

HOUSE JOURNAL
SIXTY-SEVENTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Forty-third Legislative Day

Wednesday, February 24, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

3
4 The Speaker called the House to order at 9:00 a.m.

5
6 Pledge of Allegiance led by Xochilt Martinez-Toala, University of
7 Colorado, Denver.

8
9 The roll was called with the following result:

10
11 Present--60.
12 Excused--Representative(s) Acree, DelGrosso, Miklosi, Pommer,
13 Stephens--5.
14 Present after roll call--Representative(s) Acree, Miklosi, Pommer,
15 Stephens.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative Gerou, the reading of the journal of
21 February 23, 2010, was declared dispensed with and approved as
22 corrected by the Chief Clerk.

23
24
25
26 On motion of Representative Primavera, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and she
28 was called to the Chair to act as Chairman.

29
30
31
32 **GENERAL ORDERS--SECOND READING OF BILLS**

33
34 The Committee of the Whole having risen, the Chairman reported the
35 titles of the following bills had been read (reading at length had been
36 dispensed with by unanimous consent), the bills considered and action
37 taken thereon as follows:

38
39 (Amendments to the committee amendment are to the printed committee
40 report which was printed and placed in the members' bill file.)

41
42 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,
43 Kefalas, Tyler; also Senator(s) Williams, Morse--

1 Concerning medical orders determining the scope of
2 treatment an adult wishes to receive under certain
3 circumstances.

4
5 Amendment No. 1, Health & Human Services Report, dated
6 February 8, 2010, and placed in member's bill file; Report also printed
7 in House Journal, February 9, pages 273-274.

8
9 Amendment No. 2, by Representative(s) Roberts.

10
11 Amend the Health and Human Services Committee Report, dated
12 February 8, 2010, page 1, strike line 1 and substitute the following:

13
14 "Amend printed bill, page 8, line 7, strike "EMERGENCY" and substitute
15 "EXCEPT AS PROVIDED IN SECTIONS 15-18.7-105 AND 15-18.7-107 (1),
16 EMERGENCY".

17
18 Page 10, strike lines 13 through 27.

19
20 Page 11, strike lines 1 and 2.

21
22 Renumber succeeding subsection accordingly.

23
24 Page 12, strike lines 16 and 17 and substitute:

25
26 **"15-18.7-107. Revision and revocation of a medical orders for**
27 **scope of treatment form - duty to inform.** (1) (a) A HEALTH CARE
28 PROVIDER MAY REVISE THE PROVISIONS OF AN ADULT'S EXECUTED
29 MEDICAL ORDERS FOR SCOPE OF TREATMENT FORM ONLY IF:

30
31 (I) (A) THE ADULT'S MEDICAL CONDITION HAS CHANGED SINCE THE
32 ADULT OR THE ADULT'S AUTHORIZED SURROGATE DECISION-MAKER
33 EXECUTED THE FORM; OR

34
35 (B) THE PROVISIONS OF THE FORM ARE NOT, IN THE PROVIDER'S
36 INDEPENDENT MEDICAL JUDGMENT, MEDICALLY APPROPRIATE;

37
38 (II) THE PROVIDER CONSULTS WITH THE ADULT OR, IF THE ADULT
39 LACKS DECISIONAL CAPACITY, THE ADULT'S AUTHORIZED SURROGATE
40 DECISION-MAKER CONCERNING THE REVISION OF THE FORM; AND

41
42 (III) THE ADULT OR, IF THE ADULT LACKS DECISIONAL CAPACITY,
43 THE ADULT'S AUTHORIZED SURROGATE DECISION-MAKER CONSENTS TO
44 THE REVISION OF THE PROVISIONS OF THE FORM.

45
46 (b) IF A HEALTH CARE PROVIDER REVISES AN ADULT'S EXECUTED
47 MEDICAL ORDERS FOR SCOPE OF TREATMENT FORM PURSUANT TO
48 PARAGRAPH (a) OF THIS SUBSECTION (1):

49
50 (I) THE PROVIDER SHALL RECORD THE REVISIONS ON THE FORM;
51 AND

52
53 (II) THE PROVIDER AND THE ADULT OR, IF THE ADULT LACKS
54 DECISIONAL CAPACITY, THE ADULT'S AUTHORIZED SURROGATE
55 DECISION-MAKER, SHALL SIGN AND DATE THE FORM.

56

1 (2) AN ADULT WHO HAS DECISIONAL".
2
3 Renumber succeeding subsections accordingly.
4
5 Page 12, line 25, strike "FORM IF THE FORM WAS" and substitute "FORM".
6
7 Page 12, strike line 26.
8
9 Page 15, strike lines 2 through 11 and substitute:".
10
11 Amendment No. 3, by Representative(s) Roberts.
12
13 Amend the Health and Human Services Committee Report, dated
14 February 8, 2010, page 1, strike line 1 and substitute:
15
16 "Amend printed bill, page 5, line 9, strike "AND" and substitute "OR".
17
18 Page 7, line 5, strike "OR PERSONAL".
19
20 Page 9, line 22, strike "GREATER," and substitute "LESS,".
21
22 Page 11, line 5, after "FACILITY" insert "OR HEALTH CARE PROVIDER".
23
24 Page 11, line 6, after "FACILITY" insert "OR HEALTH CARE PROVIDER".
25
26 Page 11, line 7, after "FACILITY" insert "OR HEALTH CARE PROVIDER".
27
28 Page 11, line 8, after "FACILITY" insert "OR HEALTH CARE PROVIDER".
29
30 Page 11, line 9, after "THAT" insert "THE FORM OR".
31
32 Page 14, line 18, strike "NOURISHMENT" and substitute "NUTRITION".
33
34 Page 14, line 27, strike "NOURISHMENT" and substitute "NUTRITION".
35
36 Page 15, strike lines 2 through 11 and substitute:".
37
38 As amended, ordered engrossed and placed on the Calendar for Third
39 Reading and Final Passage.
40
41 **HB10-1275** by Representative(s) Baumgardner; also Senator(s)
42 Newell--Concerning a requirement that the location of a
43 private burial be recorded.
44
45 Ordered engrossed and placed on the Calendar for Third Reading and
46 Final Passage.
47
48 **HB10-1026** by Representative(s) Solano and Benefield, Massey,
49 Peniston; also Senator(s) Hodge and Hudak, Steadman,
50 Williams--Concerning the creation of the Colorado quality
51 in child care incentive grant program.
52
53 Amendment No. 1, Education Report, dated February 1, 2010, and placed
54 in member's bill file; Report also printed in House Journal, February 2,
55 page 161.
56

1 Amendment No. 2, by Representative(s) Solano.

2

3 Amend the Education Committee Report, dated February 1, 2010, page
4 1, after line 5, insert:

5

6 "Page 5 of the bill, line 8, strike "IMPROVING A QUALITY RATING," and
7 substitute "PURSUING A QUALITY RATING OR ACCREDITATION,"."

8

9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11

12

13 **HB10-1114** by Representative(s) Liston; also Senator Johnston--
14 Concerning the registration of agents of persons in the
15 business of transmitting money.

16

17 Amendment No. 1, Business Affairs & Labor Report, dated
18 February 9, 2010, and placed in member's bill file; Report also printed in
19 House Journal, February 10, pages 287-289.

20

21 Amendment No. 2, Appropriations Report, dated February 19, 2010, and
22 placed in member's bill file; Report also printed in House Journal,
23 February 19, pages 448-449.

24

25 Amendment No. 3, by Representative(s) Liston.

26

27 Amend the Business Affairs and Labor Committee Report, dated
28 February 9, 2010, page 3, strike lines 30 through 32.

29

30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32

33

34 **HB10-1148** by Representative(s) Gerou, Balmer, Frangas, Levy,
35 Liston, McNulty, Schafer S., Todd, Benefield, Casso,
36 Hullinghorst, Kefalas, Priola, Solano, Stephens, Vaad; also
37 Senator(s) Tapia, Bacon, Tochtrop, White, Williams,
38 Kopp, Penry--Concerning the elimination of the
39 requirement that an architect maintain continuing
40 professional competency in order to renew a license to
41 practice architecture.

42

43 Amendment No. 1, Appropriations Report, dated February 19, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 February 19, page 450.

46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.

49

50

51 **HB10-1213** by Representative(s) Acree, Roberts; also Senator(s)
52 Keller--Concerning the elimination of an individualized
53 plan for a person with developmental disabilities who is on
54 the waiting list for services.

55

56

1 Amendment No. 1, Health & Human Services Report, dated
2 February 18, 2010, and placed in member's bill file; Report also printed
3 in House Journal, February 19, page 452.

4

5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7

8 **HB10-1229** by Representative(s) Pace, Riesberg; also Senator(s)
9 Newell--Concerning authentication requirements for
10 verbal orders in a hospital.

11

12 Amendment No. 1, Health & Human Services Report, dated
13 February 18, 2010, and placed in member's bill file; Report also printed
14 in House Journal, February 19, page 453.

15

16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.

18

19 **HB10-1255** by Representative(s) Kefalas and Acree, Gagliardi, Gerou,
20 Kerr J., Primavera, Riesberg, Roberts, Tyler; also
21 Senator(s) Steadman--Concerning extending the repeal
22 date for the Colorado commission for the deaf and hard of
23 hearing.

24

25 Ordered engrossed and placed on the Calendar for Third Reading and
26 Final Passage.

27

28 **HB10-1105** by Representative(s) Roberts--Concerning clarification of
29 provisions in the "Colorado probate code" concerning
30 compensation of certain parties.

31

32 Ordered engrossed and placed on the Calendar for Third Reading and
33 Final Passage.

34

35 **HB10-1109** by Representative(s) McCann; also Senator(s) Mitchell--
36 Concerning the availability of workers' compensation to
37 jail inmates who are working for a program that has been
38 certified by the federal prison industry enhancement
39 certification program.

40

41 Laid over until February 25, retaining place on Calendar.

42

43

44 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

45

46 Passed Second Reading: **HB10-1122 amended, 1275, 1026 amended,**
47 **1114 amended, 1148 amended, 1213 amended, 1229 amended, 1255,**
48 **1105.**

49

50 Laid over until date indicated retaining place on Calendar: **HB10-1109--**
51 February 25, 2010.

52

53 The Chairman moved the adoption of the Committee of the Whole
54 Report. As shown by the following roll call vote, a majority of those
55 elected to the House voted in the affirmative, and the Report was
56 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	E	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
19								

CONSIDERATION OF RESOLUTION(S)

HR10-1006 by Representative(s) May, Weissmann--Concerning the process by which the leadership of the House of Representatives initially handles an ethics complaint filed pursuant to Rule 49 of the Rules of the House of Representatives.

(Printed and placed in members' file.)

On motion of Representative May, the resolution was **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Apuan, Benefield, Court, Ferrandino, Fischer, Gardner B., Gerou, Hullinghorst, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Liston, Looper, Massey, McKinley, Middleton, Miklosi, Nikkel, Pommer, Primavera, Riesberg, Roberts, Ryden, Schafer S., Sonnenberg, Soper, Stephens, Summers, Swalm, Todd, Vaad, Vigil, Waller, Speaker

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB10-1214 be referred favorably to the Committee on Transportation & Energy.

1 **BUSINESS AFFAIRS & LABOR**

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

4
5 **HB10-1222** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, page 2, line 16, strike "NOTIFY" and substitute
10 "NOTIFY, IN ITS INITIAL WRITTEN COMMUNICATION TO A CONSUMER,".

