

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

Forty-ninth Legislative Day

Tuesday, February 25, 2014

1 Prayer by Father Gary Menard, Arrupe Jesuit High School, Denver.

2

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

4

5 Pledge of Allegiance led by Kyle Phipps, Sierra Elementary, Arvada.

6

7 The roll was called with the following result:

8

9 Present--62.

10 Excused--Representative(s) Dore, Priola, Stephens--3.

11 Present after roll call--Representative(s) Priola.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Rankin, the reading of the journal of  
17 February 24, 2014, was declared dispensed with and approved as  
18 corrected by the Chief Clerk.

19

20

21

22

**MESSAGE FROM THE SENATE**

23

24

25 Mr. Speaker:

26

27 The Senate has adopted and transmits herewith: SJR14-009.

28

29

30

31

**INTRODUCTION AND CONSIDERATION OF RESOLUTION**

32

33

34 On motion of Representative Hullinghorst, the rules were suspended and

35 the following resolution was given immediate consideration.

36

37 **SJR14-009** by Senator(s) Roberts and Nicholson, Tochtrop; also

38 Representative(s) Exum--Concerning the Colorado

39 National Guard and, in connection therewith, honoring

40 guard members for their firefighting efforts.

41

42 (Printed and placed in members' files).

43

1 On motion of Representative Exum, the resolution was read at length and  
2 **adopted** by **viva voce** vote.

3  
4 Current Roll Call added as co-sponsor(s): Representative(s) Becker,  
5 Buck, Buckner, Conti, Coram, Court, DelGrosso, Duran, Everett, Fields,  
6 Fischer, Foote, Garcia, Gardner, Gerou, Ginal, Hamner, Holbert,  
7 Hulinghorst, Humphrey, Joshi, Kagan, Kraft-Tharp, Labuda, Landgraf,  
8 Lawrence, Lebsock, Lee, May, McCann, McLachlan, McNulty, Melton,  
9 Mitsch Bush, Moreno, Murray, Navarro, Nordberg, Pabon, Peniston,  
10 Pettersen, Primavera, Priola, Rankin, Rosenthal, Ryden, Saine, Salazar,  
11 Schafer, Scott, Singer, Sonnenberg, Swalm, Szabo, Tyler, Vigil, Waller,  
12 Williams, Wilson, Wright, Young, Speaker

### 15 **THIRD READING OF BILL(S)--FINAL PASSAGE**

16  
17 The following bill(s) were considered on Third Reading. The title(s)  
18 were publicly read. Reading of the bill at length was dispensed with by  
19 unanimous consent.

20  
21 **HB14-1114** by Representative(s) Waller and McNulty; also Senator(s)  
22 Herpin--Concerning the administration of earned time by  
23 the state department of corrections.

24  
25 The question being "Shall the bill pass?".  
26 A roll call vote was taken. As shown by the following recorded vote, a  
27 majority of those elected to the House voted in the affirmative and the bill  
28 was declared **passed**.

30	YES	57	NO	6	EXCUSED	2	ABSENT	0
31	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
32	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
33	Buckner	Y	Hamner	Y	Melton	N	Schafer	Y
34	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
35	Coram	Y	Hulinghorst	Y	Moreno	N	Singer	Y
36	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
37	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	E
38	Dore	E	Kagan	Y	Nordberg	Y	Swalm	Y
39	Duran	Y	Kraft-Tharp	Y	Pabon	N	Szabo	Y
40	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
41	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
42	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
43	Fischer	N	Lebsock	N	Priola	Y	Williams	Y
44	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
45	Garcia	Y	May	Y	Rosenthal	N	Wright	Y
46	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Fields, Gardner, Wilson

49  
50 **HB14-1142** by Representative(s) DelGrosso; also Senator(s)  
51 Grantham, Nicholson--Concerning a prohibition against  
52 the off-site electronic sale of lottery tickets by the  
53 Colorado lottery commission.

54  
55 The question being "Shall the bill pass?".  
56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill  
2 was declared **passed**.

