securities commissioner a notification of exemption, upon such form as the securities commissioner may prescribe, and pay an exemption fee to be determined and collected pursuant to section 11-51-707.

SECTION 15. In Colorado Revised Statutes, 11-59-110, **amend** (1) (g) as follows:

11-59-110. Exemptions from registration. (1) Subject to the requirements of subsection (2) of this section, the following issues of bonds by a district are exempted from all of the provisions of sections 11-59-104 and 11-59-106:

(g) Any issue of bonds not involving a public offering made exclusively to accredited investors, as that term is defined under sections ~~3(b) and (4)(2)~~ 2(a)(15) AND 4(a)(2) of the federal "Securities Act of 1933", AS AMENDED, 15 U.S.C. SECS. 77b (a) (15) AND 77d (a) (2), by regulation adopted thereunder by the securities and exchange commission;

SECTION 16. In Colorado Revised Statutes, 12-6-123, **repeal** (2) as follows:

12-6-123. Disposition of fees - auto dealers license fund.
(2) (a) ~~Notwithstanding any provision of subsection (1) of this section to the contrary, on March 27, 2002, the state treasurer shall deduct one million one hundred thousand dollars from the auto dealers license fund and transfer such sum to the general fund; except that, if the balance of moneys in the auto dealers license fund on March 27, 2002, is less than one million one hundred thousand dollars, the state treasurer shall transfer the balance of moneys in the fund to the general fund.~~

(b) ~~Notwithstanding any provision of subsection (1) of this section~~

to the contrary and in addition to any amount transferred pursuant to paragraph (a) of this subsection (2):

(f) On May 28, 2002, the state treasurer shall transfer an amount equal to the balance of the auto dealers license fund as of April 30, 2002, to the general fund.

(H) Except as otherwise provided in this subparagraph (H), for each succeeding calendar month of the 2001-02 fiscal year, through June 30, 2002, the state treasurer shall transfer the amount of moneys credited to the auto dealers license fund during such calendar month to the general fund no later than the last day of the month in which such moneys were credited to the auto dealers license fund. However, the aggregate amount of moneys transferred from the auto dealers license fund to the general fund pursuant to paragraph (a) of this subsection (2), subparagraph (I) of this paragraph (b), and this subparagraph (H) shall not exceed one million one hundred thousand dollars.

SECTION 17. In Colorado Revised Statutes, 12-14.5-202, amend (10) as follows:

12-14.5-202. Definitions. As used in this part 2, unless the context otherwise requires:

(10) (A) "Debt-management services" means services as an intermediary between an individual and one or more creditors of the individual for the purpose of obtaining concessions, but does not include:

(i) Legal services provided in an attorney-client relationship by an attorney licensed to practice law in this state;

(ii) Accounting services provided in an accountant-client relationship by a certified public accountant certified or authorized by the state board of accountancy to provide accounting services in this state; or

(iii) Representative services provided before the internal revenue service, the department of revenue, or the department of labor and employment in an enrolled agent-client relationship for tax purposes by an enrolled agent who is authorized by and in good standing with the United States department of treasury, if the enrolled agent is not engaging in other

debt management services.

(B) The exemptions in subparagraph (A) of this paragraph (10) do not apply to any person who directly or indirectly provides any debt management services on behalf of a licensed attorney, certified public accountant, or enrolled agent if that person is not an employee of the licensed attorney, certified public accountant, or enrolled agent.

(i) Legal services provided in an attorney-client relationship by an attorney licensed to practice law in this state;

(ii) Accounting services provided in an accountant-client relationship by a certified public accountant certified or authorized by the state board of accountancy to provide accounting services in this state; or

(iii) Representative services provided before the internal revenue service, the department of revenue, or the department of labor and employment in an enrolled agent-client relationship for tax purposes by an enrolled agent who is authorized by and in good standing with the United States department of treasury, if the enrolled agent is not engaging in other debt management services.

(B) The exemptions in subparagraph (A) of this paragraph (10) do not apply to any person who directly or indirectly provides any debt management services on behalf of a licensed attorney, certified public accountant, or enrolled agent if that person is not an employee of the licensed attorney, certified public accountant, or enrolled agent.

SECTION 18. In Colorado Revised Statutes, 12-40.5-110, amend (2) (f) as follows:

12-40.5-110. Grounds for discipline - disciplinary proceedings - judicial review. (2) The director may revoke, suspend, deny, or refuse to renew a license; place a licensee on probation; issue a letter of admonition to a licensee; or issue a cease-and-desist order to a licensee in accordance with this section upon proof that the licensee:

(f) Had a license or registration suspended or revoked for actions that are a violation of this ~~act~~ ARTICLE;

SECTION 19. In Colorado Revised Statutes, 12-40.5-114.5, **amend** (3) and (4) as follows:

12-40.5-114.5. Confidential agreement to limit practice - violation - grounds for discipline. (3) By entering into an agreement with the director pursuant to this section to limit his or her practice, an occupational therapist or occupational therapy assistant is not engaging in activities that are grounds for discipline pursuant to section 12-40.5-110. The agreement does not constitute a restriction or discipline by the director. However, if the occupational therapist or occupational therapy assistant fails to comply with the terms of the agreement, the failure constitutes a prohibited activity pursuant to section ~~12-40.5-110 (1) (d)~~ 12-40.5-110 (2) (d), and the occupational therapist or occupational therapy assistant is subject to discipline in accordance with section 12-40.5-110.

(4) This section does not apply to an occupational therapist or occupational therapy assistant subject to discipline for prohibited activities as described in section ~~12-40.5-110 (1) (e)~~ 12-40.5-110 (2) (c).

SECTION 20. In Colorado Revised Statutes, 12-43.3-1102, **amend** (1) (c) as follows:

12-43.3-1102. Responsible vendor - designation. (1) (c) In order to maintain the responsible vendor designation, the licensed medical or retail marijuana business must have each new employee who sells or handles medical or retail marijuana, manager, or resident on-site owner attend and satisfactorily complete a responsible medical or retail marijuana vendor server and seller training program within ninety days after being employed or becoming an owner. The licensed medical OR RETAIL marijuana business shall maintain documentation of completion of the program by new employees, managers, or owners.

SECTION 21. In Colorado Revised Statutes, 12-43.4-302, **amend** (2) as follows:

12-43.4-302. Public hearing notice - posting and publication. (2) If a local jurisdiction does not issue local licenses, the local jurisdiction may give public notice of the state LICENSE application by posting a sign in a conspicuous place on the state license applicant's premises for which A STATE license application has been made and by publication in a newspaper of general circulation in the county in which the applicant's premises are

located.

SECTION 22. In Colorado Revised Statutes, 12-43.4-308, **amend** (1) as follows:

12-43.4-308. Transfer of ownership. (1) A state license granted under the provisions of this article is not transferable except as provided in this section, but this section does not prevent a change of location as provided in section ~~12-43.4-310 (12)~~ 12-43.4-309 (12).

SECTION 23. In Colorado Revised Statutes, 12-47-902.5, **amend** (5) (a) as follows:

12-47-902.5. Alcohol-without-liquid devices - legislative declaration - unlawful acts. (5) (a) Subsection (3) of this section shall not apply to a hospital as defined in section ~~25.5-1-503 (3)~~, C.R.S., that operates primarily for the purpose of conducting scientific research, a state institution conducting bona fide research, a private college or university, as defined in section 23-2-102 (11), C.R.S., conducting bona fide research, or to a pharmaceutical company or biotechnology company conducting bona fide research and that complies with the provisions of this subsection (5).

SECTION 24. In Colorado Revised Statutes, 12-47.1-1601, **repeal** (4) (a) (II), (6) (a) (II), (6) (b), (7), and (8) as follows:

12-47.1-1601. Local government limited gaming impact fund - rules - repeal. (4) (a) (II) ~~Notwithstanding any provision of this paragraph (a) to the contrary, on April 15, 2010, the executive director of the department of local affairs shall distribute the moneys from the limited gaming impact account that were transferred in the 2008-09 state fiscal year for use in the 2009-10 state fiscal year.~~

(6) (a) (II) ~~Notwithstanding any provision of this section to the contrary, on April 20, 2009, the state treasurer shall deduct nine hundred fifty thousand dollars from the fund and transfer such sum to the general fund.~~

(b) ~~If the total amount of revenues collected by the department for state taxes paid pursuant to the tax amnesty program established in section 39-21-201, C.R.S., exceeds the amount of five million dollars, then an~~

amount equal to the amount of any such excess shall be transferred from the general fund to the fund on or before September 1, 2003. In no event shall the amount transferred pursuant to this paragraph (b) exceed the amount transferred to the general fund pursuant to paragraph (a) of this subsection (6).

(7) Notwithstanding any provision of this section to the contrary, on June 1, 2009, the state treasurer shall deduct one hundred thousand dollars from the fund and transfer such sum to the general fund.

(8) Notwithstanding any provisions of this section to the contrary, on June 30, 2010, the state treasurer shall deduct two million dollars from the fund and transfer such sum to the general fund.

SECTION 25. In Colorado Revised Statutes, 12-55-102.5, **repeal** (5) as follows:

12-55-102.5. Disposition of fees. (5) On August 8, 2012, the state treasurer shall transfer the unexpended and unencumbered balance of the notary administration cash fund to the department of state cash fund.

SECTION 26. In Colorado Revised Statutes, 12-61-111.5, **amend** (2) (a) (II) as follows:

12-61-111.5. Fee adjustments. (2) (a) (II) The costs of the HOA information and resource center, created in section 12-61-406.5, shall be paid from the HOA information and resource center cash fund created in section 12-61-406.5. The division of real estate shall estimate the direct and indirect costs of operating the HOA information and resource center and shall establish the amount of the annual registration fee to be collected under section 38-33.3-401, C.R.S. The amount of the registration fee shall be sufficient to recover such costs, subject to a maximum limit of fifty dollars and subject to adjustment to reflect the actual direct and indirect costs of operating the HOA information and resource center pursuant to the general directive to adjust fees to avoid exceeding the statutory limit on uncommitted reserves in administrative agency cash funds as set forth in section 24-75-401(3) 24-75-402 (3), C.R.S.

SECTION 27. In Colorado Revised Statutes, 12-61-1001, **amend** (4) (b) (I) as follows:

12-61-1001. Definitions. As used in this part 10, unless the context otherwise requires:

(4) (b) "Community association manager" or "manager" does not include:

(I) A person who performs not more than one of the practices listed in ~~paragraphs (a) to (g)~~ of subsection (3) of this section, or any clerical, ministerial, accounting, or maintenance function not requiring substantially specialized knowledge, judgment, or managerial skill, under the direct supervision and control of a licensed community association manager or of a contractor employed by a licensed community association manager or by the common interest community's executive board;

SECTION 28. In Colorado Revised Statutes, 13-2-126, **amend** (1) (b); and **add** (1) (b.5) as follows:

13-2-126. Reports and session laws furnished. (1) The legal custodian of publications of the state of Colorado is directed to furnish to the law library of the university of Colorado free of charge from existing stocks if feasible and in any event as such publications are from time to time issued:

(b) Fifty copies ~~each of the session laws and~~ of any published regulations and decisions of the various administrative agencies of the state of Colorado; and

(b.5) ~~SUCH NUMBER OF COPIES, NOT TO EXCEED FIFTY, OF THE SESSION LAWS OF COLORADO AS THE LAW LIBRARIAN FOR THE UNIVERSITY OF COLORADO MAY FROM TIME TO TIME REQUEST; AND~~

SECTION 29. In Colorado Revised Statutes, 13-22-310, **amend** (2) as follows:

13-22-310. Dispute resolution fund - creation - source of funds. (2) (a) All moneys in the fund shall be subject to annual appropriation by the general assembly. Any moneys not appropriated shall remain in the fund at the end of any fiscal year and shall not revert to the general fund.

(b) ~~Notwithstanding any provision of paragraph (a) of this~~

subsection (2) to the contrary, on April 20, 2009, the state treasurer shall transfer the balance of moneys in the dispute resolution fund to the general fund.

SECTION 30. In Colorado Revised Statutes, 13-32-101, **repeal** (7) (b) (II) as follows:

13-32-101. Docket fees in civil actions - judicial stabilization cash fund - support registry fund created. (7) (b) (II) Notwithstanding the provisions of paragraph (a) of this subsection (7):

(A) For the fiscal year commencing July 1, 2008, as moneys become available in the fund, the state treasurer shall transfer from the fund to the state museum cash fund, created in section 24-80-214, C.R.S., all moneys in the fund up to fifteen million dollars.

(B) For the fiscal year commencing July 1, 2009, as moneys become available in the fund, the state treasurer shall transfer from the fund to the state museum cash fund all moneys in the fund up to ten million dollars.

(C) For the fiscal year commencing July 1, 2010, as moneys become available in the fund, the state treasurer shall transfer from the fund to the state museum cash fund all moneys in the fund up to the difference between twenty-five million dollars and the amount of moneys transferred from the fund to the state museum cash fund pursuant to sub-subparagraphs (A) and (B) of this subparagraph (II) for the fiscal years commencing July 1, 2008, and July 1, 2009.

SECTION 31. In Colorado Revised Statutes, **amend** 13-53-102 as follows:

13-53-102. Definitions. As used in this article, unless the context otherwise requires:

(1) "Foreign judgment" means any judgment, decree, or order of a court of the United States or of any other court, except a protection order or a restraining order as described in section 13-14-104 13-14-110 that is entitled to full faith and credit in this state.

SECTION 32. In Colorado Revised Statutes, 13-80-107.5, **amend**

(1) introductory portion as follows:

13-80-107.5. Limitation of actions for uninsured or underinsured motorist insurance. (1) Except as described in section ~~16-5-401 (1) (a.5), C.R.S. 13-80-102 (2)~~, but notwithstanding any other statutory provision to the contrary, all actions or arbitrations under sections 10-4-609 and 10-4-610, C.R.S., pertaining to insurance protection against uninsured or underinsured motorists shall be commenced within the following time limitations and not thereafter:

SECTION 33. In Colorado Revised Statutes, 13-91-106, **amend (1)** as follows:

13-91-106. Guardian ad litem fund - court-appointed special advocate (CASA) fund - created. (1) (a) There is hereby created in the state treasury the guardian ad litem fund, referred to in this subsection (1) as the "fund". The fund shall consist of such general fund moneys as may be appropriated thereto by the general assembly and any moneys received pursuant to section 13-91-105 (1) (a) (IX). The moneys in the fund shall be subject to annual appropriation by the general assembly to the state judicial department for allocation to the office of the child's representative for the purposes of funding the work of the office of the child's representative relating to the provision of guardian ad litem services and for the provision of guardian ad litem services in Colorado. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. Any moneys not appropriated shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year.

(b) ~~Notwithstanding any provision of paragraph (a) of this subsection (1) to the contrary, on April 20, 2009, the state treasurer shall transfer the balance of moneys in the fund to the general fund.~~

SECTION 34. In Colorado Revised Statutes, **amend 14-2-303.5** as follows:

14-2-303.5. Applicability of part and case law to agreements relating to civil unions. Prospective parties to a civil union and present parties to a civil union may contract to make an agreement relating to the civil union that includes any of the rights and obligations that may be

included in a PREMARITAL AGREEMENT OR marital agreement pursuant to this part 3. The provisions of this part 3 and any case law construing this part 3 apply to any agreement made by prospective parties to a civil union or between present parties to a civil union.

SECTION 35. In Colorado Revised Statutes, 14-2-309, **amend** (5) as follows:

14-2-309. Enforcement. (5) A PREMARITAL AGREEMENT OR marital agreement or amendment thereto or revocation thereof that is otherwise enforceable after applying the provisions of subsections (1) to (4) of this section is nevertheless unenforceable insofar, but only insofar, as the provisions of such agreement, amendment, or revocation relate to the determination, modification, limitation, or elimination of spousal maintenance or the waiver or allocation of attorney fees, and such provisions are unconscionable at the time of enforcement of such provisions. The issue of unconscionability shall be decided by the court as a matter of law.

SECTION 36. In Colorado Revised Statutes, 14-10-114, **amend** (7) (a) as follows:

14-10-114. Spousal maintenance - guidelines - legislative declaration - definitions. (7) **Maintenance agreements - waiver - unrepresented parties.** (a) Either or both of the parties may agree in writing or orally in court to waive maintenance consistent with the provisions of section 14-10-112. The parties may also agree to waive maintenance in a PREMARITAL AGREEMENT OR marital agreement consistent with the provisions of the "~~Colorado Marital Agreement Act~~" "UNIFORM PREMARITAL AND MARITAL AGREEMENTS ACT", created in part 3 of article 2 of this title. The enforceability of maintenance provisions in a PREMARITAL AGREEMENT OR marital agreement is determined pursuant to the provisions of section ~~14-2-307~~ 14-2-309.

SECTION 37. In Colorado Revised Statutes, 15-2.5-201, **amend as it will become effective July 1, 2015**, (1) (a) (II) as follows:

15-2.5-201. Creation of power of appointment. (1) A power of appointment is created only if:

- (a) The instrument creating the power:
 - (II) Except as otherwise provided in subsection (b) (2) of this section, transfers the appointive property; and

SECTION 38. In Colorado Revised Statutes, 15-12-705, **amend** (1) (1) as follows:

15-12-705. Duty of personal representative - information to heirs and devisees. (1) Not later than thirty days after appointment, every personal representative, except any special administrator, shall give information of his or her appointment to the heirs and devisees, including, if there has been no formal testacy proceeding and if the personal representative was appointed on the assumption that the decedent died intestate, the devisees in any will mentioned in the application for appointment of a personal representative. The information shall be delivered or sent by ordinary mail to each of the heirs and devisees whose address is reasonably available to the personal representative. The duty does not extend to require information to persons who have been adjudicated in a prior formal testacy proceeding to have no interest in the estate. The information shall:

- (i) Indicate that the surviving spouse, ~~children under twenty-one years of age~~ MINOR CHILDREN, and dependent children may be entitled to exempt property and a family allowance if a request for payment is made in the manner and within the time limits prescribed by statutes;

SECTION 39. In Colorado Revised Statutes, 17-24-126, **repeal** (5) as follows:

17-24-126. Canteen, vending machine, and library account created - receipts - disbursements. (5) ~~On July 1, 2002, the state treasurer shall transfer any moneys in the canteen, vending machine, and library fund created in section 17-20-127 to the canteen, vending machine, and library account.~~

SECTION 40. In Colorado Revised Statutes, 18-6.5-102, **amend** (11) (f) as follows:

18-6.5-102. Definitions. As used in this article, unless the context

otherwise requires:

(11) "Person with a disability" means any person who:

(f) Is mentally impaired as the term is defined in section ~~24-34-301~~
(2.5) (b) (III) 24-34-501 (1.3) (b) (II), C.R.S.;

SECTION 41. In Colorado Revised Statutes, 19-1-111, **amend** (6) as follows:

19-1-111. Appointment of guardian ad litem. (6) Any person appointed to serve as a guardian ad litem pursuant to this section shall comply with the provisions set forth in ~~the chief justice directive 97-02~~, ANY CHIEF JUSTICE DIRECTIVE concerning the court appointment of guardians ad litem and other representatives and of counsel for children and indigent persons in titles 14, 15, 19 (dependency and neglect only), 22, and 27, C.R.S., and any subsequent chief justice directive or other practice standards established by rule or directive of the chief justice pursuant to section 13-91-105, C.R.S., concerning the duties or responsibilities of guardians ad litem in legal matters affecting children.

SECTION 42. In Colorado Revised Statutes, 19-1-307, **amend** (2.5) as follows:

19-1-307. Dependency and neglect records and information - access - fee - rules - records and reports fund - misuse of information - penalty. (2.5) **Fee - rules - records and reports fund.** Any person or agency provided information from the state department of human services pursuant to paragraph (i), paragraphs (k) to (o), and paragraph (t) of subsection (2) of this section and any child placement agency shall be assessed a fee that shall be established and collected by the state department of human services pursuant to parameters set forth in rule established by the state board of human services. At a minimum, the rules shall include a provision requiring the state department of human services to provide notice of the fee to interested persons and the maximum fee amount that the department shall not exceed without the express approval of the state board of human services. The fee established shall not exceed the direct and indirect costs of administering paragraph (i), paragraphs (k) to (o), and paragraph (t) of subsection (2) of this section and the direct and indirect costs of administering section 19-3-313.5 (3) and (4). All fees collected in

accordance with this subsection (2.5) shall be transmitted to the state treasurer who shall credit the same to the records and reports fund, which fund is hereby created. ~~On January 1, 2004, the state treasurer shall transfer the moneys in the central registry fund created in section 19-3-313 (14), as it existed prior to its repeal in 2004, to the records and reports fund created in this subsection (2.5).~~ The moneys in the records and reports fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs of administering paragraph (i), paragraphs (k) to (o), and paragraph (t) of subsection (2) of this section and for the direct and indirect costs of administering section 19-3-313.5 (3) and (4).

SECTION 43. In Colorado Revised Statutes, **repeal** 22-2-121.5 as follows:

22-2-121.5. National academic contest fund - balance of moneys - transfer. ~~On June 30, 2011, the state treasurer shall transfer the balance of moneys in the national academic contest fund, as said fund existed prior to August 7, 2006, to the state education fund created in section 17 (4) of article IX of the state constitution.~~

SECTION 44. In Colorado Revised Statutes, 22-2-127, **amend** (6) as follows:

22-2-127. Financial literacy - resource bank - technical assistance. (6) (a) The department is authorized to accept and expend any gifts, grants, or donations that may be available from any private or public sources for the implementation of this section. All private and public funds received through gifts, grants, or donations pursuant to this subsection (6) shall be transmitted to the state treasurer, who shall credit the same to the financial literacy cash fund, which fund is hereby created and referred to in this subsection (6) as the "fund". The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of this section. Any moneys in the fund not expended for the purposes of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. ~~Except as otherwise provided in paragraph (b) of this subsection (6),~~ Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund.

~~(b) On June 30, 2011, the state treasurer shall transfer the balance of moneys in the fund to the state education fund created in section 17 (4) of article IX of the state constitution.~~

SECTION 45. In Colorado Revised Statutes, 22-7-305, **amend** (1) (b) (I) (B) as follows:

22-7-305. Parent involvement in education grant program - creation - rules - fund - reports. (1) (b) The school district of a public school, or a board of cooperative services or regional service council that operates a public school, that seeks a grant through the parent involvement grant program shall apply on behalf of the public school; except that, if the public school is a charter school, the public school may apply on its own behalf. To be eligible to receive a grant, a public school shall meet one or more of the following criteria:

(I) A significant percentage, as defined by rule of the state board, of the students enrolled in the public school for the three academic years immediately preceding application were:

(B) English language learners, as defined in section 22-24-103 (3) 22-24-103 (4);

SECTION 46. In Colorado Revised Statutes, **amend** 22-7-708 as follows:

22-7-708. Teacher development fund - creation. (1) There is hereby created in the state treasury the teacher development fund referred to in this section as the "fund", for payment of teacher development grants awarded pursuant to section 22-7-704. The fund shall consist of such moneys as may be appropriated thereto by the general assembly and such moneys as may be credited thereto pursuant to section 22-7-704 (4). Moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes specified in this part 7. The department may expend up to three percent of the moneys annually appropriated to the fund to offset the documented costs incurred in implementing the grant program. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. ~~Except as otherwise provided in subsection (2) of this section,~~ At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be

credited or transferred to the general fund or any other fund.

~~(2) (a) On March 5, 2003, the state treasurer shall transfer the balance of moneys in the fund to the general fund.~~

~~(b) On June 30, 2011, the state treasurer shall transfer the balance of moneys in the fund to the state education fund created in section 17 (4) of article IX of the state constitution.~~

SECTION 47. In Colorado Revised Statutes, 22-7-1016, **amend** (5) (a) as follows:

22-7-1016. Postsecondary and workforce planning, preparation, and readiness assessments - transcripts. (5) (a) Beginning in the 2012-13 academic year, if an English language learner, as defined in section 22-24-103(3) 22-24-103(4), is enrolled in eleventh or twelfth grade and the student has not demonstrated attainment of the standard for English language competency and has not demonstrated postsecondary and workforce readiness, the local education provider with which the student is enrolled shall provide to the student additional services and supports as necessary to assist the student in attaining the standard.

SECTION 48. In Colorado Revised Statutes, 22-9-105.7, **amend** (3) as follows:

22-9-105.7. Great teachers and leaders fund - created - gifts, grants, and donations. (3) (a) ~~For fiscal years 2010-11 and 2011-12, if two hundred fifty thousand dollars is not credited to the fund through federal grants on or before September 30, 2010, the commissioner shall notify the state treasurer of the difference. As provided for in section 22-54-117 (1) (g), upon receipt of such notice, the state treasurer shall transfer to the fund the amount of the difference out of the contingency reserve fund, created pursuant to section 22-54-117 for the implementation of section 22-9-105.5. If there is an insufficient amount in the contingency reserve fund, the state treasurer shall transfer to the fund any remaining amount of the difference from the state education fund, created in section 17 (4) of article IX of the state constitution for the implementation of section 22-9-105.5.~~

~~(b) (I) On July 1, 2013, the state treasurer shall transfer two hundred~~

thousand dollars to the fund from the state education fund:

(H) The general assembly hereby finds and declares that, for the purposes of section 17 of article IX of the state constitution, the implementation of the state council for educator effectiveness is a program for accountable education reform and may therefore receive funding from the state education fund created in section 17 (4) of article IX of the state constitution.

SECTION 49. In Colorado Revised Statutes, 22-11-301, **amend** (3) (c) as follows:

22-11-301. School district accountability committees - creation - membership. (3) If a local school board appoints the members of the school district accountability committee, the local school board, to the extent practicable, shall ensure that the parents who are appointed reflect the student populations that are significantly represented within the school district. Said student populations may include, but need not be limited to:

(c) Students who are English language learners, as defined in section 22-24-103 (3) 22-24-103 (4);

SECTION 50. In Colorado Revised Statutes, 22-11-401, **amend** (1) (d) (III) as follows:

22-11-401. School accountability committee - creation - qualifications - elections. (1) (d) If the local school board or the institute determines that the members of a school accountability committee should be appointed, the appointing authority shall, to the extent practicable, appoint persons to serve on the school accountability committee who reflect the student populations that are significantly represented within the school. If the local school board or the institute determines that persons shall be elected to serve on the school accountability committee, the school principal shall encourage persons who reflect the student populations that are significantly represented within the school to seek election to the committee. Said student populations may include, but need not be limited to:

(III) Students who are English language learners, as defined in section 22-24-103 (3) 22-24-103 (4);

SECTION 51. In Colorado Revised Statutes, 22-30.5-111, **amend** (3) as follows:

22-30.5-111. Charter schools - employee options. (3) Employees of a charter school shall be members of the public employees' retirement association. ~~or the Denver public schools retirement system, whichever is applicable.~~ The charter school and the teacher shall contribute the appropriate respective amounts as required by the funds of ~~such~~ THE association. ~~or system.~~

SECTION 52. In Colorado Revised Statutes, 22-38-109, **amend** (2) as follows:

22-38-109. Pilot school employees. (2) Employees of a pilot school may elect to become members of the public employees' retirement association ~~the Denver public schools retirement system, or other tax-deferred annuity program, whichever is applicable.~~ If the employee makes ~~such~~ an election, the pilot school and the teacher shall contribute amounts as required by ~~such~~ THE association ~~system, or program.~~

SECTION 53. In Colorado Revised Statutes, 22-43.7-201, **amend** (1) as follows:

22-43.7-201. Full-day kindergarten facility capital construction fund - creation - definitions. (1) (a) There is hereby established in the state treasury the full-day kindergarten facility capital construction fund, referred to in this part 2 as the "fund". The fund shall consist of any moneys annually appropriated thereto by the general assembly for the purposes of this part 2. All interest and income earned on the deposit of moneys in the fund shall be credited to the fund. ~~Except as otherwise provided in paragraph (b) of this subsection (1),~~ Any unexpended and unencumbered moneys remaining in the fund at the end of a budget year shall remain in the fund and shall not be credited or transferred to the general fund or any other fund.

~~(b) On June 30, 2011, the state treasurer shall transfer the balance of moneys in the fund to the state education fund created in section 17 (4) of article IX of the state constitution.~~

SECTION 54. In Colorado Revised Statutes, 22-54-103, **amend**

(1.5) (b) (IV) introductory portion as follows:

22-54-103. Definitions. As used in this article, unless the context otherwise requires:

(1.5) (b) For purposes of this subsection (1.5):

(IV) "District pupils who are English language learners" means the number of pupils included in the district pupil enrollment for the preceding budget year who were not eligible for free lunch pursuant to the provisions of the federal "National School Lunch Act" "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. sec. 1751 et seq., and who are English language learners, as defined in section 22-24-103 (3) 22-24-103 (4), and:

SECTION 55. In Colorado Revised Statutes, **amend** 22-81-206 as follows:

22-81-206. Science and technology education fund - creation.

(1) There is hereby created in the state treasury the science and technology education fund, referred to in this section as the "fund", for payment of science and technology education center grants awarded pursuant to section 22-81-203. The fund shall consist of such moneys as may be appropriated thereto by the general assembly and such moneys as may be credited thereto pursuant to section 22-81-205 (2). Moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes specified in this part 2. The department may expend up to two percent of the moneys annually appropriated to the fund to offset the costs incurred in implementing the grant program. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. ~~Except as otherwise provided in subsection (2) of this section,~~ At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

~~(2) (a) On March 5, 2003, the state treasurer shall transfer the balance of moneys in the fund to the state education fund created in section 17 (4) of article IX of the state constitution.~~

~~(b) On June 30, 2011, the state treasurer shall transfer the balance~~

of moneys in the fund to the state education fund created in section 17 (4) of article IX of the state constitution.

SECTION 56. In Colorado Revised Statutes, **repeal** 22-88.1-101 as follows:

22-88.1-101. Reading assistance grant program fund - balance of moneys - transfer. ~~On June 30, 2011, the state treasurer shall transfer the balance of moneys in the reading assistance grant program fund, as said fund existed prior to July 1, 2010, to the state education fund created in section 17 (4) of article IX of the state constitution.~~

SECTION 57. In Colorado Revised Statutes, 23-31-301, **amend** (2) (a) as follows:

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

SECTION 58. In Colorado Revised Statutes, **repeal** 23-60-501 as follows:

23-60-501. Transfer of funds, property, etc. ~~(1) On July 1, 1967, all funds remaining to the credit of the former state board for vocational education and all property, including office furniture and fixtures, books, documents, and records, of the former state board for vocational education are transferred to the state board for community colleges and occupational education.~~

~~(2) On July 1, 1967, all funds previously appropriated to the state~~

board of education for the operation of the division of education beyond high school for the junior college function and the adult education function, but not including the programs of adult basic education, adult high school completion, adult education for civil defense, and general public school adult education, and all property, including office furniture and fixtures, books, documents, and records, relating to such transferred functions of the division of education beyond high school are transferred to the state board for community colleges and occupational education.

SECTION 59. In Colorado Revised Statutes, 23-70-105, **amend** (1) (f) as follows:

23-70-105. General powers of the Auraria board. (1) The Auraria board is a body corporate by the name and style of the board of directors of the Auraria higher education center and, as such and by its said name, has the power to:

(f) Employ, within funds appropriated for such purpose or otherwise made available therefor, such employees as are necessary to perform the functions and carry out the duties of the Auraria board, including ~~an executive vice-president for administration who shall be the~~ A chief executive officer for operations at the Auraria campus WHO SHALL REPORT DIRECTLY TO THE AURARIA BOARD;

SECTION 60. In Colorado Revised Statutes, 24-1.9-104, **amend** (1) as follows:

24-1.9-104. Cash fund - creation - grants, gifts, and donations.

(1) On July 1, 2005, there shall be created in the state treasury the performance-based collaborative management incentive cash fund, which shall be referred to in this section as the "fund". The moneys in the fund shall be subject to annual appropriation by the general assembly to the department of human services for state fiscal year 2005-06 and each fiscal year thereafter. ~~On July 1, 2006, the state treasurer shall transfer the moneys in the performance incentive cash fund created pursuant to section 26-5-105.5 (3.2) (a), C.R.S., to the fund. In addition, on July 1, 2006, the state treasurer shall transfer the moneys remaining in the family stabilization services fund created pursuant to section 19-1-125, C.R.S., to the fund.~~ The fund shall also consist of moneys received from docket fees in civil actions and transferred as specified in section 13-32-101 (5) (a) (II),

C.R.S.

SECTION 61. In Colorado Revised Statutes, 24-4.1-302.5, **amend** (1) (z) as follows:

24-4.1-302.5. Rights afforded to victims. (1) In order to preserve and protect a victim's rights to justice and due process, each victim of a crime shall have the following rights:

(z) The right to be notified of a hearing concerning a petition for sealing of records described in section ~~24-72-308~~ 24-72-702 filed by a defendant in the criminal case whose crime falls under section 24-4.1-302 (1).

SECTION 62. In Colorado Revised Statutes, 24-4.1-303, **amend** (11) (b.7) as follows:

24-4.1-303. Procedures for ensuring rights of victims of crimes.

(11) The district attorney shall inform a victim of the following:

(b.7) Any hearing concerning a petition for sealing of records as described in section ~~24-72-308~~ 24-72-702 that was filed by a defendant in the criminal case and whose crime falls under section 24-4.1-302 (1). The notification should be made using the last known contact information that is available for the victim.

SECTION 63. In Colorado Revised Statutes, 24-4.2-103, **repeal** (6) as follows:

24-4.2-103. Victims and witnesses assistance and law enforcement fund - control of fund. (6) Notwithstanding any provision of this section to the contrary, on June 30, 2004, the state treasurer shall transfer up to one million dollars of locally unencumbered moneys in the fund to the general fund.

SECTION 64. In Colorado Revised Statutes, 24-10-114, **amend** (1) as follows:

24-10-114. Limitations on judgments - recommendation to general assembly - authorization of additional payment - lower north

fork wildfire claims - legislative declaration. (1) (a) The maximum amount that may be recovered under this article in any single occurrence, whether from one or more public entities and public employees, shall be:

(a) (I) For any injury to one person in any single occurrence, the sum of three hundred fifty thousand dollars;

(b) (II) For an injury to two or more persons in any single occurrence, the sum of nine hundred ninety thousand dollars; except that, in such instance, no person may recover in excess of three hundred fifty thousand dollars.

(c) (b) The amounts specified in subsections (a) and (b) PARAGRAPH (a) of this subsection (1) shall be adjusted by an amount reflecting the percentage change over a four-year period in the United States department of labor, bureau of labor statistics, consumer price index for Denver-Boulder-Greeley, all items, all urban consumers, or its successor index. On or before January 1, 2018, and by January 1 every fourth year thereafter, the secretary of state shall calculate the adjusted dollar amount for the immediately preceding four-year period as of the date of the calculation. The adjusted amount shall be rounded upward to the nearest one-thousand-dollar increment. The secretary of state shall certify the amount of the adjustment for the particular four-year period and shall publish the amount of the adjustment on the secretary of state's web site.

SECTION 65. In Colorado Revised Statutes, 24-31-608, **amend** (2) as follows:

24-31-608. Transfer of property. (2) On June 30, 2014, any moneys held by the safe2tell nonprofit may be transferred to the safe2tell cash fund created pursuant to section 24-31-607 24-31-610.

SECTION 66. In Colorado Revised Statutes, 24-31-610, **amend** (1) (c) as follows:

24-31-610. Safe2tell cash fund - creation. (1) There is created in the state treasury the safe2tell cash fund, referred to in this section as the "fund". Moneys in the fund are subject to annual appropriation. The fund consists of:

(c) Any moneys held by the safe2tell nonprofit as of June 30, 2014, that are transferred to the fund pursuant to section 24-31-607(2) 24-31-608 (2); and

SECTION 67. In Colorado Revised Statutes, 24-34-307, **amend** (12) as follows:

24-34-307. Judicial review and enforcement. (12) If no proceeding to obtain judicial review is instituted by a complainant or respondent within forty-five FORTY-NINE days from the service of an order of the commission pursuant to section 24-34-306, the commission may obtain a decree of the district court for the enforcement of such order upon showing that such respondent is subject to the jurisdiction of the commission and resides or transacts business within the county in which the petition for enforcement is brought.

SECTION 68. In Colorado Revised Statutes, 24-48.5-117, **amend** (7) (a) (I) as follows:

24-48.5-117. Advanced industry - grants - fund - definitions - repeal. (7) **Fund.** (a) The advanced industries acceleration cash fund is created in the state treasury. The fund consists of:

(I) Moneys transferred to it pursuant to section 24-48.5-108 (5) (c), AS SAID SECTION EXISTED PRIOR TO ITS REPEAL IN 2015;

SECTION 69. In Colorado Revised Statutes, 24-53-105, **amend** (2) (b) as follows:

24-53-105. Contribution fund. (2) (b) The department may establish within such fund, from interest and other charges accruing thereto not payable to the United States secretary of the treasury, a contingency account for the purpose of making payments to the United States secretary of the treasury of amounts claimed by the secretary of the United States department of health and human services to be due and owing from any political subdivision, payment of which amounts have not theretofore been made to the department by said political subdivision. The department may also establish within such fund, from such interest and other charges, an account from which the administrative expenses and costs incurred by the department may be paid directly to the department or to the department of

the treasury in reimbursement of such expenses and costs previously paid. Such accounts shall be subject to annual audit. All moneys expended by the department from this account shall be appropriated by the general assembly. ~~For the fiscal year beginning July 1, 1989, the state treasurer shall transfer to the general fund out of any unappropriated moneys in this account the sum of five hundred thousand dollars (\$500,000).~~

SECTION 70. In Colorado Revised Statutes, **repeal** 24-75-221 as follows:

24-75-221. Transfer of general fund revenue to Colorado economic development fund for 2011-12 fiscal year. Notwithstanding any provision of law to the contrary, on June 30, 2012, the state treasurer shall transfer from the general fund to the Colorado economic development fund created in section 24-46-105 the lesser of four million dollars or the amount by which the June 2012 estimate of general fund revenue prepared by the office of state planning and budgeting for the 2011-12 fiscal year exceeds the March 2012 estimate of general fund revenue prepared by the office of state planning and budgeting for the 2011-12 fiscal year.

SECTION 71. In Colorado Revised Statutes, 24-75-302, **amend** (2.7) (b) (II) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - repeal. (2.7) (b) (II) If the amount transferred is not sufficient to cover all level two controlled maintenance projects through score fourteen as prioritized by the office of the state architect, pursuant to subparagraph (IX) (X) of paragraph (a) of this paragraph SUBSECTION (2.7), then the general assembly shall appropriate the amounts necessary to fully fund each score up to score fourteen.

SECTION 72. In Colorado Revised Statutes, **amend** 24-80-214 as follows:

24-80-214. State museum cash fund. There is hereby created in the state treasury the state museum cash fund, referred to in this section as the "cash fund". The cash fund shall consist of all moneys transferred to the cash fund from the state historical fund pursuant to section 12-47.1-1201 (5), C.R.S.; moneys transferred from the justice center cash fund pursuant to section ~~13-32-101 (7) (b)~~ 13-32-101 (7) (b) (II), C.R.S., AS SAID

SUBPARAGRAPH EXISTED PRIOR TO ITS REPEAL IN 2015; and any other moneys appropriated to the cash fund by the general assembly. Moneys in the cash fund shall be subject to annual appropriation by the general assembly to the state historical society to pay for the planning, design, acquisition, and construction of and relocation to a new state museum, and exhibits for the museum. Appropriations from the cash fund shall remain available to the state historical society for a period of four years. Any moneys in the cash fund not expended for the purpose of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the cash fund shall be credited to the cash fund. Any unexpended and unencumbered moneys remaining in the cash fund at the end of a fiscal year shall remain in the cash fund and shall not be credited or transferred to the general fund or another fund.

SECTION 73. In Colorado Revised Statutes, 25-4-1006, **repeal** (2) as follows:

25-4-1006. Cash funds. (2) Notwithstanding any provision of this section to the contrary, for the fiscal year beginning July 1, 1988, the state treasurer shall transfer to the general fund out of any unappropriated moneys in the newborn screening and genetic counseling cash funds the sum of five hundred thousand dollars.

SECTION 74. In Colorado Revised Statutes, 25-4-1202, **repeal** (2) (b) as follows:

25-4-1202. Streptococcus cash fund. (2) (b) Notwithstanding any provision of paragraph (a) of this subsection (2) to the contrary, on April 20, 2009, the state treasurer shall transfer the balance of moneys in the streptococcus cash fund to the general fund.

SECTION 75. In Colorado Revised Statutes, 25-17-105.5, **repeal** (5) as follows:

25-17-105.5. Pilot program - cathode ray tube product recycling. (5) Notwithstanding any provision of this section to the contrary, on April 20, 2009, the state treasurer shall transfer the balance of moneys in the cathode ray tube recycling fund to the general fund.

SECTION 76. In Colorado Revised Statutes, 25-17-305, **amend** (2) as follows:

25-17-305. Immunity. (2) A waste hauler, as that term is defined in section ~~30-20-1402 (16)~~ 30-20-1001 (16), C.R.S., or owner or operator of a landfill or transfer station does not violate this part 3 if the hauler, owner, or operator has made a good-faith effort to comply with this part 3 by posting and maintaining, in a conspicuous location at the waste hauler's facility, transfer station, or the landfill, a sign stating that electronic devices will not be accepted at the facility, transfer station, or landfill.

SECTION 77. In Colorado Revised Statutes, **amend** 25-20.5-502 as follows:

25-20.5-502. Definitions. As used in this part 5, unless the context otherwise requires:

(1) "School-based health center" means a clinic established and operated within a public school building, including charter schools and state-sanctioned high school equivalency examination programs associated with a school district, or on public school property by the school district. School-based health centers are operated by school districts in cooperation with hospitals, public or private health care organizations, licensed medical providers, public health nurses, community health centers, and community mental health centers. The term "school-based health center" includes clinics or facilities authorized to provide clinic services pursuant to section ~~26-4-513~~ 25.5-5-301, C.R.S., or authorized to apply for and receive medical assistance payments under a contract entered into pursuant to section ~~26-4-531~~ 25.5-5-318, C.R.S.

SECTION 78. In Colorado Revised Statutes, 25-23-104, **amend** (1) as follows:

25-23-104. Dental loan repayment fund - acceptance of grants and donations. (1) The state dental loan repayment program shall be funded by moneys appropriated by the general assembly specifically for said program, moneys transferred thereto pursuant to subsection (2) of this section, and any matching funds or contributions received from any public or private sources. Such funds shall be transmitted to the treasurer, who shall credit the same to the state dental loan repayment fund, which fund is

hereby created. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund. Moneys in the fund shall be used to provide loan repayment assistance to eligible dental professionals. Moneys in the fund may also be used to pay for the administrative costs of the department of public health and environment to implement the loan repayment program; except that administrative costs shall not exceed ten percent. ~~For fiscal year 2001-02 only, administrative costs shall not exceed thirty-six thousand dollars (\$36,000) and may be paid from the state dental loan repayment fund.~~

SECTION 79. In Colorado Revised Statutes, 25.5-8-105, **amend** (1) and (2) (a); and **repeal** (4), (5) (b), and (5) (c) as follows:

25.5-8-105. Trust - created. (1) A fund to be known as the children's basic health plan trust is hereby created and established in the state treasury. Except as provided for in ~~subsections (4) and~~ SUBSECTION (8) of this section, all moneys deposited in the trust and all interest earned on moneys in the trust shall remain in the trust for the purposes set forth in this article, and no part thereof shall be expended or appropriated for any other purpose. The principal of the trust shall be expended, subject to annual appropriation by the general assembly, solely for the purposes set forth in this article.

(2) (a) Except as provided for in ~~subsections (4) and~~ SUBSECTION (8) of this section, all or a portion of the moneys in the trust shall be annually appropriated by the general assembly for the purposes of this article and shall not be transferred to or revert to the general fund of the state at the end of any fiscal year.

(4) ~~On June 30, 2006, the state treasurer and the controller shall transfer eight million one hundred thousand dollars from the trust to the state general fund.~~

(5) (b) ~~(I) Notwithstanding any provision of paragraph (a) of this subsection (5) to the contrary, on March 27, 2002, the state treasurer shall deduct nine hundred thousand dollars from the trust and transfer such sum to the general fund.~~

~~(II) In order to restore the amount transferred from the trust pursuant~~

~~to subparagraph (I) of this paragraph (b), moneys from the general fund shall be transferred to the trust in accordance with section 24-75-217, C.R.S.~~

(c) Notwithstanding any provision of this section to the contrary, on March 5, 2003, the state treasurer shall deduct from the trust, out of moneys appropriated pursuant to section 24-75-1104(1)(b)(II), C.R.S., two million one thousand one hundred twenty-five dollars, and transfer such sum to the general fund.

SECTION 80. In Colorado Revised Statutes, 26-1-135, **amend** (2) (a) (I); and **repeal** (2) (b) and (2) (c) as follows:

26-1-135. Child welfare action committee - reporting - cash fund - created. (2) (a) (I) There is hereby created in the state treasury the child welfare action committee cash fund, referred to in this section as the "fund". The fund shall be comprised of moneys ~~transferred to the fund in accordance with paragraph (b) of this subsection (2), moneys credited to the fund pursuant to subsection (3) of this section, and any other moneys appropriated to the fund. All interest earned on the investment of moneys in the fund shall be credited to the fund.~~

(b) Notwithstanding any law to the contrary, any moneys appropriated from the general fund to the department of human services for the fiscal year commencing on July 1, 2007, that are unexpended or unencumbered as of the close of the 2007-08 fiscal year shall not revert to the general fund but shall be transferred by the state treasurer and the controller to the child welfare action committee cash fund created in subsection (2) of this section; except that the amount so transferred shall not exceed two hundred thousand dollars.

(c) Notwithstanding any provision of this section to the contrary, the state treasurer shall transfer to the general fund any unexpended and unencumbered moneys remaining in the fund as of July 1, 2011.

SECTION 81. In Colorado Revised Statutes, 31-30-1112, **repeal** (1) (a), (2) (g) (I) (A), (2) (g) (II) (A), and (2) (h) (I) as follows:

31-30-1112. State contributions - intent. (1) (a) Prior to July 1, 2004, the state treasurer may transfer moneys annually to the fire and police

~~pension association for distribution as provided in this section to assist in funding volunteer firefighter pension funds.~~

(2) (g) The moneys necessary to make the state's contribution under this section shall be derived from the proceeds of the tax imposed by section 10-3-209, C.R.S., as follows:

(I) (A) ~~On September 30 of each year through September 30, 2003, the state treasurer shall transfer the amount necessary to provide contributions equal to the contributions made by the state to each municipality and district during the calendar year 1979 to the fire and police pension association for disbursement to the fund of each municipality or district.~~

(II) (A) ~~To the extent the state's contribution under this section exceeds the contributions made by the state during the calendar year 1979, the state treasurer shall transfer the excess amounts from the proceeds of the tax imposed by section 10-3-209, C.R.S., to the fire and police pension association on September 30 of each year through September 30, 2003, for disbursement to the municipality's or district's funds.~~

(h) (I) ~~In addition to any other transfers required by this section, on September 30 of each year through September 30, 2003, the state treasurer shall transfer from the proceeds of the tax imposed by section 10-3-209, C.R.S., to the fire and police pension association, such moneys as may be necessary to pay for the accidental death and disability insurance policy for volunteer firefighters provided in section 31-31-202 (4).~~

SECTION 82. In Colorado Revised Statutes, 31-31-202, **amend** (4) (a) as follows:

31-31-202. Powers and duties of the board. (4) (a) Except as otherwise provided in paragraph (d) of this subsection (4), the board shall provide for and determine the cost of a statewide accidental death and disability insurance policy to cover all volunteer firefighters serving in volunteer or paid and volunteer fire departments, the insurance to be applicable only when serving as a volunteer firefighter. The policy shall be paid for as provided in section 31-30-1112 (2) (h) (I) 31-30-1112 (2) (h) (II) from proceeds of the tax imposed by section 10-3-209, C.R.S.

SECTION 83. In Colorado Revised Statutes, 33-10-111.5, **amend** (2) and (4) as follows:

33-10-111.5. Parks and outdoor recreation emergency reserve cash fund - stores revolving fund - created. (2) For each fiscal year, a portion of the parks and outdoor recreation cash fund year-end balances shall be credited to the parks and outdoor recreation emergency reserve cash fund so that by fiscal year 2007, the balance in the parks and outdoor recreation emergency reserve cash fund shall total one million dollars. For the fiscal year 2008 and for each fiscal year thereafter, the balance in the parks and outdoor recreation emergency reserve cash fund shall increase by one percent of the overall appropriation to the division of parks and wildlife for state park operations; except that the balance in the parks and outdoor recreation emergency reserve cash fund shall not exceed ten percent of the total amount appropriated for state park operations. For fiscal years 1989 to 1996, the general assembly shall specify the amount to be credited to the parks and outdoor recreation emergency reserve cash fund for each fiscal year.

(4) There is hereby created a stores revolving fund in the amount of two hundred thousand dollars, which amount shall be maintained to acquire stock for warehousing and distributing supplies for retail sales to visitors. ~~On July 1, 2003, the state treasurer shall transfer two hundred thousand dollars from the parks and outdoor recreation cash fund to the revolving fund.~~ The moneys in such fund shall under no circumstances be used for the payment of operating expenses but shall be maintained intact as a revolving fund of two hundred thousand dollars, composed of the following assets: Cash, accounts receivable, and inventory supplies. The purpose of the fund is to provide better budgetary control, and nothing contained in this subsection (4) shall authorize the division to make any purchases or acquisitions in any manner except as provided by law. Any surplus in the revolving fund in excess of two hundred thousand dollars shall revert to the parks and outdoor recreation cash fund at the close of each fiscal year.

SECTION 84. In Colorado Revised Statutes, 33-41-103, **amend** (2) (a) as follows:

33-41-103. Limitation on landowner's liability. (2) (a) To the extent liability is found, notwithstanding subsection (1) of this section, the total amount of damages that may be recovered from a private landowner

who leases land or a portion thereof to a public entity for recreational purposes or who grants an easement or other rights to use land or a portion thereof to a public entity for recreational purposes for injuries resulting from the use of the land by invited guests for recreational purposes shall be:

(I) For any injury to one person in any single occurrence, the amount specified in section ~~24-10-114 (1) (a)~~ 24-10-114 (1) (a) (I), C.R.S.;

(II) For an injury to two or more persons in any single occurrence, the amount specified in section ~~24-10-114 (1) (b)~~ 24-10-114 (1) (a) (II), C.R.S.

SECTION 85. In Colorado Revised Statutes, 34-63-102, **amend** (5.3) (a) (I) (A) and (5.3) (a) (I) (B); and **repeal** (5.4) (b.7) and (5.4) (b.8) as follows:

34-63-102. Creation of mineral leasing fund - distribution - advisory committee - local government permanent fund created - definitions - repeal. (5.3) (a) Bonus payments credited to the mineral leasing fund created in subparagraph (II) of paragraph (a) of subsection (1) of this section shall be distributed on a quarterly basis for each quarter commencing on July 1, October 1, January 1, or April 1 of any state fiscal year as follows:

(I) (A) Fifty percent of the bonus payments shall be transferred to the local government permanent fund, which is hereby created in the state treasury. Interest and income derived from the deposit and investment of moneys in the local government permanent fund shall be credited to the permanent fund and shall not be transferred to the general fund or any other fund at the end of any fiscal year. Except as otherwise provided in ~~sub-subparagraph (B), (C), and (D)~~ SUB-SUBPARAGRAPH (B) of this subparagraph (I), moneys in the permanent fund shall not be expended for any purpose. The state treasurer may invest moneys in the local government permanent fund in any investment in which the board of trustees of the public employees' retirement association may invest the funds of the association pursuant to section 24-51-206, C.R.S.

(B) ~~Except as provided in sub-subparagraph (C) of this subparagraph (I),~~ If, based on the revenue estimate prepared by the staff of the legislative council in December of any fiscal year, it is anticipated that

the total amount of moneys that will be deposited into the mineral leasing fund pursuant to subparagraph (II) of paragraph (a) of subsection (1) of this section during the fiscal year will be at least ten percent less than the amount of moneys so deposited during the immediately preceding fiscal year, the general assembly may appropriate moneys from the local government permanent fund to the department of local affairs for the current or next fiscal year. The maximum amount that the general assembly may appropriate for the current or next fiscal year pursuant to this sub subparagraph (B) is an amount equal to the difference between the total amount of moneys credited to the local government mineral impact fund and directly distributed by the executive director of the department pursuant to paragraph (c) of subsection (5.4) of this section during the immediately preceding fiscal year and the estimated total amount of moneys to be so credited and distributed for the current fiscal year. The executive director of the department shall distribute all moneys appropriated pursuant to this sub subparagraph (B) directly to counties and municipalities in combination with and using the methodology set forth in subparagraphs (I) to (IV) of paragraph (c) of subsection (5.4) of this section.

(5.4) Except as otherwise provided in subsection (5.5) of this section, on and after July 1, 2008, all moneys other than bonus payments, as defined in paragraph (b) of subsection (5.3) of this section, credited to the mineral leasing fund created in subparagraph (II) of paragraph (a) of subsection (1) of this section shall be distributed on a quarterly basis for quarters beginning on July 1, October 1, January 1, and April 1 of each state fiscal year as follows:

(b.7) ~~Notwithstanding any provision of paragraph (b) of this subsection (5.4) to the contrary, on June 30, 2011, the state treasurer shall deduct fifteen million dollars from the local government mineral impact fund and transfer such sum to the general fund.~~

(b.8) ~~Notwithstanding any provision of paragraph (b) of this subsection (5.4) to the contrary, on June 30, 2012, the state treasurer shall deduct thirty million dollars from the local government mineral impact fund and transfer such sum to the general fund.~~

SECTION 86. In Colorado Revised Statutes, 35-61-104.5, amend (2) as follows:

35-61-104.5. Research - fees. (2) In addition to the fees collected pursuant to section 35-61-106, the commissioner may collect an additional fee, established by the committee, from each registrant for the purpose of funding industrial hemp research and certification programs, including by making grants to institutions of higher education as specified in subsection (1) of this section. The fees collected shall be deposited in the industrial hemp ~~registration program~~ cash RESEARCH GRANT fund created in section 35-61-106 (3). The department may solicit, apply for, and accept moneys from other sources for the grant program.

SECTION 87. In Colorado Revised Statutes, 39-10-103, **amend** (1) (b) as follows:

39-10-103. Tax statement. (1) (b) On and after January 1, 1988, each taxpayer's statement required by paragraph (a) of this subsection (1) shall also separately list the mill levies and the amount of taxes to be credited to ~~the state~~; the county, municipalities, school districts, special districts, and other districts within the county which are applicable to his property. This paragraph (b) shall be applicable for statements for 1987 taxes payable in 1988 and for each statement thereafter.

SECTION 88. In Colorado Revised Statutes, 39-10-107, **amend** (1) (a) introductory portion; and **repeal** (2) as follows:

39-10-107. Apportionment of taxes, delinquent interest - payment. (1) (a) Notwithstanding any other provision of law, all taxes collected by the treasurer shall be apportioned, credited, and distributed to ~~the state~~; the county and the several towns, cities, school districts, and special districts within the county on the tenth day of each month for all taxes collected during the immediately preceding month; except that:

(2) ~~The treasurer shall keep one account for all property taxes collected for the state and, no later than the tenth day of each month, shall remit to the state treasurer the total amount of such taxes collected during the month immediately preceding, with a report thereof on forms prescribed and furnished by the state treasurer. No fee shall be charged to the state for collection of its taxes.~~

SECTION 89. In Colorado Revised Statutes, **repeal** 39-10-108 as follows:

39-10-108. Treasurer responsible for state tax levies. The treasurer is responsible to the state for the full amount of taxes levied on property in his county for state purposes, excepting such amounts as are certified to be unavailable because of clerical errors, because of erroneous or illegal valuation for assessment, or when determined to be uncollectible and cancelled pursuant to law.

SECTION 90. In Colorado Revised Statutes, 39-21-102, **amend** (1) as follows:

39-21-102. Scope. (1) Unless otherwise indicated, the provisions of this article apply to the taxes or fees imposed by articles 22 to 35 of this title and article 60 of title 34, C.R.S., section 21 of article X of the state constitution, article 3 of title 42, part 5 of article 47 of title 12, articles 11 and 20 of title 30, article 4 of title 43, ~~part 2 of article 17 of title 25, part 1 of~~ article 2 of title 40, and part 2 of article 20 of title 8, C.R.S.

SECTION 91. In Colorado Revised Statutes, 39-26-123, **amend** (4) (a) introductory portion; and **repeal** (4.5) as follows:

39-26-123. Receipts - disposition - transfers of general fund surplus - sales tax holding fund - creation - definitions - repeal. (4) (a) Except as otherwise provided in sub subparagraph (B) of subparagraph (VI) of this paragraph (a), ~~and subsection (4.5) of this section,~~ all moneys in the sales and use tax holding fund shall be transferred to the highway users tax fund, as follows:

(4.5) (a) ~~The state treasurer shall not transfer any moneys from the sales and use tax holding fund to the highway users tax fund during state fiscal years 2008-09 and 2009-10.~~

(b) ~~On June 30, 2009, and June 30, 2010, the state treasurer shall transfer the balance of the sales and use tax holding fund as of that date, as applicable, to the general fund.~~

SECTION 92. In Colorado Revised Statutes, 40-8.7-112, **amend** (1) as follows:

40-8.7-112. Department of human services low-income energy assistance fund - creation - energy outreach Colorado low-income

energy assistance fund - creation - Colorado energy office low-income energy assistance fund - creation - definitions. (1) (a) There is hereby created in the state treasury the department of human services low-income energy assistance fund, which shall be administered by the department of human services and shall consist of all moneys transferred by the treasurer as specified in section 39-29-109.3 (2) (f), C.R.S. All moneys in the fund are continuously appropriated to the department of human services for the purpose of increasing available funds under the low-income energy assistance program specified in section 26-1-109, C.R.S. All moneys in the fund at the end of each fiscal year shall be retained in the fund and shall not revert to the general fund or any other fund.

(b) Notwithstanding any provision of paragraph (a) of this subsection (1) to the contrary, on June 1, 2009, the state treasurer shall deduct three million dollars from the department of human services low-income energy assistance fund and transfer such sum to the general fund.

(c) Notwithstanding any provision of paragraph (a) of this subsection (1) to the contrary, on March 18, 2010, the state treasurer shall deduct one million six hundred twenty-five thousand dollars from the department of human services low-income energy assistance fund and transfer such sum to the operational account of the severance tax trust fund.

(d) Notwithstanding any provision of paragraph (a) of this subsection (1) to the contrary, on June 30, 2011, the state treasurer shall deduct three million two hundred fifty thousand dollars from the department of human services low-income energy assistance fund and transfer such sum to the general fund.

(e) Notwithstanding any provision of paragraph (a) of this subsection (1) to the contrary, on January 5, 2012, the state treasurer shall deduct three million two hundred fifty thousand dollars from the department of human services low-income energy assistance fund and transfer such sum to the general fund.

SECTION 93. In Colorado Revised Statutes, 42-2-114.5, amend (2) (h) as follows:

42-2-114.5. Licensing services cash fund - fee setting procedures

- rules. (2) Except as provided in subsection (3) of this section, the following fees must be paid for the following functions:

(h) The fee for the return of a license under section ~~42-2-127.7 (4)~~
~~(b) (III)~~ 42-2-127.7 (4) (d) (II) is five dollars;

SECTION 94. In Colorado Revised Statutes, 42-2-306, **amend** (1) (a) (II) as follows:

42-2-306. Fees - disposition. (1) The department shall charge and collect the following fees:

(a) (II) Except as provided in ~~subparagraphs (III) and~~ SUBPARAGRAPH (III.5) of this paragraph (a), a fee as determined by the department under section 42-2-114.5 for an identification card or renewal of an identification card.

SECTION 95. In Colorado Revised Statutes, 42-4-1305, **amend** (2) (c) as follows:

42-4-1305. Open alcoholic beverage container - motor vehicle - prohibited. (2) (c) A person who violates the provisions of this subsection (2) commits a class A traffic infraction and shall be punished by a fine of fifty dollars and a surcharge of ~~seven dollars and eighty cents~~ SIXTEEN DOLLARS as provided in section 42-4-1701 (4) (a) (I) (N).

SECTION 96. In Colorado Revised Statutes, 42-4-1701, **amend** (4) (a) (X) (B) as follows:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (X) (B) A person who willfully receives remuneration for violating section ~~42-3-1208 (5)~~ 42-4-1208 (5) is guilty of a class 1 misdemeanor and, upon conviction, shall be punished by twice the civil and criminal penalties that would be imposed under section 18-1.3-501, C.R.S.

SECTION 97. In Colorado Revised Statutes, 42-20-107, **repeal** (4) as follows:

42-20-107. Hazardous materials safety fund - repeal.

(4) Notwithstanding the provisions of this section, on February 27, 2014, the state treasurer shall transfer one million seven hundred thirty thousand eight hundred thirty-nine dollars to the motor carrier safety fund created in section 42-4-235 (6).

SECTION 98. In Colorado Revised Statutes, **amend** 43-4-1003 as follows:

43-4-1003. Repeal of part. This article PART 10 is repealed, effective July 1, 2017.

SECTION 99. In Colorado Revised Statutes, 24-32-3405 **amend as added by House Bill 15-1033** (3) as follows:

24-32-3405. Operation. (3) The chair of the planning group shall establish a schedule for planning group meetings. The ~~commission~~ PLANNING GROUP must meet at least twelve times each calendar year.

SECTION 100. Act subject to petition - effective date. (1) Except as otherwise provided in subsection (2) of 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 (August 5, 2015, if adjournment sine die is on May 6, 2015); 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 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 99 of this act takes effect only if House Bill 15-1033 becomes law, in which case section 99 takes effect on the effective date of this act.

Bill L. Cadman
PRESIDENT OF
THE SENATE

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO

APPENDIX

C.R.S. Section	Section in bill	Reason
Nonstatutory directive to the revisor of statutes	1	Public Law 106-78 changed the name of the federal "National School Lunch Act" (42 U.S.C. 1751 et seq.) to the "Richard B. Russell National School Lunch Act". (See Public Law 106-78.)
Senate Bill 14-180, Accountability Clause - Section 7 of Chapter 314 of the Colorado Session Laws	2	The information required to conduct a post-enactment review of SB14-180 is located in section 25.5-3-402, not section 26-11-208, as indicated in the accountability clause of the bill. (See the 2014 Senate Journal for April 25, 2014, page 930, lines 58 to 66, and SB14-180, chapter 314, page 1365.)
2-4-401 (8.5) and (9.5)	3	To follow standard drafting practices for statutory sections that primarily consist of definitions, the definition of "petty offense" is being placed in alphabetical order.
2-5-119	4	<ul style="list-style-type: none"> • Repeals a reference to section 135-4-29 of the Colorado Revised Statutes 1963. When the Colorado Revised Statutes was reorganized and recodified in 1973, the section was removed due to it being deemed obsolete. (See the C.R.S. 63 to C.R.S. 73 Comparative Table, Colorado Revised Statutes 2014 Index N to Z and Tables, page 723.) • This section references articles 10 to 16 of title 27; however, article 16 was repealed in 1977 by HB77-1675, articles 11 and 14 were repealed in 1985 by HB85-1205, and articles 10, 10.3, 12, 13, and 15 were relocated to various provisions in title 27 by SB10-175. Because of the repeals and relocations, the reference is being updated. (See HB77-1675, chapter 59, page 293, HB85-1205, chapter 240, page 1016, and SB10-175, chapter 188, page 675.)
2-7-200.1	5	Inserts a short title to enhance the clarity of the statutes.
5-6-204 (2) and (3)	6	The one-time monetary transfers or distributions required pursuant to these provisions were to be completed in or prior to the year 2014; therefore, they are being repealed as obsolete.
6-1-105 (1)(yy)	7	Prior to the repeal of article 5.5 of title 12 on July 1, 2012, the article included deceptive trade practice offenses and was therefore correctly cross referenced in the deceptive trade practices statute, section 6-1-105. In 2013, SB13-228 placed the deceptive trade practice offenses formerly located in article 5.5 of title 12 in section 6-1-701. Due to the relocation of the offenses, subsection (1)(yy) is no longer accurate and is being repealed. (See SB07-208, chapter 210, page 824, SB13-228, chapter 271, page 1420, and SB13-238, chapter 401, page 2337.)

8-17-101 (2)(b)	8	Section 5 of HB13-1292 moved the definition of "public project" to section 8-19-102 (2). Section 2 of the same bill added language to section 8-17-101 (2)(b) referencing the prior location of the definition, creating an inaccuracy. (See HB13-1292, chapter 266, pages 1395 and 1398.)
8-70-103 (6.5)	9	On July 18, 2012, the Revisor of Statutes received the notice required in section 8-76-102.5 (1); therefore the date described in this provision can be determined as January 1, 2013. (See HB12S-1002, chapter 2, page 2424; the Title 8 Labor and Industry Special October 2013 Corrective Supplement; section 8-76-102.5 (1), C.R.S. 2012; and the editor's note following section 8-76-102.5, C.R.S. 2014.)
8-70-114 (2)(g)(IV) and (2)(g)(V)	10	On July 18, 2012, the Revisor of Statutes received the notice required in section 8-76-102.5 (1). This resulted in the repeal of multiple statutory sections leaving inoperative references in other sections to the repealed law. Therefore, conforming amendments are being made to remove the inoperative references and text related to the repealed sections. (See the Title 8 Labor and Industry Special October 2013 Corrective Supplement; section 8-76-102.5 (1), C.R.S. 2012; and the editor's note following section 8-76-102.5, C.R.S. 2014.)
8-76-102.5 (1) and (2)	11	<ul style="list-style-type: none"> • See section 8-70-103 (6.5). • See section 8-70-114 (2)(g)(IV) and (2)(g)(V).
8-76-115 (1) and (5)(a)	12	See section 8-70-114 (2)(g)(IV) and (2)(g)(V).
10-3-243 (4)	13	Rule-making authority is a function of the commissioner of insurance regarding the enforcement of the provisions in this section; therefore the reference to the commission of insurance, which does not exist in the statutes, is being changed to commissioner of insurance. (See SB14-152, chapter 312, page 1317 and section 10-3-243 (1)(b)(II)(A), C.R.S 2014.)
11-51-308 (1)(p)	14	Amendments to the federal "Securities Act of 1933" added and reorganized certain provisions that are referenced in this section; therefore, references to the act are being updated to correspond with the added and reorganized provisions. (See Public Law 96-477, Public Law 112-106, and HB90-1222, chapter 82, page 717.)
11-59-110 (1)(g)	15	<ul style="list-style-type: none"> • See section 11-51-308 (1)(p). • See SB91-159, chapter 332, page 2415.
12-6-123 (2)	16	See section 5-6-204 (2) and (3).
12-14.5-202 (10)	17	Corrects a publication error that led to the duplication of language in the Colorado Revised Statutes, 2013 and 2014. (See SB13-262, chapter 297, page 1586.)

12-40.5-110 (2)(f)	18	Clarifies that the term "act", as used in this provision, means article 40.5 of title 12. (See SB08-152, chapter 220, pages 816 and 823.)
12-40.5-114.5 (3) and (4)	19	Corrects internal references to provisions describing activities that licensed occupational therapists and occupational therapy assistants may be disciplined for. The errors first appeared in the introduced version of SB13-180. (See SB13-180, chapter 411, page 2442.)
12-43.3-1102 (1)(c)	20	Inserts a missed conforming amendment to comply with the intent of SB13-283. (See SB13-283, chapter 332, pages 1889 and 1890.)
12-43.4-302 (2)	21	Clarifies that a "state application" is a "state license application" and "license" is a "state license". (See HB13-1317, chapter 329, page 1843.)
12-43.4-308 (1)	22	Corrects an internal reference to the marijuana establishment licensing location requirements. (See HB13-1317, chapter 329, page 1847.)
12-47-902.5 (5)(a)	23	Repeals the internal reference to section 25.5-1-503 (3) due to the repeal of part 5 of article 1 of title 25.5, effective July 1, 2006. (See SB06-219, chapter 355, page 1800.)
12-47.1-1601 (4)(a)(II), (6)(a)(II), (6)(b), (7), and (8)	24	See section 5-6-204 (2) and (3).
12-55-102.5 (5)	25	See section 5-6-204 (2) and (3).
12-61-111.5 (2)(a)(II)	26	Corrects an internal reference to the section establishing limitations on uncommitted reserves in administrative agency cash funds. (See the 2010 Senate Journal for May 7, page 1290, lines 52 to 59 and HB10-1278, chapter 365, page 1721.)
12-61-1001 (4)(b)(I)	27	Corrects an internal reference error originating in the Senate Local Government Committee Report amending HB13-1277. (See the 2013 Senate Journal for May 1, page 1148, lines 5 to 16, and HB13-1277, chapter 352, page 2041.)
13-2-126 (1)(b) and (1)(b.5)	28	Clarifies that the number of Session Law sets delivered to the University of Colorado Law Library by the custodian of the publication will be determined on need and availability.
13-22-310 (2)	29	See section 5-6-204 (2) and (3).
13-32-101 (7)(b)(II)	30	See section 5-6-204 (2) and (3).

13-53-102	31	Section 13-14-104 was relocated to section 13-14-110 by HB13-1259; however, this conforming amendment was not included in the bill. (See HB13-1259, chapter 218, page 1015.)
13-80-107.5 IP(1)	32	Corrects an error originating in the introduced version of SB14-213 in which the criminal statute of limitations for vehicular homicide was referenced rather than the civil statute of limitations for wrongful death against a defendant who committed vehicular homicide. (See SB14-213, chapter 344, page 1537.)
13-91-106 (1)	33	See section 5-6-204 (2) and (3).
14-2-303.5	34	Corrects an error in the "Uniform Premarital and Marital Agreements Act" in which language applicable to both premarital and marital agreements is referenced only as being applicable to marital agreements. (See HB13-1204, chapter 239, page 1159.)
14-2-309 (5)	35	See section 14-2-303.5.
14-10-114 (7)(a)	36	Updates the name of the act relating to premarital and marital agreements, corrects an internal reference to the enforceability of maintenance provisions of premarital and marital agreements, and corrects an error in which language applicable to both premarital and marital agreements is referenced only as being applicable to marital agreements. (See HB13-1204, chapter 239, page 1159.)
15-2.5-201 (1)(a)(II)	37	Changes an internal reference to correct an obvious error in which subsection (2) is referenced as subsection (b). (See HB14-1353, chapter 209, page 774.)
15-12-705 (1)(i)	38	Harmonizes terminology in this section with the exempt property and family allowance statutes to resolve an inconsistency.
17-24-126 (5)	39	See section 5-6-204 (2) and (3).
18-6.5-102 (11)(f)	40	SB14-118 repealed the definition of mental impairment in section 24-34-301 (2.5)(b)(III) resulting in an undefined term in this provision. Therefore, the obsolete internal reference is being replaced with a reference to a definition of mental impairment that is substantially similar to the repealed definition. (See SB14-118, chapter 250, page 974.)
19-1-111 (6)	41	Amends this provision to reflect the repeal of Chief Justice Directive 97-02, effective May 1, 2004.
19-1-307 (2.5)	42	See section 5-6-204 (2) and (3).
22-2-121.5	43	See section 5-6-204 (2) and (3).
22-2-127 (6)	44	See section 5-6-204 (2) and (3).

22-7-305 (1)(b)(I)(B)	45	The definition of "English language learner" was relocated to section 22-24-103 (4) by HB14-1298. (See HB14-1298, chapter 244, page 926.)
22-7-708	46	See section 5-6-204 (2) and (3).
22-7-1016 (5)(a)	47	See section 22-7-305 (1)(b)(I)(B).
22-9-105.7 (3)	48	See section 5-6-204 (2) and (3).
22-11-301 (3)(c)	49	See section 22-7-305 (1)(b)(I)(B).
22-11-401 (1)(d)(III)	50	See section 22-7-305 (1)(b)(I)(B).
22-30.5-111 (3)	51	Repeals an obsolete reference to the Denver public schools retirement system. SB09-282 merged the Denver public schools retirement system with the public employees' retirement association. (See SB09-282, chapter 288, page 1331.)
22-38-109 (2)	52	See section 22-30.5-111 (3).
22-43.7-201 (1)	53	See section 5-6-204 (2) and (3).
22-54-103 IP(1.5)(b)(IV)	54	<ul style="list-style-type: none"> • See section 1 - nonstatutory directive to the revisor of statutes. • See section 22-7-305 (1)(b)(I)(B).
22-81-206	55	See section 5-6-204 (2) and (3).
22-88.1-101	56	See section 5-6-204 (2) and (3).
23-31-301 (2)(a)	57	An amendment to this provision is required to correct a grammatical error that arose when the provision was amended by SB13-273. (See SB13-273, chapter 406, page 2373.)
23-60-501	58	This section required certain funds and property to be transferred to the state board for community colleges and occupational education on July 1, 1967. As this event occurred nearly fifty years ago, this section is being repealed as obsolete. (See HB67-1448, chapter 242, page 446.)
23-70-105 (1)(f)	59	Updates the title of the head of the Auraria Higher Education Center.
24-1.9-104 (1)	60	See section 5-6-204 (2) and (3).
24-4.1-302.5 (1)(z)	61	Senate Bill 14-206 relocated section 24-72-308 to section 24-72-702 in the same legislative session that HB14-1148 added language in this provision referencing section 24-72-308; therefore, the reference to section 24-72-308 is being updated to correspond with the relocation. (See the

		2014 House Journal for February 7, page 202, lines 29 and 39; HB14-1148, chapter 95, page 348; and SB14-206, chapter 317, pages 1377 and 1378.)
24-4.1-303 (11)(b.7)	62	See section 24-4.1-302.5 (1)(z).
24-4.2-103 (6)	63	See section 5-6-204 (2) and (3).
24-10-114 (1)	64	Subsection (1) is being reorganized to follow standard drafting procedures. Paragraph(c) of subsection (1) does not grammatically follow the subsection's introductory portion. (See SB13-023, chapter 134, page 443.)
24-31-608 (2)	65	Changes an internal reference to the safe2tell cash fund to correct an error originating in the introduced bill. (See SB14-002, chapter 241, page 892.)
24-31-610 (1)(c)	66	The authority to transfer funds held by the safe2tell nonprofit to the safe2tell cash fund is located in section 24-31-608 (2) not section 24-31-607, as indicated in the introduced bill. (See SB14-002, chapter 241, page 892.)
24-34-307 (12)	67	As a conforming amendment to HB13-1126 and for consistency with sections 24-4-106 (11) and 24-34-307 (2), the time allotted to a complainant or respondent to obtain judicial review is being extended to forty-nine days. (See HB13-1126, chapter 58, page 191.)
24-48.5-117 (7)(a)(I)	68	Section 24-48.5-108 was repealed, effective January 2, 2015, leaving an inoperative internal reference to the repealed section in this section. Due to the historical financial relationship between the two sections, the reference to the repealed section will remain and clarifying language explaining the repeal is being added. (See section 24-48.5-108 (6), CRS 2014, and HB13-1001, chapter 227, page 1078.)
24-53-105 (2)(b)	69	See section 5-6-204 (2) and (3).
24-75-221	70	See section 5-6-204 (2) and (3).
24-75-302 (2.7)(b)(II)	71	Senate second reading floor amendment, L.003, amended the reengrossed version of HB14-1342 by adding a new subparagraph (VIII) to subsection (2.7)(a). The addition of the new subparagraph resulted in the renumbering of former subparagraph (IX) to subparagraph (X). The conforming amendment to renumber the subparagraph in this provision was missed. (See the 2014 Senate Journal for April 3, page 624, lines 11 to 19, and HB14-1342, chapter 140, page 481.)
24-80-214	72	<ul style="list-style-type: none"> • See section 5-6-204 (2) and (3). • See section 13-32-101 (7)(b)(II).

25-4-1006 (2)	73	See section 5-6-204 (2) and (3).
25-4-1202 (2)(b)	74	See section 5-6-204 (2) and (3).
25-17-105.5 (5)	75	See section 5-6-204 (2) and (3).
25-17-305 (2)	76	Corrects an internal reference to the definition of waste haulers. (See HB14-1352, chapter 351, page 1594.)
25-20.5-502	77	Updates internal references to reflect the relocation of these sections by SB06-219. (See SB06-219, chapter 355, pages 1866 and 1878.)
25-23-104 (1)	78	Repeals as obsolete a provision of the dental loan repayment fund that is specific to fiscal year 2001-02.
25.5-8-105 (1), (2)(a), (4), (5)(b), and (5)(c)	79	See section 5-6-204 (2) and (3).
26-1-135 (2)(a)(I), (2)(b), and (2)(c)	80	See section 5-6-204 (2) and (3).
31-30-1112 (1)(a), (2)(g)(I)(A), (2)(g)(II)(A), and (2)(h)(I)	81	See section 5-6-204 (2) and (3).
31-31-202 (4)(a)	82	Effective July 1, 2004, payment for accidental death and disability insurance coverage for volunteer firefighters is covered under the provisions of section 31-30-1112 (2)(h)(II); therefore, the internal reference to the payment provision is being updated. (See SB04-198, chapter 302, pages 1133 and 1137.)
33-10-111.5 (2) and (4)	83	See section 5-6-204 (2) and (3).
33-41-103 (2)(a)	84	See section 24-10-114 (1).
34-63-102 (5.3)(a)(I)(A), (5.3)(a)(I)(B), (5.4)(b.7), and (5.4)(b.8)	85	<ul style="list-style-type: none"> SB11-238 repealed subsections (5.3)(a)(I)(C) and (5.3)(a)(I)(D); however, the conforming amendments in these provisions were missed. (See SB11-238, chapter 300, page 1441.) See section 5-6-204 (2) and (3).
35-61-104.5 (2)	86	Clarifies that the fund created in section 35-61-106 (3) is the industrial hemp research grant fund. This corrects an error originating in the introduced version of SB14-184. (See SB14-184, chapter 315, page 1368.)
39-10-103 (1)(b)	87	Because revenue from property taxes cannot be used to fund state services and because the Colorado Constitution

		prohibits the creation of any new state real property taxes, references and provisions pertaining to actions or responsibilities relating to the collection of state property taxes are being repealed as inoperative. (See Section 20(8) of Article X of the Colorado Constitution, commonly known as The Taxpayer's Bill of Rights.)
39-10-107 IP(1)(a) and (2)	88	See section 39-10-103 (1)(b).
39-10-108	89	See section 39-10-103 (1)(b).
39-21-102 (1)	90	<ul style="list-style-type: none"> • Repeals as obsolete an internal reference to part 2 of article 17 of title 25. The part was repealed on July 1, 2014. (See HB14-1352, chapter 351, page 1595.) • Because article 2 of title 40 does not include two or more parts, it is incorrect to include part 1 in the reference to the article. For that reason, part 1 is being removed from the reference to follow standard drafting practices.
39-26-123 IP(4)(a) and (4.5)	91	<ul style="list-style-type: none"> • Repeals as obsolete a directive prohibiting the state treasurer from transferring certain moneys for state fiscal years 2008-09 and 2009-10. • See section 5-6-204 (2) and (3).
40-8.7-112 (1)	92	See section 5-6-204 (2) and (3).
42-2-114.5 (2)(h)	93	Corrects an internal reference to a provision requiring a person whose driver's license was taken away under section 42-2-127.7 to pay a fee to reacquire the license if the department of revenue determines that the person is not subject to license suspension. (See SB14-194, chapter 346, page 1544.)
42-2-306 (1)(a)(II)	94	Repeals the internal reference to subparagraph (III) due to the repeal of the subparagraph by SB14-194, effective June 5, 2014. (See SB14-194, chapter 346, page 1548.)
42-4-1305 (2)(c)	95	As a conforming amendment to SB 07-055, the surcharge for violating this section is being changed to sixteen dollars. (See SB 07-055, chapter 275, page 1114.)
42-4-1701 (4)(a)(X)(B)	96	Corrects an error originating in the House Transportation and Energy Committee Report amending the introduced version of HB14-1029. The report included an incorrect internal reference to the fraud and trafficking provisions relating to placards issued to persons with disabilities. (See the House Journal for February 6, page 188, line 44, and HB14-1029, chapter 252, pages 990 and 1005.)
42-20-107 (4)	97	See section 5-6-204 (2) and (3).

43-4-1003	98	Amends this section to confine the repeal to part 10 of article 4 of title 43. If not amended, all of article 4 of title 43, which includes many of the state's transportation financing statutes, will repeal on July 1, 2017. (See HB14-1161, chapter 185, page 690.)
24-32-3405	99	Corrects an error originating in the House Public Health Care and Human Services Committee Report amending the introduced version of HB15-1033.