11
12 Page 2, line 17, after "ADDRESS" insert "OR TELEPHONE NUMBER".
13
14
15

16 **HB10-1227** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19
20 Amend printed bill, page 2, line 11, strike "state, INCLUDING" and
21 substitute "state OR".
22

23 Page 3, line 13, strike "state, INCLUDING" and substitute "state OR".
24

25 Page 3, line 19, strike "Act";" and substitute "Act". IN THE EVENT A
26 HEALTHCARE INSTITUTION DOES NOT HAVE A COMMERCIAL PROFESSIONAL
27 LIABILITY INSURANCE POLICY IN COMPLIANCE WITH THIS PARAGRAPH (b),
28 OR THE LIMITS OF PROFESSIONAL LIABILITY INSURANCE COVERAGE ARE IN
29 EXCESS OF ANY SELF-INSURED RETENTION AMOUNT, OR THERE IS A
30 DEDUCTIBLE OTHER THAN ZERO DOLLARS, THE HEALTH CARE INSTITUTION
31 SHALL PROCURE EVIDENCE THAT THE COMMISSIONER OF INSURANCE HAS
32 ACCEPTED AND APPROVED AN ALTERNATIVE FORM OF ESTABLISHING
33 FINANCIAL RESPONSIBILITY IN COMPLIANCE WITH PARAGRAPH (c), (d), OR
34 (e) OF THIS SUBSECTION (1), IN ACCORDANCE WITH APPLICABLE RULES
35 PROMULGATED BY THE DIVISION OF INSURANCE. THE HEALTH CARE
36 INSTITUTION SHALL FURNISH EVIDENCE OF ALTERNATIVE FINANCIAL
37 RESPONSIBILITY COMPLIANCE TO THE DEPARTMENT OF PUBLIC HEALTH
38 AND ENVIRONMENT AS PART OF THE HEALTH CARE INSTITUTION'S
39 APPLICATION FOR AN INITIAL OR RENEWAL LICENSE, CERTIFICATION, OR
40 OTHER AUTHORITY.".

41
42 Page 3, line 21, strike "10-____," and substitute "10-1260,".
43

44 Page 4, line 2, strike "state, INCLUDING" and substitute "state OR".
45

46 Page 4, line 11, strike "10-____" and substitute "10-1260".
47
48
49

50 **HB10-1230** be postponed indefinitely.
51

52
53 **HB10-1236** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:
56

1 Amend printed bill, page 4, line 20, strike "CERTIFIED AS A PUBLIC" and
2 substitute "ISSUED A CERTIFICATE OF CERTIFIED PUBLIC".

3
4 Page 5, line 22, strike "(4), Colorado Revised Statutes, is" and substitute
5 "(1), (4), and (6), Colorado Revised Statutes, are".

6
7 Page 5, strike lines 24 through 27 and substitute:

8
9 **"12-2-111. Examinations - reexaminations - rules.**

10 ~~(1) Examinations provided for in this section shall be held by the board.~~
11 ~~Examinations shall be given no less than twice a year at times and~~
12 ~~locations set by the board. THE BOARD SHALL PROVIDE LICENSURE~~
13 ~~EXAMINATIONS AS OFTEN AS NECESSARY TO PROVIDE CANDIDATES A~~
14 ~~REASONABLE OPPORTUNITY TO TAKE THE EXAMINATION. Examinations~~
15 ~~shall adequately test a candidate's knowledge of accounting, auditing, and~~
16 ~~any other related subject the board deems relevant and necessary. Any~~
17 ~~additional examination subject shall be designated by the board by rule.~~
18 ~~The board shall set the passing score for an examination at a level to~~
19 ~~adequately reflect the minimum level of competency necessary for the~~
20 ~~practice of accountancy.~~

21
22 (4) A candidate for a certificate of certified public accountant who
23 meets the EDUCATIONAL requirements ~~of section 12-2-109 (1) (a) (i) or~~
24 ~~(1) (e) SET BY THE BOARD BY RULE~~ is entitled to TAKE AN examination.
25 ~~A candidate who will graduate from an accredited college or university~~
26 ~~within sixty days after the date of an examination and who will meet the~~
27 ~~educational requirements upon graduation is entitled to examination.~~

28
29 (6) If a candidate fails an examination or fails to pass in all
30 subjects as provided in subsection (5) of this section, the board may
31 require ~~him~~ THE CANDIDATE to take additional study before taking another
32 examination.".

33
34 Page 6, strike lines 1 through 3.

35
36 Page 7, line 23, strike "12-2-123 (5) (a)," and substitute "The introductory
37 portion to 12-2-123 (1) and 12-2-123 (1) (b), (1) (p), (1) (r), (3), and (5)
38 (a)," and strike "is" and substitute "are".

39
40 Page 7, strike line 26 and substitute "**penalties.** (1) After notice and
41 hearing as provided in section 12-2-125, the board may deny the issuance
42 of, refuse to renew, revoke, or suspend any certificate of a certified public
43 accountant issued under this article or any prior law of this state or may
44 fine, ~~censure~~, issue a letter of admonition to, or place on probation the
45 holder of any certificate and impose other conditions or limitations for
46 any of the following causes:

47
48 (b) Fraud or negligence in the practice of public accounting in
49 Colorado or any other state or in the filing of or failure to file ~~his~~ THE
50 CERTIFIED PUBLIC ACCOUNTANT'S own income tax returns;

51
52 (p) Habitual intemperance with respect to or excessive use of ~~any~~
53 A habit-forming drug, ~~any~~ controlled substance as defined in section
54 12-22-303 (7), or ~~any~~ alcoholic beverage ~~any of which renders him~~ THAT
55 RENDERS THE CERTIFIED PUBLIC ACCOUNTANT unfit to practice public
56 accounting;

1 (r) Failure of a partnership, professional corporation, or limited
 2 liability company to register with the board pursuant to section 12-2-117
 3 and to renew ~~such~~ THE registration ~~once every three years~~ as prescribed
 4 by the board.

5
 6 (3) (a) ~~When a complaint or investigation discloses an instance of~~
 7 ~~misconduct that, in the opinion of the board, does not warrant formal~~
 8 ~~action by the board but that should not be dismissed as being without~~
 9 ~~merit, a letter of admonition may be issued and sent, by certified mail, to~~
 10 ~~the certificate holder.~~

11
 12 (b) ~~When a letter of admonition is sent by the board, by certified~~
 13 ~~mail, to a certificate holder, such certificate holder shall be advised that~~
 14 ~~he or she has the right to request in writing, within twenty days after~~
 15 ~~receipt of the letter, that formal disciplinary proceedings be initiated to~~
 16 ~~adjudicate the propriety of the conduct upon which the letter of~~
 17 ~~admonition is based.~~

18
 19 (c) ~~If the request for adjudication is timely made, the letter of~~
 20 ~~admonition shall be deemed vacated and the matter shall be processed by~~
 21 ~~means of formal disciplinary proceedings.~~

22
 23 (5) (a) In addition to any other penalty ~~which~~ THAT may be".

24
 25 Page 11, strike lines 2 and 3 and substitute:

26
 27 **"SECTION 11.** The introductory portion to 12-2-117 (1) and
 28 12-2-117 (2) (b), Colorado Revised Statutes, are amended, and the said
 29 12-2-117 is further amended BY THE ADDITION OF A NEW
 30 SUBSECTION, to read:".

31
 32 Page 11, strike line 6 and substitute **"registration thereof - definitions.**
 33 (1) Except as provided in section 12-2-121 (2), a partnership,
 34 professional corporation, or limited liability company engaged in this
 35 state in the practice of public accounting as certified public accountants
 36 shall register ~~once every three years~~ with the board as a partnership,
 37 professional corporation, or limited liability company of certified public
 38 accountants and must meet the following requirements; and, as used in
 39 this article, "partnership" includes a registered limited partnership, limited
 40 liability partnership, limited liability limited partnership, foreign limited
 41 partnership, foreign limited liability partnership, and foreign limited
 42 liability limited partnership:

43
 44 (2) (b) The board shall in each case".

45
 46 Page 11, after line 11 insert:

47
 48 "(2.2) EACH FIRM REGISTRATION EXPIRES PURSUANT TO A
 49 SCHEDULE ESTABLISHED BY THE DIRECTOR OF THE DIVISION OF
 50 REGISTRATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES. THE
 51 REGISTRANT SHALL RENEW OR REINSTATE THE REGISTRATION TO BE
 52 CERTIFIED. THE DIRECTOR OF THE DIVISION OF REGISTRATIONS WITHIN
 53 THE DEPARTMENT OF REGULATORY AGENCIES MAY ESTABLISH RENEWAL
 54 FEES AND DELINQUENCY FEES FOR REINSTATEMENT PURSUANT TO SECTION
 55 24-34-105, C.R.S. IF A FIRM FAILS TO RENEW ITS REGISTRATION
 56 PURSUANT TO THE SCHEDULE ESTABLISHED BY THE DIRECTOR OF THE

1 DIVISION OF REGISTRATIONS, THE REGISTRATION SHALL EXPIRE. A FIRM
 2 WHOSE REGISTRATION HAS EXPIRED SHALL BE SUBJECT TO THE PENALTIES
 3 PROVIDED IN THIS ARTICLE OR SECTION 24-34-102 (8), C.R.S."

4
 5 Page 11, line 12, strike "**Repeal.**" and strike "and (5)," and substitute "(5),
 6 and (6) (b) (II),".

7
 8 Page 11, strike line 13 and substitute "Revised Statutes, are amended to
 9 read:".

10
 11 Page 12, after line 12 insert:

12
 13 "(6) (b) The provisions of paragraph (a) of this subsection (6)
 14 shall not prohibit any officer or employee of a corporation, partner or
 15 employee of a partnership, member or employee of a limited liability
 16 company, or individual or employee of an individual from:

17
 18 (II) Issuing or authoring ~~any such~~ AN opinion or certificate
 19 utilizing any wording designating the position, title, or office ~~which he~~
 20 THAT THE PERSON holds relating to any statement or report in reference
 21 to the financial affairs of such corporation, partnership, limited liability
 22 company, or individual."

23
 24 Page 13, after line 24 insert:

25
 26 "**SECTION 16.** 12-2-104 (1) (a) and (1) (g), Colorado Revised
 27 Statutes, are amended to read:

28
 29 **12-2-104. Powers and duties of board.** (1) The board has the
 30 power and duty to:

31
 32 (a) Elect annually from among its members a ~~president~~ CHAIR and
 33 prescribe the duties of such office;

34
 35 (g) Prescribe forms for and receive applications for certificates
 36 and grant certificates, INCLUDING CONTRACTING WITH PEOPLE TO RECEIVE
 37 AND REVIEW THE APPLICATIONS AS THE AGENT OF THE BOARD;

38
 39 **SECTION 17.** 12-2-106 (1), (2), (3), and (4), Colorado Revised
 40 Statutes, are amended to read:

41
 42 **12-2-106. Fees.** (1) A fee authorized to be established pursuant
 43 to section 24-34-105, C.R.S., shall be paid for each application made to
 44 the board, whether ~~the same~~ IT is an application for examination or
 45 reexamination or for issuance, renewal, reactivation, or reinstatement of
 46 a certificate of certified public accountant, an application for registration
 47 with the board as a ~~certified public accountant~~ PUBLIC ACCOUNTING FIRM,
 48 or any other application requiring formal action or consideration by the
 49 board. The fee required shall not be returnable irrespective of the action
 50 taken by the board.

51
 52 (2) A fee authorized to be established pursuant to section
 53 24-34-105, C.R.S., shall be paid for each examination in which the
 54 candidate is examined in the subjects prescribed by the board.
 55 ~~Examination fees required in this subsection (2) are in addition to the fee~~
 56 ~~required in subsection (1) of this section and shall be returned to the~~

1 ~~candidate should the board deny the candidate the right to take the~~
2 ~~examination or the candidate request in writing, not less than thirty days~~
3 ~~prior to the date fixed by the board for the examination, that the~~
4 ~~application be withdrawn.~~

5
6 (3) Any person making application for a certificate of certified
7 public accountant under section 12-2-113 shall pay a fee authorized to be
8 established pursuant to section 24-34-105, C.R.S., in addition to the fee
9 required in subsection (1) of this section. ~~Should such application be~~
10 ~~rejected by the board, the fee shall be returned to the applicant.~~

11
12 (4) ~~All fees shall be paid to the board and are to be paid by the~~
13 ~~applicant in advance of examination dates or of any action by the board.~~

14
15 **SECTION 18.** The introductory portion to 12-2-112 (1) and
16 12-2-112 (1) (a), Colorado Revised Statutes, are amended to read:

17
18 **12-2-112. Approval of schools.** (1) The board shall approve the
19 accounting program of ~~such~~ THE schools as THAT meet the following
20 requirements:

21
22 (a) ~~Such~~ THE school ~~shall have~~ HAS a curriculum designed to give
23 the student proficiency in those subjects in which ~~he~~ THE STUDENT must
24 pass an examination ~~by the board~~ TO BE LICENSED.

25
26 **SECTION 19.** 12-2-113 (1) (b), Colorado Revised Statutes, is
27 amended to read:

28
29 **12-2-113. Issuance of certificate by reciprocity or by passing**
30 **examination of another state.** (1) The board, in its discretion, may
31 waive the examination of persons qualified under this subsection (1) and
32 may issue a certificate of certified public accountant to:

33
34 (b) ~~Any~~ A person who has passed an examination under the laws
35 of another state and who possesses the qualifications prescribed in section
36 12-2-108 at the time ~~he~~ THE PERSON applies for a certificate in this state
37 or possesses substantially equivalent qualifications; or

38
39 **SECTION 20. Repeal.** 12-2-114, Colorado Revised Statutes, is
40 repealed as follows:

41
42 **12-2-114. Existing certificates confirmed.** ~~(1) No person who,~~
43 ~~on or before August 1, 1959, holds a certified public accountant~~
44 ~~certificate previously issued under the laws of this state shall be required~~
45 ~~to secure an additional certificate under this article but shall otherwise be~~
46 ~~subject to all the provisions of this article. Such certificate previously~~
47 ~~issued shall, for all purposes, be considered a certificate issued under this~~
48 ~~article.~~

49
50 ~~(2) and (3) Repealed.~~

51
52 **SECTION 21. Repeal.** 12-2-116, Colorado Revised Statutes, is
53 repealed as follows:

54
55 **12-2-116. Registered accountants.** ~~Any person who holds a~~
56 ~~certificate of registered accountant issued under the laws of this state shall~~

1 ~~be subject to all the provisions of this article. For the purposes of this~~
2 ~~article, certified public accountant and registered accountant shall be~~
3 ~~deemed synonymous and all references in this article to certified public~~
4 ~~accountants shall likewise refer and pertain to registered accountants.~~

5
6 **SECTION 22.** 12-2-121 (2) (a), Colorado Revised Statutes, is
7 amended to read:

8
9 **12-2-121. Exceptions - acts not prohibited - rules.**
10 (2) (a) Nothing in this article shall prohibit a certified public accountant
11 ~~or a registered public accountant~~ whose principal place of business is
12 located in another state or jurisdiction of the United States, from
13 practicing in this state on professional business, as defined by rules
14 promulgated by the board. Such practice shall be conducted in
15 conformity with rules promulgated by the board. Notwithstanding the
16 requirements of section 12-2-117, a foreign partnership, corporation,
17 limited partnership, limited liability limited partnership, or limited
18 liability company may engage in the practice of accountancy in this state
19 without registering with the board.
20

21 **SECTION 23.** 12-2-122.5, Colorado Revised Statutes, is
22 amended to read:

23
24 **12-2-122.5. Inactive certificant.** (1) The holder of a certificate
25 of certified public accountant, upon written notice by first class mail to
26 the board, shall have his or her name transferred to an inactive list and
27 shall not be required to comply with the continuing education
28 requirements for certificate renewal pursuant to section 12-2-119 so long
29 as he or she remains inactive. Each inactive certificant shall register once
30 every two years with the board in the same manner as active certificate
31 holders and pay a fee pursuant to section 12-2-108 (3). At such time as
32 an inactive certificant wishes to resume the practice of public accounting
33 as a certified public accountant, he or she shall file an application
34 therefor, meet any education requirements imposed by the board, and pay
35 a fee as established by the ~~board~~ DIRECTOR OF THE DIVISION OF
36 REGISTRATIONS WITHIN THE DEPARTMENT OF REGULATORY AGENCIES.
37

38 (2) During such time as a certified public accountant remains in
39 an inactive status, ~~he~~ THE ACCOUNTANT shall not perform those acts
40 restricted to active certified public accountants pursuant to section
41 12-2-120 (6) (a). The board shall retain jurisdiction over inactive
42 certified public accountants for the purposes of disciplinary action
43 pursuant to section 12-2-123.
44

45 **SECTION 24.** 12-2-123.5, Colorado Revised Statutes, is
46 amended to read:

47
48 **12-2-123.5. Response to board communication.** ~~Except as~~
49 ~~otherwise provided in section 12-2-123 (3),~~ A certificant shall, at the
50 request of the board, respond to communications from the board within
51 thirty days ~~of~~ AFTER the mailing of any communication. ~~by registered or~~
52 ~~certified mail.~~
53

54 **SECTION 25.** 12-2-125 (3) and (5), Colorado Revised Statutes,
55 are amended to read:
56

12-2-125. Hearings before board - notice - procedure - review.

1 (3) If, after having been served with the notice of hearing as provided for
2 in this section, the accused fails to appear at said THE hearing and defend,
3 the board may proceed to hear evidence against him OR HER and may
4 enter such order as is justified by the evidence, which order shall be final
5 unless he OR SHE petitions for a review thereof as provided in this section.
6 Within thirty days after the date of any order, upon a showing of good
7 cause for failing to appear and defend, the board may reopen said THE
8 proceedings and may permit the accused to submit evidence in his OR HER
9 behalf.
10

11
12 (5) At all hearings, the attorney general of this state or one of his
13 OF THE ATTORNEY GENERAL'S DESIGNATED assistants designated by him
14 shall appear and represent the board.
15

16 **SECTION 26.** 12-2-126 (1) (b) (II), Colorado Revised Statutes,
17 is amended, and the said 12-2-126 (1) (b) is further amended BY THE
18 ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:
19

20 **12-2-126. Investigations, examinations, and cease-and-desist**
21 **orders against unlawful act.** (1) (b) (II) ~~If the investigation discloses~~
22 ~~an instance of conduct which, in the opinion of the board, does not~~
23 ~~warrant formal action but in which the board has noticed indications of~~
24 ~~possible errant conduct by the certificate holder that could lead to serious~~
25 ~~consequences if not corrected, a confidential letter of concern shall be~~
26 ~~sent to the certificate holder against whom a complaint was made. If the~~
27 ~~board learns of second or subsequent actions of the same or similar nature~~
28 ~~by the certificate holder, the board shall not issue a confidential letter of~~
29 ~~concern but shall take such other course of action as it deems appropriate.~~
30 UPON COMPLETING AN INVESTIGATION, THE DIRECTOR SHALL MAKE ONE
31 OF THE FOLLOWING FINDINGS:
32

33 (A) THE COMPLAINT IS WITHOUT MERIT AND NO FURTHER ACTION
34 NEED BE TAKEN.
35

36 (B) THERE IS NO REASONABLE CAUSE TO WARRANT FURTHER
37 ACTION.
38

39 (C) THE INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT
40 THAT DOES NOT WARRANT FORMAL ACTION, BUT THE INVESTIGATION
41 DISCLOSES INDICATIONS OF POSSIBLE ERRANT CONDUCT THAT COULD LEAD
42 TO SERIOUS CONSEQUENCES IF NOT CORRECTED. IF THIS FINDING IS MADE,
43 THE DIRECTOR SHALL SEND A CONFIDENTIAL LETTER OF CONCERN TO THE
44 LICENSEE.
45

46 (D) THE INVESTIGATION DISCLOSES AN INSTANCE OF CONDUCT
47 THAT DOES NOT WARRANT FORMAL ACTION BUT SHOULD NOT BE
48 DISMISSED AS BEING WITHOUT MERIT. IF THIS FINDING IS MADE, THE
49 DIRECTOR SHALL SEND A LETTER OF ADMONITION TO THE LICENSEE BY
50 CERTIFIED MAIL.
51

52 (E) THE INVESTIGATION DISCLOSES FACTS THAT WARRANT
53 FURTHER PROCEEDINGS BY FORMAL COMPLAINT. IF THIS FINDING IS MADE,
54 THE DIRECTOR SHALL REFER THE COMPLAINT TO THE ATTORNEY GENERAL
55 FOR PREPARATION AND FILING OF A FORMAL COMPLAINT.
56

1 (III) (A) WHEN A LETTER OF ADMONITION IS SENT TO A LICENSEE,
 2 THE DIRECTOR SHALL INCLUDE IN THE LETTER A NOTICE THAT THE
 3 LICENSEE HAS THE RIGHT TO REQUEST IN WRITING, WITHIN TWENTY DAYS
 4 AFTER RECEIPT OF THE LETTER, THAT FORMAL DISCIPLINARY PROCEEDINGS
 5 BE INITIATED TO ADJUDICATE THE PROPRIETY OF THE CONDUCT UPON
 6 WHICH THE LETTER OF ADMONITION IS BASED.

7
 8 (B) IF THE REQUEST FOR ADJUDICATION IS TIMELY MADE, THE
 9 LETTER OF ADMONITION IS VACATED AND THE DIRECTOR SHALL PROCEED
 10 BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

11
 12 (IV) THE DIRECTOR SHALL CONDUCT ALL PROCEEDINGS PURSUANT
 13 TO THIS SUBSECTION (2) EXPEDITIOUSLY AND INFORMALLY SO THAT NO
 14 LICENSEE IS SUBJECTED TO UNFAIR AND UNJUST CHARGES AND THAT NO
 15 COMPLAINANT IS DEPRIVED OF THE RIGHT TO A TIMELY, FAIR, AND PROPER
 16 INVESTIGATION OF A COMPLAINT.

17
 18 **SECTION 27.** 12-2-130, Colorado Revised Statutes, is amended
 19 to read:

20
 21 **12-2-130. Ownership of accountant's working papers.** All
 22 statements, records, schedules, working papers, and memoranda made by
 23 a certified public accountant ~~or registered accountant~~ incident to or in the
 24 course of professional service to a client by ~~such certified public~~ THE
 25 accountant, ~~or registered accountant~~, except reports submitted by a
 26 certified public accountant ~~or registered accountant~~ to a client and books
 27 and records prepared for the use of the client, shall be and remain the
 28 property of ~~such certified public~~ THE accountant ~~or registered accountant~~
 29 in the absence of an express agreement to the contrary between the
 30 certified public accountant ~~or registered accountant~~ and the client."

31
 32 Renumber succeeding sections accordingly.

33
 34
 35
 36
 37 **FINANCE**

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

40
 41 **HB10-1289** be referred favorably to the Committee on Appropriations.

42
 43
 44 **HB10-1296** be postponed indefinitely.

45
 46
 47
 48
 49 **LOCAL GOVERNMENT**

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

52
 53 **HB10-1017** be amended as follows, and as so amended, be referred to
 54 the Committee of the Whole with favorable
 55 recommendation:
 56

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

3

4 "SECTION 1. 38-12-301, Colorado Revised Statutes, is amended
5 to read:

6

7 **38-12-301. Control of rents by counties and municipalities**
8 **prohibited.** (1) The general assembly finds and declares that the
9 imposition of rent control on private residential housing units is a matter
10 of statewide concern; therefore, no county or municipality may enact any
11 ordinance or resolution ~~which~~ THAT would control ~~rents~~ RENT on A
12 private residential ~~property~~ HOUSING UNIT.

13

14 (2) FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, AN
15 ORDINANCE OR RESOLUTION THAT WOULD CONTROL RENT ON A PRIVATE
16 RESIDENTIAL HOUSING UNIT SHALL NOT INCLUDE:

17

18 (a) AN INDIVIDUALIZED NEGOTIATED AGREEMENT BETWEEN A
19 COUNTY OR MUNICIPALITY AND A PERMIT APPLICANT OR PROPERTY OWNER
20 TO LIMIT RENT ON THE UNIT OR THAT IS OTHERWISE DESIGNED TO
21 PRESERVE AFFORDABLE HOUSING STOCK; OR

22

23 (b) THE PLACEMENT ON THE TITLE TO THE UNIT OF A DEED
24 RESTRICTION THAT LIMITS RENT ON THE UNIT OR THAT IS OTHERWISE
25 DESIGNED TO PRESERVE AFFORDABLE HOUSING STOCK PURSUANT TO AN
26 INDIVIDUALIZED NEGOTIATED AGREEMENT BETWEEN A COUNTY OR
27 MUNICIPALITY AND A PERMIT APPLICANT OR PROPERTY OWNER TO PLACE
28 THE DEED RESTRICTION ON THE TITLE.