	YES	49	NO	14	EXCUSED	2	ABSENT	0
5	Becker	Y	Gerou	Y	McLachlan	N	Saine	Y
6	Buck	Y	Ginal	N	McNulty	Y	Salazar	Y
7	Buckner	Y	Hamner	N	Melton	Y	Schafer	N
8	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
9	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
10	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
11	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	E
12	Dore	E	Kagan	Y	Nordberg	Y	Swalm	Y
13	Duran	Y	Kraft-Tharp	N	Pabon	N	Szabo	Y
14	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
15	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
16	Fields	N	Lawrence	Y	Primavera	Y	Waller	Y
17	Fischer	N	Lebsock	Y	Priola	Y	Williams	N
18	Foote	N	Lee	Y	Rankin	Y	Wilson	Y
19	Garcia	Y	May	N	Rosenthal	N	Wright	Y
20	Gardner	Y	McCann	N	Ryden	Y	Young	N
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Gardner, Gerou, Kagan, Lawrence,  
23 Murray, Priola, Szabo, Wright, Speaker

24  
25 **HB14-1163** by Representative(s) Hullinghorst; also Senator(s) Heath--  
26 Concerning a clarification of the cap imposed on the  
27 enterprise zone investment tax credit.

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

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

	YES	37	NO	26	EXCUSED	2	ABSENT	0
35	Becker	Y	Gerou	N	McLachlan	Y	Saine	N
36	Buck	N	Ginal	Y	McNulty	N	Salazar	Y
37	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
38	Conti	N	Holbert	N	Mitsch Bush	Y	Scott	N
39	Coram	N	Hullinghorst	Y	Moreno	Y	Singer	Y
40	Court	Y	Humphrey	N	Murray	N	Sonnenberg	N
41	DelGrosso	N	Joshi	N	Navarro	N	Stephens	E
42	Dore	E	Kagan	Y	Nordberg	N	Swalm	N
43	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	N
44	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
45	Exum	Y	Landgraf	N	Pettersen	Y	Vigil	Y
46	Fields	Y	Lawrence	N	Primavera	Y	Waller	N
47	Fischer	Y	Lebsock	Y	Priola	N	Williams	Y
48	Foote	Y	Lee	Y	Rankin	N	Wilson	N
49	Garcia	Y	May	Y	Rosenthal	Y	Wright	N
50	Gardner	N	McCann	Y	Ryden	Y	Young	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Becker, Court, Fields, Fischer, Ginal,  
53 Labuda, Melton, Pabon, Ryden, Singer, Williams, Young, Speaker

54  
55

1 **HB14-1028** by Representative(s) Sonnenberg, Coram, Mitsch Bush;  
 2 also Senator(s) Roberts, Brophy--Concerning a limitation  
 3 on the United States' ability to impose conditions on a  
 4 water right owner in exchange for permission to use land.

5  
 6 The question being "Shall the bill pass?".  
 7 A roll call vote was taken. As shown by the following recorded vote, a  
 8 majority of those elected to the House voted in the affirmative and the bill  
 9 was declared **passed**.

	YES	39	NO	24	EXCUSED	2	ABSENT	0
12	Becker	N	Gerou	Y	McLachlan	Y	Saine	Y
13	Buck	Y	Ginal	N	McNulty	Y	Salazar	N
14	Buckner	N	Hamner	Y	Melton	N	Schafer	N
15	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
16	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
17	Court	N	Humphrey	Y	Murray	Y	Sonnenberg	Y
18	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	E
19	Dore	E	Kagan	N	Nordberg	Y	Swalm	Y
20	Duran	N	Kraft-Tharp	N	Pabon	N	Szabo	Y
21	Everett	Y	Labuda	N	Peniston	N	Tyler	N
22	Exum	N	Landgraf	Y	Pettersen	Y	Vigil	Y
23	Fields	N	Lawrence	Y	Primavera	N	Waller	Y
24	Fischer	N	Lebsock	Y	Priola	Y	Williams	N
25	Foote	Y	Lee	N	Rankin	Y	Wilson	Y
26	Garcia	Y	May	N	Rosenthal	Y	Wright	Y
27	Gardner	Y	McCann	N	Ryden	N	Young	Y
28							Speaker	N

29 Co-sponsor(s) added: Representative(s) Hamner, Holbert, Priola, Rankin, Saine,  
 30 Scott, Wright

31  
 32  
 33  
 34

35 On motion of Representative Mitsch Bush, the House resolved itself into  
 36 Committee of the Whole for consideration of General Orders, and she  
 37 was called to the Chair to act as Chairman.

38  
 39  
 40

#### 41 **GENERAL ORDERS--SECOND READING OF BILLS**

42

43 The Committee of the Whole having risen, the Chairman reported the  
 44 titles of the following bills had been read (reading at length had been  
 45 dispensed with by unanimous consent), the bills considered and action  
 46 taken thereon as follows:

47

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

50

51 **HB14-1034** by Representative(s) Williams; also Senator(s) Jahn--  
 52 Concerning the creation of a wine packaging permit to  
 53 allow certain alcohol beverage licensees to package wine  
 54 produced by another wine manufacturer.

55

56

- 1 Amendment No. 1, Appropriations Report, dated February 21, 2014, and  
2 placed in member's bill file; Report also printed in House Journal,  
3 February 21, 2014, page(s) 360.  
4
- 5 As amended, ordered engrossed and placed on the Calendar for Third  
6 Reading and Final Passage.  
7
- 8 **HB14-1082** by Representative(s) Lee--Concerning a requirement for  
9 written notice of cancellation of individual life insurance  
10 policies.  
11
- 12 Amendment No. 1, Business, Labor, Economic, & Workforce  
13 Development Report, dated February 20, 2014, and placed in member's  
14 bill file; Report also printed in House Journal, February 21, 2014, page(s)  
15 362-363.  
16
- 17 As amended, ordered engrossed and placed on the Calendar for Third  
18 Reading and Final Passage.  
19  
20
- 21 **HB14-1254** by Representative(s) Labuda; also Senator(s) Balmer--  
22 Concerning a requirement to disclose fees charged to a  
23 unit owners' association by a community association  
24 manager.  
25
- 26 Ordered engrossed and placed on the Calendar for Third Reading and  
27 Final Passage.  
28  
29
- 30 **HB14-1191** by Representative(s) Conti, Coram, Court, Ferrandino,  
31 Rosenthal, Scott; also Senator(s) King--Concerning the  
32 creation of an emergency alert program to notify the public  
33 after a serious hit-and-run accident.  
34
- 35 Amendment No. 1, Judiciary Report, dated February 20, 2014, and placed  
36 in member's bill file; Report also printed in House Journal, February 21,  
37 2014, page(s) 371.  
38
- 39 As amended, ordered engrossed and placed on the Calendar for Third  
40 Reading and Final Passage.  
41  
42
- 43 **HB14-1210** by Representative(s) Gerou--Concerning a requirement  
44 that a state agency enter into an intergovernmental  
45 agreement with a county to address wildland fires  
46 affecting certain state lands located within the county.  
47
- 48 Amendment No. 1, Local Government Report, dated February 20, 2014,  
49 and placed in member's bill file; Report also printed in House Journal,  
50 February 21, 2014, page(s) 374.  
51
- 52 As amended, ordered engrossed and placed on the Calendar for Third  
53 Reading and Final Passage.  
54  
55



1 House in recess. House reconvened.  
2  
3  
4

5 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

6  
7 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

10  
11 **HB14-1270** be amended as follows, and as so amended, be referred to  
12 the Committee on Finance with favorable  
13 recommendation:  
14

15  
16 Amend printed bill, page 3, after line 20 insert:

17  
18 "SECTION 4. In Colorado Revised Statutes, 35-80-103, **add** (2)  
19 (j) as follows:

20 **35-80-103. Scope of article.** (2) The provisions of this article  
21 shall not apply to:

22 (j) ANY WILDLIFE SANCTUARY."  
23

24 Renumber succeeding sections accordingly.  
25

26 Page 4, line 25, strike "FERRET, OR BIRD;" and substitute "OR FERRET;".  
27

28 Page 5, line 12, after "COMMISSIONER" insert "OR THE COMMISSIONER'S  
29 DESIGNEE".  
30

31 Page 5, line 15, after the period add "THE COMMISSIONER OR THE  
32 COMMISSIONER'S DESIGNEE SHALL NOT KNOWINGLY MAKE A FALSE  
33 REPORT."  
34

35 Page 5, strike lines 16 through 19 and substitute:  
36

37 "(b) THE MERE FILING OF A COMPLAINT DOES NOT GENERATE A  
38 REQUIREMENT TO REPORT UNDER PARAGRAPH (a) OF THIS SUBSECTION (5).  
39

40 (c) A COMMISSIONER OR A COMMISSIONER'S DESIGNEE WHO  
41 WILLFULLY VIOLATES THE PROVISIONS OF THIS SUBSECTION (5) COMMITS  
42 A CLASS 1 PETTY OFFENSE, PUNISHABLE AS PROVIDED IN SECTION  
43 18-1.3-503, C.R.S."  
44

45 Page 5, line 20, strike "(c)" and substitute "(d)".  
46  
47

48 **SB14-076** be referred to the Committee of the Whole with favorable  
49 recommendation.  
50  
51  
52  
53  
54

1 **EDUCATION**

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

4  
5 **HB14-1131** be amended as follows, and as so amended, be referred to  
6 the Committee on Appropriations with favorable  
7 recommendation:  
8

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

11 "SECTION 1. In Colorado Revised Statutes, **add** 18-3-603 as  
12 follows:

13 **18-3-603. Cyberbullying of a minor - definition.** (1) ANY  
14 PERSON WHO KNOWINGLY THROUGH THE USE OF SOCIAL MEDIA POSTS OR  
15 ADDS ANY STATEMENT, PHOTOGRAPH, VIDEO, OR OTHER INFORMATION  
16 ABOUT OR PERTAINING TO A MINOR WITH THE INTENT TO CAUSE THE MINOR  
17 TO SUFFER SERIOUS EMOTIONAL DISTRESS, OR MAKES A CREDIBLE THREAT  
18 AGAINST A MINOR THAT THE ACTOR KNOWS OR REASONABLY SHOULD  
19 KNOW WILL BE COMMUNICATED TO OR VIEWED BY THE MINOR, COMMITS  
20 CYBERBULLYING IF THE CONDUCT RESULTS IN SERIOUS EMOTIONAL  
21 DISTRESS TO ANY MINOR.

22 (2) "SOCIAL MEDIA" MEANS ANY ELECTRONIC MEDIUM, INCLUDING  
23 AN INTERACTIVE COMPUTER SERVICE, THAT ALLOWS USERS TO CREATE,  
24 SHARE, AND VIEW USER-GENERATED CONTENT, INCLUDING BUT NOT  
25 LIMITED TO VIDEOS, STILL PHOTOGRAPHS, BLOGS, VIDEO BLOGS,  
26 PODCASTS, INSTANT MESSAGES, ELECTRONIC MAIL, OR INTERNET WEB SITE  
27 PROFILES.

28 (3) THE VICTIM NEED NOT RECEIVE PROFESSIONAL TREATMENT OR  
29 COUNSELING AS PROOF THAT THE VICTIM SUFFERED SERIOUS EMOTIONAL  
30 DISTRESS.

31 (4) CONVICTION FOR A VIOLATION OF THIS SECTION DOES NOT  
32 PRECLUDE CONVICTION FOR A VIOLATION OF SECTION 18-3-602, C.R.S.,  
33 BASED IN WHOLE OR IN PART ON THE SAME OR RELATED CONDUCT, AND  
34 THE COURT SHALL NOT REQUIRE THE PROSECUTION TO ELECT AT TRIAL  
35 BETWEEN THE OFFENSES OF CYBERBULLYING AND STALKING.

36 (5) CYBERBULLYING IS A CLASS 2 MISDEMEANOR; EXCEPT IT IS A  
37 CLASS 1 MISDEMEANOR IF THE OFFENDER ENGAGES IN THE CONDUCT  
38 BECAUSE OF THE MINOR'S ACTUAL OR PERCEIVED RACE, COLOR, RELIGION,  
39 ANCESTRY, NATIONAL ORIGIN, PHYSICAL OR MENTAL DISABILITY, GENDER  
40 IDENTITY, OR SEXUAL ORIENTATION.

41 (6) WHEN THE SAME CONDUCT OF THE ACTOR RESULTS IN SERIOUS  
42 EMOTIONAL DISTRESS TO MORE THAN ONE VICTIM, THE ACTOR MAY BE  
43 CONVICTED OF A SEPARATE OFFENSE UNDER THIS SECTION FOR EACH  
44 VICTIM.

45 **SECTION 2.** In Colorado Revised Statutes, 18-1-202, **add** (14)  
46 as follows:

47 **18-1-202. Place of trial.** (14) IF A PERSON COMMITS  
48 CYBERBULLYING AS DESCRIBED IN SECTION 18-3-603, C.R.S., THE  
49 OFFENSE IS COMMITTED, AND THE OFFENDER MAY BE TRIED IN THE  
50 COUNTY WHERE THE THREAT OR OTHER INFORMATION IS RECEIVED OR  
51 VIEWED BY THE VICTIM, IN THE COUNTY WHERE THE VICTIM RESIDES, IN  
52 ANY COUNTY WHERE ACTIONS TAKEN IN FURTHERANCE OF THE INFLECTION  
53 OF SERIOUS EMOTIONAL DISTRESS OCCUR, OR IN ANY COUNTY OTHERWISE  
54 SPECIFIED IN THIS SECTION.

55 **SECTION 3.** In Colorado Revised Statutes, 18-3-602, **add** (2)  
56 (c.5) as follows:

1           **18-3-602. Stalking - penalty - definitions - Vonnie's law.**  
2 (2) For the purposes of this part 6:  
3           (c.5) "MINOR" MEANS A PERSON UNDER EIGHTEEN YEARS OF AGE.  
4           **SECTION 4. Effective date - applicability.** This act takes effect  
5 July 1, 2014, and applies to offenses committed on or after said date.  
6           **SECTION 5. Safety clause.** The general assembly hereby finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, and safety."  
9  
10  
11  
12 **HB14-1204** be amended as follows, and as so amended, be referred to  
13 the Committee on Appropriations with favorable  
14 recommendation:  
15  
16 Amend printed bill, strike everything below the enacting clause and  
17 substitute:  
18           **"SECTION 1.** In Colorado Revised Statutes, 22-11-303, **add** (4)  
19 as follows:  
20           **22-11-303. Accredited or accredited with distinction -**  
21 **performance plan - school district or institute - contents - adoption.**  
22 (4) (a) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF  
23 SUBSECTION (1) OF THIS SECTION TO THE CONTRARY, THE LOCAL SCHOOL  
24 BOARD OF A SMALL RURAL SCHOOL DISTRICT MAY ADOPT AND SUBMIT TO  
25 THE DEPARTMENT A SCHOOL DISTRICT PERFORMANCE PLAN FOR THE  
26 SCHOOL DISTRICT AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION  
27 EVERY TWO YEARS SO LONG AS THE SCHOOL DISTRICT MAINTAINS THE  
28 STATUS OF ACCREDITED OR ACCREDITED WITH DISTINCTION.  
29           (b) AS USED IN PARAGRAPH (a) OF THIS SUBSECTION (4), A SMALL  
30 RURAL SCHOOL DISTRICT IS A SCHOOL DISTRICT IN COLORADO THAT THE  
31 DEPARTMENT DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF  
32 THE SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM  
33 THE NEAREST LARGE, URBANIZED AREA, AND THAT ENROLLS FEWER THAN  
34 ONE THOUSAND STUDENTS.  
35           **SECTION 2.** In Colorado Revised Statutes, 22-11-403, **add** (4)  
36 as follows:  
37           **22-11-403. School performance plan - contents.**  
38 (4) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE  
39 CONTRARY, THE SCHOOL PRINCIPAL AND THE SCHOOL DISTRICT  
40 SUPERINTENDENT, OR HIS OR HER DESIGNEE, OF A PUBLIC SCHOOL OF A  
41 SMALL RURAL SCHOOL DISTRICT MAY ADOPT A SCHOOL PERFORMANCE  
42 PLAN FOR THE PUBLIC SCHOOL AS DESCRIBED IN SUBSECTION (3) OF THIS  
43 SECTION EVERY TWO YEARS SO LONG AS THE STATE BOARD, PURSUANT TO  
44 SECTION 22-11-210, REQUIRES THE PUBLIC SCHOOL TO IMPLEMENT A  
45 PERFORMANCE PLAN.  
46           (b) AS USED IN PARAGRAPH (a) OF THIS SUBSECTION (4), A SMALL  
47 RURAL SCHOOL DISTRICT IS A SCHOOL DISTRICT IN COLORADO THAT THE  
48 DEPARTMENT DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF  
49 THE SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM  
50 THE NEAREST LARGE, URBANIZED AREA, AND THAT ENROLLS FEWER THAN  
51 ONE THOUSAND STUDENTS.  
52           **SECTION 3.** In Colorado Revised Statutes, 22-11-210, **amend**  
53 (2) (b) as follows:  
54           **22-11-210. Public schools - annual review - plans - supports**  
55 **and interventions - rules.** (2) (b) (I) Notwithstanding any provision of  
56 this article to the contrary, a school district with one thousand students or

1 fewer may submit a single plan to satisfy the school district and school  
2 plan requirements, so long as the plan meets all state and federal  
3 requirements for school and district plans. A school district with more  
4 than one thousand but fewer than one thousand two hundred students  
5 may, upon request and at the department's discretion, submit a single plan  
6 to satisfy the school district and school plan requirements, so long as the  
7 plan meets all state and federal requirements for school and district plans.

8 (II) A SMALL RURAL SCHOOL DISTRICT THAT IS AUTHORIZED  
9 PURSUANT TO SECTION 22-11-303 (4) TO SUBMIT A SCHOOL DISTRICT  
10 PERFORMANCE PLAN EVERY TWO YEARS MAY SUBMIT A SINGLE PLAN TO  
11 SATISFY THE SCHOOL DISTRICT AND SCHOOL PLAN REQUIREMENTS ONLY  
12 IF EACH OF THE PUBLIC SCHOOLS THAT IS INCLUDED IN THE SINGLE PLAN  
13 IS AUTHORIZED PURSUANT TO SECTION 22-11-403 (4) TO SUBMIT A SCHOOL  
14 PERFORMANCE PLAN EVERY TWO YEARS. AS USED IN THIS SUBPARAGRAPH  
15 (II), A SMALL RURAL SCHOOL DISTRICT IS A SCHOOL DISTRICT IN  
16 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE  
17 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE  
18 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT  
19 ENROLLS FEWER THAN ONE THOUSAND STUDENTS.

20 **SECTION 4.** In Colorado Revised Statutes, 22-7-1210, **amend**  
21 (5) (b) (III); and **add** (5) (b) (III.5) as follows:

22 **22-7-1210. Early literacy fund - created - repeal.** (5) (b) A  
23 local education provider may use the per-pupil intervention moneys only  
24 as follows:

25 (III) To purchase tutoring services in reading for students with  
26 significant reading deficiencies; **or**

27 (III.5) FOR A LOCAL EDUCATION PROVIDER THAT IS A SMALL  
28 RURAL SCHOOL DISTRICT AS DESCRIBED IN SECTION 22-11-303 (4) (b), TO  
29 PURCHASE FROM A BOARD OF COOPERATIVE SERVICES THE SERVICES OF A  
30 LITERACY SPECIALIST TO PROVIDE EDUCATOR PROFESSIONAL  
31 DEVELOPMENT IN LITERACY AND OTHER SUPPORT IN IMPLEMENTING THE  
32 REQUIREMENTS OF THIS PART 12; OR

33 **SECTION 5.** In Colorado Revised Statutes, 22-7-1211, **amend**  
34 (1) and (2) (c); and **add** (2) (c.5) as follows:

35 **22-7-1211. Early literacy grant program - created.** (1) There  
36 is hereby created in the department the early literacy grant program to  
37 provide moneys to local education providers to implement literacy  
38 support and intervention instruction programs, including but not limited  
39 to related professional development programs, to assist students in  
40 kindergarten and first, second, and third grades to achieve reading  
41 competency. The state board by rule shall establish the application  
42 timelines and the information to be included in each grant application. A  
43 local education provider may apply individually or as part of a group of  
44 local education providers. A rural school district that is a member of a  
45 board of cooperative services may seek assistance in writing the grant  
46 application from the board of cooperative services. A BOARD OF  
47 COOPERATIVE SERVICES MAY APPLY FOR A GRANT TO PROVIDE  
48 INSTRUCTIONAL SUPPORT IN LITERACY FOR SMALL RURAL SCHOOL  
49 DISTRICTS, AS DESCRIBED IN SECTION 22-11-303 (4) (b), THAT ARE  
50 MEMBERS OF THE BOARD OF COOPERATIVE SERVICES.

51 (2) The department shall review each grant application received  
52 and recommend to the state board whether to award the grant and the  
53 duration and amount of each grant. In making recommendations, the  
54 department shall consider the following factors:

55 (c) The cost of the instructional program that the applying local  
56 education provider or group of local education providers plans to

1 implement using the grant moneys; ~~and~~  
2 (c.5) IN THE CASE OF A BOARD OF COOPERATIVE SERVICES THAT  
3 APPLIES FOR A GRANT TO PROVIDE INSTRUCTIONAL SUPPORT IN LITERACY,  
4 THE NUMBER OF SMALL RURAL SCHOOL DISTRICTS, AS DESCRIBED IN  
5 SECTION 22-11-303 (4) (b), THE NUMBER OF KINDERGARTEN AND FIRST-,  
6 SECOND-, AND THIRD-GRADE STUDENTS ENROLLED IN THE SMALL RURAL  
7 SCHOOL DISTRICTS, AND THE RESOURCES AVAILABLE TO THE SMALL RURAL  
8 SCHOOL DISTRICTS THAT WILL RECEIVE INSTRUCTIONAL SUPPORT AS A  
9 RESULT OF THE GRANT;

10 **SECTION 6. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety."  
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16 **HB14-1262** be postponed indefinitely.  
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21 **STATE, VETERANS, & MILITARY AFFAIRS**

22 After consideration on the merits, the Committee recommends the  
23 following:  
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25 **HB14-1141** be amended as follows, and as so amended, be referred to  
26 the Committee of the Whole with favorable  
27 recommendation:  
28

29 Amend printed bill, page 2, line 4, after "(1.5)" insert "(a)".  
30

31 Page 2, after line 10 insert:  
32

33 "(b) THE PROHIBITION IN PARAGRAPH (a) OF THIS SUBSECTION (1.5)  
34 DOES NOT PREVENT AN ENTITY THAT IS REQUIRED BY LAW, RULE, OR A  
35 GOVERNMENT OR ACCREDITATION ORGANIZATION'S RECOMMENDED  
36 PROGRAM OF LEGAL COMPLIANCE TO REQUIRE A MEMBER OF ITS BOARD OF  
37 DIRECTORS TO PROVIDE A SOCIAL SECURITY NUMBER TO USE TO CHECK  
38 ANY GOVERNMENTAL BACKGROUND CHECK DATABASE."  
39

40 Page 2, line 13, after "LAW" insert "THAT WOULD VIOLATE THE FEDERAL  
41 "PRIVACY ACT OF 1974", PUB.L. 93-579, SEC. 7,".  
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45 **HB14-1197** be postponed indefinitely.  
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48 **HB14-1198** be postponed indefinitely.  
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**SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**1  
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The Speaker has signed: **HB14-1035, 1086; SB14-067; SJR14-004 and 012.**

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**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has passed on Third Reading and returns herewith: HB 14-1024, HB 14-1059, and HB 14-1079.

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The Senate voted to concur in House amendments to SB14-047, and repassed the bill as so amended.

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**INTRODUCTION OF BILLS**  
**First Reading**

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

**HB14-1292** by Representative(s) Hamner and Murray, Buckner, Court, DelGrosso, Exum, Ferrandino, Fields, Gardner, Ginal, Hullinghorst, Labuda, Landgraf, Lawrence, McCann, McLachlan, McNulty, Moreno, Navarro, Pabon, Peniston, Pettersen, Primavera, Priola, Rankin, Rosenthal, Salazar, Schafer, Scott, Swalm, Szabo, Tyler, Williams, Wilson, Young; also Senator(s) Johnston--Concerning moneys allocated to the state elementary and secondary public school system, and, in connection therewith, creating the implementation fund, implementing average daily membership as the method for counting enrolled students, requiring increased reporting of the use of public moneys by public schools, increasing the funding for public school capital construction, increasing the funding and expectations for English language learner programs, increasing the funding for the "Colorado READ Act", and making an appropriation.

Committee on Education  
Committee on Appropriations

**HB14-1293** by Representative(s) Hullinghorst, Ferrandino, DelGrosso; also Senator(s) Heath, Carroll, Cadman--Concerning payment of expenses of the legislative department.

Committee on Appropriations

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**CHANGE IN SPONSORSHIP**

The Speaker announced the following changes in sponsorship:  
**HB14-1281**--Senator Aguilar to be added as dual co-prime sponsor with Senator Rivera.

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**LAY OVER OF CALENDAR ITEM(S)**

On motion of Representative Hullinghorst, the following item(s) on the Calendar were laid over until February 26, retaining place on Calendar:

- Consideration of General Orders--**HB14-1186**.
- Consideration of General Orders--**HB14-1042 laid over until end of calendar.**
- Consideration of Resolution(s)--**SJR14-006, 011.**
- Consideration of Senate Amendment(s)--**HB14-1074.**

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On motion of Representative Hullinghorst, the House adjourned until 9:00 a.m., February 26, 2014.

Approved:  
MARK FERRANDINO,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk

