



1	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
2	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
3							Mr. Speaker	Y

4  
5 Representative Williams S. excused for legislative business.

6  
7  
8  
9 **CONSIDERATION OF RESOLUTIONS**

10  
11 **HJR01-1030** by Representative(s) Clapp, Cadman, Fritz, King, Rhodes,  
12 Sinclair, Williams T.; also Senator(s) Andrews--  
13 Concerning "Hungarian Freedom Fighters Day".  
14

15 (Printed and placed in member's file; report also printed in House Journal  
16 April 12, page 1223-1224.)  
17

18 On motion of Representative Clapp, the resolution was read at length and  
19 **adopted by viva voce** vote.  
20

21 Co-sponsors added: Representatives Boyd, Cloer, Coleman, Daniel, Decker,  
22 Fairbank, Grossman, Hefley, Hodge, Jahn, Johnson, Larson, Mace, Miller,  
23 Mitchell, Nuñez, Paschall, Ragsdale, Romanoff, Saliman, Sanchez, Schultheis,  
24 Scott, Smith, Snook, Spradley, Stafford, Tapia, Tochtrop, Veiga, Witwer.  
25

26  
27 **HJR01-1031** by Representative(s) King, Alexander, Bacon, Berry, Cad-  
28 man, Clapp, Crane, Daniel, Dean, Fairbank, Fritz, Groff,  
29 Hefley, Hoppe, Jahn, Johnson, Kester, Larson, Lee, Mace,  
30 Miller, Mitchell, Nuñez, Paschall, Rhodes, Rippey, Roman-  
31 off, Schultheis, Scott, Sinclair, Smith, Snook, Spence,  
32 Spradley, Stafford, Stengel, Swenson, Webster, Weddig,  
33 White, Williams S., Williams T., Witwer; also Senator(s)  
34 Pascoe, Andrews, Arnold, Cairns, Epps, Evans, Gordon,  
35 May, Teck--Concerning Colorado's support of George W.  
36 Bush's plan to create charter states to access federal funds.  
37

38 (Printed and placed in member's file; report also printed in House Journal  
39 April 16, page 1235.)  
40

41 On motion of Representative King, the resolution was read at length and  
42 **adopted by viva voce** vote.  
43

44 Co-sponsor added: Representative Grossman.  
45

46  
47 **SJR01-028** by Senators Andrews, Perlmutter; also Representative  
48 Clapp--Concerning "Kids Bicycle Helmet Week".  
49

50 (Printed and placed in member's file.)  
51

52 On motion of Representative Clapp, the resolution was read at length and  
53 **adopted by viva voce** vote.  
54

55 Co-sponsors added: Representatives Bacon, Boyd, Cloer, Coleman, Daniel,  
56 Grossman, Jahn, Larson, Mace, Ragsdale, Romanoff, Stafford, Veiga.

1 **HJR01-1040** by Representative(s) Stafford, Borodkin, Clapp, Crane,  
2 Hodge, Mace, Veiga; also Senator(s) Epps, Linkhart, Her-  
3 nandez--Concerning the encouragement of employment  
4 training and job placement in nursing homes and assisted  
5 living centers for Colorado Works Program participants.  
6

7 (Printed and placed in member's file; report also printed in House Journal  
8 April 19, pages 1299-1300.)  
9

10 On motion of Representative Stafford, the resolution was read at length.  
11

12 Representative Larson moved the following amendment:

13 Amendment No. 1, by Representatives Larson and Alexander.  
14

15 Amend printed joint resolution, page 2, line 5, strike "professionals," and  
16 substitute "professionals and professional home- and community-based  
17 services providers,";  
18

19 strike line 10 and substitute the following:

20 "nursing homes, assisted living centers, and home- and community-based  
21 services programs; and";  
22

23 line 19, strike "nursing homes and assisted living programs;" and  
24 substitute "nursing homes, assisted living programs, and home- and  
25 community-based services programs";  
26

27 line 24, strike "nursing home and assisted living program providers" and  
28 substitute "nursing home, assisted living, and home- and  
29 community-based services providers";  
30

31 line 27, strike "nursing homes and assisted living programs." and  
32 substitute "nursing homes, assisted living programs, and home- and  
33 community-based services programs.";  
34

35 line 31, strike "nursing home and assisted living program" and substitute  
36 "nursing home, assisted living program, and home- and community-based  
37 services program".  
38

39 Page 1, line 102, strike "NURSING HOMES AND ASSISTED LIVING" and  
40 substitute "NURSING HOMES, ASSISTED LIVING CENTERS, AND HOME-  
41 AND COMMUNITY-BASED SERVICES PROGRAMS";  
42

43 line 103, strike "CENTERS".  
44

45 The amendment was declared **passed** by **viva voce** vote.  
46

47 On motion of Representative Stafford, the resolution as amended was  
48 **adopted** by **viva voce** vote.  
49

50 Co-sponsors added: Roll call of the House.  
51  
52

53 **HJR01-1043** by Representative(s) Romanoff, Cloer, Jahn, Spence,  
54 Spradley, Swenson, Tochtrop, Webster; also Senator(s)  
55 Takis, Evans, Nichol, Teck--Concerning Colorado  
56 Pedestrian Month and Walk-to-School Day.

1 (Printed and placed in member's file; report also printed in House Journal  
2 April 19, page 1303.)

3  
4 On motion of Representative Romanoff, the resolution was **adopted** by  
5 **viva voce** vote.

6  
7 Co-sponsors added: Roll call of the House.

8  
9  
10 **HJR01-1044** by Representative(s) Romanoff, Jahn, Swenson, Tochtrop,  
11 Webster; also Senator(s) Perlmutter, Evans--Concerning  
12 the proclamation of Colorado Bike Month and Bike to  
13 Work Day.

14  
15 (Printed and placed in member's file; report also printed in House Journal  
16 April 19, pages 1303-1304.)

17  
18 On motion of Representative Romanoff, the resolution was **adopted** by  
19 **viva voce** vote.

20  
21 Co-sponsors added: Representatives Bacon, Coleman, Daniel, Groff, Grossman,  
22 Hodge, Jameson, Mace, Madden, Plant, Saliman, Sanchez, Smith, Veiga.

23  
24  
25  
26 **THIRD READING OF BILLS--FINAL PASSAGE**

27  
28 The following bills were considered on Third Reading. The titles were  
29 publicly read. Reading of the bill at length was dispensed with by  
30 unanimous consent.

31  
32 **HB01-1347** by Representative(s) Lee, Fairbank, Groff, Marshall,  
33 Rhodes; also Senator(s) Hagedorn--Concerning revisions  
34 to the "Colorado Youth Employment Opportunity Act  
35 of 1971".

36  
37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, less  
39 than a majority of those elected to the House voted in the affirmative and  
40 the bill was declared **lost**.

41  
42 YES 30                      NO 34                      EXCUSED 1                      ABSENT 0

43								
44	Alexander	N	Groff	Y	Miller	N	Spence	N
45	Bacon	Y	Grossman	N	Mitchell	Y	Spradley	N
46	Berry	N	Hefley	N	Nuñez	N	Stafford	N
47	Borodkin	Y	Hodge	N	Paschall	N	Stengel	N
48	Boyd	N	Hoppe	N	Plant	Y	Swenson	Y
49	Cadman	N	Jahn	N	Ragsdale	Y	Tapia	Y
50	Chavez	Y	Jameson	Y	Rhodes	Y	Tochtrop	Y
51	Clapp	N	Johnson	Y	Rippy	N	Veiga	Y
52	Cloer	N	Kester	N	Romanoff	Y	Vigil	Y
53	Coleman	N	King	Y	Saliman	N	Webster	N
54	Crane	Y	Larson	N	Sanchez	Y	Weddig	Y
55	Daniel	Y	Lawrence	Y	Schultheis	Y	White	N
56	Decker	N	Lee	Y	Scott	Y	Williams S.	E

1	Fairbank	Y	Mace	Y	Sinclair	N	Williams T.	N
2	Fritz	N	Madden	Y	Smith	N	Witwer	N
3	Garcia	Y	Marshall	Y	Snook	N	Young	N
4							Mr. Speaker	N

8 **SB01-006** by Senator(s) Dennis, Entz, Chlouber, Dyer (Durango);  
 9 also Representative(s) Larson, Stengel--Concerning the  
 10 creation of the habitat partnership program, and, in  
 11 connection therewith, changing the duties of the habitat  
 12 partnership council, habitat partnership committee, and  
 13 director of the division of wildlife, and funding the habitat  
 14 partnership cash fund.

16 The question being "Shall the bill pass?".  
 17 A roll call vote was taken. As shown by the following recorded vote, a  
 18 majority of those elected to the House voted in the affirmative and the bill  
 19 was declared **passed**.

21 YES 54                      NO 10                      EXCUSED 1                      ABSENT 0

23	Alexander	Y	Groff	Y	Miller	Y	Spence	Y
24	Bacon	Y	Grossman	Y	Mitchell	N	Spradley	Y
25	Berry	Y	Hefley	N	Nuñez	N	Stafford	Y
26	Borodkin	Y	Hodge	Y	Paschall	N	Stengel	Y
27	Boyd	Y	Hoppe	Y	Plant	Y	Swenson	Y
28	Cadman	N	Jahn	Y	Ragsdale	Y	Tapia	Y
29	Chavez	Y	Jameson	Y	Rhodes	N	Tochtrop	Y
30	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	Y
31	Cloer	N	Kester	Y	Romanoff	Y	Vigil	Y
32	Coleman	Y	King	Y	Saliman	Y	Webster	Y
33	Crane	Y	Larson	Y	Sanchez	Y	Weddig	Y
34	Daniel	Y	Lawrence	Y	Schultheis	N	White	Y
35	Decker	Y	Lee	N	Scott	Y	Williams S.	E
36	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
37	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
38	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
39							Mr. Speaker	N

41 Co-sponsors added: Representatives Hodge, Hoppe, Jameson, Rippy, Spradley,  
 42 Young.

45 **SB01-005** by Senator(s) Musgrave; also Representative(s) Sinclair--  
 46 Concerning a requirement that an applicant for registration  
 47 of a commercial vehicle declare the status of the  
 48 commercial vehicle when a vehicle is registered, and, in  
 49 connection therewith, creating a definition for commercial  
 50 vehicle.

52 The question being "Shall the bill pass?".  
 53 A roll call vote was taken. As shown by the following recorded vote, a  
 54 majority of those elected to the House voted in the affirmative and the bill  
 55 was declared **passed**.

	YES 63	NO 1	EXCUSED 1	ABSENT 0
1				
2				
3	Alexander	Y Groff	Y Miller	Y Spence Y
4	Bacon	Y Grossman	Y Mitchell	Y Spradley Y
5	Berry	Y Hefley	Y Nuñez	Y Stafford Y
6	Borodkin	Y Hodge	Y Paschall	Y Stengel Y
7	Boyd	Y Hoppe	Y Plant	Y Swenson Y
8	Cadman	Y Jahn	Y Ragsdale	Y Tapia Y
9	Chavez	Y Jameson	Y Rhodes	Y Tochtrop Y
10	Clapp	Y Johnson	Y Rippy	Y Veiga Y
11	Cloer	Y Kester	Y Romanoff	Y Vigil Y
12	Coleman	Y King	Y Saliman	Y Webster Y
13	Crane	Y Larson	Y Sanchez	Y Weddig Y
14	Daniel	Y Lawrence	Y Schultheis	Y White Y
15	Decker	Y Lee	Y Scott	Y Williams S. E
16	Fairbank	Y Mace	Y Sinclair	Y Williams T. Y
17	Fritz	Y Madden	Y Smith	Y Witwer Y
18	Garcia	Y Marshall	Y Snook	Y Young N
19				Mr. Speaker Y

20  
21 Co-sponsors added: Representatives Coleman, Hoppe, Kester, Mace, Ragsdale,  
22 Rippy, Swenson, Young.

23  
24  
25 **SB01-084** by Senator(s) Perlmutter; also Representative(s) Witwer--  
26 Concerning the inmate disaster relief program.

27  
28 The question being "Shall the bill pass?".

29 A roll call vote was taken. As shown by the following recorded vote, a  
30 majority of those elected to the House voted in the affirmative and the bill  
31 was declared **passed**.

	YES 44	NO 20	EXCUSED 1	ABSENT 0
32				
33				
34				
35	Alexander	N Groff	Y Miller	Y Spence N
36	Bacon	Y Grossman	Y Mitchell	Y Spradley N
37	Berry	N Hefley	N Nuñez	N Stafford Y
38	Borodkin	Y Hodge	Y Paschall	N Stengel N
39	Boyd	Y Hoppe	N Plant	Y Swenson Y
40	Cadman	N Jahn	Y Ragsdale	Y Tapia Y
41	Chavez	Y Jameson	Y Rhodes	N Tochtrop Y
42	Clapp	Y Johnson	Y Rippy	Y Veiga Y
43	Cloer	N Kester	Y Romanoff	Y Vigil Y
44	Coleman	Y King	N Saliman	Y Webster Y
45	Crane	Y Larson	Y Sanchez	Y Weddig Y
46	Daniel	Y Lawrence	Y Schultheis	N White Y
47	Decker	N Lee	N Scott	Y Williams S. E
48	Fairbank	Y Mace	Y Sinclair	N Williams T. N
49	Fritz	Y Madden	Y Smith	Y Witwer Y
50	Garcia	Y Marshall	Y Snook	Y Young N
51				Mr. Speaker N

52  
53 Co-sponsors added: Representatives Boyd, Jahn, Kester, Mace, Scott, Weddig.

54  
55  
56

**REPORTS OF COMMITTEES OF REFERENCE****EDUCATION**

After consideration on the merits, the Committee recommends the following:

**SB01-091** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend reengrossed bill, page 6, line 26, strike "01- ", and substitute "01-129,".

**SB01-163** be postponed indefinitely.

**HEALTH, ENVIRONMENT, WELFARE, & INSTITUTIONS**

After consideration on the merits, the Committee recommends the following:

**HB01-1199** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute the following:

"**SECTION 1.** Part 4 of article 4 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**26-4-413.5. Authorization of services - occupational and physical therapists - chiropractors.** (1) THE EXECUTIVE DIRECTOR MAY AUTHORIZE REIMBURSEMENT FOR SERVICES PROVIDED BY AN OCCUPATIONAL THERAPIST, MEETING THE REQUIREMENTS OF SECTION 6-1-707 (1) (c), C.R.S., OR A PHYSICAL THERAPIST, LICENSED PURSUANT TO ARTICLE 41, TITLE 12, C.R.S., OR A CHIROPRACTOR, LICENSED PURSUANT TO ARTICLE 33, TITLE 12, C.R.S., WHEN SUCH SERVICES ARE PROVIDED PURSUANT TO:

(a) AN ORDER BY A DOCTOR OF MEDICINE OR A DOCTOR OF OSTEOPATHY IN ACCORDANCE WITH THIS ARTICLE; AND

(b) OTHER UTILIZATION CRITERIA PROMULGATED BY THE STATE DEPARTMENT.

(2) IF REQUESTED BY THE OCCUPATIONAL OR PHYSICAL THERAPIST OR CHIROPRACTOR, PAYMENT FOR SERVICES AUTHORIZED PURSUANT TO SUBSECTION (1) OF THIS SECTION MAY BE MADE DIRECTLY TO THE THERAPISTS OR CHIROPRACTORS; EXCEPT THAT THIS SUBSECTION (2) SHALL NOT APPLY TO A THERAPIST OR CHIROPRACTOR WHEN ACTING WITHIN THE SCOPE OF THE THERAPIST'S OR CHIROPRACTOR'S EMPLOYMENT

1 AS A SALARIED EMPLOYEE OF A PUBLIC OR PRIVATE INSTITUTION OR A  
2 PHYSICIAN.

3

4 (3) THE EXECUTIVE DIRECTOR MAY DISCONTINUE OR ADJUST  
5 DIRECT PAYMENTS PURSUANT TO THIS SECTION AS NEEDED TO CONTROL  
6 EXPENDITURES WITHIN AVAILABLE APPROPRIATIONS.

7

8 **SECTION 2.** 26-4-531 (8) (b), Colorado Revised Statutes, is  
9 amended to read:

10

11 **26-4-531. Health services - provision by school districts.**

12 (8) (b) Total allowable state administrative costs for contracts entered  
13 into under this section for both the state department and the department  
14 of education ~~are two hundred thousand dollars or two~~ SHALL NOT EXCEED  
15 TEN percent of the total annual amount of federal funds ~~allocated to the~~  
16 ~~contracts for the entire state, whichever is greater~~ REFLECTED BY THE  
17 GENERAL ASSEMBLY FOR SUCH CONTRACTS IN THE ANNUAL GENERAL  
18 APPROPRIATIONS BILL. State administrative costs include costs incurred  
19 in evaluating the implementation of this section.

20

21 **SECTION 3. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, and safety."

24

25

26

27 **SB01-014** be amended as follows, and as so amended, be referred to  
28 the Committee on Appropriations with favorable  
29 recommendation:

30

31 Amend reengrossed bill, page 3, strike lines 15 through 17, and substitute  
32 the following:

33

34 **"SECTION 2.** 26-2-102.5, Colorado Revised Statutes, is  
35 amended to read:

36

37 **26-2-102.5. Foster care - Title IV-E of the Social Security Act.**

38 (1) Eligibility of a child for Title IV-E foster care shall be based on the  
39 AFDC rules in effect on ~~June 1, 1995~~ JULY 16, 1996.

40

41 (2) Such child shall meet all of the following conditions:

42

43 (a) The placement and care of such child are the responsibility of  
44 the state department of human services or a county department of social  
45 services;

46

47 (b) Such child has been placed in a foster home or child care  
48 institution as a result of a judicial determination or voluntary placement  
49 agreement;

50

51 (c) ~~Court proceedings leading to the judicial determination were~~  
52 ~~initiated in a month in which such child would have been eligible to~~  
53 ~~receive AFDC under the rules in effect on June 1, 1995, or would have~~  
54 ~~been eligible except that such child was not living with a caretaker~~  
55 ~~relative. If such child lived with a caretaker relative within six months~~  
56 ~~prior to the month in which court proceedings were initiated, such child~~



1 ~~shall be eligible.~~ SUCH CHILD:

2

3 (I) WOULD HAVE RECEIVED AID IN OR FOR THE MONTH IN WHICH  
4 SUCH AGREEMENT OR COURT PROCEEDINGS RESULTING IN SUCH JUDICIAL  
5 DETERMINATION WERE INITIATED; OR

6

7 (II) WOULD HAVE RECEIVED THE AID DESCRIBED IN  
8 SUBPARAGRAPH (I) OF THIS PARAGRAPH (C) IF APPLICATION HAD BEEN  
9 MADE THEREFOR; OR

10

11 (III) HAD BEEN LIVING WITH A RELATIVE WITHIN THE SIX MONTHS  
12 PRIOR TO THE MONTH IN WHICH SUCH AGREEMENT OR COURT PROCEEDINGS  
13 RESULTING IN SUCH JUDICIAL DETERMINATION WERE INITIATED, AND SUCH  
14 CHILD WOULD HAVE RECEIVED THE AID DESCRIBED IN SUBPARAGRAPH (I)  
15 OF THIS PARAGRAPH (C) IF IN SUCH MONTH HE OR SHE HAD BEEN LIVING  
16 WITH SUCH RELATIVE AND APPLICATION THEREFOR HAD BEEN MADE.

17

18 **SECTION 3.** 26-6-102 (1), (2), (3), and (8), Colorado Revised  
19 Statutes, are amended to read:

20

21 **26-6-102. Definitions.** As used in this article, unless the context  
22 otherwise requires:

23

24 (1) "Affiliate of a licensee" means:

25

26 (a) Any person or entity that owns more than five percent of the  
27 ownership interest in the business operated by the licensee or the  
28 applicant for a license; or

29

30 (b) Any person who is directly responsible for the care and  
31 welfare of children served; OR

32

33 (c) ANY EXECUTIVE, OFFICER, MEMBER OF THE GOVERNING BOARD,  
34 OR EMPLOYEE OF A LICENSEE.

35

36 (2) "Child placement agency" means any corporation, partnership,  
37 association, firm, agency, institution, or person, ~~whatsoever~~ UNRELATED  
38 TO THE CHILD BEING PLACED, who places or who arranges for placement  
39 for care of any child under the age of eighteen years with any family,  
40 person, or institution. ~~other than persons related to said child.~~ A child  
41 placement agency may place or arrange for the placement of a child for  
42 the purpose of adoption, TREATMENT, or foster care. The natural parents  
43 or guardian of any child who places said child for care with any facility  
44 licensed as a "family child care home" or "child care center" as defined  
45 by this section shall not be deemed a child placement agency.

46

47 (3) "Department" OR "STATE DEPARTMENT" means the STATE  
48 department of human services.

49

50 (8) "Residential child care facility" means a facility licensed by  
51 the STATE department pursuant to this part 1 to provide twenty-four-hour  
52 group care and treatment for five or more children operated under private,  
53 public, or nonprofit sponsorship. A residential child care facility may be  
54 eligible for designation by the executive director of the STATE department  
55 of ~~human services~~ pursuant to article 10 of title 27, C.R.S.

56

1           **SECTION 4.** 26-6-104 (7), Colorado Revised Statutes, is  
2 amended, and the said 26-6-104 is further amended BY THE ADDITION  
3 OF NEW SUBSECTION, to read:

4  
5           **26-6-104. Licenses - out-of-state notices and consent.**

6 (7) (a) (I) No license or certificate to operate a family child care home,  
7 a foster care home, a child care center, a residential child care facility, a  
8 secure residential child care facility, or a child placement agency shall be  
9 issued by the STATE department, a county department or a child  
10 placement agency licensed under the provisions of this part 1 if the  
11 person applying for such a license or certificate has been convicted of:

12  
13           (A) Felony child abuse, as specified in section 18-6-401, C.R.S.;

14  
15           (B) A crime of violence, as defined in section 16-11-309, C.R.S.;

16  
17           (C) Any felony offenses involving unlawful sexual behavior, as  
18 defined in section 18-3-412.5, C.R.S.;

19  
20           (D) Any felony, the underlying factual basis of which has been  
21 found by the court on the record to include an act of domestic violence,  
22 as defined in section 18-6-800.3, C.R.S.;

23  
24           (D.5) ANY FELONY INVOLVING PHYSICAL ASSAULT, BATTERY, OR  
25 A DRUG-RELATED OFFENSE WITHIN THE FIVE YEARS PRECEDING THE DATE  
26 OF APPLICATION FOR A LICENSE OR CERTIFICATE; OR

27  
28           (E) Any felony offense in any other state, the elements of which  
29 are substantially similar to the elements of any one of the offenses  
30 described in sub-subparagraphs (A) to ~~(D)~~ (D.5) of this subparagraph (I).

31  
32           (II) For purposes of this paragraph (a), "convicted" means a  
33 conviction by a jury or by a court and shall also include a deferred  
34 judgment and sentence agreement, a deferred prosecution agreement, a  
35 deferred adjudication agreement, an adjudication, and a plea of guilty or  
36 nolo contendere.

37  
38           (b) The convictions identified in paragraph (a) of this subsection  
39 (7) shall be determined according to the records of the Colorado bureau  
40 of investigation or any other source. A certified copy of the judgment of  
41 a court of competent jurisdiction of such conviction, deferred judgment  
42 and sentence agreement, deferred prosecution agreement, or deferred  
43 adjudication agreement shall be prima facie evidence of such conviction  
44 or agreement. No license or certificate to operate a family child care  
45 home, a foster care home, a child care center, a residential child care  
46 facility, a secure residential child care facility, or a child placement  
47 agency shall be issued if the STATE department has a certified court order  
48 from another state indicating that the person applying for such a license  
49 or certificate has been convicted of felony child abuse or any unlawful  
50 sexual offense against a child under a law of any other state or the United  
51 States or the STATE department has a certified court order from another  
52 state that the person applying for the license or certificate has entered into  
53 a deferred judgment or deferred prosecution agreement in another state  
54 as to felony child abuse or any sexual offense against a child.

55  
56           (8) THE".

1 Renumber succeeding sections accordingly.

2

3 Page 4, after line 17, insert the following:

4

5 "SECTION 5. 26-6-105.5, Colorado Revised Statutes, is  
6 amended BY THE ADDITION OF A NEW SUBSECTION to read:

7

8 **26-6-105.5. Application forms - criminal sanctions for perjury.**

9 (3) EVERY APPLICATION FOR CERTIFICATION OR LICENSURE AS A FOSTER  
10 CARE HOME SHALL PROVIDE NOTICE TO THE APPLICANT THAT THE  
11 APPLICANT MAY BE SUBJECT TO IMMEDIATE REVOCATION OF  
12 CERTIFICATION OR LICENSURE OR OTHER NEGATIVE LICENSING ACTION AS  
13 SET FORTH IN THIS SECTION, SECTION 26-6-107.7, AND AS DESCRIBED BY  
14 RULE OF THE STATE BOARD.

15

16 **SECTION 6.** Part 1 of article 6 of title 26, Colorado Revised  
17 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
18 read:

19

20 **26-6-107.7. Revocation of certification of foster care home -  
21 emergency procedures - due process.** NOTWITHSTANDING ANY OTHER

22 PROVISION OF LAW TO THE CONTRARY, A COUNTY DEPARTMENT MAY ACT  
23 IMMEDIATELY TO REVOKE THE CERTIFICATION OF A COUNTY-CERTIFIED  
24 FOSTER CARE HOME WHEN THE COUNTY DEPARTMENT HAS REASON TO  
25 BELIEVE THAT A CHILD RESIDING IN SUCH FOSTER CARE HOME IS SUBJECT  
26 TO AN IMMEDIATE AND DIRECT THREAT TO HIS OR HER SAFETY AND  
27 WELFARE OR WHEN A SUBSTANTIAL VIOLATION OF A FUNDAMENTAL  
28 STANDARD OF CARE WARRANTS IMMEDIATE ACTION. IF THE COUNTY  
29 DEPARTMENT ACTS PURSUANT TO THIS SECTION, A DUE PROCESS HEARING  
30 SHALL BE HELD WITHIN FIVE DAYS AFTER SUCH ACTION AND CONDUCTED  
31 AS SUCH HEARING WOULD NORMALLY BE CONDUCTED PURSUANT TO  
32 ARTICLE 4 OF TITLE 24, C.R.S.

33

34 **SECTION 7.** The introductory portion to 26-6-108 (2.5) (a),  
35 Colorado Revised Statutes, is amended, and the said 26-6-108 (2.5) (a)  
36 is further amended BY THE ADDITION OF A NEW  
37 SUBPARAGRAPH, to read:

38

39 **26-6-108. Denial of original license - suspension - revocation -  
40 probation - refusal to renew license - fines.** (2.5) (a) The STATE  
41 department shall deny a license under the circumstances described in  
42 section 26-6-104 (7). The STATE department shall revoke a license  
43 previously issued if:

44

45 (II.5) THE LICENSEE, AN AFFILIATE OF THE LICENSEE, A PERSON  
46 EMPLOYED BY THE LICENSEE, OR A PERSON WHO RESIDES WITH THE  
47 LICENSEE AT THE FACILITY HAS BEEN DETERMINED TO BE INSANE OR  
48 MENTALLY INCOMPETENT BY A COURT OF COMPETENT JURISDICTION AND,  
49 SHOULD A COURT ENTER, PURSUANT TO PART 3 OR PART 4 OF ARTICLE 14  
50 OF TITLE 15, C.R.S., OR SECTION 27-10-109 (4) OR 27-10-125, C.R.S., AN  
51 ORDER SPECIFICALLY FINDING THAT THE MENTAL INCOMPETENCY OR  
52 INSANITY IS OF SUCH A DEGREE THAT THE LICENSEE IS INCAPABLE OF  
53 OPERATING A FAMILY CHILD CARE HOME, FOSTER CARE HOME, OR CHILD  
54 CARE CENTER, THE RECORD OF SUCH DETERMINATION AND ENTRY OF SUCH  
55 ORDER BEING CONCLUSIVE EVIDENCE THEREOF."

56

1 Renumber succeeding sections accordingly.

2

3 Page 4, line 19, strike "A NEW SECTION" and substitute "THE  
4 FOLLOWING NEW SECTIONS".

5

6 Page 6, after line 6, insert the following:

7

8 **"26-6-118. Child placement agencies - information sharing -**  
9 **investigations by state department.** (1) IF A COUNTY DEPARTMENT HAS  
10 SUBSTANTIATED EVIDENCE THAT A CHILD PLACEMENT AGENCY WITH  
11 WHICH THE COUNTY HAS CONTRACTED TO PROVIDE FOSTER CARE SERVICES  
12 HAS VIOLATED THE PROVISIONS OF THIS PART 1 OR ANY RULE OF THE STATE  
13 BOARD, IT SHALL COMMUNICATE SUCH INFORMATION TO THE STATE  
14 DEPARTMENT. A COUNTY DEPARTMENT SHALL ALSO IDENTIFY WHETHER  
15 IT IS REQUESTING THE STATE DEPARTMENT TO INVESTIGATE A COMPLAINT  
16 AGAINST A CHILD PLACEMENT AGENCY FOR POSSIBLE NEGATIVE LICENSING  
17 ACTION AGAINST THE CHILD PLACEMENT AGENCY.

18

19 (2) UPON RECEIPT OF A REQUEST FOR INVESTIGATION OF A CHILD  
20 PLACEMENT AGENCY FROM A COUNTY DEPARTMENT, THE STATE  
21 DEPARTMENT SHALL COMMENCE AN INVESTIGATION AND, UPON  
22 CONCLUSION, REPORT ITS FINDINGS TO THE REQUESTING COUNTY  
23 DEPARTMENT.

24

25 (3) THE STATE DEPARTMENT SHALL PROVIDE TO COUNTY  
26 DEPARTMENTS DIRECT ACCESS TO INFORMATION CONCERNING THE  
27 RESULTS OF ANY INVESTIGATION OR NEGATIVE LICENSING ACTION TAKEN  
28 AGAINST A CHILD PLACEMENT AGENCY LICENSED TO PROVIDE FOSTER CARE  
29 SERVICES IN COLORADO.

30

31 **SECTION 9.** 19-3-307 (3), Colorado Revised Statutes, is  
32 amended to read:

33

34 **19-3-307. Reporting procedures.** (3) (a) A copy of the report  
35 of known or suspected child abuse or neglect shall be transmitted  
36 immediately by the county department to the district attorney's office and  
37 to the local law enforcement agency.

38

39 (b) WHEN THE COUNTY DEPARTMENT REASONABLY BELIEVES A  
40 CRIMINAL ACT OF ABUSE OR NEGLECT OF A CHILD IN FOSTER CARE HAS  
41 OCCURRED, THE COUNTY DEPARTMENT SHALL TRANSMIT IMMEDIATELY A  
42 COPY OF THE WRITTEN REPORT PREPARED BY THE COUNTY DEPARTMENT  
43 IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION TO THE DISTRICT  
44 ATTORNEY'S OFFICE AND TO THE LOCAL LAW ENFORCEMENT AGENCY."

45

46 Renumber succeeding section accordingly.

47

48

49

50 **SB01-096** be postponed indefinitely.

51

52

53

54

55

1 **INFORMATION & TECHNOLOGY**

2 After consideration on the merits, the Committee recommends the  
3 following:

4  
5 **SB01-061** be postponed indefinitely, notwithstanding the notice of  
6 intent to reconsider, which is not permitted under House  
7 Rule 35(e).  
8

9  
10 **SB01-142** be referred to the Committee of the Whole with favorable  
11 recommendation.  
12  
13  
14  
15

16 **LOCAL GOVERNMENT**

17 After consideration on the merits, the Committee recommends the  
18 following:

19  
20 **HB01-1386** be referred favorably to the Committee on Finance.  
21  
22  
23

24 **PRINTING REPORT**

25  
26 The Chief Clerk reports the following bill has been correctly printed:  
27 **HB01-1394.**  
28  
29

30 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

31  
32 The Speaker has signed: **HJR01-1025; SB01-080, 202, 203, 212;**  
33 **SJR01-012, 013, 021.**  
34  
35

36 **MESSAGE FROM THE SENATE**

37 Mr. Speaker:

38  
39 The Senate has adopted and returns herewith: HJR01-1051.  
40

41 The Senate has passed on Third Reading and returns herewith  
42 HB01-1268;  
43

44 The Senate has passed on Third Reading and transmitted to the Revisor  
45 of Statutes:

46  
47 HB01-1371, amended as printed in Senate Journal, April 20, page 927;  
48 HB01-1260, amended as printed in Senate Journal, April 20, page 927;  
49

50 The Senate voted to concur in House amendments to SB01-077 and  
51 repassed the bill as amended.  
52

53 The Senate has adopted the First Report of the First Conference  
54 Committee on SB01-212, as printed in Senate Journal, April 23, and  
55 repassed the bill as amended.  
56

1                                   **MESSAGE FROM THE REVISOR**

2  
3 We herewith transmit without comment, as amended, 1371 and 1260.

4  
5  
6  
7                                   **INTRODUCTION OF BILLS**  
8                                   **First Reading**

9  
10 The following bills were read by title and referred to the committees  
11 indicated:

12  
13 **HB01-1395** by Representative(s) Decker; also Senator(s) Epps--  
14 Concerning a landlord's obligation to correct major defects  
15 that substantially interfere with a tenant's ability to inhabit  
16 residential premises.

17 Committee on Business Affairs & Labor

18  
19 **HB01-1396** by Representative(s) Spradley; also Senator(s) Hagedorn--  
20 Concerning measures to improve the availability of  
21 employer-sponsored health insurance for employers with  
22 fewer than fifty employees.

23 Committee on Business Affairs & Labor

24  
25 **SB01-078** by Senator(s) Windels, Linkhart, Gordon; also  
26 Representative(s) Jahn--Concerning improving quality of  
27 care in nursing facilities, and, in connection therewith,  
28 creating deadlines for responses to complaints, developing  
29 a consumer satisfaction survey, creating a program to  
30 recognize the highest-quality nursing facilities,  
31 improving grants received by nursing facilities from the  
32 department of health care policy and financing, and  
33 making an appropriation therefor.

34 Committee on Health, Environment, Welfare, & Institutions

35 Committee on Appropriations

36  
37  
38  
39                                   **LAY OVER OF CALENDAR ITEMS**

40  
41 On motion of Representative Spradley, the following items on the  
42 Calendar were laid over until April 25, retaining place on Calendar:

43  
44 Consideration of General Orders--**SB01-082, 125, 134, 209, HB01-1375,**  
45 **1376.**

46 Consideration of Conference Committee Reports--**SB01-123, 034, 131.**

47 Consideration of Resolutions--**HJR01-1012, 1033, 1034, 1035, 1036,**  
48 **1037, 1039, 1041, 1045, 1052, HR01-1016, HJR01-1027, SJR01-033.**

49 Consideration of Memorial--**SJM01-001.**

50 Consideration of Senate Amendments--**HB01-1113, 1163, 1236, 1210,**  
51 **1160, 1239, 1348, 1096, 1025, 1169, 1114, 1319, 1132, 1174, 1252,**  
52 **1349, 1370.**

53 Consideration of Adherence--**SB01-178, 165.**

54  
55  
56

1 On motion of Representative Spradley, the House adjourned until  
2 9:00 a.m., April 25, 2001.

3

4

Approved:

5

6

7

8

DOUG DEAN,  
Speaker

9

10 Attest:

11

12 JUDITH RODRIGUE,

13 Chief Clerk