29

30 (3) AN AGREEMENT AUTHORIZED PURSUANT TO SUBSECTION (2) OF
31 THIS SECTION MAY SPECIFY HOW LONG A PRIVATE RESIDENTIAL HOUSING
32 UNIT IS SUBJECT TO ITS TERMS, WHETHER A SUBSEQUENT PROPERTY
33 OWNER IS SUBJECT TO THE AGREEMENT, AND REMEDIES FOR EARLY
34 TERMINATION AGREED TO BY BOTH THE PERMIT APPLICANT OR PROPERTY
35 OWNER AND THE COUNTY OR MUNICIPALITY.

36

37 (4) This section is not intended to impair the right of any state
38 agency, county, or municipality to manage and control any property in
39 which it has an interest through a housing authority or similar agency.

40

41 **SECTION 2. Act subject to petition - specified effective date**
42 **- applicability.** (1) This act shall take effect September 1, 2010; except
43 that, if a referendum petition is filed pursuant to section 1 (3) of article V
44 of the state constitution against this act or an item, section, or part of this
45 act within the ninety-day period after final adjournment of the general
46 assembly, then the act, item, section, or part shall not take effect unless
47 approved by the people at the general election to be held in November
48 2010 and shall take effect on the date of the official declaration of the
49 vote thereon by the governor.

50

51 (2) The provisions of this act shall apply to agreements entered
52 into before, on, or after the applicable effective date of this act."

53

54

55

1 **HB10-1290** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB10-1292** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 4, line 15, strike "10-____," and substitute
10 "10-1292,".
11

12
13
14
15 **TRANSPORTATION & ENERGY**

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

19 **HB10-1019** be amended as follows, and as so amended, be referred to
20 the Committee on Appropriations with favorable
21 recommendation:
22

23 Amend printed bill, strike everything below the enacting clause and
24 substitute:
25

26 "SECTION 1. Part 2 of article 1 of title 42, Colorado Revised
27 Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW
28 SECTIONS to read:
29

30 **42-1-224. Disabled parking education and enforcement fund**
31 **- created.** THERE IS HEREBY CREATED IN THE STATE TREASURY THE
32 DISABLED PARKING EDUCATION AND ENFORCEMENT FUND, WHICH
33 CONSISTS OF MONEYS COLLECTED PURSUANT TO THIS SECTION AND
34 SECTION 42-4-1208 (6) AND (7). THE GENERAL ASSEMBLY SHALL
35 APPROPRIATE THE MONEYS IN THE FUND FOR THE PURPOSES SPECIFIED IN
36 SECTIONS 42-1-225, 42-3-204, AND 42-4-1208. UNEXPENDED AND
37 UNENCUMBERED MONEYS IN THE FUND AT THE END OF A FISCAL YEAR
38 SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
39 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND. THE
40 DEPARTMENT MAY ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE
41 OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION. ALL PRIVATE
42 AND PUBLIC FUNDS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS
43 SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT
44 THE MONEYS TO THE FUND.
45

46 **42-1-225. Disabled parking education program.** (1) SUBJECT
47 TO THE AVAILABILITY OF FUNDS APPROPRIATED UNDER SECTION 42-1-224,
48 THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES,
49 CREATED IN SECTION 24-45.5-103, C.R.S.:
50

51 (a) MAY MAKE GRANTS OR DEVELOP OR DELIVER EDUCATION
52 PROGRAMS FOR THE PURPOSE OF PROVIDING PEACE OFFICERS, LOCAL
53 GOVERNMENTS, MEDICAL PROVIDERS, DRIVERS, AND PERSONS WITH
54 DISABILITIES WITH EDUCATION CONCERNING ELIGIBILITY STANDARDS FOR
55 PARKING PRIVILEGES AVAILABLE TO A PERSON WITH A DISABILITY
56 AFFECTING MOBILITY, APPROPRIATE USE OF THE PARKING PRIVILEGES, THE

1 LEGAL STANDARDS AND VIOLATIONS CONTAINED IN SECTIONS 42-3-204
2 AND 42-4-1208, AND THE ADVANTAGES OF CREATING A VOLUNTEER
3 ENFORCEMENT PROGRAM; AND
4

5 (b) SHALL CREATE OR MAKE AVAILABLE A TRAINING PROGRAM TO
6 ASSIST PROFESSIONALS IN UNDERSTANDING THE STANDARDS THAT NEED
7 TO BE MET TO OBTAIN AN IDENTIFYING LICENSE PLATE OR PLACARD.
8

9 **SECTION 2.** 42-3-204, Colorado Revised Statutes, is amended
10 to read:
11

12 **42-3-204. Parking privileges for persons with disabilities -**
13 **applicability - rules.** (1) As used in this section:
14

15 (a) ~~"License plate or placard" means any license plate or placard~~
16 ~~issued pursuant to subsection (2) of this section~~ "DISABILITY" OR
17 "DISABLED" MEANS A PHYSICAL IMPAIRMENT THAT MEETS THE STANDARDS
18 OF 23 CFR 1235, WHICH IMPAIRMENT IS VERIFIED, IN WRITING, BY A
19 PROFESSIONAL. TO BE VALID, THE VERIFYING PROFESSIONAL SHALL
20 CERTIFY TO THE DEPARTMENT THAT THE PERSON MEETS THE STANDARDS
21 ESTABLISHED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.
22

23 (b) ~~"Person with a disability" means either of the following:~~
24 "EXTENDED" MEANS A CONDITION THAT IS NOT EXPECTED TO CHANGE
25 WITHIN THIRTY MONTHS AFTER THE ISSUANCE OF AN IDENTIFYING FIGURE,
26 GIVEN THE CURRENT STATE OF MEDICAL OR ADAPTIVE TECHNOLOGY.
27

28 (I) ~~A person so severely impaired that such person is unable to~~
29 ~~move from place to place without the aid of a mechanical device; or~~
30

31 (II) ~~A person who has a physical impairment that substantially~~
32 ~~limits the person's ability to move from place to place, which impairment~~
33 ~~is verified, in writing, by a physician licensed to practice medicine or~~
34 ~~practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S., a~~
35 ~~podiatrist licensed under article 32 of title 12, C.R.S., or an advanced~~
36 ~~practice nurse registered pursuant to section 12-38-111.5, C.R.S. To be~~
37 ~~valid, such verification by the director, physician, podiatrist, or advanced~~
38 ~~practice nurse shall certify to the department of revenue that the person~~
39 ~~meets the standards established by the executive director of the~~
40 ~~department of revenue.~~
41

42 (c) "IDENTIFYING FIGURE" MEANS A FIGURE THAT PROVIDES
43 NOTICE THAT A PERSON IS AUTHORIZED TO USE A RESERVED PARKING
44 SPACE.
45

46 (d) "IDENTIFYING LICENSE PLATE" MEANS A LICENSE PLATE
47 BEARING AN IDENTIFYING FIGURE.
48

49 (e) "IDENTIFYING PLACARD" MEANS A PLACARD BEARING AN
50 IDENTIFYING FIGURE.
51

52 (f) "PERMANENT" MEANS A CONDITION THAT IS NOT EXPECTED TO
53 CHANGE WITHIN A PERSON'S LIFETIME, GIVEN THE CURRENT STATE OF
54 MEDICAL OR ADAPTIVE TECHNOLOGY.
55

56 (g) "PROFESSIONAL" MEANS A PHYSICIAN LICENSED TO PRACTICE

1 MEDICINE OR PRACTICING MEDICINE PURSUANT TO SECTION 12-36-106 (3)
2 (i), C.R.S., A PODIATRIST LICENSED UNDER ARTICLE 32 OF TITLE 12,
3 C.R.S., OR AN ADVANCED PRACTICE NURSE REGISTERED PURSUANT TO
4 SECTION 12-38-111.5, C.R.S.

5

6 (h) "RESERVED PARKING SPACE" MEANS A PARKING SPACE
7 RESERVED FOR A PERSON WITH A DISABILITY.

8

9 (2) (a) A person with a disability may apply to the department for:

10

11 (I) ~~Distinguishing~~ AN IDENTIFYING license ~~plates~~ PLATE to be
12 supplied at the same cost as A standard ~~plates~~ PLATE and to be displayed
13 as provided in section 42-3-202 on a motor vehicle owned by such person
14 or that is owned by a trust created for the benefit of and the name of
15 which includes the name of such person, SUBJECT TO THE FOLLOWING:

16

17 (A) ~~Any plates issued by the department pursuant to this section~~
18 AN IDENTIFYING LICENSE PLATE shall be renewed once each year in a
19 manner to be determined by the department.

20

21 (B) The issuance of a ~~special~~ AN IDENTIFYING license plate to a
22 person with a disability ~~pursuant to this subparagraph (I)~~ shall not
23 preclude such person from obtaining an identifying placard. ~~pursuant to~~
24 ~~subparagraph (II) of this paragraph (a).~~

25

26 (C) The verification requirements of PARAGRAPH (a) OF
27 subsection (1) of this section shall be met once every three years.

28

29 (II) An identifying placard to be prominently displayed on a motor
30 vehicle used to transport such person, SUBJECT TO THE FOLLOWING:

31

32 (A) THE DEPARTMENT SHALL NOT ISSUE A PERMANENT OR
33 EXTENDED IDENTIFYING PLACARD UNLESS THE APPLICANT PROVIDES A
34 DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED PURSUANT TO ARTICLE
35 2 OF THIS TITLE, OR A FEDERALLY ISSUED IDENTIFICATION CARD; EXCEPT
36 THAT A PARENT OR GUARDIAN OF A DISABLED PERSON UNDER SIXTEEN
37 YEARS OF AGE MAY PROVIDE THE PARENT'S OR GUARDIAN'S DRIVER'S
38 LICENSE OR IDENTIFICATION CARD IN LIEU OF THE DISABLED MINOR, AND
39 A BUSINESS ENTITY THAT TRANSPORTS DISABLED PEOPLE FOR HIRE MAY
40 PROVIDE AN EMPLOYEE IDENTIFICATION NUMBER AND SUCH OTHER
41 INFORMATION AS REQUIRED BY THE DEPARTMENT.

42

43 (B) ~~Any~~ AN IDENTIFYING placard valid for more than ninety days
44 ~~issued by the department pursuant to this section~~ shall have ~~printed on the~~
45 ~~placard a number assigned to the placard that corresponds to identifying~~
46 ~~information of the person or persons with the disability~~ THE LAST FOUR
47 DIGITS OF THE HOLDER'S IDENTIFICATION NUMBER PRINTED ON ITS FACE;
48 EXCEPT THAT A PLACARD ISSUED FOR A PERSON UNDER SIXTEEN YEARS OF
49 AGE MAY BEAR THE PARENT'S OR GUARDIAN'S IDENTIFICATION NUMBER IF
50 THE PARENT OR GUARDIAN PROVIDED THE IDENTIFICATION REQUIRED BY
51 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II), AND, IF AN ENTITY
52 THAT TRANSPORTS DISABLED PEOPLE FOR HIRE OBTAINS A PLACARD, THE
53 PLACARD SHALL BEAR THE TRUE NAME OF THE ENTITY PROVIDING SUCH
54 SERVICE. IF THE PLACARD BEARS THE LAST FOUR DIGITS OF THE PARENT'S
55 OR GUARDIAN'S IDENTIFICATION NUMBER, THE PLACARD SHALL ALSO BEAR
56 THE LETTER "C" AS A DESIGNATOR.

1 (C) Identifying information about the person ~~or persons~~ with the
2 disability shall be strictly confidential and only available to law
3 enforcement or to personnel within the department for official business
4 related to ~~such~~ THE IDENTIFYING placard.

5
6 (D) ~~Such assigned number~~ WHEN IN USE, THE IDENTIFYING
7 PLACARD'S FACE shall be legible AND VISIBLE to any law enforcement
8 officer or authorized parking enforcement official when viewed from
9 outside the vehicle.

10
11 (E) A HOLDER OF AN IDENTIFYING placard ~~issued by the~~
12 ~~department pursuant to this section shall be renewed~~ SHALL RENEW THE
13 PLACARD every three years in a manner to be determined by the
14 department, INCLUDING RENEWAL BY MAIL.

15
16 (F) The HOLDER OF AN IDENTIFYING PLACARD SHALL MEET THE
17 verification requirements of PARAGRAPH (a) OF subsection (1) of this
18 section ~~shall be met~~ each time the placard is renewed.

19
20 (G) THE DEPARTMENT SHALL PLACE AN EXPIRATION DATE ON AN
21 IDENTIFYING PLACARD USING A DATE SYSTEM THAT REMOVES A PORTION
22 OF THE PLACARD TO INDICATE THE EXPIRATION DATE. THE DEPARTMENT
23 SHALL AFFIX A VALIDATING STICKER INDICATING THE EXPIRATION DATE TO
24 THE PLACARD.

25
26 (III) Disabled veteran special license plates with the identifying
27 ~~feature~~ FIGURE for a person with a physical impairment affecting
28 mobility, so long as the disabled person meets the eligibility criteria
29 specified in section 42-3-213 (5).

30
31 (b) ~~Notwithstanding the verification requirements of~~
32 ~~subparagraphs (I), (II), and (III) of paragraph (a) of this subsection (2), if~~
33 ~~a renewal applicant has a permanent disability that was verified in writing~~
34 ~~by a physician licensed to practice medicine in this state or practicing~~
35 ~~medicine pursuant to section 12-36-106 (3) (i), C.R.S., or an advanced~~
36 ~~practice nurse registered pursuant to section 12-38-111.5, C.R.S., and~~
37 ~~provided to the department with the original application for a license plate~~
38 ~~or placard under this section, such applicant shall not be required to meet~~
39 ~~such verification requirement to renew such license plate or placard. If~~
40 ~~a person renews such license plate or placard of and on behalf of a person~~
41 ~~with a permanent disability, the person renewing such license plate or~~
42 ~~placard shall sign an affidavit, under the penalty of perjury, attesting to~~
43 ~~the fact that the person with a permanent disability is still in need of the~~
44 ~~license plate or placard and stating that such license plate or placard shall~~
45 ~~be surrendered to the department upon the death of the person with a~~
46 ~~permanent disability.~~

47
48 (c) ~~Such~~ AN IDENTIFYING license plate or placard shall be issued
49 to ~~such~~ A person upon presentation to the department of a written
50 statement, verified by a ~~physician licensed to practice medicine in this~~
51 ~~state or practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S.,~~
52 ~~or an advanced practice nurse registered pursuant to section 12-38-111.5,~~
53 ~~C.R.S.~~ PROFESSIONAL, that such person is a ~~person with~~ HAS a disability.
54 The application for ~~such~~ a AN IDENTIFYING license plate or placard shall
55 be sent to the department ~~each year~~ EVERY THREE YEARS; except that a
56 person who has been issued a disabled veteran special license plate shall

1 not send an application to the department every year.

2
3 (d) (I) ~~Such~~ AN IDENTIFYING license plate or placard may be
4 revoked by the department upon receipt of a sworn statement from a
5 peace officer or an authorized parking enforcement official that the
6 person with a disability has improperly used the privilege defined in
7 section 42-4-1208. Upon a first violation of section 42-4-1208, the
8 department shall deny reissuance of such license plate or placard for a
9 period of one year following the date of revocation. Upon a second or
10 subsequent violation of section 42-4-1208, the department shall deny
11 reissuance of such license plate or placard for a period of at least five
12 years after the date of the second or each subsequent revocation. The
13 department shall provide written notification to the person with a
14 disability of such revocation, which notification shall contain a demand
15 for the return of the license plate or placard to the department and a
16 warning that continued use by any person shall be subject to the penalty
17 set forth in section 42-4-1208 (11).

18
19 (II) THE DEPARTMENT MAY HOLD HEARINGS TO REVOKE AN
20 IDENTIFYING LICENSE PLATE OR PLACARD.

21
22 (III) A PERSON WHO FAILS TO RETURN A REVOKED IDENTIFYING
23 PLACARD OR LICENSE PLATE OR WHO ATTEMPTS TO OBTAIN AN
24 IDENTIFYING LICENSE PLATE OR PLACARD WHEN UNDER REVOCATION
25 PURSUANT TO THIS PARAGRAPH (d) COMMITS A CLASS B TRAFFIC
26 INFRACTION.

27
28 (e) Repealed.

29
30 (3) (a) The department shall issue ~~temporary distinguishing~~
31 ~~license permits and~~ a temporary identifying placard to a person who is
32 temporarily disabled upon presentation of a written statement, verified by
33 a ~~physician licensed to practice medicine or practicing medicine pursuant~~
34 ~~to section 12-36-106 (3) (i), C.R.S., a podiatric physician licensed under~~
35 ~~article 32 of title 12, C.R.S., or an advanced practice nurse registered~~
36 ~~pursuant to section 12-38-111.5, C.R.S.~~ PROFESSIONAL, that such person
37 temporarily meets the definition of a person with a disability.

38
39 (b) The department shall issue ~~such permits and placards~~ A
40 TEMPORARY IDENTIFYING PLACARD to a qualifying person who is a
41 resident of another state and who becomes disabled while in this state.
42 THE DEPARTMENT SHALL NOT ISSUE THE PLACARD UNLESS THE APPLICANT
43 PROVIDES A DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED PURSUANT
44 TO ARTICLE 2 OF THIS TITLE OR ISSUED BY ANOTHER STATE OR A
45 FEDERALLY ISSUED IDENTIFICATION CARD. THE DEPARTMENT SHALL PRINT
46 THE LAST FOUR DIGITS OF THE DRIVER'S LICENSE NUMBER OR
47 IDENTIFICATION CARD NUMBER ON THE FACE OF THE PLACARD.

48
49 (c) ~~Such permits and~~ A TEMPORARY IDENTIFYING placard ~~shall be~~
50 ~~is valid for a period of~~ UNTIL THE LAST DAY OF THE MONTH FALLING
51 ninety days after the date of issuance and may continually be renewed for
52 additional ninety-day periods during the term of such disability upon
53 resubmission of such written and verified statements.

54
55 (d) The ~~provisions of this section concerning the privileges~~
56 granted to persons with disabilities ~~shall apply to temporary license~~

1 ~~permits and temporary IDENTIFYING placards issued under this subsection~~
2 ~~(3). Further, the requirement that the placard include a printed~~
3 ~~identification number as set forth in subparagraph (H) of paragraph (a) of~~
4 ~~subsection (2) of this section shall apply to both temporary license~~
5 ~~permits and temporary placards issued under this subsection (3).~~
6

7 ~~(e) The verification by a physician licensed to practice medicine~~
8 ~~or practicing medicine pursuant to section 12-36-106 (3) (i), C.R.S., a~~
9 ~~podiatrist licensed under article 32 of title 12, C.R.S., or an advanced~~
10 ~~practice nurse registered pursuant to section 12-38-111.5, C.R.S., shall be~~
11 ~~carried in the vehicle transporting the person or persons with a disability~~
12 ~~to whom the temporary license permit or placard has been issued and~~
13 ~~shall be presented to any law enforcement officer upon request.~~
14 ~~Temporary license permits and temporary placards issued by states other~~
15 ~~than Colorado shall be ARE valid so long as they are currently valid in the~~
16 ~~state of issuance and valid pursuant to 23 CFR 1235.~~
17

18 (f) A TEMPORARY IDENTIFYING PLACARD SHALL HAVE THE LAST
19 FOUR DIGITS OF THE PERSON'S IDENTIFICATION NUMBER PRINTED ON THE
20 PLACARD'S FACE. THE DEPARTMENT SHALL PLACE AN EXPIRATION DATE
21 ON AN IDENTIFYING PLACARD USING A DATE SYSTEM THAT REMOVES A
22 PORTION OF THE PLACARD TO INDICATE THE EXPIRATION DATE. THE
23 DEPARTMENT SHALL AFFIX A VALIDATING STICKER INDICATING THE
24 EXPIRATION DATE TO THE PLACARD.
25

26 (4) Upon the filing of an application for issuance or renewal of a
27 AN IDENTIFYING license plate or placard under this section, the department
28 shall make available to the applicant an informational pamphlet or other
29 informational source developed by the department IN CONSULTATION
30 WITH THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH
31 DISABILITIES, CREATED IN SECTION 24-45.5-103, C.R.S., that describes the
32 rights and responsibilities of the holders of such license plates or placards
33 and the parking privileges set forth in section 42-4-1208.
34

35 (5) (a) AN APPLICATION FOR AN IDENTIFYING LICENSE PLATE OR
36 PLACARD SHALL CONTAIN A NOTICE OF ELIGIBILITY REQUIREMENTS AND
37 PENALTIES FOR OBTAINING SUCH LICENSE PLATE OR PLACARD WHEN NOT
38 ELIGIBLE. THE APPLICANT SHALL SIGN THE NOTICE AFFIRMING
39 KNOWLEDGE OF THE INFORMATION CONTAINED THEREIN.
40

41 (b) THE DEPARTMENT, IN CONSULTATION WITH THE COLORADO
42 ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES, CREATED IN SECTION
43 24-45.5-103, C.R.S., SHALL PROMULGATE A RULE CREATING A FORM THAT
44 IS SIGNED BY A PROFESSIONAL, UNDER PENALTY OF PERJURY, AFFIRMING
45 KNOWLEDGE OF THE CONTENTS OF THE NOTICE CREATED IN PARAGRAPH
46 (a) OF THIS SUBSECTION (5) BEFORE VERIFYING THAT A PERSON HAS A
47 DISABILITY. THE FORM SHALL CONTAIN A NOTICE OF THE ELIGIBILITY
48 REQUIREMENT TO OBTAIN AN IDENTIFYING LICENSE PLATE OR PLACARD.
49

50 (6) ANY PERSON RENEWING AN IDENTIFYING LICENSE PLATE OR
51 PLACARD SHALL AFFIRM UNDER PENALTY OF PERJURY THAT THE PERSON
52 TO WHOM THE LICENSE PLATE OR PLACARD IS ISSUED REMAINS ELIGIBLE TO
53 USE THE LICENSE PLATE. THE PERSON RENEWING THE PLATE OR PLACARD
54 SHALL INCLUDE WITH THE RENEWAL THE PERSON'S NAME AND A COPY OF
55 THE PERSON'S DRIVER'S LICENSE OR IDENTIFICATION CARD AND THE
56 DRIVER'S LICENSE OR IDENTIFICATION CARD, IF APPLICABLE, OF THE

1 DISABLED PERSON.
2

3 (7) (a) THE DEPARTMENT SHALL MAINTAIN IN ITS RECORDS FOR
4 THREE YEARS THE REGISTRATION INFORMATION USED TO ISSUE AN
5 IDENTIFYING LICENSE PLATE OR PLACARD, ANY VIOLATIONS OF SECTION
6 42-4-1208 BY THE HOLDER, AND THE APPLICATION OR AN ELECTRONIC OR
7 DIGITAL REPRODUCTION OF THE APPLICATION.
8

9 (b) UPON THE FUNDS BEING AVAILABLE AND APPROPRIATED FROM
10 THE DISABLED PARKING EDUCATION AND ENFORCEMENT FUND CREATED
11 IN SECTION 42-1-224, THE DEPARTMENT SHALL PROVIDE IMMEDIATE
12 ELECTRONIC ACCESS TO THE RECORDS MAINTAINED PURSUANT TO
13 PARAGRAPH (a) OF THIS SUBSECTION (8) TO A PEACE OFFICER WORKING
14 WITHIN THE COURSE AND SCOPE OF THE OFFICER'S OFFICIAL DUTIES.
15

16 (8) AN IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR
17 COUNTRY IS NOT VALID FOR MORE THAN NINETY DAYS AFTER THE HOLDER
18 BECOMES A RESIDENT OF COLORADO. A PERSON WHO APPLIES FOR AN
19 IDENTIFYING PLACARD IN COLORADO SHALL SURRENDER ANY CURRENTLY
20 HELD IDENTIFYING PLACARD ISSUED IN ANOTHER STATE OR COUNTRY.
21

22 **SECTION 3.** 42-4-1208, Colorado Revised Statutes, is amended
23 to read:
24

25 **42-4-1208. Parking privileges for persons with disabilities -**
26 **applicability -rules.** (1) As used in this section:
27

28 ~~(a) "License plate or placard" means a license plate or placard~~
29 ~~issued pursuant to section 42-3-204 (2) "DISABILITY" OR "DISABLED"~~
30 MEANS A PHYSICAL IMPAIRMENT THAT MEETS THE STANDARDS OF 23 CFR
31 1235, WHICH IMPAIRMENT IS VERIFIED, IN WRITING, BY A PROFESSIONAL.
32 TO BE VALID, THE VERIFYING PROFESSIONAL SHALL CERTIFY TO THE
33 DEPARTMENT THAT THE PERSON MEETS THE STANDARDS ESTABLISHED BY
34 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.
35

36 ~~(b) "Person with a disability" has the meaning provided for such~~
37 ~~term in section 42-3-204 (1) "IDENTIFYING FIGURE" MEANS A FIGURE THAT~~
38 PROVIDES NOTICE THAT A PERSON IS AUTHORIZED TO USE A RESERVED
39 PARKING SPACE.
40

41 (c) "IDENTIFYING LICENSE PLATE" MEANS A LICENSE PLATE
42 BEARING AN IDENTIFYING FIGURE.
43

44 (d) "IDENTIFYING PLACARD" MEANS A PLACARD BEARING AN
45 IDENTIFYING FIGURE.
46

47 (e) "PROFESSIONAL" MEANS A PHYSICIAN LICENSED TO PRACTICE
48 MEDICINE OR PRACTICING MEDICINE PURSUANT TO SECTION 12-36-106 (3)
49 (i), C.R.S., A PODIATRIST LICENSED UNDER ARTICLE 32 OF TITLE 12,
50 C.R.S., OR AN ADVANCED PRACTICE NURSE REGISTERED PURSUANT TO
51 SECTION 12-38-111.5, C.R.S.
52

53 (f) "RESERVED PARKING SPACE" MEANS A PARKING SPACE
54 RESERVED FOR A PERSON WITH A DISABILITY.
55

56 (2) In a jurisdiction recognizing the privilege defined by this

1 subsection (2), a vehicle with a AN IDENTIFYING license plate or a placard
2 obtained pursuant to section 42-3-204 or as otherwise authorized by
3 subsection (4) of this section may be parked in public parking areas along
4 public streets regardless of any time limitation imposed upon parking in
5 such area; except that a jurisdiction shall not limit such a privilege to park
6 on any public street to less than four hours. The respective jurisdiction
7 shall clearly post the appropriate time limits in such area. Such privilege
8 need not apply to zones in which:

- 9
10 (a) Stopping, standing, or parking of all vehicles is prohibited;
11
12 (b) Only special vehicles may be parked;
13
14 (c) Parking is not allowed during specific periods of the day in
15 order to accommodate heavy traffic.

16
17 (3) (a) A person with a disability may park in a parking space
18 identified as being reserved for use by persons with disabilities whether
19 on public property or private property available for public use. A AN
20 IDENTIFYING license plate or placard obtained pursuant to section
21 42-3-204 or as otherwise authorized by subsection (4) of this section shall
22 be displayed IN ACCORDANCE WITH 23 CFR 1235 at all times on the
23 vehicle while parked in such space.

24
25 (b) The owner of private property available for public use may
26 request the installation of official signs identifying RESERVED parking
27 spaces. ~~reserved for use by persons with disabilities.~~ Such a request shall
28 be a waiver of any objection the owner may assert concerning
29 enforcement of this section by peace officers of any political subdivision
30 of this state, and ~~such~~ THE officers are hereby authorized and empowered
31 to ~~so~~ enforce this section, provisions of law to the contrary
32 notwithstanding. NO PERSON SHALL IMPOSE RESTRICTIONS ON THE USE OF
33 DISABLED PARKING UNLESS SPECIFICALLY AUTHORIZED BY A STATUTE,
34 RESOLUTION, OR ORDINANCE OF THE STATE OF COLORADO OR A POLITICAL
35 SUBDIVISION THEREOF AND NOTICE OF THE RESTRICTION IS PROMINENTLY
36 POSTED BY A SIGN CLEARLY VISIBLE AT THE PARKING SPACE.

37
38 (c) Each parking space reserved for use by persons with
39 disabilities whether on public property or private property shall be marked
40 with an official upright sign, which sign may be stationary or portable,
41 identifying such parking space as reserved for use by persons with
42 disabilities.

43
44 (4) Persons with disabilities from states other than Colorado shall
45 be allowed to use parking spaces for persons with disabilities in Colorado
46 so long as such persons have valid license plates or placards from their
47 home state that are also valid pursuant to 23 CFR part 1235.

48
49 (5) It is unlawful for any person other than a person with a
50 disability to park in a parking space on public or private property that is
51 clearly identified by an official sign as being reserved for use by persons
52 with disabilities unless:

53
54 (a) Such person is parking the vehicle for the direct benefit of a
55 person with a disability to enter or exit the vehicle while it is parked in the
56 RESERVED PARKING space; ~~reserved for use by persons with disabilities;~~

1 and

2

3 (b) ~~A~~ AN IDENTIFYING license plate or placard obtained pursuant
4 to section 42-3-204 or as otherwise authorized by subsection (4) of this
5 section is displayed in such vehicle.

6

7 (6) (a) ~~Any~~ A person who is ~~not a person with~~ DOES NOT HAVE a
8 disability and who exercises the privilege defined in subsection (2) of this
9 section or who violates the provisions of subsection (5) or subsection (10)
10 of this section commits a class B traffic infraction ~~and shall receive the~~
11 ~~maximum fine thereunder~~ PUNISHABLE BY A SURCHARGE OF THIRTY-TWO
12 DOLLARS PURSUANT TO SECTIONS 24-4.1-119 (1) (f) AND 24-4.2-104 (1)
13 (b) (I), C.R.S., AND A MINIMUM FINE OF THREE HUNDRED FIFTY DOLLARS,
14 NOT TO EXCEED ONE THOUSAND DOLLARS, FOR THE FIRST OFFENSE AND A
15 MINIMUM FINE OF SIX HUNDRED DOLLARS, NOT TO EXCEED ONE THOUSAND
16 DOLLARS, FOR A SECOND OFFENSE. A PERSON WHO VIOLATES THIS
17 SUBSECTION (6) THREE OR MORE TIMES COMMITS A MISDEMEANOR
18 PUNISHABLE BY A MINIMUM FINE OF ONE THOUSAND DOLLARS, NOT TO
19 EXCEED FIVE THOUSAND DOLLARS, AND NOT MORE THAN TEN HOURS OF
20 COMMUNITY SERVICE. ONE-HALF OF THE FINE SHALL BE TRANSFERRED TO
21 THE STATE TREASURER, WHO SHALL CREDIT THE FINE TO THE DISABLED
22 PARKING EDUCATION AND ENFORCEMENT FUND CREATED IN SECTION
23 42-1-224.

24

25 (b) ~~Any~~ A person who violates this subsection (6) by parking a
26 vehicle owned by a commercial carrier, as defined in section 42-1-102
27 (17), shall be subject to a fine of up to twice the ~~maximum penalty~~
28 ~~identified for a class B traffic infraction in section 42-4-1701 (3) (a) (I)~~
29 PENALTY IMPOSED IN PARAGRAPH (a) OF THIS SUBSECTION (6).

30

31 (7) ~~Any~~ A person who is ~~not a person with~~ DOES NOT HAVE a
32 disability and who uses a AN IDENTIFYING license plate or placard ~~issued~~
33 ~~pursuant to section 42-3-204~~ in order to receive the benefits or privileges
34 available to a person with a disability under this section commits a ~~class~~
35 ~~B traffic infraction and shall be subject to a fine of up to twice the~~
36 ~~maximum penalty identified for a class B traffic infraction in section~~
37 ~~42-4-1701 (3) (a) (I)~~ MISDEMEANOR PUNISHABLE BY A SURCHARGE OF
38 THIRTY-TWO DOLLARS PURSUANT TO SECTIONS 24-4.1-119 (1) (f) AND
39 24-4.2-104 (1) (b) (I), C.R.S., AND A MINIMUM FINE OF THREE HUNDRED
40 FIFTY DOLLARS, NOT TO EXCEED ONE THOUSAND DOLLARS, FOR THE FIRST
41 OFFENSE AND A MINIMUM FINE OF SIX HUNDRED DOLLARS, NOT TO EXCEED
42 ONE THOUSAND DOLLARS, FOR A SECOND OFFENSE. A PERSON WHO
43 VIOLATES THIS SUBSECTION (7) THREE OR MORE TIMES COMMITS A
44 MISDEMEANOR PUNISHABLE BY A MINIMUM FINE OF ONE THOUSAND
45 DOLLARS, NOT TO EXCEED FIVE THOUSAND DOLLARS, AND NOT MORE THAN
46 TEN HOURS OF COMMUNITY SERVICE. ONE-HALF OF THE FINE SHALL BE
47 TRANSFERRED TO THE STATE TREASURER, WHO SHALL CREDIT THE FINE TO
48 THE DISABLED PARKING EDUCATION AND ENFORCEMENT FUND CREATED
49 IN SECTION 42-1-224.

50

51 (8) (a) ~~Any law enforcement~~ A PEACE officer or authorized and
52 uniformed parking enforcement official may check the identification of
53 any person using a AN IDENTIFYING license plate or placard ~~for persons~~
54 ~~with disabilities~~ in order to determine whether such use is authorized.

55

56 (b) A PEACE OFFICER OR AUTHORIZED AND UNIFORMED PARKING

1 ENFORCEMENT OFFICIAL MAY CONFISCATE AN IDENTIFYING PLACARD THAT
2 IS BEING USED IN VIOLATION OF THIS SECTION. THE PEACE OFFICER SHALL
3 TRANSMIT THE PLACARD TO THE DEPARTMENT UNLESS IT IS BEING HELD
4 FOR PROSECUTION OF A VIOLATION OF THIS SECTION. THE DEPARTMENT
5 SHALL HOLD A CONFISCATED PLACARD FOR THIRTY DAYS AND MAY
6 DISPOSE OF THE PLACARD AFTER THIRTY DAYS. UPON THE PERSON WITH
7 A DISABILITY SIGNING A STATEMENT UNDER PENALTY OF PERJURY THAT HE
8 OR SHE WAS UNAWARE THAT THE VIOLATOR USED, OR INTENDED TO USE,
9 THE PLACARD IN VIOLATION OF THIS SECTION, THE DEPARTMENT SHALL
10 RELEASE THE PLACARD TO THE PERSON WITH A DISABILITY TO WHOM IT
11 WAS ISSUED.

12

13 (c) A PEACE OFFICER MAY INVESTIGATE AN ALLEGATION THAT A
14 PERSON IS VIOLATING THIS SECTION.

15

16 (9) Any state agency or division thereof that transports persons
17 with disabilities may obtain a AN IDENTIFYING placard for persons with
18 disabilities in the same manner provided in this section for any other
19 person. ~~In the event that such a~~ IF AN IDENTIFYING placard is used by any
20 employee of such state agency or division when not transporting persons
21 with disabilities, the executive director of such agency and the offending
22 employee shall be subject to a fine of one hundred FIFTY dollars. ~~The~~
23 ~~provisions of~~ This subsection (9) shall apply APPLIES to any corporation
24 or independent contractor as determined by rule of the department to be
25 eligible to transport persons with disabilities; except that the chief
26 executive officer or an equivalent of the corporation or independent
27 contractor and the offending employee ~~shall be~~ ARE subject to the fine.

28

29 (10) REGARDLESS OF WHETHER THE PERSON DISPLAYS AN
30 IDENTIFYING LICENSE PLATE OR PLACARD, it is unlawful for any person to
31 park a vehicle so as to block reasonable access to curb ramps, ~~or~~
32 passenger loading zones, OR ACCESSIBLE ROUTES, as identified in 28 CFR
33 part 36 (appendix A), that are clearly identified ~~and are adjacent to a~~
34 ~~parking space reserved for use by persons with disabilities~~ unless such
35 person is loading or unloading a person with a disability.

36

37 (11) (a) ~~Any~~ A person who knowingly and fraudulently obtains,
38 possesses, uses, or transfers a AN IDENTIFYING placard issued to a person
39 with a disability; ~~pursuant to section 42-3-204 or~~ WHO knowingly makes,
40 possesses, uses, or transfers what purports to be, but is not, a AN
41 IDENTIFYING placard; ~~issued to a person with a disability pursuant to~~
42 ~~section 42-3-204~~ OR WHO KNOWINGLY CREATES OR USES A DEVICE
43 INTENDED TO GIVE THE IMPRESSION THAT IT IS AN IDENTIFYING PLACARD
44 WHEN VIEWED FROM OUTSIDE THE VEHICLE is guilty of a misdemeanor and
45 is subject to the criminal and civil penalties provided under section
46 42-6-139 (3) and (4).

47

48 (b) ~~Any~~ A person who knowingly and willfully receives
49 remuneration for committing a misdemeanor pursuant to this subsection
50 (11) ~~shall be~~ IS subject to twice the civil and criminal ~~fine~~ PENALTIES that
51 would otherwise be imposed.

52

53 (12) (a) Certification of the entry of judgment for each violation
54 of subsection (6), (7), or (11) of this section shall be sent by the entering
55 court to the department.

56

1 ~~(b) Upon receipt of certification of a first or second entry of~~
2 ~~judgment for a violation of subsection (6), (7), or (11) of this section or~~
3 ~~upon independent verification of such a violation by the department, the~~
4 ~~department shall notify the person with a disability to whom the license~~
5 ~~plate or placard was issued that such license plate or placard will be~~
6 ~~revoked as provided in section 42-3-204 (2) (d) upon certification or~~
7 ~~independent verification of the third such entry of judgment.~~

8
9 (c) Upon receipt of certification of a ~~third~~ AN entry of judgment
10 for a violation of subsection (6), (7), or (11) of this section by any person,
11 the department shall withhold that person's vehicle registration until such
12 time as any fines imposed for the violations have been paid.

13
14 (d) Upon receipt of certification or independent verification of
15 ~~such third~~ AN entry of judgment, the department shall revoke said AN
16 IDENTIFYING license plate or placard as provided in section 42-3-204 (2)
17 (d).

18
19 ~~(e) This subsection (12) shall take effect July 1, 2000, and shall~~
20 ~~apply to any violations occurring on or after July 1, 2000.~~

21
22 (13) (a) For purposes of this subsection (13), "holder" means a
23 person with a disability as defined in section 42-3-204 ~~(1) (b)~~ who has
24 lawfully obtained a AN IDENTIFYING license plate or placard issued
25 pursuant to section 42-3-204 (2) or as otherwise authorized by subsection
26 (4) of this section.

27
28 (b) Notwithstanding any other provision of this section to the
29 contrary, a holder is liable for any penalty or fine as set forth in this
30 section or section 42-3-204 or for any misuse of a ~~disabled~~ AN
31 IDENTIFYING license plate or placard, including the use of such plate or
32 placard by any person other than a holder, unless the holder can furnish
33 sufficient evidence that the license plate or placard was, at the time of the
34 violation, in the care, custody, or control of another person without the
35 holder's knowledge or consent.

36
37 (c) A holder may avoid the liability described in paragraph (b) of
38 this subsection (13) if, within a reasonable time after notification of the
39 violation, the holder furnishes to the prosecutorial division of the
40 appropriate jurisdiction the name and address of the person who had the
41 care, custody, or control of ~~such~~ THE IDENTIFYING license plate or placard
42 at the time of the violation or the holder reports said license plate or
43 placard lost or stolen to both the appropriate local law enforcement
44 agency and the department.

45
46 (14) (a) A PERSON WHO OBSERVES A VIOLATION OF THIS SECTION
47 MAY SUBMIT EVIDENCE, ALONG WITH A SWORN STATEMENT OF A
48 VIOLATION OF THIS SECTION, TO ANY LAW ENFORCEMENT AGENCY.

49
50 (b) NO EMPLOYER SHALL FORBID AN EMPLOYEE FROM REPORTING
51 VIOLATIONS OF THIS SECTION. NO PERSON SHALL INITIATE OR ADMINISTER
52 ANY DISCIPLINARY ACTION AGAINST AN EMPLOYEE ON ACCOUNT OF THE
53 EMPLOYEE NOTIFYING THE AUTHORITIES OF A POSSIBLE VIOLATION OF THIS
54 SECTION IF THE EMPLOYEE HAS A GOOD FAITH BELIEF THAT A VIOLATION
55 HAS OCCURRED.

56

1 (c) NO LANDLORD SHALL RETALIATE AGAINST A TENANT ON
2 ACCOUNT OF THE TENANT NOTIFYING THE AUTHORITIES OF A POSSIBLE
3 VIOLATION OF THIS SECTION IF THE TENANT HAS A GOOD FAITH BELIEF
4 THAT A VIOLATION HAS OCCURRED.

5
6 (15) (a) NO PERSON, AFTER USING A RESERVED PARKING SPACE
7 THAT HAS A TIME LIMIT, SHALL SWITCH MOTOR VEHICLES OR MOVE THE
8 MOTOR VEHICLE TO ANOTHER RESERVED PARKING SPACE WITHIN ONE
9 HUNDRED YARDS OF THE ORIGINAL PARKING SPACE WITHIN THE SAME
10 EIGHT HOURS IN ORDER TO EXCEED THE TIME LIMIT.

11
12 (b) PARKING IN A TIME-LIMITED RESERVED PARKING SPACE FOR
13 MORE THAN THREE HOURS FOR AT LEAST THREE DAYS A WEEK FOR AT
14 LEAST TWO WEEKS SHALL CREATE A REBUTTABLE PRESUMPTION THAT THE
15 PERSON IS VIOLATING THIS SUBSECTION (15).

16
17 (c) THIS SUBSECTION (15) DOES NOT APPLY TO PRIVATELY OWNED
18 PARKING LOTS.

19
20 (d) A PERSON WHO VIOLATES THIS SUBSECTION (15) COMMITS A
21 CLASS B TRAFFIC INFRACTION. UPON CONVICTION OR THE PLEA OF GUILTY
22 OR NOLO CONTENDERE FOR A VIOLATION OF THIS SUBSECTION (16), THE
23 COURT SHALL SEND A CERTIFICATION OF THE ENTRY OF JUDGMENT TO THE
24 DEPARTMENT. UPON RECEIVING A CERTIFICATION OF ENTRY OF
25 JUDGEMENT OR INDEPENDENT VERIFICATION, THE DEPARTMENT SHALL
26 REVOKE THE IDENTIFYING LICENSE PLATE OR PLACARD OF A PERSON WHO
27 VIOLATES THIS SUBSECTION (15) A SECOND OR SUBSEQUENT TIME
28 PURSUANT TO SECTION 42-3-204 (2).

29
30 (16) (a) NO PERSON SHALL USE PARKING PRIVILEGES OBTAINED BY
31 AN IDENTIFYING LICENSE PLATE OR PLACARD FOR A COMMERCIAL PURPOSE
32 UNLESS THE PURPOSE RELATES TO TRANSACTING BUSINESS WITH A
33 BUSINESS THE RESERVED PARKING SPACE IS INTENDED TO SERVE.

34
35 (b) A PERSON WHO VIOLATES THIS SUBSECTION (16) COMMITS A
36 CLASS B TRAFFIC INFRACTION. UPON CONVICTION OR THE PLEA OF GUILTY
37 OR NOLO CONTENDERE FOR A VIOLATION OF THIS SUBSECTION (16), THE
38 COURT SHALL SEND A CERTIFICATION OF THE ENTRY OF JUDGMENT TO THE
39 DEPARTMENT. UPON RECEIVING A CERTIFICATION OF ENTRY OF JUDGMENT
40 OR INDEPENDENT VERIFICATION, THE DEPARTMENT SHALL REVOKE THE
41 IDENTIFYING LICENSE PLATE OR PLACARD OF A PERSON WHO VIOLATES
42 THIS SUBSECTION (16) A SECOND OR SUBSEQUENT TIME PURSUANT TO
43 SECTION 42-3-204 (2).

44
45 (17) (a) A PEACE OFFICER MAY ISSUE A PENALTY ASSESSMENT
46 NOTICE FOR A VIOLATION OF THIS SECTION BY SENDING IT BY CERTIFIED
47 MAIL TO THE REGISTERED OWNER OF THE MOTOR VEHICLE. THE PEACE
48 OFFICER SHALL INCLUDE IN THE PENALTY ASSESSMENT NOTICE THE
49 OFFENSE OR INFRACTION, THE TIME AND PLACE WHERE IT OCCURRED, AND
50 A STATEMENT THAT THE PAYMENT OF THE PENALTY ASSESSMENT AND
51 SURCHARGE IS DUE WITHIN TWENTY DAYS FROM THE ISSUANCE OF THE
52 NOTICE. RECEIPT OF THE PAYMENT OF THE PENALTY ASSESSMENT
53 POSTMARKED BY THE TWENTIETH DAY AFTER THE RECEIPT OF THE
54 PENALTY ASSESSMENT NOTICE BY THE DEFENDANT IS RECEIPT ON OR
55 BEFORE THE DATE THE PAYMENT WAS DUE.

56

1 (b) IF THE PENALTY ASSESSMENT AND SURCHARGE ARE NOT PAID
2 WITHIN THE TWENTY DAYS FROM THE DATE OF MAILING OF THE NOTICE,
3 THE PEACE OFFICER WHO ISSUED THE ORIGINAL PENALTY ASSESSMENT
4 NOTICE SHALL FILE A COMPLAINT WITH A COURT HAVING JURISDICTION
5 AND ISSUE AND SERVE UPON THE REGISTERED OWNER OF THE VEHICLE A
6 SUMMONS TO APPEAR IN COURT AT THE TIME AND PLACE SPECIFIED
7 THEREIN.

8
9 **SECTION 4.** Part 12 of article 4 of title 42, Colorado Revised
10 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
11 read:

12
13 **42-4-1212. Pay parking access for disabled.** (1) UNLESS THE
14 METHOD OF REMUNERATION IS REASONABLY ACCESSIBLE TO A PERSON
15 WITH A DISABILITY AS DEFINED IN SECTION 42-3-204, NO PERSON WHO
16 OWNS, OPERATES, OR MANAGES A PARKING SPACE THAT REQUIRES
17 REMUNERATION SHALL TOW, BOOT, OR OTHERWISE TAKE ADVERSE ACTION
18 AGAINST A PERSON OR MOTOR VEHICLE PARKING IN SUCH SPACE FOR
19 FAILURE TO PAY THE REMUNERATION IF THE MOTOR VEHICLE BEARS A
20 PLACARD OR LICENSE PLATE BEARING AN IDENTIFYING FIGURE ISSUED
21 PURSUANT TO SECTION 42-3-204 OR A SIMILAR LAW IN ANOTHER STATE
22 THAT IS VALID UNDER 23 CFR 1235.

23
24 (2) NOTWITHSTANDING ANY STATUTE, RESOLUTION, OR
25 ORDINANCE OF THE STATE OF COLORADO OR A POLITICAL SUBDIVISION
26 THEREOF, PARKING IN A SPACE WITHOUT PAYING THE REQUIRED
27 REMUNERATION SHALL NOT BE DEEMED A VIOLATION OF SUCH STATUTE,
28 RESOLUTION, OR ORDINANCE IF:

29
30 (a) THE MOTOR VEHICLE BEARS A PLACARD OR LICENSE PLATE
31 BEARING THE IDENTIFYING FIGURE ISSUED PURSUANT TO SECTION 42-3-204
32 OR A SIMILAR LAW IN ANOTHER STATE THAT IS VALID UNDER 23 CFR 1235;
33 AND

34
35 (b) THE METHOD OF REMUNERATION IS NOT REASONABLY
36 ACCESSIBLE TO A PERSON WITH A DISABILITY AS DEFINED IN SECTION
37 42-3-204.

38
39 (3) A LAW ENFORCEMENT AGENCY SHALL WITHDRAW ANY
40 PENALTY ASSESSMENT NOTICE OR SUMMONS AND COMPLAINT THAT IS
41 DEEMED NOT TO BE A VIOLATION UNDER SUBSECTION (2) OF THIS SECTION.

42
43 (4) FOR THE PURPOSES OF THIS SECTION, "REASONABLY
44 ACCESSIBLE" MEANS MEETING THE STANDARDS OF 28 CFR 36 (APPENDIX
45 A) OR SUBSTANTIALLY SIMILAR STANDARDS.

46
47 **SECTION 5.** The introductory portion to 42-4-1701 (4) (a) (I)
48 and 42-4-1701 (4) (a) (I) (M), Colorado Revised Statutes, are amended
49 to read:

50
51 **42-4-1701. Traffic offenses and infractions classified -**
52 **penalties - penalty and surcharge schedule - repeal.** (4) (a) (I) Except
53 as provided in paragraph (c) of subsection (5) of this section, every
54 person who is convicted of, who admits liability for, or against whom a
55 judgment is entered for a violation of any provision of this title to which
56 ~~the provisions of~~ paragraph (a) or (b) of subsection (5) of this section

1 apply shall be fined or penalized, and have a surcharge levied thereon
 2 pursuant to sections 24-4.1-119 (1) (f) and 24-4.2-104 (1) (b) (I), C.R.S.,
 3 in accordance with the penalty and surcharge schedule set forth in
 4 sub-subparagraphs (A) to (P) of this subparagraph (I); or, if no penalty or
 5 surcharge is specified in the schedule, the penalty for class A and class B
 6 traffic infractions shall be fifteen dollars, and the surcharge shall be four
 7 dollars. These penalties and surcharges shall apply whether the defendant
 8 acknowledges the defendant's guilt or liability in accordance with the
 9 procedure set forth by paragraph (a) of subsection (5) of this section or is
 10 found guilty by a court of competent jurisdiction or has judgment entered
 11 against the defendant by a county court magistrate. Penalties and
 12 surcharges for violating specific sections shall be as follows:

Section Violated	Penalty	Surcharge
(M) Parking violations:		
42-4-1201	\$30.00	\$ 6.00
42-4-1202	30.00	6.00
42-4-1204	15.00	6.00
42-4-1205	15.00	6.00
42-4-1206	15.00	6.00
42-4-1207	15.00	6.00
42-4-1208 (6) or (9), (15), OR (16)	100.00 150.00	32.00

23
 24 **SECTION 6.** 24-72-204 (3) (a) (XII), Colorado Revised Statutes,
 25 is amended to read:

26
 27 **24-72-204. Allowance or denial of inspection - grounds -**
 28 **procedure - appeal - definitions.** (3) (a) The custodian shall deny the
 29 right of inspection of the following records, unless otherwise provided by
 30 law; except that any of the following records, other than letters of
 31 reference concerning employment, licensing, or issuance of permits, shall
 32 be available to the person in interest under this subsection (3):

33
 34 (XII) Any record indicating that a person has obtained
 35 ~~distinguishing~~ AN IDENTIFYING license plates PLATE or ~~an identifying~~
 36 placard for persons with disabilities under section 42-3-204, C.R.S., or
 37 any other motor vehicle record that would reveal the presence of a
 38 disability;

39
 40 **SECTION 7.** 42-3-213 (5) (a) (II), Colorado Revised Statutes, is
 41 amended to read:

42
 43 **42-3-213. Special plates - military veterans - rules - retirement.**
 44 (5) **Disabled veterans.** (a) (II) In addition to THE requirements of
 45 subparagraph (I) of this paragraph (a), if the applicant demonstrates that
 46 he or she has a physical impairment affecting mobility under the
 47 standards provided in section 42-3-204 (1), then such special license plate
 48 shall have an additional identifying feature FIGURE, as determined by the
 49 department, to indicate that the owner of the vehicle is authorized to make
 50 use of parking privileges for persons with disabilities.

51
 52 **SECTION 8. Act subject to petition - effective date -**
 53 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
 54 following the expiration of the ninety-day period after final adjournment
 55 of the general assembly (August 11, 2010, if adjournment sine die is on
 56 May 12, 2010); except that, if a referendum petition is filed pursuant to

1 section 1 (3) of article V of the state constitution against this act or an
 2 item, section, or part of this act within such period, then the act, item,
 3 section, or part shall not take effect unless approved by the people at the
 4 general election to be held in November 2010 and shall take effect on the
 5 date of the official declaration of the vote thereon by the governor.

6
 7 (2) The provisions of this act shall apply to offenses committed on
 8 or after the applicable effective date of this act."

9
 10
 11 **HB10-1096** be amended as follows, and as so amended, be referred to
 12 the Committee of the Whole with favorable
 13 recommendation:
 14

15 Amend printed bill, page 2, line 14, strike "WHO ARE NOT" and substitute
 16 "IN ADDITION TO".

17
 18 Page 2, line 15, after the period insert "SUCH INDIVIDUALS MAY BE
 19 EMPLOYEES OF A COUNTY OR MUNICIPALITY AND SHALL SATISFACTORILY
 20 COMPLETE FINGERPRINT AND BACKGROUND CHECKS."

21
 22 Page 2, line 19, strike "TRAINING COURSE." and substitute "CERTIFICATION
 23 NOT TO EXCEED TWENTY-FIVE DOLLARS."

24
 25
 26
 27 **HB10-1101** be amended as follows, and as so amended, be referred to
 28 the Committee on Appropriations with favorable
 29 recommendation:
 30

31 Amend printed bill, page 2, after line 1 insert:

32
 33 "SECTION 1. **Repeal.** 42-3-304 (1) (b) (II), Colorado Revised
 34 Statutes, is repealed as follows:

35
 36 **42-3-304. Registration fees - passenger and passenger-mile
 37 taxes - clean screen fund.** (1) (b) The following vehicles are exempt
 38 from the motorist insurance identification fee:

39
 40 (II) ~~Trucks and truck tractors that are owned by a farmer or
 41 rancher and whose only commercial uses are:~~

42
 43 (A) ~~Transporting to market or place of storage raw agricultural
 44 products actually produced or livestock actually raised by such farmer or
 45 rancher; or~~

46
 47 (B) ~~Transporting commodities and livestock purchased by such
 48 farmer or rancher for use by the farmer or rancher in farming or ranching
 49 operations."~~

50
 51 Renumber succeeding sections accordingly.

52
 53 Page 2, strike lines 10 and 11 and substitute "PRIMARILY FOR
 54 AGRICULTURAL PRODUCTION ON A FARM OR RANCH OWNED OR LEASED BY
 55 THE OWNER OF THE TRUCK AND THE LAND ON WHICH IT IS USED IS
 56 CLASSIFIED AS AGRICULTURAL LAND FOR THE PURPOSES OF THE LEVYING

1 AND COLLECTION OF PROPERTY TAX PURSUANT TO SECTION 39-1-103,
2 C.R.S."

3

4 Page 2, strike lines 20 and 21 and substitute "PRIMARILY FOR
5 AGRICULTURAL PRODUCTION ON A FARM OR RANCH OWNED OR LEASED BY
6 THE OWNER OF THE TRUCK AND THE LAND ON WHICH IT IS USED IS
7 CLASSIFIED AS AGRICULTURAL LAND FOR THE PURPOSES OF THE LEVYING
8 AND COLLECTION OF PROPERTY TAX PURSUANT TO SECTION 39-1-103,
9 C.R.S."

10

11

12 **HB10-1147** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Amend printed bill, page 6, line 6, strike "DEPARTMENTS".

17

18 Page 6, strike lines 7 through 16 and substitute:

19

20 "DEPARTMENT OF TRANSPORTATION, IN COLLABORATION WITH THE
21 DEPARTMENTS OF EDUCATION AND PUBLIC SAFETY AND APPROPRIATE
22 NONPROFIT ORGANIZATIONS AND ADVOCACY GROUPS, SHALL NOTIFY
23 SCHOOLS OF THE AVAILABILITY OF AND MAKE AVAILABLE TO SCHOOLS
24 EXISTING EDUCATIONAL CURRICULUM FOR INDIVIDUALS UNDER EIGHTEEN
25 YEARS OF AGE REGARDING THE SAFE USE OF PUBLIC STREETS AND
26 PREMISES OPEN TO THE PUBLIC BY USERS OF NONMOTORIZED WHEELED
27 TRANSPORTATION AND PEDESTRIANS. THE CURRICULUM SHALL FOCUS ON,
28 AT A MINIMUM, INSTRUCTION REGARDING:"

29

30 Page 6, line 22, strike "AND".

31

32 Page 6, line 23, strike "TRAILS." and substitute "TRAILS; AND

33

34 (h) SAFE PEDESTRIAN PRACTICES."

35

36 Page 8, strike lines 16 through 25 and substitute:

37

38 "(b) THE DEPARTMENT OF TRANSPORTATION, IN COLLABORATION
39 WITH THE DEPARTMENTS OF EDUCATION AND PUBLIC SAFETY AND
40 APPROPRIATE NONPROFIT ORGANIZATIONS AND ADVOCACY GROUPS, SHALL
41 DESIGN, DEVELOP, AND PRODUCE AN ELECTRONIC SAFETY INFORMATION
42 CARD THAT CAN BE MODIFIED TO MATCH LOCAL NEEDS, PRINTED AT THE
43 LOCAL LEVEL, AND PROVIDED PURSUANT TO PARAGRAPH (a) OF THIS
44 SUBSECTION (3) AND SHALL DEVELOP AND IMPLEMENT AN ELECTRONIC
45 SAFETY INFORMATION CARD DISTRIBUTION PLAN, INCLUDING THE POSTING
46 TO APPROPRIATE INTERNET WEB SITES OF THE ELECTRONIC SAFETY
47 INFORMATION CARDS. THE DIRECT AND INDIRECT COSTS OF PRODUCING
48 AND"

49

50 Page 9, line 1, after "ONLY." add "THE DISTRIBUTION OF HARD COPIES OF
51 SAFETY INFORMATION CARDS SHALL BE IMPLEMENTED THROUGH
52 COLLABORATION BETWEEN LOCAL LAW ENFORCEMENT AGENCIES AND
53 APPROPRIATE NONPROFIT ORGANIZATIONS AND ADVOCACY GROUPS AND
54 MAY BE SUPPORTED BY THE DEPARTMENTS OF TRANSPORTATION,
55 EDUCATION, AND PUBLIC SAFETY."

56

1 Page 9, line 14, after "VIOLATION." add "A PRIVATE OR PUBLIC
2 LANDOWNER OR LESSEE OF PREMISES OPEN TO THE PUBLIC SHALL HAVE NO
3 RESPONSIBILITY TO ENFORCE THIS SECTION. NEITHER SUCH A LANDOWNER
4 OR LESSEE NOR A LAW ENFORCEMENT OR PUBLIC SAFETY OFFICER NOR ANY
5 OTHER PERSON SHALL BE SUBJECT TO ANY LEGAL LIABILITY FOR NOT
6 ENFORCING THIS SECTION."

7
8 Page 1, line 105, strike "DEPARTMENTS OF".
9

10 Page 1, strike lines 106 through 108 and substitute "DEPARTMENT OF
11 TRANSPORTATION, IN COLLABORATION WITH THE DEPARTMENTS OF
12 EDUCATION AND PUBLIC SAFETY AND APPROPRIATE NONPROFIT
13 ORGANIZATIONS AND ADVOCACY GROUPS, TO NOTIFY SCHOOLS OF THE
14 AVAILABILITY OF AND MAKE".
15

16 Page 1, line 109, strike "A COMPREHENSIVE" and substitute "EXISTING".
17

18 PRINTING REPORT

19
20
21 The Chief Clerk reports the following bills have been correctly printed:
22 **HB10-1352, 1353.**
23

24 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

25
26
27 The Speaker has signed: **HB10-1046.**
28

29 DELIVERY OF BILLS TO GOVERNOR

30
31
32 The Chief Clerk of the House of Representatives reports the following
33 bills have been delivered to the Office of the Governor: **HB10-1189,**
34 **1190, 1191, 1193, 1194, 1195, 1196, 1199** at 2:21 p.m. on
35 February 23, 2010.
36

37 LAY OVER OF CALENDAR ITEM(S)

38
39
40 On motion of Representative Weissmann, the following item(s) on the
41 Calendar (was)were laid over until February 25, retaining place on
42 Calendar:
43

44 Consideration of Resolution(s)--**SJR10-004, 013.**
45

46
47
48 On motion of Representative Weissmann, the House adjourned until
49 9:00 a.m., February 25, 2010.
50

51 Approved:
52 TERRANCE D. CARROLL,
53 Speaker

54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk