

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

Ninety-third Legislative Day

Thursday, April 10, 2014

1 Prayer by Representative Janak Joshi.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Hillary DeLeon, Deshaney Escamilla, Lesly
6 Salazar, Vanessa Casillas, West Generation Academy.
7
8 The roll was called with the following result:
9
10 Present--46.
11 Excused--Representative(s) Dore, Duran, Garcia, Gardner, Gerou,
12 Hamner, Labuda, Landgraf, Lawrence, May, Pabon, Rankin,
13 Singer, Sonnenberg, Stephens, Tyler, Waller, Young--18.
14 Absent--Representative(s) McCann--1.
15 Present after roll call--Representative(s) Dore, Duran, Garcia,
16 Gardner, Gerou, Hamner, Labuda, Landgraf, Lawrence, May,
17 McCann, Pabon, Rankin, Singer, Sonnenberg, Stephens, Tyler,
18 Waller, Young.

19
20 The Speaker declared a quorum present.

21 _____
22
23 On motion of Representative Wright, the reading of the journal of April
24 9, 2014, was declared dispensed with and approved as corrected by the
25 Chief Clerk.

26 _____
27
28 House in recess. House reconvened.
29
30 _____

REPORT(S) OF COMMITTEE(S) OF REFERENCE

FINANCE

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

36
37 **HB14-1066** be referred to the Committee of the Whole with favorable
38 recommendation.

39
40
41 **HB14-1311** be amended as follows, and as so amended, be referred to
42 the Committee on Appropriations with favorable
43 recommendation:

- 1 Amend printed bill, page 5, line 5, strike "- **fund**".
2
3 Page 6, strike lines 20 through 22.
4
5 Reletter succeeding paragraphs accordingly.
6
7 Page 10, strike line 3 and substitute "1, 2016, BUT PRIOR TO JANUARY 1,
8 2020, THERE SHALL BE ALLOWED A".
9
10 Page 11, line 27, strike "EXCEED:" and substitute "EXCEED FIVE HUNDRED
11 DOLLARS."
12
13 Page 12, strike lines 1 through 6.
14
15 Page 12, strike lines 12 through 14 and substitute:
16
17 "(c) THE OFFICE MAY IMPOSE ON THE OWNER A REASONABLE
18 ISSUANCE FEE OF UP TO TWO PERCENT OF THE QUALIFIED REHABILITATION
19 EXPENDITURES, WHICH MUST BE PAID BEFORE THE TAX CREDIT IS ISSUED
20 TO THE OWNER. WITH RESPECT TO".
21
22 Page 12, strike lines 16 and 17 and substitute "SHARE ON AN EQUAL BASIS
23 ANY SUCH FEES COLLECTED WITH THE HISTORICAL SOCIETY AND THE
24 DEPARTMENT. MONEYS COLLECTED FROM SUCH FEES MUST BE APPLIED TO
25 THE ADMINISTRATION OF THE TAX CREDIT CREATED BY THIS SECTION."
26
27 Page 15, lines 7 and 8, strike "EIGHTEEN MONTHS" and substitute "ONE
28 YEAR".
29 Page 16, strike lines 11 and 12 and substitute "FOR WHICH THE OWNER IS
30 ELIGIBLE. IF THE TOTAL AMOUNT OF THE ANTICIPATED TAX CREDITS TO BE
31 AWARDED THE OWNER EXCEEDS TWO HUNDRED FIFTY THOUSAND
32 DOLLARS, THE".
33
34 Page 16, strike lines 21 and 22.
35
36 Renumber succeeding subparagraphs accordingly.
37
38 Page 16, strike lines 24 and 25 and substitute "REHABILITATION
39 EXPENDITURES THAT ARE LESS THAN TWO MILLION DOLLARS; PLUS".
40
41 Page 16, line 27, strike "FOUR" and substitute "TWO".
42
43 Page 17, line 7, strike "TWO" and substitute "ONE".
44
45 Page 17, strike lines 20 through 22.
46
47 Reletter succeeding sub-subparagraphs accordingly.
48
49 Page 17, line 24, strike "(II)" and substitute "(I)".
50
51 Page 17, line 27, strike "(III)" and substitute "(II)".
52
53 Page 20, line 26, strike "FOUR" and substitute "TWO".
54
55 Page 20, strike line 27 and substitute "MILLION DOLLARS OR LESS, TWO
56 AND ONE-HALF MILLION DOLLARS IN THE AGGREGATE FOR THE 2016

1 CALENDAR YEAR, AND".

2

3 Page 21, strike line 1 and substitute "FIVE MILLION DOLLARS IN THE
4 AGGREGATE FOR EACH OF THE 2017, 2018, AND 2019 CALENDAR".

5

6 Page 21, line 6, strike "FOUR" and substitute "TWO".

7

8 Page 21, line 7, strike "SEVEN" and substitute "TWO".

9

10 Page 21, strike line 8 and substitute "FOR THE 2016 CALENDAR YEAR AND
11 FIVE MILLION DOLLARS IN THE AGGREGATE FOR EACH OF THE 2017, 2018,
12 AND 2019 CALENDAR YEARS, IN".

13

14 Page 22, line 22, strike "MAY" and substitute "SHALL".

15

16 Page 23, after line 27 insert:

17

18 "(f) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
19 SECTION, THE AGGREGATE AMOUNT OF TAX CREDITS AWARDED UNDER
20 THIS SECTION MUST NOT EXCEED:

21 (A) FOR THE 2016-2017 STATE FISCAL YEAR, FIVE MILLION
22 DOLLARS;

23 (B) FOR THE 2017-2018 STATE FISCAL YEAR, TEN MILLION
24 DOLLARS;

25 (C) FOR THE 2018-2019 STATE FISCAL YEAR, TEN MILLION
26 DOLLARS; AND

27 (D) FOR THE 2019-2020 STATE FISCAL YEAR, TEN MILLION
28 DOLLARS.

29 (II) CREDITS AWARDED BUT NOT USED DURING THE 2016-2017
30 STATE FISCAL YEAR MAY BE USED IN THE 2017-2018 STATE FISCAL YEAR.

31 (III) A TAX CREDIT AUTHORIZED UNDER THIS SECTION MAY BE
32 EARNED BEFORE JULY 1, 2016, BUT THE DEPARTMENT SHALL NOT AWARD
33 A TAX CREDIT UNDER THIS SECTION PRIOR TO JULY 1, 2016."

34

35 Page 24, line 14, strike "2018." and substitute "2019".

36

37 Page 24, line 20, strike "2018," and substitute "2019,".

38

39 Page 24, line 21, strike "2018." and substitute "2019".

40

41 Page 25, strike lines 1 through 3 and substitute "REPORT TO THE GENERAL
42 ASSEMBLY BY MARCH 1, 2017, AND BY MARCH 1, 2019, ON THE OVERALL
43 ECONOMIC".

44

45 Page 25, line 6, after "SECTION." add "ON OR BEFORE MARCH 15, 2016,
46 AND ON A QUARTERLY BASIS THEREAFTER, THE OFFICE SHALL PROVIDE A
47 REPORT TO THE DEPARTMENT SPECIFYING THE OWNERSHIP AND
48 TRANSFERS OF CREDIT UNDER THIS SECTION."

49

50 Page 25, line 9, strike "SECTION." and substitute "SECTION AND SHALL
51 SOLICIT ADVICE FROM THE DEPARTMENT IN PROMULGATING RULES FOR
52 TRANSFERS."

53

54 Page 25, strike lines 11 through 27 and substitute:

55

56 "(d) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A

1 TAXPAYER SHALL NOT CLAIM A CREDIT UNDER THIS SECTION IN
2 CONNECTION WITH THE REHABILITATION OF A HISTORIC STRUCTURE FOR
3 WHICH THE TAXPAYER IS ALSO CLAIMING A CREDIT UNDER SECTION
4 39-22-514."

5

6 Strike page 26 and substitute:

7

8 "SECTION 2. In Colorado Revised Statutes, 39-21-113, add
9 (23) as follows:

10 **39-21-113. Reports and returns - rule - repeal.**

11 (23) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION:

12 (a) THE EXECUTIVE DIRECTOR MAY PROVIDE SUCH DETAILED
13 TAXPAYER INFORMATION PERTINENT TO A CLAIM FOR AN INCOME TAX
14 CREDIT FOR THE APPROVED REHABILITATION OF A HISTORIC STRUCTURE
15 PURSUANT TO SECTION 39-22-514.5 TO TAXPAYERS, INCLUDING OWNERS
16 AND TRANSFEREES, WITH CASES INVOLVING COMMON OR RELATED ISSUES
17 OF FACT OR LAW. WITH THE EXCEPTION OF TAXPAYER CONTACT
18 INFORMATION, ANY INFORMATION PROVIDED PURSUANT TO THIS
19 SUBSECTION (23) MUST REMAIN CONFIDENTIAL, AND ALL PERSONS ARE
20 SUBJECT TO THE LIMITATIONS SPECIFIED IN SUBSECTION (4) OF THIS
21 SECTION AND THE PENALTIES SPECIFIED IN SUBSECTION (6) OF THIS
22 SECTION.

23 (b) THE EXECUTIVE DIRECTOR MAY REQUIRE THAT SUCH DETAILED
24 TAXPAYER INFORMATION PERTINENT TO A CLAIM FOR AN INCOME TAX
25 CREDIT FOR THE APPROVED REHABILITATION OF A HISTORIC STRUCTURE
26 PURSUANT TO SECTION 39-22-514.5 AND ANY DOCUMENTATION IN
27 SUPPORT OF THE CREDIT CLAIMED BE GIVEN TO THE COLORADO OFFICE OF
28 ECONOMIC DEVELOPMENT AND THE STATE HISTORICAL SOCIETY OF
29 COLORADO AS THE EXECUTIVE DIRECTOR DETERMINES IS NECESSARY IN
30 THE PERFORMANCE OF THE DEPARTMENT'S FUNCTIONS RELATING TO THE
31 CREDIT. IN RESOLVING DISPUTES REGARDING THE CREDIT, THE EXECUTIVE
32 DIRECTOR MAY DISCLOSE SUCH DETAILED TAXPAYER INFORMATION AND
33 CONSULT WITH THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND
34 THE STATE HISTORICAL SOCIETY OF COLORADO. NOTWITHSTANDING PART
35 2 OF ARTICLE 72 OF TITLE 24, C.R.S., IN ORDER TO PROTECT THE
36 CONFIDENTIAL FINANCIAL INFORMATION OF A TAXPAYER, THE EXECUTIVE
37 DIRECTOR SHALL DENY THE RIGHT TO INSPECT ANY INFORMATION OR
38 DOCUMENTATION REQUIRED IN ACCORDANCE WITH THIS SUBSECTION
39 (23)."

40

41

42

43 **HB14-1326** be amended as follows, and as so amended, be referred to
44 the Committee on Appropriations with favorable
45 recommendation:

46

47 Amend the Transportation & Energy Committee Report, dated April 2,
48 2014, page 2, after line 16 insert:

49

50 "Page 8, after line 15 insert:

51

52 "(x) "LIGHT DUTY ELECTRIC TRUCK" MEANS AN ELECTRIC TRUCK
53 WITH A GROSS VEHICLE WEIGHT RATING LESS THAN OR EQUAL TO TEN
54 THOUSAND POUNDS BUT DOES NOT INCLUDE A LIGHT DUTY PASSENGER
55 MOTOR VEHICLE."

56

1 Reletter succeeding paragraphs accordingly.

2

3 Page 8, after line 24 insert:

4

5 "(aa) "MEDIUM DUTY ELECTRIC TRUCK" MEANS AN ELECTRIC
6 TRUCK WITH A GROSS VEHICLE WEIGHT RATING GREATER THAN TEN
7 THOUSAND POUNDS AND UP TO TWENTY-SIX THOUSAND POUNDS."

8

9 Reletter succeeding paragraphs accordingly."

10

11 Page 2 of the Committee Report, after line 19 insert:

12

13 "Page 14, line 24, after "DUTY" insert "ELECTRIC".

14

15 Page 14, line 26, after "DUTY" insert "ELECTRIC".

16 Page 15, line 25, after "DUTY" insert "ELECTRIC".

17

18 Page 16, line 1, after "DUTY" insert "ELECTRIC".

19

20 Page 3 of the Committee Report, after line 13 insert:

21

22 "Page 25, lines 9 and 10, strike "AND THE NATIONAL HIGHWAY TRAFFIC
23 SAFETY ADMINISTRATION".

24

25 Page 25, strike lines 13 and 14 and substitute "AGENCY; OR".

26

27 Page 3 of the Committee Report, after line 15 insert:

28

29 "Page 26, line 10, strike "AND THE NATIONAL HIGHWAY TRAFFIC SAFETY
30 ADMINISTRATION".

31

32 Page 26, line 13, strike "AGENCY AND THE" and substitute "AGENCY; OR".

33

34 Page 26, strike lines 14 and 15."

35

36

37

38 **HB14-1349** be referred to the Committee of the Whole with favorable
39 recommendation.

40

41

42

PRINTING REPORT

43

44 The Chief Clerk reports the following bills have been correctly printed:
45 **HB14-1368, 1369.**

46

47

48

49

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

50

51 The Speaker has signed: **HB14-1057, 1141, 1282, 1308, 1337, 1340,**
52 **1341.**

53

54

55

House in recess. House reconvened.

56

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

2
3 **APPROPRIATIONS**

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

6
7 **HB14-1036** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:

10
11 Amend printed bill, page 15, strike lines 5 through 11 and substitute:

12
13 **"SECTION 7.** In Colorado Revised Statutes, **add** 17-18-111 as
14 follows:

15 **17-18-111. Appropriation to comply with section 2-2-703 -**
16 **H.B. 14-1036 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
17 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
18 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT HOUSE BILL 14-1036,
19 ENACTED IN 2014:

20 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, IN ADDITION
21 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
22 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
23 OTHERWISE APPROPRIATED, THE SUM OF THIRTEEN MILLION TWO
24 HUNDRED TWELVE THOUSAND FIVE HUNDRED NINETY-NINE DOLLARS
25 (\$13,212,599).

26 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, IN ADDITION
27 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
28 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
29 OTHERWISE APPROPRIATED, THE SUM OF TWENTY-SIX MILLION FOUR
30 HUNDRED TWENTY-FIVE THOUSAND ONE HUNDRED NINETY-SEVEN
31 DOLLARS (\$26,425,197).

32 (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, IN ADDITION
33 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
34 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
35 OTHERWISE APPROPRIATED, THE SUM OF THIRTY MILLION NINE HUNDRED
36 THIRTY-NINE THOUSAND FIVE HUNDRED TWO DOLLARS (\$30,939,502).

37 (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2018, IN ADDITION
38 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
39 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
40 OTHERWISE APPROPRIATED, THE SUM OF THIRTY MILLION NINE HUNDRED
41 THIRTY-NINE THOUSAND FIVE HUNDRED TWO DOLLARS (\$30,939,502).

42 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.

43 **SECTION 8. Appropriation.** (1) For the implementation of this
44 act, the general fund appropriation made in the annual general
45 appropriation act to the controlled maintenance trust fund created in
46 section 24-75-302.5 (2) (a), Colorado Revised Statutes, for the fiscal year
47 beginning July 1, 2014, is decreased by \$2,727,995.

48
49
50 (2) In addition to any other appropriation, there is hereby
51 appropriated to the judicial department, for the fiscal year beginning July
52 1, 2014, the sum of \$2,928,084 and 37.7 FTE, or so much thereof as may
53 be necessary, to be allocated for the implementation of this act as
54 follows:

55 (a) \$1,095,851, comprised of \$1,085,512 from the general fund
56 and \$10,339 cash funds from the judicial stabilization cash fund created

1 in section 13-32-101 (6), Colorado Revised Statutes, and 15.0 FTE to be
2 allocated to trial court programs for personal services;
3 (b) \$35,270 from the general fund to be allocated to trial court
4 programs for operating expenses;
5 (c) \$1,334,945, comprised of \$1,145,195 from the general fund
6 and \$189,750 cash funds from the offender services fund created in
7 section 16-11-214 (1) (a), Colorado Revised Statutes, and 22.0 FTE to
8 be allocated to probation programs for personal services;
9 (d) \$20,900 from the general fund to be allocated to probation
10 programs for operating expenses;
11 (e) \$397,807 from the general fund to be allocated to centrally
12 administered programs for courthouse capital/infrastructure maintenance;
13 (f) \$37,096 from the general fund and 0.7 FTE to be allocated to
14 the office of the state public defender for personal services;
15 (g) \$1,322 from the general fund to be allocated to the office of
16 the state public defender for operating and travel expenses;
17 (h) \$190 from the general fund to be allocated to the office of the
18 state public defender for capital outlay; and
19 (i) \$4,703 from the general fund to be allocated to the office of
20 the state public defender for capital outlay."

21
22 Renumber succeeding section accordingly.

23
24 Page 1, line 101, strike "OFFENSES." and substitute "OFFENSES, AND, IN
25 CONNECTION THEREWITH, MAKING AND REDUCING
26 APPROPRIATIONS."

27
28
29
30 **HB14-1102** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33
34 Amend printed bill, page 12, line 10, after "EDUCATION" insert "ON AT
35 LEAST A HALF-TIME BASIS".

36
37 Page 21, after line 23 insert:

38
39 **"SECTION 14. Appropriation.** (1) In addition to any other
40 appropriation, there is hereby appropriated, out of any moneys in the state
41 education fund created in section 17 (4) (a) of article IX of the state
42 constitution, not otherwise appropriated, to the department of education,
43 for the fiscal year beginning July 1, 2014, the sum of \$3,403,178 and 2.0
44 FTE, or so much thereof as may be necessary, to be allocated to the
45 categorical program for special education programs for gifted and
46 talented children for the implementation of this act."

47
48 Renumber succeeding section accordingly.

49
50 Page 1, line 101, strike "SCHOOLS." and substitute "SCHOOLS, AND, IN
51 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

52
53

1 **HB14-1118** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend the Education Committee Report, dated February 5, 2014, page
6 1, strike line 4 and substitute "Page 3, line 9, strike "TENTHOUSAND" and
7 substitute "NINE HUNDRED FIFTY" and strike "OR SMALL".".
8

9 Page 2 of the committee report, after line 9:
10

11 "Amend printed bill, page 5, after line 7 insert:
12

13 **"SECTION 2. Appropriation.** (1) In addition to any other
14 appropriation, there is hereby appropriated, out of any moneys in the state
15 education fund created in section 17 (4) (a) of article IX of the state
16 constitution, not otherwise appropriated, to the department of education,
17 for the fiscal year beginning July 1, 2014, the sum of \$499,061 and 0.3
18 FTE, or so much thereof as may be necessary, to be allocated to
19 professional development and instructional support programs for the
20 implementation of this act as follows:

- 21 (a) \$22,734 and 0.3 FTE for personal services;
22 (b) \$1,327 for operating expenses; and
23 (c) \$475,000 for incentive awards."
24

25 Renumber succeeding section accordingly.
26

27 Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN**
28 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".
29

30
31
32 **HB14-1144** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35

36 Amend the Judiciary Committee Report, dated February 18, 2014, strike
37 page 1 and substitute:
38

39 "Amend printed bill, page 2, strike lines 2 through 22.
40

41 Strike page 3.

42 Page 4, strike lines 1 through 15.
43

44 Renumber succeeding sections accordingly.
45

46 Page 5, after line 4 insert:
47

48 **"SECTION 2. Appropriation - adjustments to 2014 long bill.**
49 (1) For the implementation of this act, the general fund appropriation
50 made in the annual general appropriation act to the controlled
51 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
52 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
53 by \$350,000.

54 (2) In addition to any other appropriation, there is hereby
55 appropriated, out of any moneys in the general fund, not otherwise
56 appropriated, to the department of law, for the fiscal year beginning July
1, 2014, the sum of \$350,000, or so much thereof as may be necessary,

1 to be allocated to the special purpose division for allocation to the
2 statewide organization representing district attorneys pursuant to section
3 20-1-111 (4) (b), Colorado Revised Statutes."

4

5 Renumber succeeding section accordingly.

6

7 Page 1, line 102, strike "ATTORNEYS." and substitute "ATTORNEYS, AND,
8 IN CONNECTION THEREWITH, MAKING AND REDUCING
9 APPROPRIATIONS."."

10

11

12

13 **HB14-1154** be postponed indefinitely.

14

15

16 **HB14-1158** be postponed indefinitely.

17

18

19 **HB14-1162** be referred to the Committee of the Whole with favorable
20 recommendation.

21

22

23 **HB14-1175** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26

27 Amend printed bill, page 3, before line 9 insert:

28

29 **"SECTION 2. Appropriation - adjustments to 2014 long bill.**

30 (1) For the implementation of this act, the general fund appropriation
31 made in the annual general appropriation act to the controlled
32 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
33 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
34 by \$50,000.

35 (2) In addition to any other appropriation, there is hereby
36 appropriated, out of any moneys in the general fund, not otherwise
37 appropriated, to the department of education, for the fiscal year
38 beginning July 1, 2014, the sum of \$50,000, or so much thereof as may
39 be necessary, to be allocated to grant programs, distributions, and other
40 assistance for the implementation of this act."

41

42 Renumber succeeding section accordingly.

43

44 Page 1, line 102, strike "SCHOOLS." and substitute "SCHOOLS, AND, IN
45 CONNECTION THEREWITH, MAKING AND REDUCING
46 APPROPRIATIONS."."

47

48

49

50 **HB14-1202** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

53

54 Amend the Education Committee Report, dated February 26, 2014, page
55 8, after line 9 insert:

56

1 **"SECTION 3. Appropriation - adjustments to 2014 long bill.**
2 (1) For the implementation of this act, the general fund appropriation
3 made in the annual general appropriation act to the controlled
4 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
5 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
6 by \$142,750.
7 (2) In addition to any other appropriation, there is hereby
8 appropriated, out of any moneys in the general fund, not otherwise
9 appropriated, to the department of education, for the fiscal year
10 beginning July 1, 2014, the sum of \$142,750, or so much thereof as may
11 be necessary, to be allocated to the management and administration
12 division for the implementation of this act as follows:
13 (a) \$122,750 for preschool to postsecondary education alignment
14 activities; and
15 (b) \$20,000 for the purchase of legal services.
16 (3) In addition to any other appropriation, there is hereby
17 appropriated to the department of law, for the fiscal year beginning July
18 1, 2014, the sum of \$20,000, or so much thereof as may be necessary, for
19 the provision of legal services for the department of education related to
20 the implementation of this act. Said sum is from reappropriated funds
21 received from the department of education out of the appropriation made
22 in paragraph (b) of subsection (2) of this section."
23

24 Renumber succeeding section accordingly.

25
26 Page 8 of the report, strike line 14 and substitute:

27
28 "Page 1, line 103, strike "WAIVES STATEWIDE TESTING
29 REQUIREMENTS." and substitute "MAY WAIVE STATEWIDE TESTING
30 REQUIREMENTS, AND, IN CONNECTION THEREWITH, MAKING AND
31 REDUCING APPROPRIATIONS."."
32
33
34

35 **HB14-1205** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:
38

39 Amend printed bill, page 4, after line 19 insert:

40
41 **"SECTION 3. Appropriation - adjustments to 2014 long bill.**
42 (1) For the implementation of this act, appropriations made in the annual
43 general appropriation act to the department of military and veterans
44 affairs for the fiscal year beginning July 1, 2014, are adjusted as follows:
45 The appropriation to the division of veterans affairs is increased by 0.4
46 FTE."
47

48 Renumber succeeding section accordingly.
49
50
51

52 **HB14-1294** be referred to the Committee of the Whole with favorable
53 recommendation.
54
55
56

1 **HB14-1304** be referred to the Committee of the Whole with favorable
2 recommendation.

3

4

5 **HB14-1306** be postponed indefinitely.

6

7

8 **HB14-1309** be referred to the Committee of the Whole with favorable
9 recommendation.

10

11

12 **HB14-1317** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Strike the Appropriations Committee Report, dated April 4, 2014, and
17 substitute the following:

18

19 "Amend printed bill, page 20, after line 17 insert:

20

21 **"SECTION 9. Appropriation.** (1) In addition to any other
22 appropriation, there is hereby appropriated to the department of human
23 services, for the fiscal year beginning July 1, 2014, the sum of
24 \$9,922,744, or so much thereof as may be necessary, to be allocated for
25 the implementation of this act as follows:

26 (a) \$8,279,903 general fund for county Colorado child care
27 assistance program allocations:

28 (b) \$255,000 general fund for the division of early care and
29 learning to conduct a Colorado child care assistance program market rate
30 study;

31 (c) \$1,216,781 federal funds for modifications to the child care
32 automated tracking system:

33 (d) \$130,448, comprised of \$31,100 from the general fund, \$4,189
34 from the old age pension fund created in section 1 of article XXIV of the
35 state constitution, \$44,529 from reappropriated funds received from the
36 department of health care policy and financing out of the appropriation
37 made in subsection (2) of this section, and \$50,630 from federal funds,
38 for modifications to the Colorado benefits management system; and

39 (e) \$40,612, comprised of \$12,184 from the general fund, \$2,843
40 from the family support registry fund created in section 26-13-115.5 (1),
41 Colorado Revised Statutes, and \$25,585 federal funds, for modifications
42 to the automated child support enforcement system.

43 (2) In addition to any other appropriation, there is hereby
44 appropriated, to the department of health care policy and financing, for
45 the fiscal year beginning July 1, 2014, the sum of \$44,529, or so much
46 thereof as may be necessary, for allocation to department of human
47 services medicaid-funded programs, office of information technology
48 services-medicaid funding, Colorado benefits management system, for
49 system modifications related to the implementation of this act. Of said
50 sum, \$21,813 is from the general fund, \$115 is from the old age pension
51 health and medical care fund pursuant to section 7 (c) of article XXIV of
52 the state constitution, \$276 is from the children's basic health plan trust
53 fund created in section 25.5-8-105 (1), Colorado Revised Statutes, and
54 \$22,325 is from federal funds.

55 (3) In addition to any other appropriation, there is hereby
56 appropriated to the governor - lieutenant governor - state planning and

1 budgeting, for the fiscal year beginning July 1, 2014, the sum of
2 \$1,387,841, or so much thereof as may be necessary, for allocation to the
3 office of information technology for the provision of services to the
4 department of human services related to the implementation of this act.
5 Said sum shall be from reappropriated funds received from the
6 department of human services out of the appropriations made in
7 subsection (1) of this section."

8
9 Renumber succeeding section accordingly.

10
11 Page 1, line 106, strike "AND".

12
13 Page 1, line 107, strike "ADMINISTRATION." and substitute
14 "ADMINISTRATION; AND MAKING AN APPROPRIATION."."

15
16
17

18 **HB14-1318** be postponed indefinitely.

19
20

21 **HB14-1333** be referred to the Committee of the Whole with favorable
22 recommendation.

23
24
25
26

27 On motion of Representative Hullinghorst, **HB14-1066, 1279, 1317,**
28 **1036, 1118, 1144, 1162, 1202, 1333, 1304, 1344, 1322, 1175, 1205,**
29 **1294, 1309, 1349, SB14-163, 160** were added to the Special Orders
30 Calendar on April 10.

31
32
33

34 On motion of Representative Lee, the House resolved itself into
35 Committee of the Whole for consideration of Special Orders and he was
36 called to the Chair to act as Chairman.

37
38
39

40 **SPECIAL ORDERS--SECOND READING OF BILLS**

41

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

46

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

49

50 **HB14-1269** by Representative(s) Court and Williams, Becker, Fields,
51 Fischer, Hullinghorst, Labuda, McCann, Melton, Moreno,
52 Pabon, Peniston, Ryden, Salazar, Schafer; also Senator(s)
53 Johnston--Concerning the circumstances under which a
54 person who sells items subject to sales tax must collect
55 such sales tax on behalf of the state.

56

1 Amendment No. 1, Finance Report, dated April 2, 2014, and placed in
2 member's bill file; Report also printed in House Journal, April 3, 2014,
3 page(s) 780-783
4

5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7

8 **HB14-1320** by Representative(s) Vigil--Concerning an increase in the
9 minimum time period between filings for a finding of
10 reasonable diligence regarding the adjudication of a
11 conditional water right.
12

13 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
14 dated April 7, 2014, and placed in member's bill file; Report also printed
15 in House Journal, April 8, 2014, page(s) 850
16

17 As amended, declared **lost** on Second Reading.
18

19 **HB14-1066** by Representative(s) Vigil--Concerning the amount of a
20 driver's license fee that a rural county clerk and recorder
21 may retain when issuing a driver's license.
22

23 Referred to the Committee on Appropriations.
24

25
26
27 A motion by Representative Hullinghorst that the Committee rise, report
28 progress and beg leave to sit again later in the day, was adopted by
29 unanimous consent. (Special Orders continued on page 921.)
30

31
32 House reconvened.
33

34 The Committee of the Whole reported it had risen, reported progress and
35 would sit again later in the day.
36

37
38 House in recess. House reconvened.
39

40
41
42 **THIRD READING OF BILL(S)--FINAL PASSAGE**
43

44 The following bill(s) were considered on Third Reading. The title(s)
45 were publicly read. Reading of the bill at length was dispensed with by
46 unanimous consent.
47

48 **HB14-1354** by Representative(s) Buckner and Gardner; also Senator
49 Aguilar and Crowder--Concerning the ability of a county
50 clerk and recorder to seek judicial review of final action by
51 the secretary of state relating to elections.
52

53 The question being "Shall the bill pass?"

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

	YES	50	NO	15	EXCUSED	0	ABSENT	0
1								
2	Becker	Y	Gerou	Y	McLachlan	Y	Saine	N
3	Buck	N	Ginal	Y	McNulty	Y	Salazar	Y
4	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
5	Conti	Y	Holbert	N	Mitsch Bush	Y	Scott	N
6	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
7	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	N
8	DelGrosso	N	Joshi	N	Navarro	Y	Stephens	Y
9	Dore	Y	Kagan	Y	Nordberg	N	Swalm	Y
10	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	N
11	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
12	Exum	Y	Landgraf	N	Pettersen	Y	Vigil	Y
13	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
14	Fischer	Y	Lebsock	Y	Priola	N	Williams	Y
15	Foote	Y	Lee	Y	Rankin	N	Wilson	Y
16	Garcia	Y	May	Y	Rosenthal	Y	Wright	N
17	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Coram, Exum, Fields, Foote,
 20 Hullinghorst, Labuda, Lebsock, Moreno, Pabon, Pettersen, Rosenthal, Salazar,
 21 Schafer, Singer, Vigil, Williams

22
 23 **HB14-1292** by Representative(s) Hamner and Murray, Buckner, Court,
 24 DelGrosso, Exum, Ferrandino, Fields, Gardner, Ginal,
 25 Hullinghorst, Labuda, Landgraf, Lawrence, McCann,
 26 McLachlan, McNulty, Moreno, Navarro, Pabon, Peniston,
 27 Pettersen, Primavera, Priola, Rankin, Rosenthal, Salazar,
 28 Schafer, Scott, Swalm, Szabo, Tyler, Williams, Wilson,
 29 Young; also Senator(s) Johnston--Concerning moneys
 30 allocated to the state elementary and secondary public
 31 school system, and, in connection therewith, requiring
 32 increased reporting of the use of public moneys by public
 33 schools, increasing the funding for public school capital
 34 construction, increasing the funding for the "Colorado
 35 READ Act", and making an appropriation.

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

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

	YES	51	NO	14	EXCUSED	0	ABSENT	0
43	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
44	Buck	N	Ginal	Y	McNulty	Y	Salazar	Y
45	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
46	Conti	N	Holbert	N	Mitsch Bush	Y	Scott	N
47	Coram	N	Hullinghorst	Y	Moreno	Y	Singer	Y
48	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	N
49	DelGrosso	Y	Joshi	N	Navarro	Y	Stephens	N
50	Dore	Y	Kagan	Y	Nordberg	N	Swalm	N
51	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
52	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
53	Exum	Y	Landgraf	N	Pettersen	Y	Vigil	Y
54	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
55	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
56	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y

1	Garcia	Y	May	Y	Rosenthal	Y	Wright	N
2	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Duran, Fischer, Kraft-Tharp, Lebsock,
5 Lee, May, Melton

6
7 Representatives Scott, Swalm requested their names be removed as
8 sponsors.

9
10 **HB14-1298** by Representative(s) Hamner and Buckner; also Senator(s)
11 Kerr and Steadman--Concerning the financing of public
12 schools, and, in connection therewith, making and
13 reducing appropriations.

14
15 The question being "Shall the bill pass?".
16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.

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

38 Co-sponsor(s) added: Representative(s) Court, Duran, Exum, Fields, Fischer,
39 Ginal, Hullinghorst, Kraft-Tharp, Labuda, Lebsock, May, McCann, McLachlan,
40 Melton, Mitsch Bush, Moreno, Pabon, Peniston, Pettersen, Rosenthal, Salazar,
41 Schafer, Tyler, Williams, Young, Speaker

42
43 **HB14-1159** by Representative(s) Young and Dore, Fischer, Lebsock,
44 McLachlan, Mitsch Bush, Vigil; also Senator(s) Schwartz
45 and Crowder--Concerning a state sales and use tax
46 exemption for components used in biogas production
47 systems.

48
49 The question being "Shall the bill pass?".
50 A roll call vote was taken. As shown by the following recorded vote, a
51 majority of those elected to the House voted in the affirmative and the bill
52 was declared **passed**.

54	YES	54	NO	11	EXCUSED	0	ABSENT	0
55	Becker	Y	Gerou	Y	McLachlan	Y	Saine	N
56	Buck	N	Ginal	Y	McNulty	Y	Salazar	Y

1	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
2	Conti	Y	Holbert	N	Mitsch Bush	Y	Scott	Y
3	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
4	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	Y
5	DelGrosso	Y	Joshi	N	Navarro	Y	Stephens	Y
6	Dore	Y	Kagan	Y	Nordberg	N	Swalm	Y
7	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
8	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
9	Exum	Y	Landgraf	N	Pettersen	Y	Vigil	Y
10	Fields	Y	Lawrence	N	Primavera	Y	Waller	Y
11	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
12	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
13	Garcia	Y	May	Y	Rosenthal	Y	Wright	N
14	Gardner	N	McCann	Y	Ryden	Y	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Becker, Buckner, Exum, Hullinghorst,
 17 Labuda, Lee, Melton, Pabon, Rosenthal, Ryden, Schafer, Scott, Singer,
 18 Sonnenberg

19
 20
 21

22 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

23

24 **HB14-1299** by Representative(s) Tyler, Lee, Salazar; also Senator(s)
 25 Todd, Guzman--Concerning the repeal of the six-year
 26 limitation on applying a salvage brand to a motor vehicle
 27 whose cost of being repaired exceeds the value of the
 28 vehicle without the recent damage.

29

30 (Amended as printed in Senate Journal, April 9, 2014, pages .)

31

32 Representative Tyler moved that the House **concur** in Senate
 33 amendments. The motion was declared **passed** by the following roll call
 34 vote:

35

36	YES	65	NO	0	EXCUSED	0	ABSENT	0
37	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
38	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
39	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
40	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
41	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
42	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
43	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
44	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
45	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
46	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
47	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
48	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
49	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
50	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
51	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
52	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
53							Speaker	Y

54

55 The question being, "Shall the bill, as amended, 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
2 bill, as amended, was declared **repassed**.

	YES	44	NO	21	EXCUSED	0	ABSENT	0
5	Becker	Y	Gerou	Y	McLachlan	Y	Saine	N
6	Buck	N	Ginal	Y	McNulty	N	Salazar	Y
7	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
8	Conti	Y	Holbert	N	Mitsch Bush	Y	Scott	Y
9	Coram	N	Hullinghorst	Y	Moreno	Y	Singer	Y
10	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	N
11	DelGrosso	N	Joshi	N	Navarro	Y	Stephens	N
12	Dore	N	Kagan	Y	Nordberg	N	Swalm	N
13	Duran	Y	Kraft-Tharp	Y	Pabon	N	Szabo	N
14	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
15	Exum	Y	Landgraf	N	Pettersen	Y	Vigil	N
16	Fields	Y	Lawrence	Y	Primavera	Y	Waller	N
17	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
18	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
19	Garcia	N	May	Y	Rosenthal	Y	Wright	N
20	Gardner	N	McCann	Y	Ryden	Y	Young	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Hullinghorst

23
24
25
26 On motion of Representative Lee, the House resolved itself into
27 Committee of the Whole for continuation of consideration of Special
28 Orders, and he returned to the Chair to act as Chairman.

29
30
31 **SPECIAL ORDERS--SECOND READING OF BILLS**
32 (Continued from page 917)

33
34
35 **HB14-1279** by Representative(s) Primavera and Young, Williams,
36 Exum, Kraft-Tharp, Pabon, Rosenthal, Ryden, Wright;
37 also Senator(s) Heath and Scheffel--Concerning the
38 creation of a state income tax credit to reimburse a
39 business for personal property taxes paid in the state.

40
41 Amendment No. 1, Business, Labor, Economic, & Workforce
42 Development Report, dated March 6, 2014, and placed in member's bill
43 file; Report also printed in House Journal, March 7, 2014, page(s) 504

44
45 Amendment No. 2, Finance Report, dated March 19, 2014, and placed in
46 member's bill file; Report also printed in House Journal, March 20, 2014,
47 page(s) 649.

48
49 Amendment No. 3, Appropriations Report, dated April 8, 2014, and
50 placed in member's bill file; Report also printed in House Journal, April
51 8, 2014, page(s) 854-855.

52
53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.

55

1 **HB14-1317** by Representative(s) Duran; also Senator(s) Nicholson and
2 Kefalas, Newell--Concerning modifications to the
3 Colorado child care assistance program, and, in connection
4 therewith, aligning eligibility and authorization;
5 addressing affordability by reducing copayments;
6 improving provider reimbursement rates; increasing access
7 to quality care; and improving technology, infrastructure,
8 and administration.
9

10 Amendment No. 1, Appropriations Report, dated April 10, 2014, and
11 placed in member's bill file; Report also printed in House Journal, April
12 10, 2014, page(s) 915-916.
13

14 Amendment No. 2, by Representative(s) Duran.
15

16 Strike the Public Health Care & Human Services Committee Report,
17 dated March 18, 2014, and substitute:
18

19 "Amend printed bill, page 6, after line 9 insert:
20

21 "(7) "REGULAR DAILY PROVIDER REIMBURSEMENT RATE" MEANS
22 THE BASE DAILY RATE PAID FOR CHILD CARE AND EXCLUDES ANY
23 ADDITIONAL PAYMENT FOR ABSENCES, HOLIDAYS, AND OTHER ADDITIONAL
24 FEES THAT ARE INCLUDED IN THE REIMBURSEMENT PAID TO PROVIDERS."
25

26 Renumber succeeding subsections accordingly.
27

28 Page 6, strike lines 17 through 27 and substitute:
29

30 **"26-2-803. Provider rates - opt out - rules.** (1) (a) THE STATE
31 DEPARTMENT SHALL ESTABLISH PROVIDER RATES FOR EACH COUNTY
32 EVERY OTHER YEAR.
33

34 (b) ON OR BEFORE JULY 1, 2016, THE STATE-ESTABLISHED
35 PROVIDER REIMBURSEMENT RATES FOR EACH COUNTY MUST INCLUDE A
36 SYSTEM OF TIERED REIMBURSEMENT FOR PROVIDERS THAT ENROLL
37 CHILDREN PARTICIPATING IN CCCAP.
38

39 (c) ON OR BEFORE JULY 1, 2016, THE STATE BOARD SHALL
40 PROMULGATE RULES RELATED TO THE STRUCTURE OF TIERED
41 REIMBURSEMENT.
42

43 (d) AFTER NOTICE TO THE STATE DEPARTMENT, A COUNTY MAY
44 OPT OUT OF ADHERING TO THE STATE-ESTABLISHED PROVIDER RATES AND
45 NEGOTIATE ITS OWN RATES WITH PROVIDERS.
46

47 (e) ON OR BEFORE JULY 1, 2016, THE COUNTY-ESTABLISHED
48 PROVIDER REIMBURSEMENT RATES FOR EACH COUNTY MUST INCLUDE A
49 SYSTEM OF TIERED REIMBURSEMENT FOR PROVIDERS THAT ENROLL
50 CHILDREN PARTICIPATING IN CCCAP.
51

52 (f) A COUNTY THAT CHOOSES TO OPT OUT OF ADHERING TO THE
53 STATE-ESTABLISHED PROVIDER RATES SHALL CONSULT WITH ITS LOCAL
54 EARLY CHILDHOOD COUNCIL ESTABLISHED PURSUANT TO SECTION
55 26-6.5-103, ANY RELEVANT LOCAL CHILD CARE RESOURCE AND REFERRAL
56 AGENCY ESTABLISHED PURSUANT TO SECTION 26-6-116, AND CHILD CARE
PROVIDERS IN THE COUNTY WHO SERVE OR WANT TO SERVE CHILDREN
SUBSIDIZED THROUGH CCCAP AND SHALL PROVIDE OPPORTUNITIES FOR
THE EARLY CHILDHOOD COUNCIL, THE CHILD CARE RESOURCE AND
REFERRAL AGENCY, AND PROVIDERS TO INFORM AND PROVIDE COMMENT
ON COUNTY-ESTABLISHED RATES.

(g) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
DEPARTMENT, AS INFORMED BY THE EARLY CHILDHOOD LEADERSHIP

1 COMMISSION CREATED IN SECTION 26-6.2-103, DIRECTORS OF COUNTY
2 HUMAN AND SOCIAL SERVICE DEPARTMENTS, AND COMMISSIONERS, SHALL
3 CONTRACT WITH AN INDEPENDENT RESEARCH ORGANIZATION TO CONDUCT
4 A STUDY TO EXAMINE PRIVATE PAYMENT TUITION RATES AND HOW THOSE
5 COMPARE TO CCCAP RATES SET BY THE STATE AND THE COUNTIES AND
6 WHETHER THOSE RATES ACHIEVE THE FEDERAL REQUIREMENT OF EQUAL
7 ACCESS. THE RESEARCH ORGANIZATION SHALL MAKE RECOMMENDATIONS
8 TO ACHIEVE THE FEDERAL REQUIREMENT OF EQUAL ACCESS AND ALSO
9 EXAMINE REASONS AS TO WHY LICENSED CHILD CARE FACILITIES CHOOSE
10 TO LIMIT OR DENY ACCESS TO CCCAP-SUBSIDIZED FAMILIES, INCLUDING
11 BUT NOT LIMITED TO REIMBURSEMENT AND PAYMENT POLICIES. THE
12 RESEARCH ORGANIZATION SHALL MAKE RECOMMENDATIONS THAT WOULD
13 ENCOURAGE MORE CHILD CARE PROVIDERS TO ACCEPT
14 CCCAP-SUBSIDIZED FAMILIES."

15

16 Strike page 7.

17

18 Page 8, strike lines 1 through 6.

19

20 Page 9, line 27, strike "FOR" and substitute "UPON NOTIFICATION TO
21 COUNTIES BY THE STATE DEPARTMENT THAT THE RELEVANT HUMAN
22 SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD
23 CARE AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING
24 THIS SUBSECTION (2), AND FOR".

25

26 Page 11, line 16, before "FOR" insert "UPON NOTIFICATION TO COUNTIES
27 BY THE STATE DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE
28 MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD CARE
29 AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS
30 SUBSECTION (4), AND".

31

32 Page 11, line 20, strike "TO ASSIST IN THE".

33

34 Page 11, strike lines 21 through 26 and substitute "PURSUANT TO RULES
35 PROMULGATED BY THE STATE BOARD AND UPON NOTIFICATION TO
36 COUNTIES BY THE STATE DEPARTMENT THAT THE RELEVANT HUMAN
37 SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD
38 CARE AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING
39 THIS SUBSECTION (4), INCOME RECEIVED DURING THE PAST THIRTY DAYS
40 MUST BE USED IN DETERMINING THE CO-PAYMENT UNLESS, ON A
41 CASE-BY-CASE BASIS, THE PRIOR THIRTY-DAY PERIOD DOES NOT PROVIDE
42 AN ACCURATE INDICATION OF ANTICIPATED INCOME. A FAMILY MAY
43 PROVIDE EVIDENCE OF UP TO TWELVE OF THE MOST RECENT MONTHS OF
44 INCOME IF IT CHOOSES TO DO SO IF SUCH EVIDENCE MORE ACCURATELY
45 REFLECTS AN ABILITY TO AFFORD THE REQUIRED FAMILY CO-PAYMENT."

46

47 Page 13, line 17, after the period add "THIS SUBSECTION (6) GOES INTO
48 EFFECT UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT
49 THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
50 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
51 ARE CAPABLE OF ACCOMMODATING THIS SUBSECTION (6)."

52

53 Page 14, line 26, strike "A" and substitute "UPON NOTIFICATION TO
54 COUNTIES BY THE STATE DEPARTMENT THAT THE RELEVANT HUMAN
55 SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD
56 CARE AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING

1 THIS PARAGRAPH (f), A".

2

3 Page 15, line 1, after "DAYS" insert "WITHIN A TWELVE-MONTH PERIOD".

4

5 Page 15, line 6, after "8," add "AND UPON NOTIFICATION TO COUNTIES BY
6 THE STATE DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE
7 MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD CARE
8 AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS
9 PARAGRAPH (g)".

10

11 Page 15, line 7, after "DAYS" insert "WITHIN A TWELVE-MONTH PERIOD".

12

13 Page 15, strike line 11 and substitute "THIS PART 8, AND UPON
14 NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT THAT THE
15 RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING
16 THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM, ARE
17 CAPABLE OF ACCOMMODATING THIS PARAGRAPH (g), A PARENT WHO IS
18 ENROLLED IN".

19

20 Page 15, line 16, after the period add "A COUNTY MAY GIVE PRIORITY FOR
21 SERVICES TO A WORKING FAMILY OVER A FAMILY ENROLLED IN
22 POSTSECONDARY EDUCATION OR WORKFORCE TRAINING".

23

24 Page 15, line 17, strike "To" and substitute "UPON NOTIFICATION TO
25 COUNTIES BY THE STATE DEPARTMENT THAT THE RELEVANT HUMAN
26 SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD
27 CARE AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING
28 THIS PARAGRAPH (i), AND TO".

29

30 Page 15, line 22, after the period add "PURSUANT TO RULES
31 PROMULGATED BY THE STATE BOARD, THE NUMBER OF HOURS
32 AUTHORIZED FOR CHILD CARE SHOULD BE BASED ON THE NUMBER OF
33 HOURS THE PARENT IS PARTICIPATING IN AN ELIGIBLE ACTIVITY AND THE
34 CHILD'S NEEDS FOR CARE".

35

36 Page 15, strike lines 23 through 27.

37

38 Page 16, strike lines 1 and 2 and substitute:

39 "(8) PURSUANT TO RULES PROMULGATED BY THE STATE BOARD
40 AND UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT THAT
41 THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
42 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
43 ARE CAPABLE OF ACCOMMODATING THIS SUBSECTION (8), INCOME
44 RECEIVED DURING THE PAST THIRTY DAYS MUST BE USED IN DETERMINING
45 ELIGIBILITY UNLESS, ON A CASE-BY-CASE BASIS, THE PRIOR THIRTY-DAY
46 PERIOD DOES NOT PROVIDE AN ACCURATE INDICATION OF ANTICIPATED
47 INCOME. A FAMILY MAY PROVIDE EVIDENCE OF UP TO TWELVE OF THE
48 MOST RECENT MONTHS OF INCOME IF IT CHOOSES TO DO SO IF SUCH
49 EVIDENCE MORE ACCURATELY REFLECTS A FAMILY'S CURRENT INCOME
50 LEVEL".

51

52 Page 16, strike lines 25 through 27 and substitute:

53 "(a) IN ADDITION TO REGULAR DAILY REIMBURSEMENT RATES, AND
54 UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT THAT THE
55 RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING
56 THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM, ARE

1 CAPABLE OF ACCOMMODATING THIS PARAGRAPH (a), SHALL REIMBURSE
2 PROVIDERS FOR NO FEWER THAN FIFTEEN DAYS PER YEAR OF ABSENCES OR
3 HOLIDAYS;".

4
5 Page 17, line 24, after "8," add "AND UPON NOTIFICATION TO COUNTIES BY
6 THE STATE DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE
7 MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD CARE
8 AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS
9 PARAGRAPH (e)".

10
11 Page 19, line 2, strike "2015," and substitute "2016,".

12
13 As amended, ordered engrossed and placed on the Calendar for Third
14 Reading and Final Passage.

15
16 **SB14-160** by Senator(s) Newell; also Representative(s) Primavera--
17 Concerning removing limitations on a transitional living
18 program for a person with a brain injury.

19
20 Ordered revised and placed on the Calendar for Third Reading and Final
21 Passage.

22
23 **HB14-1036** by Representative(s) Waller and Saine; also Senator(s)
24 King and Johnston--Concerning drunk driving offenses.

25
26 Amendment No. 1, Judiciary Report, dated March 19, 2014, and placed
27 in member's bill file; Report also printed in House Journal, March 19,
28 2014, page(s) 628

29
30 Amendment No. 2, Appropriations Report, dated April 10, 2014, and
31 placed in member's bill file; Report also printed in House Journal, April
32 10, 2014, page(s) 910-911.

33
34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **HB14-1118** by Representative(s) Wilson; also Senator(s) Todd--
38 Concerning the creation of the advanced placement
39 incentives pilot program.

40
41 Amendment No. 1, Education Report, dated February 5, 2014, and placed
42 in member's bill file; Report also printed in House Journal, February 5,
43 2014, page(s) 183-184

44
45 Amendment No. 2, Appropriations Report, dated April 10, 2014, and
46 placed in member's bill file; Report also printed in House Journal, April
47 10, 2014, page(s) 912.

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

51
52 **HB14-1162** by Representative(s) Landgraf, Joshi, Navarro, Rankin,
53 Saine, Stephens, Wilson--Concerning protection of the
54 victim of a sexual assault in cases where a child was
55 conceived as a result of the sexual assault, and, in
56 connection therewith, making legislative changes in

1 response to the study by and the report of the
 2 recommendations from the task force on children
 3 conceived through rape.
 4

5 Amendment No. 1, Judiciary Report, dated March 7, 2014, and placed in
 6 member's bill file; Report also printed in House Journal, March 7, 2014,
 7 page(s) 505-506.
 8

9 Amendment No. 2, by Representative(s) Kagan.

10 Amend the Judiciary Committee Report, dated March 6, 2014, page 3,
 11 after line 29, insert:
 12

13
 14 "(6.6) IF THE PARTIES CONSENT, THE COURT HAS CONTINUING
 15 JURISDICTION AND AUTHORITY IN THE SAME PROCEEDING TO ENTER AN
 16 ORDER OF RELINQUISHMENT PURSUANT TO PART 1 OF ARTICLE 5 OF THIS
 17 TITLE WITHOUT A FINDING OR ADMISSION OF THE ELEMENTS REQUIRED BY
 18 SUBSECTION (7) OF THIS SECTION. AS PART OF THE AGREEMENT, THE
 19 RESPONDENT MUST AGREE IN WRITING TO WAIVE THE RIGHT TO ACCESS
 20 THE ORIGINAL BIRTH CERTIFICATE OR OTHER RELINQUISHMENT
 21 DOCUMENTS AS PERMITTED BY LAW UNDER ARTICLE 5 OF THIS TITLE OR
 22 PURSUANT TO THE RULES OF THE STATE DEPARTMENT OF HUMAN
 23 SERVICES. THE WAIVER MUST BE FILED WITH THE COURT THAT ISSUES THE
 24 ORDER OF RELINQUISHMENT AND WITH THE STATE REGISTRAR OF VITAL
 25 STATISTICS."
 26

27 Page 9, after line 4, insert:
 28

29 "(9) IF THE PARTIES CONSENT, THE COURT HAS CONTINUING
 30 JURISDICTION AND AUTHORITY IN THE SAME PROCEEDING TO ENTER AN
 31 ORDER OF RELINQUISHMENT PURSUANT TO PART 1 OF ARTICLE 5 OF THIS
 32 TITLE WITHOUT A FINDING OR ADMISSION OF THE ELEMENTS REQUIRED BY
 33 SUBSECTION (11) OF THIS SECTION. AS PART OF THE AGREEMENT, THE
 34 RESPONDENT MUST AGREE IN WRITING TO WAIVE THE RIGHT TO ACCESS
 35 THE ORIGINAL BIRTH CERTIFICATE OR OTHER RELINQUISHMENT
 36 DOCUMENTS AS PERMITTED BY LAW UNDER ARTICLE 5 OF THIS TITLE OR
 37 PURSUANT TO THE RULES OF THE STATE DEPARTMENT OF HUMAN
 38 SERVICES. THE WAIVER MUST BE FILED WITH THE COURT THAT ISSUES THE
 39 ORDER OF RELINQUISHMENT AND WITH THE STATE REGISTRAR OF VITAL
 40 STATISTICS."
 41

42 Renumber succeeding subsections accordingly.
 43

44 Page 15, after line 16 insert:
 45

46 "**SECTION 10.** In Colorado Revised Statutes, 19-5-109, **amend**
 47 **as added by House Bill 14-1042** the introductory portion to (1) (a) as
 48 follows:
 49

50 **19-5-109. Birth parent access to records related to**
 51 **relinquishment of parental rights.** (1) (a) EXCEPT FOR
 52 RELINQUISHMENTS ORDERED PURSUANT TO SECTION 19-5-105.5 (6.6) OR
 53 19-5-105.7 (9) OR WHEN THE SUBSEQUENT TERMINATION OF THE
 54 PARENT-CHILD LEGAL RELATIONSHIP IS THE RESULT OF A DEPENDENCY
 55 AND NEGLECT ACTION, in those cases in which a parent consents to the
 56 relinquishment of his or her child, ~~and the subsequent termination of the~~
~~parent-child legal relationship is not the result of a dependency and~~

1 ~~neglect action~~, the custodian of records shall provide to the relinquishing
2 birth parent to whom the document pertains a copy of the relinquishment
3 records, in the possession of the custodian of records, that are signed by
4 the relinquishing birth parent or by a parent, guardian, custodian, or legal
5 representative on behalf of the relinquishing birth parent and any of the
6 following records listed in this paragraph (a) in which the relinquishing
7 birth parent is named, including:".

8
9 Renumber succeeding sections accordingly.

10
11 Page 15, line 18, strike "2014." and substitute "2014; except that section
12 10 of this act takes effect only if House Bill 14-1042 becomes law and
13 takes effect either on the effective date of this bill or the effective date of
14 House Bill 14-1042, whichever is later."

15
16 Amendment No. 3, by Representative(s) Landgraf and Kagan.

17
18 Amend the Judiciary Committee Report, dated March 6, 2014, page 2,
19 line 39, strike "proceeding." and substitute "proceeding; EXCEPT THAT IF
20 AT ANY TIME THE COURT DETERMINES THAT A GUARDIAN AD LITEM FOR
21 THE CHILD IS NO LONGER NECESSARY, THE COURT MAY DISCHARGE THE
22 GUARDIAN AD LITEM."

23
24 Page 8, line 26, strike "PROCEEDING." and substitute "PROCEEDING;
25 EXCEPT THAT IF AT ANY TIME THE COURT DETERMINES THAT A GUARDIAN
26 AD LITEM FOR THE CHILD IS NO LONGER NECESSARY, THE COURT MAY
27 DISCHARGE THE GUARDIAN AD LITEM."

28
29 Page 9, line 7, strike "EIGHTY" and substitute "TWENTY".

30
31 Page 9, line 10, strike "EIGHTY" and substitute "TWENTY".

32
33 Page 14, line 12, strike "ASSAULT," and substitute "ASSAULT RESULTING
34 IN THE CONCEPTION OF THE CHILD,".

35
36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.

38
39 **HB14-1144** by Representative(s) Gardner; also Senator Johnston--
40 Concerning measures to improve the performance of
41 district attorneys.

42
43 Amendment No. 1, Judiciary Report, dated February 19, 2014, and placed
44 in member's bill file; Report also printed in House Journal, February 19,
45 2014, page(s) 331-332

46
47 Amendment No. 2, Appropriations Report, dated April 10, 2014, and
48 placed in member's bill file; Report also printed in House Journal, April
49 10, 2014, page(s) 912-913.

50
51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.

53

1 **HB14-1202** by Representative(s) Scott; also Senator(s) Todd and
2 Scheffel--Concerning accountability requirements for
3 school districts for which the state board of education
4 waives statewide testing requirements.
5

6 Amendment No. 1, Education Report, dated February 26, 2014, and
7 placed in member's bill file; Report also printed in House Journal,
8 February 27, 2014, page(s) 421-426.
9

10 Amendment No. 2, Appropriations Report, dated April 10, 2014, and
11 placed in member's bill file; Report also printed in House Journal, April
12 10, 2014, page(s) 913-914.
13

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

17 **HB14-1333** by Representative(s) Fischer and Coram, Garcia, Lebsock,
18 McLachlan, Becker, Mitsch Bush, Rankin, Scott,
19 Sonnenberg, Vigil; also Senator(s) Schwartz and Harvey,
20 Guzman, Jones, Tochtrop--Concerning the funding of
21 Colorado water conservation board projects, and, in
22 connection therewith, making an appropriation.
23

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

27 **HB14-1175** by Representative(s) Fields and Pabon; also Senator(s)
28 Johnston--Concerning studying strategies for successful
29 ongoing recruitment of minority teachers in public
30 schools.
31

32 Amendment No. 1, Education Report, dated February 12, 2014, and
33 placed in member's bill file; Report also printed in House Journal,
34 February 13, 2014, page(s) 363
35

36 Amendment No. 2, Appropriations Report, dated April 10, 2014, and
37 placed in member's bill file; Report also printed in House Journal, April
38 10, 2014, page(s) 913.
39

40 Amendment No. 3, by Representative(s) Fields.
41

42 Amend printed bill, page 3, after line 8 insert:
43

44 "(4) THIS ACT SHALL BE KNOWN AS "ALIYAH'S LAW".".
45

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

49 **HB14-1205** by Representative(s) Ryden, Garcia, Conti, Court, Duran,
50 Exum, Ferrandino, Fields, Gardner, Hamner, Hullinghorst,
51 Kraft-Tharp, Lebsock, Lee, May, McCann, McLachlan,
52 Melton, Mitsch Bush, Moreno, Navarro, Pabon, Peniston,
53 Primavera, Rosenthal, Salazar, Schafer, Szabo, Vigil,
54 Williams, Young; also Senator(s) Crowder, Steadman--
55 Concerning the veterans assistance grant program.
56

- 1 Amendment No. 1, Appropriations Report, dated April 10, 2014, and
2 placed in member's bill file; Report also printed in House Journal, April
3 10, 2014, page(s)
4
- 5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7
- 8 **HB14-1344** by Representative(s) Rosenthal; also Senator(s) Tochtrop--
9 Concerning the use of electronic means to document
10 transactions related to the business of insurance.
11
- 12 Amendment No. 1, Business, Labor, Economic, & Workforce
13 Development Report, dated April 8, 2014, and placed in member's bill
14 file; Report also printed in House Journal, April 9, 2014, page(s) 898
15
- 16 Amendment No. 2, by Representative(s) Rosenthal.
17
- 18 Amend printed bill, page 5, line 7, strike "FEE, CONDITION," and substitute
19 "CONDITION".
20
- 21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.
23
- 24 **HB14-1294** by Representative(s) Murray, Court; also Senator(s)
25 Steadman and Jahn--Concerning student data collection
26 privacy protections administered by the department of
27 education.
28
- 29 Amendment No. 1, Education Report, dated March 18, 2014, and placed
30 in member's bill file; Report also printed in House Journal, March 18,
31 2014, page(s) 610-611
32
- 33 Amendment No. 2, by Representative(s) Murray.
34
- 35 Amend the Education Committee Report, dated March 17, 2014, page 1,
36 after line 10, insert:
37
- 38 "Page 6, line 6, strike "GUIDELINES" and substitute "GUIDANCE".".
39
- 40 Page 2 of the committee report, strike line 21 and substitute:
41
- 42 "Page 8, strike lines 26 and 27 and substitute:
43
- 44 "(7) THE DEPARTMENT SHALL DEVELOP DATA SECURITY GUIDANCE
45 THAT MAY BE USED BY LOCAL EDUCATION AGENCIES. THE DEPARTMENT'S
46 DATA SECURITY GUIDANCE MUST INCLUDE:".
47
- 48 Page 9, line 1, strike "GUIDELINES" and substitute "GUIDANCE".
49 Page 9, line 2, strike "GUIDELINES" and substitute "GUIDANCE".
50 Page 9, line 7, strike "POLICIES;" and substitute "PROCEDURES;"
51
- 52 Page 9, line 10, strike "REQUIREMENTS" and substitute
53 "RECOMMENDATIONS".".
54
- 55 Page 2 of the committee report, line 25, strike "GUIDELINES" and
56 substitute "GUIDANCE".

1 Page 2 of the committee report, line 27, strike "GUIDELINES" and
2 substitute "GUIDANCE".

3

4 Page 2 of the committee report, line 29, strike "GUIDELINES" and
5 substitute "GUIDANCE".

6

7 Page 2 of the committee report, after line 31, insert:

8

9 "Page 9, line 16, strike "POLICIES." and substitute "PROCEDURES."."

10

11 Amendment No. 3, by Representative(s) Murray.

12

13 Amend printed bill, page 5, line 10, strike "STUDENT AND".

14

15 Page 5, line 22, strike "AGENCIES" and substitute "AGENCIES, INCLUDING
16 PUBLIC INSTITUTIONS OF HIGHER EDUCATION,".

17

18 Page 9, strike lines 8 and 9 and substitute:

19

20 "(f) DATA COLLECTION AND SHARING PROCEDURES;"

21

22 Amendment No. 4, by Representative(s) Murray.

23

24 Amend printed bill, page 5, line 23, strike "AND" and substitute "OR".

25

26 Page 7, lines 26 and 27, strike "IN THE CASE OF A PUBLICLY DECLARED
27 EMERGENCY,".

28

29 Page 8, line 13, after "ENTITY" insert "IN STATE OR".

30

31 Amendment No. 5, by Representative(s) Murray.

32

33 Amend printed bill, page 3, strike lines 20 through 22 and substitute:

34

35 "(c) "PERSONALLY IDENTIFIABLE DATA" MEANS A DATASET THAT
36 IS LINKED TO A SPECIFIC STUDENT OR THE STUDENT'S PARENT OR LEGAL
37 GUARDIAN AND THAT WOULD ALLOW A REASONABLE PERSON IN THE
38 SCHOOL COMMUNITY, WHO DOES NOT HAVE KNOWLEDGE OF THE
39 RELEVANT CIRCUMSTANCES, TO IDENTIFY THE STUDENT, PARENT, OR
40 LEGAL GUARDIAN WITH REASONABLE CERTAINTY.".

41

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

44

45 **HB14-1309** by Representative(s) Gardner; also Senator(s) Steadman--
46 Concerning repurposing the day surgery center at the
47 Denver reception and diagnostic center into an auxiliary
48 medical facility.

49

50 Amendment No. 1, Public Health Care & Human Services Report, dated
51 March 26, 2014, and placed in member's bill file; Report also printed in
52 House Journal, March 26, 2014, page(s) 698

53

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

1 **HB14-1349** by Representative(s) Hullinghorst and DelGrosso; also
 2 Senator(s) Heath--Concerning the creation of an
 3 exemption from property taxes for qualifying business
 4 entities controlled by nonprofit organizations that are
 5 formed for the purpose of qualifying for federal tax
 6 credits.

7
 8 Ordered engrossed and placed on the Calendar for Third Reading and
 9 Final Passage.

10
 11 **SB14-163** by Senator(s) Steadman and King; also Representative(s)
 12 Lee and DelGrosso--Concerning clarifying changes to
 13 provisions related to the sentencing of persons convicted
 14 of drug crimes.

15
 16 Ordered revised and placed on the Calendar for Third Reading and Final
 17 Passage.

18
 19 **HB14-1322** by Representative(s) McLachlan; also Senator(s) Roberts--
 20 Concerning the Colorado probate code.

21
 22 Amendment No. 1, Judiciary Report, dated April 9, 2014, and placed in
 23 member's bill file; Report also printed in House Journal, April 9, 2014,
 24 page(s) 899

25
 26 As amended, ordered engrossed and placed on the Calendar for Third
 27 Reading and Final Passage.

28
 29
 30
 31
 32 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

33
 34 Passed Second Reading: **HB14-1269 amended, 1279 amended, 1317**
 35 **amended, SB14-160, HB14-1036 amended, 1118 amended, 1162**
 36 **amended, 1144 amended, 1202 amended, 1333, 1175 amended, 1205**
 37 **amended, 1344 amended, 1294 amended, 1309 amended, 1349,**
 38 **SB14-163, HB14-1322 amended.**

39
 40 Lost on Second Reading: **HB14-1320 amended.**

41
 42 Referred to Committee indicated: **HB14-1066--Appropriations.**

43
 44 The Chairman moved the adoption of the Committee of the Whole
 45 Report. As shown by the following roll call vote, a majority of those
 46 elected to the House voted in the affirmative, and the Report was
 47 **adopted.**

48
 49

	YES	61	NO	1	EXCUSED	3	ABSENT	0
50	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
51	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
52	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
53	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
54	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
55	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
56	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y

1	Dore	E	Kagan	Y	Nordberg	Y	Swalm	Y
2	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	E
3	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
4	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
5	Fields	N	Lawrence	Y	Primavera	E	Waller	Y
6	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
7	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
8	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
9	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
10							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

BUSINESS, LABOR, ECONOMIC, & WORKFORCE DEVELOPMENT

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

SB14-117 be referred favorably to the Committee on Finance.

SB14-156 be referred to the Committee of the Whole with favorable recommendation.

EDUCATION

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

HB14-1319 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

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

"**SECTION 1.** In Colorado Revised Statutes, **add** part 3 to article 18 of title 23 as follows:

PART 3

HIGHER EDUCATION FUNDING

23-18-301. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) HIGHER EDUCATION IS AN ECONOMIC ENGINE FOR COLORADO, HELPS TO CREATE AN INFORMED CITIZENRY, AND CONTRIBUTES SIGNIFICANTLY TO COLORADO'S SUPERIOR QUALITY OF LIFE;

(b) IN ORDER TO ENSURE THE STATE'S ONGOING SOCIAL, CULTURAL, AND ECONOMIC VIBRANCY, FUNDING FOR HIGHER EDUCATION SHOULD BE BASED ON THE NEEDS OF THE STATE, THE PEOPLE OF COLORADO, AND THE STUDENTS;

(c) COLORADO CURRENTLY RANKS THIRD IN THE UNITED STATES IN THE PERCENTAGE OF ITS CITIZENS BETWEEN THE AGES OF TWENTY-FIVE AND SIXTY-FOUR WITH A COLLEGE DEGREE, LARGELY DUE TO THE MIGRATION OF COLLEGE-EDUCATED ADULTS FROM OTHER STATES AND

1 COUNTRIES;

2 (d) IN ORDER TO ENSURE THAT COLORADO STUDENTS HAVE
3 ACCESS TO A POSTSECONDARY EDUCATION THAT WILL ALLOW THEM TO
4 COMPETE FOR JOBS IN COLORADO'S INCREASINGLY HIGH-TECH ECONOMY
5 AND THE GLOBAL ECONOMY, IT IS ESSENTIAL THAT COLORADO MAKE WISE
6 USE OF ITS INVESTMENT IN HIGHER EDUCATION TO INCREASE THE NUMBER
7 OF COLORADANS WHO HAVE EARNED A HIGH-QUALITY POSTSECONDARY
8 CREDENTIAL;

9 (e) IT IS IMPORTANT THAT THE STATE OF COLORADO ENSURES
10 THAT ALL COLORADANS HAVE ACCESS TO AFFORDABLE HIGHER
11 EDUCATION, REGARDLESS OF INCOME, RACE, GENDER, AGE, OR ACADEMIC
12 PREPARATION, AND THAT HIGHER EDUCATION SERVICES ARE AVAILABLE
13 IN ALL GEOGRAPHIC AREAS OF THE STATE, INCLUDING RURAL AREAS,
14 HISTORICALLY UNDERSERVED AREAS, AND AREAS WITH LOW
15 EDUCATIONAL ATTAINMENT;

16 (f) IN PARTICULAR, IT IS CRITICAL THAT THE RATE OF
17 POSTSECONDARY PARTICIPATION BY LOW-INCOME COLORADANS AND
18 MINORITIES, WHO ARE CURRENTLY UNDER-REPRESENTED, BE INCREASED
19 AT COLORADO'S INSTITUTIONS OF HIGHER EDUCATION; AND

20 (g) COLORADO'S LIMITED STATE RESOURCES MUST BE USED IN A
21 WAY THAT PROVIDES INCENTIVES FOR STATE INSTITUTIONS OF HIGHER
22 EDUCATION TO ACHIEVE THE POLICY GOALS ADOPTED BY THE GENERAL
23 ASSEMBLY AND THE COLORADO COMMISSION ON HIGHER EDUCATION.

24 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

25 (a) IN ORDER FOR THE GENERAL ASSEMBLY TO PERFORM ITS DUTY
26 TO EXERCISE OVERSIGHT AND ENSURE THAT TAX DOLLARS ARE BEING
27 USED TO ACHIEVE STATED POLICY GOALS, HIGHER EDUCATION MUST BE
28 FUNDED IN A MANNER THAT IS TRANSPARENT AND UNDERSTANDABLE;

29 (b) THESE GOALS CAN BE ACCOMPLISHED BY THE GENERAL
30 ASSEMBLY ESTABLISHING PERFORMANCE METRICS THAT ARE CONSISTENT
31 AND PREDICTABLE BUT THAT MAY BE AMENDED, AS APPROPRIATE, TO
32 REFLECT THE CHANGING GOALS OF THE STATE AND OF INSTITUTIONS;

33 (c) WITH A CONSISTENT AND PREDICTABLE FUNDING MODEL FOR
34 HIGHER EDUCATION, STATE INSTITUTIONS OF HIGHER EDUCATION WILL BE
35 ABLE TO ENGAGE IN LONG-TERM FINANCIAL PLANNING THAT WILL BENEFIT
36 STUDENTS THROUGH MORE PREDICTABLE TUITION AND FEES; AND

37 (d) IF HIGHER EDUCATION IS FUNDED IN A MANNER THAT IS
38 TRANSPARENT AND UNDERSTANDABLE, COLORADANS, AND ESPECIALLY
39 COLORADO TAXPAYERS, WILL MORE EASILY UNDERSTAND THE BENEFIT
40 REALIZED FROM COLORADO'S INVESTMENT IN ITS HIGHER EDUCATION
41 SYSTEM.

42 **23-18-302. Definitions.** AS USED IN THIS PART 3, UNLESS THE
43 CONTEXT OTHERWISE REQUIRES:

44 (1) "AREA VOCATIONAL SCHOOL" HAS THE SAME MEANING AS
45 PROVIDED IN SECTION 23-60-103 (1).

46 (2) "COMMISSION" MEANS THE COLORADO COMMISSION ON
47 HIGHER EDUCATION ESTABLISHED PURSUANT TO SECTION 23-1-102.

48 (3) "COMMUNITY COLLEGE" MEANS A COMMUNITY AND
49 TECHNICAL COLLEGE DESCRIBED IN SECTION 23-60-205 THAT IS GOVERNED
50 BY THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL
51 EDUCATION.

52 (4) "DEPARTMENT" MEANS THE COLORADO DEPARTMENT OF
53 HIGHER EDUCATION ESTABLISHED PURSUANT TO SECTION 24-1-114, C.R.S.

54 (5) "LOCAL DISTRICT JUNIOR COLLEGE" MEANS A JUNIOR COLLEGE
55 OPERATING PURSUANT TO ARTICLE 71 OF THIS TITLE.

56 (6) "MASTER PLAN" MEANS THE MASTER PLAN CREATED PURSUANT

1 TO SECTION 23-1-108.

2 (7) "PELL-ELIGIBLE STUDENT" MEANS AN UNDERGRADUATE
3 STUDENT WHO QUALIFIES FOR THE FEDERAL PELL GRANT OR FOR A GRANT
4 THROUGH A SUCCESSOR PROGRAM.

5 (8) "STATE INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION"
6 HAS THE SAME MEANING AS DEFINED IN SECTION 23-18-102 (10).

7 (9) "TOTAL GOVERNING BOARD APPROPRIATION" MEANS, FOR A
8 FISCAL YEAR, THE SUM OF THE AMOUNT APPROPRIATED TO THE
9 GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION FOR
10 A FEE-FOR-SERVICE CONTRACT NEGOTIATED PURSUANT TO SECTION
11 23-18-303 AND THE AMOUNT STATED AS REAPPROPRIATED SPENDING
12 AUTHORITY IN THE GENERAL APPROPRIATIONS ACT FOR THE GOVERNING
13 BOARD TO EXPEND STIPENDS RECEIVED PURSUANT TO SECTION 23-18-202
14 ON BEHALF OF ELIGIBLE UNDERGRADUATE STUDENTS.

15 (10) "TOTAL STATE APPROPRIATION" MEANS, FOR A STATE FISCAL
16 YEAR, THE SUM OF THE TOTAL AMOUNT APPROPRIATED TO THE GOVERNING
17 BOARDS OF THE STATE INSTITUTIONS OF HIGHER EDUCATION FOR
18 FEE-FOR-SERVICE CONTRACTS DETERMINED PURSUANT TO SECTION
19 23-18-303, AND THE AMOUNT OF THE APPROPRIATION TO THE COLLEGE
20 OPPORTUNITY FUND ESTABLISHED IN SECTION 23-18-201.

21 **23-18-303. Fee-for-service contracts - authorization.** (1) FOR
22 THE 2015-16 STATE FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER,
23 THE GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION
24 MAY ANNUALLY NEGOTIATE A FEE-FOR-SERVICE CONTRACT WITH THE
25 DEPARTMENT FOR THE DELIVERY OF HIGHER EDUCATION SERVICES BY THE
26 INSTITUTION FOR THE BENEFIT OF THE STATE AND ITS RESIDENTS.
27 SPECIALTY EDUCATION PROGRAMS, AREA VOCATIONAL SCHOOLS, AND
28 LOCAL DISTRICT JUNIOR COLLEGES ARE FUNDED PURSUANT TO THE
29 PROVISIONS OF SECTION 23-18-304.

30 (2) EACH FEE-FOR-SERVICE CONTRACT MUST INCLUDE
31 INSTITUTIONAL ROLE AND MISSION FUNDING AS DESCRIBED IN SUBSECTION
32 (3) OF THIS SECTION AND INSTITUTIONAL PERFORMANCE FUNDING AS
33 DESCRIBED IN SUBSECTION (4) OF THIS SECTION. IT IS THE INTENT OF THE
34 GENERAL ASSEMBLY THAT THE COMPONENTS OF THE FEE-FOR-SERVICE
35 CONTRACTS DEVELOPED BY THE COMMISSION BE FAIRLY BALANCED
36 BETWEEN ROLE AND MISSION FACTORS AND PERFORMANCE METRICS.

37 (3) **Role and mission funding.** THE INSTITUTIONAL ROLE AND
38 MISSION COMPONENT OF THE FEE-FOR-SERVICE CONTRACT IS BASED ON
39 THE FOLLOWING FACTORS, AS DETERMINED BY THE COMMISSION
40 PURSUANT TO SECTION 23-18-306:

41 (a) **Institutional mission.** ROLE AND MISSION FUNDING MUST
42 INCLUDE AN AMOUNT FOR EACH GOVERNING BOARD TO OFFSET THE COSTS
43 INCURRED IN PROVIDING UNDERGRADUATE PROGRAMS AT EACH
44 INSTITUTION. IN ESTABLISHING THE COMPONENTS OF THIS FACTOR, THE
45 COMMISSION SHALL INCLUDE, AT A MINIMUM:

46 (I) THE SELECTIVITY OF THE INSTITUTION;

47 (II) THE NUMBER OF CAMPUSES OF THE INSTITUTION;

48 (III) THE RURAL OR URBAN LOCATION OF THE INSTITUTION;

49 (IV) LOW STUDENT ENROLLMENT AT AN INSTITUTION OR A CAMPUS
50 OF AN INSTITUTION THAT AFFECTS THE ABILITY OF THE INSTITUTION OR
51 CAMPUS TO MEET OPERATIONAL COSTS; AND

52 (V) WHETHER THE INSTITUTION CONDUCTS RESEARCH.

53 (b) **Support services for Pell-eligible, first-generation, and**
54 **underserved undergraduate students.** ROLE AND MISSION FUNDING
55 MUST INCLUDE AN AMOUNT FOR EACH GOVERNING BOARD TO OFFSET THE
56 COSTS INCURRED IN PROVIDING ADDITIONAL SUPPORT SERVICES TO

1 PELL-ELIGIBLE UNDERGRADUATE STUDENTS ENROLLED IN THE
2 INSTITUTION. THE AMOUNT OF FUNDING FOR SUPPORT SERVICES FOR EACH
3 PELL-ELIGIBLE UNDERGRADUATE STUDENT ENROLLED IN THE INSTITUTION
4 MUST BE AT LEAST EQUAL TO TEN PERCENT OF THE AMOUNT OF THE
5 COLLEGE OPPORTUNITY FUND STIPEND, AS SET BY THE GENERAL
6 ASSEMBLY PURSUANT TO SECTION 23-18-202, FOR THE APPLICABLE STATE
7 FISCAL YEAR. THE COMMISSION MAY INCLUDE AN AMOUNT FOR EACH
8 GOVERNING BOARD TO OFFSET THE COSTS INCURRED IN PROVIDING
9 SUPPORT SERVICES TO FIRST-GENERATION UNDERGRADUATE STUDENTS
10 ENROLLED IN THE INSTITUTION AFTER THE COMMISSION ESTABLISHES A
11 CONSISTENT DEFINITION AND DATA COLLECTION METHOD FOR IDENTIFYING
12 THIS STUDENT POPULATION. THE COMMISSION MAY ALSO INCLUDE AN
13 AMOUNT FOR EACH GOVERNING BOARD TO OFFSET THE COSTS INCURRED
14 IN PROVIDING SUPPORT SERVICES TO UNDERGRADUATE STUDENTS WHO
15 ARE IDENTIFIED AS UNDERSERVED AFTER THE COMMISSION ESTABLISHES
16 A CONSISTENT DEFINITION AND DATA COLLECTION METHOD FOR
17 IDENTIFYING UNDERSERVED STUDENTS.

18 (c) **Graduate programs.** ROLE AND MISSION FUNDING MUST
19 INCLUDE AN AMOUNT FOR EACH ELIGIBLE GOVERNING BOARD TO OFFSET
20 THE COSTS INCURRED IN PROVIDING GRADUATE PROGRAMS AT
21 INSTITUTIONS THAT ARE AUTHORIZED TO PROVIDE GRADUATE PROGRAMS.
22 IN ESTABLISHING THE COMPONENTS OF THIS FACTOR, THE COMMISSION
23 SHALL INCLUDE, AT A MINIMUM, AN AMOUNT FOR EACH GRADUATE
24 STUDENT ENROLLED IN AN INSTITUTION, WHICH AMOUNT MAY BE BASED
25 ON THE SUBJECT AND LEVEL OF THE GRADUATE PROGRAM.

26 (d) **Remediation.** ROLE AND MISSION FUNDING MUST INCLUDE AN
27 AMOUNT FOR EACH ELIGIBLE GOVERNING BOARD TO OFFSET THE COSTS
28 INCURRED IN PROVIDING EFFECTIVE BASIC SKILLS COURSES FOR STUDENTS
29 ENROLLED AT AN INSTITUTION THAT IS AUTHORIZED TO PROVIDE BASIC
30 SKILLS COURSES, WHICH STUDENTS ARE NOT PREPARED FOR
31 COLLEGE-LEVEL COURSE WORK AT THE TIME OF ENROLLMENT. IN
32 ESTABLISHING THE COMPONENTS OF THIS FACTOR, THE COMMISSION SHALL
33 DETERMINE HOW TO MEASURE SUCCESSFUL REMEDIATION, WHICH
34 MEASURE MAY INCLUDE A STUDENT'S SUCCESSFUL COMPLETION OF A
35 FIRST-LEVEL COLLEGE COURSE IN THE AREA OF REMEDIATION, INCLUDING
36 ENGLISH OR MATH. THE COMMISSION MAY ALSO INCLUDE COMPONENTS
37 RELATING TO THE SPEED OF A STUDENT'S REMEDIATION AND THE COST OF
38 REMEDIATION TO THE STUDENT.

39 (e) **Additional role and mission factors.** THE COMMISSION MAY
40 ESTABLISH UP TO TWO ADDITIONAL FACTORS RELATING TO ROLE AND
41 MISSION FUNDING. THE FACTORS MUST BE DISTINGUISHABLE FROM EACH
42 OTHER AND FROM THE FACTORS DESCRIBED IN PARAGRAPHS (a) TO (d) OF
43 THIS SUBSECTION (3). THE ADDITIONAL FACTORS THE COMMISSION MAY
44 CONSIDER INCLUDE, BUT NEED NOT BE LIMITED TO, INSTITUTION
45 AFFORDABILITY, COST STUDIES, TECHNOLOGY TRANSFER, AND PROVISION
46 OF CAREER AND TECHNICAL PROGRAMS.

47 (4) **Performance funding.** THE INSTITUTIONAL PERFORMANCE
48 FUNDING COMPONENT OF THE FEE-FOR-SERVICE CONTRACT IS BASED ON
49 THE FOLLOWING METRICS, AS DETERMINED BY THE COMMISSION PURSUANT
50 TO SECTION 23-18-306:

51 (a) **Completion.** PERFORMANCE FUNDING MUST INCLUDE AN
52 AMOUNT FOR EACH GOVERNING BOARD FOR EACH CERTIFICATE OR DEGREE
53 AWARDED BY THE INSTITUTION, AND, FOR THE STATE BOARD FOR
54 COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, AN AMOUNT FOR
55 EACH COMMUNITY COLLEGE STUDENT WHO TRANSFERS FROM A
56 COMMUNITY COLLEGE AFTER COMPLETION OF THIRTY CREDIT HOURS. THE

1 COMMISSION SHALL ESTABLISH THE AMOUNT AWARDED FOR EACH TYPE OF
2 CREDENTIAL, BASED ON THE SUBJECT AND LEVEL OF THE CREDENTIAL, AND
3 THE AMOUNT AWARDED FOR TRANSFERS FROM A COMMUNITY COLLEGE.
4 THE COMMISSION SHALL INCREASE THE VALUE OF EACH CREDENTIAL
5 EARNED BY OR TRANSFER COMPLETED BY A PELL-ELIGIBLE
6 UNDERGRADUATE STUDENT AND SHALL INCREASE THE VALUE OF EACH
7 CREDENTIAL EARNED OR TRANSFER COMPLETED BY A FIRST-GENERATION
8 UNDERGRADUATE STUDENT IF THE COMMISSION IMPLEMENTS INCREASED
9 FUNDING FOR THIS STUDENT POPULATION PURSUANT TO PARAGRAPH (b)
10 OF SUBSECTION (3) OF THIS SECTION.

11 (b) **Retention.** PERFORMANCE FUNDING MUST INCLUDE AN
12 AMOUNT FOR EACH GOVERNING BOARD BASED ON THE NUMBER OF
13 STUDENTS ENROLLED IN AN INSTITUTION WHO MAKE ACADEMIC PROGRESS
14 BY COMPLETING THIRTY CREDIT HOURS, SIXTY CREDIT HOURS, OR NINETY
15 CREDIT HOURS. IN ESTABLISHING THE COMPONENTS OF THIS METRIC, THE
16 COMMISSION MAY INCLUDE A COMPONENT RELATED TO AN INCREASE IN
17 THE INSTITUTION'S RETENTION RATE. AN INSTITUTION THAT RECEIVES A
18 COMPLETION INCENTIVE FOR A STUDENT WHO TRANSFERS AFTER
19 COMPLETING THIRTY CREDIT HOURS IS NOT ELIGIBLE FOR A RETENTION
20 BONUS FOR THAT STUDENT IN THE SAME YEAR.

21 (c) **Additional performance metrics.** THE COMMISSION MAY
22 ESTABLISH UP TO FOUR ADDITIONAL PERFORMANCE FUNDING METRICS
23 THAT REFLECT AND SUPPORT THE POLICY GOALS ADOPTED BY THE
24 COMMISSION IN THE MASTER PLAN. THE METRICS MUST BE
25 DISTINGUISHABLE FROM EACH OTHER AND FROM THE METRICS DESCRIBED
26 IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (4). THE ADDITIONAL
27 PERFORMANCE METRICS THE COMMISSION MAY CONSIDER INCLUDE, BUT
28 NEED NOT BE LIMITED TO, WORKFORCE PLACEMENT, CLOSING THE
29 ACHIEVEMENT GAP, AND LIMITING STUDENT LOAN DEBT.

30 (5) THE BOARD OF TRUSTEES OF THE COLORADO SCHOOL OF MINES
31 MAY STUDY AND RECOMMEND TO THE GENERAL ASSEMBLY A DIFFERENT
32 FUNDING STRUCTURE, INCLUDING BUT NOT LIMITED TO A SPECIAL PURPOSE
33 AUTHORITY AS DEFINED IN SECTION 24-77-102 (15), C.R.S., THAT
34 STRENGTHENS THE INSTITUTION AND ITS SPECIALIZED EDUCATIONAL
35 PROGRAMS WHILE ENSURING ACADEMIC QUALITY AND CONTINUED
36 OPPORTUNITIES FOR RESIDENT STUDENTS WHO MEET THE ADMISSIONS
37 CRITERIA OF THE INSTITUTION.

38 (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
39 CONTRARY, EACH FEE-FOR-SERVICE CONTRACT NEGOTIATED PURSUANT TO
40 THIS SECTION IS SUBJECT TO THE PROVISIONS OF SECTION 23-18-305.

41 (7) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT A STATE
42 INSTITUTION OF HIGHER EDUCATION THAT ENTERS INTO A
43 FEE-FOR-SERVICE CONTRACT THAT INCLUDES BASIC SKILLS COURSES
44 SHALL NOT CHARGE A STUDENT MORE PER CREDIT HOUR FOR A BASIC
45 SKILLS COURSE THAN THE STUDENT WOULD PAY PER CREDIT HOUR FOR A
46 GENERAL EDUCATION COURSE.

47 **23-18-304. Funding for specialty education programs - area**
48 **vocational schools - local district junior colleges.** (1) (a) (I) FOR THE
49 2015-16 STATE FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE
50 BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO MAY ANNUALLY
51 NEGOTIATE A FEE-FOR-SERVICE CONTRACT WITH THE DEPARTMENT FOR
52 THE DELIVERY OF SPECIALTY EDUCATION SERVICES PROVIDED BY THE
53 HEALTH SCIENCES CENTER CAMPUS OF THE UNIVERSITY OF COLORADO,
54 ESTABLISHED PURSUANT TO SECTION 23-20-101. FOR THE 2015-16 STATE
55 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, THE BOARD OF
56 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM MAY

1 ANNUALLY NEGOTIATE FEE-FOR-SERVICE CONTRACTS WITH THE
2 DEPARTMENT FOR THE DELIVERY OF SPECIALTY EDUCATION SERVICES
3 PURSUANT TO PART 3 AND PARTS 5 TO 8 OF ARTICLE 31 OF THIS TITLE, AND
4 THE VETERINARY MEDICINE PROGRAM AT COLORADO STATE UNIVERSITY,
5 ESTABLISHED PURSUANT TO SECTION 23-31-101. THE AMOUNT OF EACH
6 FEE-FOR-SERVICE CONTRACT NEGOTIATED PURSUANT TO THIS SECTION
7 MUST BE EQUAL TO THE AMOUNT OF THE FEE-FOR-SERVICE CONTRACT FOR
8 THE CAMPUS, SERVICE, OR PROGRAM FOR THE PRECEDING STATE FISCAL
9 YEAR, INCREASED OR DECREASED BY A PERCENTAGE EQUAL TO THE
10 PERCENTAGE CHANGE IN THE TOTAL STATE APPROPRIATION FOR THE
11 APPLICABLE STATE FISCAL YEAR FROM THE TOTAL STATE APPROPRIATION
12 FOR THE PRECEDING STATE FISCAL YEAR.

13 (II) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF
14 THIS PARAGRAPH (a) TO THE CONTRARY, THE FEE-FOR-SERVICE CONTRACT
15 FOR THE HEALTH SCIENCES CENTER CAMPUS OF THE UNIVERSITY OF
16 COLORADO AND THE VETERINARY MEDICINE PROGRAM AT COLORADO
17 STATE UNIVERSITY MAY INCREASE BY A PERCENTAGE THAT IS GREATER
18 THAN THE PERCENTAGE CHANGE IN THE TOTAL STATE APPROPRIATION FOR
19 THE APPLICABLE FISCAL YEAR FROM THE TOTAL STATE APPROPRIATION
20 FOR THE PRECEDING STATE FISCAL YEAR AND MAY DECREASE BY A
21 PERCENTAGE THAT IS LESS THAN THE PERCENTAGE CHANGE IN THE TOTAL
22 STATE APPROPRIATION FOR THE APPLICABLE FISCAL YEAR FROM THE
23 TOTAL STATE APPROPRIATION FOR THE PRECEDING STATE FISCAL YEAR.

24 (b) IF, UPON THE RECOMMENDATION OF THE COMMISSION AND THE
25 DEPARTMENT, THE JOINT BUDGET COMMITTEE DETERMINES THAT AN
26 EDUCATIONAL PROGRAM THAT IS NOT INCLUDED IN PARAGRAPH (a) OF
27 THIS SUBSECTION (1) SHOULD RECEIVE FUNDING AS A SPECIALTY
28 EDUCATION PROGRAM PURSUANT TO THIS SECTION, THE JOINT BUDGET
29 COMMITTEE MAY INTRODUCE LEGISLATION THAT DESIGNATES THE
30 PROGRAM AS A SPECIALTY EDUCATION PROGRAM FUNDED PURSUANT TO
31 THIS SECTION.

32 (2) FOR THE 2015-16 STATE FISCAL YEAR AND EACH FISCAL YEAR
33 THEREAFTER, THE DIRECT GRANTS MADE TO ELIGIBLE AREA VOCATIONAL
34 SCHOOLS PURSUANT TO PART 3 OF ARTICLE 71 OF THIS TITLE FOR A STATE
35 FISCAL YEAR MUST BE EQUAL TO THE AMOUNT OF THE GRANTS MADE IN
36 THE PRECEDING STATE FISCAL YEAR, INCREASED OR DECREASED BY A
37 PERCENTAGE EQUAL TO THE PERCENTAGE CHANGE IN THE TOTAL STATE
38 APPROPRIATION FOR THE APPLICABLE STATE FISCAL YEAR FROM THE
39 TOTAL STATE APPROPRIATION FOR THE PRECEDING STATE FISCAL YEAR.

40 (3) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
41 SUBSECTION (3), FOR THE 2015-16 STATE FISCAL YEAR AND EACH FISCAL
42 YEAR THEREAFTER, THE DIRECT GRANTS MADE TO ELIGIBLE JUNIOR
43 COLLEGE DISTRICTS PURSUANT TO PART 3 OF ARTICLE 71 OF THIS TITLE
44 FOR A STATE FISCAL YEAR MUST BE EQUAL TO THE AMOUNT OF THE
45 GRANTS MADE IN THE PRECEDING STATE FISCAL YEAR, INCREASED OR
46 DECREASED BY A PERCENTAGE EQUAL TO THE PERCENTAGE CHANGE IN
47 THE TOTAL STATE APPROPRIATION FOR THE APPLICABLE STATE FISCAL
48 YEAR FROM THE TOTAL STATE APPROPRIATION FOR THE PRECEDING STATE
49 FISCAL YEAR.

50 (b) COLORADO MOUNTAIN COLLEGE MAY ELECT TO PARTICIPATE
51 IN THE FUNDING PROVISIONS SPECIFIED IN SECTION 23-18-303 IN LIEU OF
52 THE FUNDING PROVISIONS SPECIFIED IN PARAGRAPH (a) OF THIS
53 SUBSECTION (3). COLORADO MOUNTAIN COLLEGE MUST NOTIFY THE
54 COMMISSION BY AUGUST 1 OF ITS INTENTION TO PARTICIPATE IN THE
55 FUNDING PROVISIONS SPECIFIED IN SECTION 23-18-303 FOR THE
56 FOLLOWING STATE FISCAL YEAR. IF COLORADO MOUNTAIN COLLEGE

1 ELECTS TO PARTICIPATE IN THE FUNDING PROVISIONS OF SECTION
2 23-18-303, THE DEPARTMENT SHALL APPLY THE FUNDING PROVISIONS OF
3 SECTION 23-18-303 TO COLORADO MOUNTAIN COLLEGE IN THE SAME
4 MANNER AS THEY ARE APPLIED TO ALL OTHER INSTITUTIONS, AND
5 COLORADO MOUNTAIN COLLEGE MUST RECEIVE LEVELS OF FUNDING THAT
6 ARE COMPARABLE TO THE FUNDING RECEIVED BY THE GOVERNING BOARDS
7 IN ACCORDANCE WITH THE PROVISIONS OF SECTION 23-18-303.

8 (4) THE GOVERNING BOARDS OF INSTITUTIONS WITH SPECIALTY
9 EDUCATION PROGRAMS, THE AREA VOCATIONAL SCHOOLS, THE LOCAL
10 DISTRICT JUNIOR COLLEGES, AND THE COMMISSION ARE ENCOURAGED TO
11 DEVELOP FUNDING MODELS THAT INCLUDE SPECIFIC PERFORMANCE
12 METRICS TO ENSURE THAT THESE PROGRAMS AND INSTITUTIONS ARE
13 MEETING THE POLICY GOALS ESTABLISHED BY THE GENERAL ASSEMBLY
14 AND ADOPTED BY THE COMMISSION IN ITS MASTER PLAN.

15 **23-18-305. Total appropriations - adjustments - fiscal**
16 **emergency - resolution - financial hardship.** (1) (a) FOR THE 2015-16
17 STATE FISCAL YEAR THROUGH THE 2019-20 STATE FISCAL YEAR, THE
18 TOTAL GOVERNING BOARD APPROPRIATION FOR A GOVERNING BOARD FOR
19 A FISCAL YEAR SHALL NOT CHANGE FROM THE PRECEDING FISCAL YEAR BY
20 A PERCENTAGE THAT IS MORE THAN FIVE PERCENTAGE POINTS LESS THAN
21 OR FIVE PERCENTAGE POINTS GREATER THAN THE PERCENTAGE CHANGE IN
22 THE TOTAL STATE APPROPRIATION FROM THE PRECEDING FISCAL YEAR.
23 NOTWITHSTANDING ANY PROVISION OF THIS PART 3 TO THE CONTRARY,
24 THE GENERAL ASSEMBLY IN THE ANNUAL GENERAL APPROPRIATIONS BILL
25 SHALL ADJUST THE TOTAL GOVERNING BOARD APPROPRIATION FOR EACH
26 GOVERNING BOARD AS NECESSARY TO COMPLY WITH THIS SECTION.

27 (b) BEGINNING WITH THE 2020-21 STATE FISCAL YEAR, IN ANY
28 FISCAL YEAR THAT THE DEPARTMENT DETERMINES THAT IT IS
29 APPROPRIATE TO ADJUST TOTAL GOVERNING BOARD APPROPRIATIONS AS
30 PROVIDED IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE DEPARTMENT
31 MAY RECOMMEND THAT THE JOINT BUDGET COMMITTEE ADJUST THE
32 TOTAL GOVERNING BOARD APPROPRIATIONS FOR EACH GOVERNING BOARD
33 AS NECESSARY TO COMPLY WITH THE PROVISIONS OF PARAGRAPH (a) OF
34 THIS SUBSECTION (1).

35 (2) (a) FOR THE 2015-16 STATE FISCAL YEAR AND EACH FISCAL
36 YEAR THEREAFTER, THE TOTAL ANNUAL APPROPRIATION IN TRUST FOR
37 ELIGIBLE UNDERGRADUATE STUDENTS TO THE COLLEGE OPPORTUNITY
38 FUND PURSUANT TO SECTION 23-18-202 MUST BE AN AMOUNT EQUAL TO
39 AT LEAST FIFTY-TWO AND FIVE-TENTHS PERCENT OF THE TOTAL STATE
40 APPROPRIATION FOR THE APPLICABLE STATE FISCAL YEAR; EXCEPT THAT
41 THE PERCENTAGE MAY BE LESS THAN FIFTY-TWO AND FIVE-TENTHS
42 PERCENT AS A RESULT OF ADJUSTMENTS FOR ACTUAL ENROLLMENT MADE
43 PURSUANT TO SECTION 23-18-202 (1) (c).

44 (b) IF, DUE TO AN ECONOMIC DOWNTURN, THE DEPARTMENT AND
45 THE COMMISSION DETERMINE THAT COMPLYING WITH THE COLLEGE
46 OPPORTUNITY FUND STIPEND ALLOCATION REQUIREMENT SET FORTH IN
47 PARAGRAPH (a) OF THIS SUBSECTION (2) RESULTS IN AN UNDUE BURDEN TO
48 THE INSTITUTIONS, THE DEPARTMENT MAY SUBMIT AN ADDITIONAL
49 BUDGET REQUEST THAT DOES NOT COMPLY WITH THE COLLEGE
50 OPPORTUNITY FUND STIPEND ALLOCATION REQUIREMENT. TO APPROVE
51 THE DEPARTMENT'S BUDGET REQUEST WAIVING THE COLLEGE
52 OPPORTUNITY FUND STIPEND ALLOCATION REQUIREMENT, THE GENERAL
53 ASSEMBLY MUST ADOPT A JOINT RESOLUTION BY SIMPLE MAJORITY IN
54 BOTH CHAMBERS THAT DECLARES A FISCAL EMERGENCY.

55 (3) IF AFTER APPLYING THE COLLEGE OPPORTUNITY FUND STIPEND
56 ALLOCATION REQUIREMENT SET FORTH IN PARAGRAPH (a) OF SUBSECTION

1 (2) OF THIS SECTION AND THE FEE-FOR-SERVICE PROVISIONS OF SECTION
2 23-18-303 THE DEPARTMENT DETERMINES THAT THIS HAS RESULTED IN
3 FINANCIAL INSTABILITY FOR AND THE POTENTIAL CLOSURE OF AN
4 INSTITUTION, THE DEPARTMENT MAY RECOMMEND TO THE JOINT BUDGET
5 COMMITTEE THAT THE INSTITUTION BE TREATED AS A SPECIALTY
6 EDUCATION PROGRAM PURSUANT TO THE PROVISIONS OF SECTION
7 23-18-304. THE JOINT BUDGET COMMITTEE MAY INTRODUCE LEGISLATION
8 DESIGNATING THE INSTITUTION AS A SPECIALTY EDUCATION PROGRAM
9 SUBJECT TO THE PROVISIONS OF SECTION 23-18-304 AND EXEMPTING THE
10 INSTITUTION FROM ANY PROVISIONS OF THIS PART 3 FOR A SPECIFIED
11 PERIOD OF TIME. AN INSTITUTION THAT RECEIVES AN EXEMPTION
12 PURSUANT TO THIS SUBSECTION (3) SHALL, IN CONSULTATION WITH THE
13 DEPARTMENT AND THE COMMISSION, SUBMIT A PLAN FOR ACHIEVING
14 FINANCIAL STABILITY TO THE JOINT BUDGET COMMITTEE AND TO THE
15 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND OF THE
16 SENATE, OR ANY SUCCESSOR COMMITTEES.

17 (4) NOTWITHSTANDING ANY PROVISION OF THIS PART 3 TO THE
18 CONTRARY, IN A FISCAL YEAR IN WHICH THE PROVISIONS OF SECTION
19 23-1-108(1.9) APPLY, PERFORMANCE-BASED FUNDING THAT A GOVERNING
20 BOARD RECEIVES IS IN ADDITION TO ANY AMOUNTS THE GOVERNING
21 BOARD RECEIVES PURSUANT TO A FEE-FOR-SERVICE CONTRACT PURSUANT
22 TO SECTIONS 23-18-303 AND 23-1-304, A DIRECT GRANT THE GOVERNING
23 BOARD RECEIVES PURSUANT TO SECTION 23-18-304 AND PART 3 OF
24 ARTICLE 71 OF THIS TITLE, OR AMOUNTS THAT THE GOVERNING BOARD IS
25 AUTHORIZED TO EXPEND PURSUANT TO THE COLLEGE OPPORTUNITY FUND
26 PROGRAM CREATED IN PART 2 OF THIS ARTICLE.

27 **23-18-306. Duties and powers of the commission - department**
28 **- role and mission factors and performance metrics - consultation**
29 **with interested parties - facilitator.** (1) AS USED IN THIS SECTION,
30 "INTERESTED PARTIES" INCLUDES BUT IS NOT LIMITED TO THE GOVERNING
31 BOARDS OF INSTITUTIONS, HIGHER EDUCATION ADVOCATES, STUDENTS,
32 FACULTY, NONPROFIT EDUCATION ORGANIZATIONS, AND MEMBERS OF THE
33 BUSINESS COMMUNITY.

34 (2) (a) PURSUANT TO SECTION 23-18-303, NO LATER THAN
35 JANUARY 1, 2015, THE COMMISSION SHALL DETERMINE, IN CONSULTATION
36 WITH INTERESTED PARTIES, THE COMPONENTS OF THE FEE-FOR-SERVICE
37 CONTRACTS ENTERED INTO PURSUANT TO SECTION 23-18-303. THE
38 COMMISSION SHALL ESTABLISH THE COMPONENTS OF EACH FACTOR
39 RELATING TO ROLE AND MISSION FUNDING, INCLUDING THE WEIGHT
40 ASSOCIATED WITH EACH FACTOR, AND THE COMPONENTS OF EACH
41 PERFORMANCE METRIC RELATING TO PERFORMANCE FUNDING, INCLUDING
42 THE COMPONENTS OF EACH METRIC AND THE WEIGHT ASSOCIATED WITH
43 EACH METRIC.

44 (b) THE DEPARTMENT SHALL DETERMINE, APPLY, AND IMPLEMENT
45 EACH ROLE AND MISSION FACTOR AND PERFORMANCE FUNDING METRIC
46 PURSUANT TO THE FOLLOWING GUIDELINES:

47 (I) EACH ROLE AND MISSION FACTOR AND PERFORMANCE METRIC
48 MUST BE TIED TO THE POLICY GOALS ESTABLISHED BY THE GENERAL
49 ASSEMBLY AND BY THE COMMISSION IN ITS MASTER PLAN;

50 (II) EACH ROLE AND MISSION FACTOR AND PERFORMANCE METRIC
51 MUST BE TRANSPARENT AND MEASURABLE;

52 (III) EACH ROLE AND MISSION FACTOR MAY BE APPLIED
53 DIFFERENTLY TO INSTITUTIONS, BUT TO THE EXTENT POSSIBLE, SIMILAR
54 INSTITUTIONS MUST BE TREATED SIMILARLY; AND

55 (IV) EACH PERFORMANCE METRIC MUST BE APPLIED UNIFORMLY
56 TO ALL GOVERNING BOARDS. FOR EXAMPLE, THE PERFORMANCE FUNDING

1 METRIC FOR RETENTION MUST BE MEASURED AND APPLIED TO A
2 COMMUNITY COLLEGE IN THE SAME MANNER THAT IT IS MEASURED AND
3 APPLIED TO A FOUR-YEAR INSTITUTION.

4 (3) (a) FROM MAY 2014 THROUGH DECEMBER 2014, THE
5 COMMISSION SHALL CONVENE A SERIES OF MEETINGS WITH INTERESTED
6 PARTIES TO DEVELOP THE COMPONENTS OF FEE-FOR-SERVICE CONTRACTS
7 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

8 (b) THE COMMISSION SHALL RETAIN A FACILITATOR TO ATTEND
9 MEETINGS AND FACILITATE THE WORK OF THE COMMISSION. THE
10 DEPARTMENT SHALL PROVIDE ANY ADDITIONAL NECESSARY STAFF
11 SUPPORT TO THE COMMISSION.

12 (c) THE COMMISSION MAY ORGANIZE ITS WORK IN THE MANNER IT
13 CHOOSES, INCLUDING CONVENING COMMITTEES OF INTERESTED PERSONS
14 TO FOCUS ON SPECIFIC ROLE AND MISSION FACTORS OR PERFORMANCE
15 METRICS.

16 (d) AFTER DETERMINING THE INITIAL ROLE AND MISSION FACTORS
17 AND PERFORMANCE METRICS AND THE WEIGHTS ASSIGNED TO EACH
18 FACTOR OR METRIC, THE COMMISSION MAY CONTINUE TO MEET WITH
19 INTERESTED PARTIES TO REVIEW THE IMPLEMENTATION OF THE
20 FEE-FOR-SERVICE MODEL AND TO MAKE RECOMMENDATIONS TO THE JOINT
21 BUDGET COMMITTEE AND TO THE EDUCATION COMMITTEES OF THE HOUSE
22 OF REPRESENTATIVES AND THE SENATE CONCERNING CHANGES TO THE
23 FEE-FOR-SERVICE MODEL OR OTHER PROVISIONS OF THIS PART 3.

24 (4) BECAUSE THE IMPLEMENTATION OF THIS PART 3 MAY HAVE
25 UNANTICIPATED RESULTS, ON JULY 1, 2016, AND EACH JULY 1
26 THEREAFTER THROUGH JULY 1, 2020, THE COMMISSION SHALL SUBMIT A
27 WRITTEN REPORT TO THE JOINT BUDGET COMMITTEE AND TO THE
28 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
29 SENATE CONCERNING THE STATUS OF THE IMPLEMENTATION OF THIS PART
30 3, AND MAY RECOMMEND CHANGES TO THE PROVISIONS OF THIS PART 3.

31 (5) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT IT IS
32 VITAL THAT COLORADO'S HIGHER EDUCATION SYSTEM IS ACCESSIBLE AND
33 AFFORDABLE FOR ALL COLORADANS. THE INSTITUTIONS' TUITION POLICIES
34 ARE AN IMPORTANT COMPONENT OF ENSURING BOTH THE AFFORDABILITY
35 AND SUSTAINABILITY OF COLORADO'S HIGHER EDUCATION SYSTEM. WITH
36 THE EXPIRATION OF TUITION POLICIES IMPLEMENTED PURSUANT TO RECENT
37 LEGISLATION, IT IS IMPERATIVE THAT THE COMMISSION AND THE
38 GOVERNING BOARDS OF STATE INSTITUTIONS OF HIGHER EDUCATION, AS
39 WELL AS OTHER INTERESTED PARTIES, WORK COOPERATIVELY TO
40 STRUCTURE AN ONGOING TUITION POLICY FOR THE STATE. THEREFORE, BY
41 NOVEMBER 1, 2015, THE COMMISSION SHALL SUBMIT TO THE JOINT
42 BUDGET COMMITTEE AND TO THE EDUCATION COMMITTEES OF THE HOUSE
43 OF REPRESENTATIVES AND THE SENATE TUITION POLICIES THAT ENSURE
44 BOTH ACCESSIBLE AND AFFORDABLE HIGHER EDUCATION FOR COLORADO'S
45 RESIDENTS. THE TUITION POLICIES MUST ALSO REFLECT THE LEVEL OF
46 STATE FUNDING FOR INSTITUTIONS AND THE NEED OF EACH INSTITUTION
47 TO ENHANCE THE QUALITY OF EDUCATIONAL PROGRAMS AND OFFERINGS
48 AND STRENGTHEN THE FINANCIAL POSITION OF THE INSTITUTION. THE
49 COMMISSION SHALL DEVELOP THE TUITION POLICY RECOMMENDATIONS IN
50 CONSULTATION WITH THE GOVERNING BOARDS OF THE INSTITUTIONS AND
51 OTHER INTERESTED PARTIES USING AN INCLUSIVE AND TRANSPARENT
52 PROCESS.

53 (6) THE COMMISSION SHALL ADOPT ANY POLICIES OR PROCEDURES
54 NECESSARY FOR THE UNIFORM APPLICATION AND IMPLEMENTATION OF
55 THIS PART 3.

56 (7) THE DEPARTMENT SHALL COMPLY WITH THE REQUIREMENTS OF

1 THIS PART 3 IN SUBMITTING ITS BUDGET REQUEST PURSUANT TO THE
2 BUDGET PROCEDURES SPECIFIED IN PART 3 OF ARTICLE 37 OF TITLE 24,
3 C.R.S.

4 **23-18-307. Budget provisions - reporting.** (1) AS PART OF THE
5 DEPARTMENT'S 2014 PRESENTATION TO THE LEGISLATIVE COMMITTEES OF
6 REFERENCE PURSUANT TO SECTION 2-7-203, C.R.S., THE DEPARTMENT
7 SHALL REPORT ITS PROGRESS IN IMPLEMENTING THIS PART 3 AND SHALL
8 PROVIDE A DRAFT OF THE FACTORS AND METRICS, WITH THEIR WEIGHTS,
9 THAT THE COMMISSION IS CONSIDERING PURSUANT TO SECTION 23-18-306.

10 (2) (a) BY NOVEMBER 1, 2014, THE DEPARTMENT AND THE
11 COMMISSION SHALL SUBMIT A BUDGET REQUEST THAT INCLUDES THE
12 TOTAL AMOUNT OF FUNDING REQUESTED FOR HIGHER EDUCATION FOR THE
13 2015-16 STATE FISCAL YEAR AND A DRAFT OF THE FACTORS AND METRICS,
14 WITH THEIR WEIGHTS, THAT THE COMMISSION IS CONSIDERING PURSUANT
15 TO SECTION 23-18-306 BUT THAT DOES NOT INCLUDE THE SPECIFIC
16 ALLOCATION TO EACH GOVERNING BOARD.

17 (b) BY JANUARY 15, 2015, THE DEPARTMENT AND THE
18 COMMISSION SHALL SUBMIT AN UPDATED BUDGET REQUEST THAT
19 INCLUDES:

20 (I) A DETAILED DESCRIPTION OF THE FEE-FOR-SERVICE CONTRACT
21 ROLE AND MISSION FUNDING FACTORS AND THE PERFORMANCE FUNDING
22 METRICS AND THE VALUES ASSIGNED TO EACH FACTOR AND METRIC; AND

23 (II) THE FEE-FOR-SERVICE CONTRACT PROVISIONS OF SECTION
24 23-18-303 AS APPLIED TO EACH INSTITUTION, INCLUDING DETAILS OF THE
25 FUNDING REQUESTED FOR EACH INSTITUTION FOR EACH ROLE AND MISSION
26 FUNDING FACTOR AND EACH PERFORMANCE FUNDING METRIC.

27 (3) FOR THE 2016-17 STATE FISCAL YEAR AND EACH FISCAL YEAR
28 THEREAFTER, THE DEPARTMENT AND THE COMMISSION SHALL SUBMIT A
29 BUDGET REQUEST BY NOVEMBER 1 OF EACH YEAR THAT INCLUDES:

30 (a) A DETAILED DESCRIPTION OF THE FEE-FOR-SERVICE CONTRACT
31 ROLE AND MISSION FUNDING FACTORS AND THE PERFORMANCE FUNDING
32 METRICS AND THE VALUES ASSIGNED TO EACH FACTOR AND METRIC; AND

33 (b) THE FEE-FOR-SERVICE CONTRACT PROVISIONS OF SECTION
34 23-18-303 AS APPLIED TO EACH INSTITUTION, INCLUDING DETAILS OF THE
35 FUNDING REQUESTED FOR EACH INSTITUTION FOR EACH ROLE AND MISSION
36 FUNDING FACTOR AND EACH PERFORMANCE FUNDING METRIC.

37 (4) IN DEVELOPING THE ANNUAL GENERAL APPROPRIATIONS BILL,
38 THE JOINT BUDGET COMMITTEE SHALL FOLLOW THE PROVISIONS OF
39 SECTION 23-18-303 IN CALCULATING THE AMOUNTS OF FEE-FOR-SERVICE
40 CONTRACTS, INCLUDING THE ROLE AND MISSION FUNDING FACTORS AND
41 PERFORMANCE FUNDING METRICS AS DETERMINED BY THE COMMISSION,
42 BUT MAY APPLY DIFFERENT WEIGHTS TO THE FACTORS AND METRICS THAN
43 THE VALUES DETERMINED BY THE COMMISSION. IF THE JOINT BUDGET
44 COMMITTEE ALTERS THE VALUE OF A FACTOR OR METRIC, THE NEW VALUE
45 SHALL BE APPLIED TO THE DETERMINATION OF ALL FEE-FOR-SERVICE
46 CONTRACTS PURSUANT TO SECTION 23-18-303.

47 **SECTION 2.** In Colorado Revised Statutes, **amend** 23-1-109.7
48 as follows:

49 **23-1-109.7. Duties and powers of the commission with regard**
50 **to the provision of educational services.** (1) ~~Beginning July 1, 2005, the~~
51 ~~commission shall be responsible for ensuring the provision of specific~~
52 ~~postsecondary educational services in the state. These educational~~
53 ~~services shall include but need not be limited to:~~

54 (a) ~~Educational services in rural areas or communities in which~~
55 ~~the cost of delivering such services is not sustained by the amount~~
56 ~~received in student tuition;~~

1 ~~(b) to (d) Repealed.~~
 2 ~~(e) Educational services required of the commission to meet its~~
 3 ~~obligations under reciprocal agreements pursuant to section 23-1-112;~~
 4 ~~(f) Graduate school services;~~
 5 ~~(g) Educational services that may increase economic development~~
 6 ~~opportunities in the state, including courses to assist students in career~~
 7 ~~development and retraining; and~~
 8 ~~(h) Specialized educational services and professional degrees,~~
 9 ~~including but not limited to the areas of dentistry, medicine, veterinary~~
 10 ~~medicine, nursing, law, forestry, and engineering and programs that~~
 11 ~~address identified state or national priorities.~~

12 (2) BEGINNING JULY 1, 2005, THE COMMISSION IS RESPONSIBLE
 13 FOR ENSURING THE PROVISION OF POSTSECONDARY EDUCATIONAL
 14 SERVICES PURSUANT TO PART 3 OF ARTICLE 18 OF THIS TITLE. The
 15 department of higher education on behalf of the commission shall
 16 annually enter into fee-for-service contracts with one or more governing
 17 boards of institutions of higher education PURSUANT TO SECTION
 18 23-18-303 to provide the higher education services specified in
 19 ~~subsection (1) of this section 23-18-301.~~ The department of higher
 20 education may contract with a governing board of an institution of higher
 21 education only to the extent that the contract remains consistent with any
 22 contract entered into pursuant to section 23-5-129 with the governing
 23 board.

24 (3) The commission shall make annual funding recommendations
 25 to the general assembly and the governor regarding the funding necessary
 26 for the department of higher education to contract on the commission's
 27 behalf for the provision of higher education services in the state,
 28 including but not limited to the services specified in ~~subsection (1) of this~~
 29 ~~section~~ SECTIONS 23-18-301 AND 23-18-303. The general assembly shall
 30 annually appropriate to the commission an amount of general fund
 31 moneys to carry out the purposes of this section.

32 **SECTION 3.** In Colorado Revised Statutes, **repeal** 23-5-130.

33 **SECTION 4.** In Colorado Revised Statutes, 23-18-202, **amend**
 34 (1) (c), (2) (c), and (9) as follows:

35 **23-18-202. College opportunity fund - appropriations -**
 36 **payment of stipends - reimbursement - repeal.** (1) (c) (I) If there are
 37 moneys remaining in the college opportunity fund after the final census
 38 date of the last academic term of each state fiscal year, as determined in
 39 accordance with this section, up to ~~three~~ TEN percent of the amount
 40 annually authorized as cash spending authority in the general
 41 appropriations act for a governing board to expend stipends received on
 42 behalf of eligible undergraduate students may be expended by the same
 43 governing board for postsecondary educational services purchased by the
 44 department if authorized through a fee-for-service contract entered into
 45 pursuant to sections 23-1-109.7 and ~~23-5-130~~ 23-18-303. The department
 46 may transfer an equivalent amount in general fund spending authority
 47 from stipends to fee-for-service contracts to fulfill its fee-for-service
 48 contract obligations to a governing board pursuant to this paragraph (c)
 49 and section ~~23-5-130~~ 23-18-303.

50 (II) IF THERE ARE INSUFFICIENT MONEYS IN THE COLLEGE
 51 OPPORTUNITY FUND AFTER THE FINAL CENSUS DATE OF THE LAST
 52 ACADEMIC TERM OF EACH STATE FISCAL YEAR, AS DETERMINED IN
 53 ACCORDANCE WITH THIS SECTION, UP TO TEN PERCENT OF THE AMOUNT
 54 ANNUALLY AUTHORIZED THROUGH A FEE-FOR-SERVICE CONTRACT
 55 ENTERED INTO PURSUANT TO SECTIONS 23-1-109.7 AND 23-18-303 MAY BE
 56 EXPENDED BY THE SAME GOVERNING BOARD FOR COLLEGE OPPORTUNITY

1 FUND STIPENDS ON BEHALF OF ELIGIBLE UNDERGRADUATE STUDENTS. THE
 2 DEPARTMENT MAY TRANSFER AN EQUIVALENT AMOUNT IN ITS
 3 FEE-FOR-SERVICE CONTRACT OBLIGATIONS TO A GOVERNING BOARD
 4 PURSUANT TO THIS PARAGRAPH (c) AND SECTION 23-18-303, TO GENERAL
 5 FUND SPENDING AUTHORITY FOR COLLEGE OPPORTUNITY FUND STIPENDS.

6 (2) (c) The commission shall forward to the general assembly and
 7 governor, by November 1 of each year, a list of institutions eligible to
 8 receive stipends on behalf of eligible undergraduate students under the
 9 program. The commission shall annually request that the general
 10 assembly adjust the amount appropriated to the Colorado student loan
 11 program for the stipends, to WHICH AMOUNT MAY reflect at least inflation
 12 and enrollment growth in the state institutions of higher education.

13 (9) It is the intent of the general assembly that the college
 14 opportunity fund and fee-for-service contracts authorized pursuant to
 15 section ~~23-5-130~~ 23-18-303 be fully funded for enrollment growth.

16 **SECTION 5.** In Colorado Revised Statutes, 23-71-301, **amend**
 17 (1) (a) as follows:

18 **23-71-301. Direct grants to junior college districts -**
 19 **occupational courses.** (1) (a) Any junior college district operating or
 20 organized and operating as such during the entire school year in which a
 21 grant is made shall be entitled to a direct grant, from funds appropriated
 22 for this purpose, in an amount specified annually by the general assembly
 23 PURSUANT TO SECTION 23-18-304. Procedures for the certification by
 24 junior college districts to the state board for community colleges and
 25 occupational education, referred to in this part 3 as the "board", of the
 26 numbers of students and the quarter or semester hours for which students
 27 are registered shall be prescribed by regulation of the board. No moneys
 28 shall be distributed under this section for any students other than those
 29 enrolled in postsecondary courses for credit in degree and certificate
 30 programs.

31 **SECTION 6.** In Colorado Revised Statutes, 23-71-303, **amend**
 32 (1) as follows:

33 **23-71-303. Distributions to area vocational schools.** (1) Any
 34 area vocational school operating or organized and operating as such
 35 during the entire school year may be reimbursed by the state in an amount
 36 specified annually by the general assembly PURSUANT TO SECTION
 37 23-18-304. In no instance shall such reimbursement exceed the total
 38 direct cost of the vocational program per FTE.

39 **SECTION 7.** In Colorado Revised Statutes, 23-1-104, **amend** (1)
 40 (a) (I), (1) (b) (I), (1) (c) introductory portion, and (2) as follows:

41 **23-1-104. Financing the system of postsecondary education -**
 42 **report - repeal.** (1) (a) (I) For fiscal years 2011-12 through 2015-16, the
 43 general assembly shall make annual appropriations of moneys that are
 44 estimated to be received by an institution, under the direction and control
 45 of the governing board, as stipends, as defined in section 23-18-102, and
 46 through fee-for-service contracts, as authorized in sections 23-1-109.7
 47 and ~~23-5-130~~ 23-18-303, as a single line item to each governing board for
 48 the operation of its campuses; except that, if the general assembly
 49 appropriates moneys, as described in paragraph (c) of this subsection (1),
 50 to the Colorado state forest service, the agricultural experiment station
 51 department of the Colorado state university, or the Colorado state
 52 university cooperative extension service, such moneys shall not be
 53 included within the single line item appropriations described in this
 54 paragraph (a).

55 (b) (I) For the 2010-11 fiscal year and for fiscal years beginning
 56 on or after July 1, 2016, the general assembly shall make annual

1 appropriations of general fund moneys, of cash funds received from
 2 tuition income, and of moneys that are estimated to be received by an
 3 institution, under the direction and control of the governing board, as
 4 stipends, as defined in section 23-18-102, and through fee-for-service
 5 contracts, as authorized in sections 23-1-109.7 and ~~23-5-130~~ 23-18-303,
 6 as a single line item to each governing board for the operation of its
 7 campuses; except that, if the general assembly appropriates moneys, as
 8 described in paragraph (c) of this subsection (1), to the Colorado state
 9 forest service, the agricultural experiment station department of the
 10 Colorado state university, or the Colorado state university cooperative
 11 extension service, such moneys shall not be included within the single
 12 line item appropriations described in this paragraph (b).

13 (c) In addition to any appropriations made pursuant to paragraph
 14 (a) or (b) of this subsection (1), the general assembly may make annual
 15 appropriations of general fund moneys and of moneys received pursuant
 16 to a fee-for-service contract negotiated by the board of governors of the
 17 Colorado state university system and the department of higher education,
 18 as described in section ~~23-5-130~~ 23-18-303, as separate line items to:

19 (2) Notwithstanding any provision of this section to the contrary,
 20 beginning in the 2011-12 fiscal year and for each fiscal year thereafter
 21 through the 2020-21 fiscal year, the general assembly shall appropriate
 22 moneys to the governing board of the Colorado school of mines in
 23 accordance with section 23-41-104.7, through fee-for-service contracts,
 24 as authorized in sections 23-1-109.7 and ~~23-5-130~~ 23-18-303, and as
 25 stipends, as defined in section 23-18-102, as a single line item to said
 26 governing board.

27 **SECTION 8.** In Colorado Revised Statutes, 23-1-108, **amend**
 28 (1.9) (a) (II) as follows:

29 **23-1-108. Duties and powers of the commission with regard to**
 30 **systemwide planning.** (1.9) (a) (II) The commission's
 31 performance-based funding plan shall specifically address the manner in
 32 which the appropriation of performance-based funding will affect the
 33 college opportunity fund stipends authorized in section 23-18-202 and the
 34 fee-for-service contracts authorized in sections 23-1-109.7 and ~~23-5-130~~
 35 23-18-303. In fulfilling the requirements of subparagraph (I) of this
 36 paragraph (a), the commission shall analyze the effect of modifying the
 37 college opportunity fund stipend amounts for purposes of improving
 38 student retention, facilitating the success of transfers between institutions
 39 and between degree programs, and providing incentives for the timely
 40 completion of academic degrees. The modifications may include, but
 41 need not be limited to, differentiating stipend amounts based on each
 42 student's status as a freshman, sophomore, junior, or senior. In addition,
 43 the commission shall analyze the effect of limiting the amount of funding
 44 for credit hours earned in excess of one hundred forty credits for a
 45 baccalaureate degree, or seventy hours for an associate degree.

46 **SECTION 9.** In Colorado Revised Statutes, **amend** 23-18-101 as
 47 follows:

48 **23-18-101. Short title.** PARTS 1 AND 2 OF this article shall be
 49 known and may be cited as the "College Opportunity Fund Act".

50 **SECTION 10.** In Colorado Revised Statutes, 23-18-102, **amend**
 51 the introductory portion as follows:

52 **23-18-102. Definitions.** As used in PARTS 1 AND 2 OF this article,
 53 unless the context otherwise requires:

54 **SECTION 11.** In Colorado Revised Statutes, 23-20-138, **amend**
 55 (6) as follows:

56 **23-20-138. Health sciences center - definitions - accountable**

1 **student program - creation.** (6) The fee-for-service contract negotiated
2 between the board and the department of higher education pursuant to
3 section ~~23-5-130~~ 23-18-303 shall specify the amount of funding for
4 educational services provided to graduate students by the state of
5 Colorado. A graduate student receiving educational services paid for by
6 the state of Colorado is not eligible to be an accountable student.

7 **SECTION 12.** In Colorado Revised Statutes, 23-41-104.7,
8 **amend** (1) as follows:

9 **23-41-104.7. Funding.** (1) Beginning in the 2011-12 fiscal year,
10 Colorado school of mines shall use a portion of its fee-for-service funding
11 negotiated pursuant to section ~~23-5-130~~ 23-18-303 to provide merit-based
12 scholarships, need-based financial aid, and graduate student support to
13 assist students with in-state classification to attend the institution, and
14 shall increase said portion to ensure that, no later than the 2020-21 fiscal
15 year and for each fiscal year thereafter, all said funding shall be used for
16 said purposes, except as otherwise provided in paragraph (b) of
17 subsection (2) of this section.

18 **SECTION 13.** In Colorado Revised Statutes, 24-1-114, **amend**
19 (5) (b) as follows:

20 **24-1-114. Department of higher education - creation.**
21 (5) (b) With respect to the Colorado commission on higher education and
22 the universities, colleges, and boards specified in subsection (4) of this
23 section, the executive director shall have only those powers, duties, and
24 functions prescribed in article 1 of title 23, C.R.S.; except that the
25 executive director of the Colorado commission on higher education is
26 authorized to negotiate, implement, and monitor contracts, as described
27 in sections 23-5-129 and ~~23-5-130~~ 23-18-303, C.R.S., with universities,
28 colleges, and boards, in consultation with the Colorado commission on
29 higher education.

30 **SECTION 14.** In Colorado Revised Statutes, 24-36-120, **amend**
31 (4) (g) as follows:

32 **24-36-120. Authority to assess transaction fees.** (4) The state
33 treasurer shall not assess a fee for an eligible transaction involving any of
34 the following funds:

35 (g) The college opportunity fund created in ~~article 18 of title 23~~
36 SECTION 23-18-202, C.R.S.

37 **SECTION 15.** In Colorado Revised Statutes, 24-77-104.5,
38 **amend** (4) (a) (III) and (4) (a) (IV) as follows:

39 **24-77-104.5. General fund exempt account - appropriations to**
40 **critical needs fund - specification of uses for health care and**
41 **education - definitions.** (4) (a) Funding for the benefit of students
42 attending community colleges and other institutions of higher education,
43 as used in subparagraph (III) of paragraph (b) of subsection (1) of this
44 section, shall be limited to funding for:

45 (III) The college opportunity fund program created in PARTS 1
46 AND 2 OF article 18 of title 23, C.R.S.;

47 (IV) Fee-for-service contracts authorized pursuant to section
48 ~~23-5-130~~ 23-18-303, C.R.S.; and

49 **SECTION 16. Safety clause.** The general assembly hereby finds,
50 determines, and declares that this act is necessary for the immediate
51 preservation of the public peace, health, and safety."
52
53
54

1 **SB14-165** be amended as follows, and as so amended, be referred to
 2 the Committee of the Whole with favorable
 3 recommendation:
 4

5 Amend reengrossed bill, page 3, line 5, after the period add "IN NO
 6 INSTANCE MAY A LOCAL BOARD WEIGH STUDENT ACADEMIC GROWTH, AS
 7 USED IN DETERMINING A FINAL LEVEL OF EFFECTIVENESS, AT GREATER
 8 THAN FIFTY PERCENT."
 9

10

11

12

13 **JUDICIARY**

14 After consideration on the merits, the Committee recommends the
 15 following:
 16

17 **HB14-1310** be referred favorably to the Committee on Appropriations.
 18

19

20 **HB14-1347** be referred to the Committee of the Whole with favorable
 21 recommendation.
 22

23

24

25

26

26 **TRANSPORTATION & ENERGY**

27 After consideration on the merits, the Committee recommends the
 28 following:
 29

30

31

31 **HB14-1356** be referred favorably to the Committee on Finance.
 32

33

34

34 **SB14-125** be amended as follows, and as so amended, be referred to
 35 the Committee on Finance with favorable
 36 recommendation:
 37

38

38 Amend reengrossed bill, page 2, after line 11 insert:
 39

40

40 **"SECTION 2.** In Colorado Revised Statutes, 40-7-112, **amend**
 41 (1) (a) as follows:
 42

42 **40-7-112. Applicability of civil penalties.** (1) (a) A person who
 43 operates or offers to operate as a motor carrier as defined in section
 44 40-10.1-101; ~~or~~ a motor carrier, motor private carrier, broker, freight
 45 forwarder, leasing company, or other person required to register under
 46 section 40-10.5-102; OR A TRANSPORTATION NETWORK COMPANY
 47 REQUIRED TO OBTAIN A PERMIT UNDER SECTION 40-10.1-606 is subject to
 48 civil penalties as provided in this section and sections 40-7-113 to
 49 40-7-116, in addition to any other sanctions that may be imposed pursuant
 50 to law."
 51

52

52 Renumber succeeding sections accordingly.
 53

54

54 Page 4, strike lines 10 through 27 and substitute:
 55

56

56 **"40-10.1-601. Short title.** THIS ARTICLE SHALL BE KNOWN AND

- 1 MAY BE CITED AS THE "TRANSPORTATION NETWORK COMPANY ACT".
2
3 Page 5, strike lines 1 through 17.
4
5 Page 5, line 25, strike "TRANSPORTATION NETWORK COMPANY".
6
7 Page 6, line 5, strike "TRANSPORTATION NETWORK COMPANY".
8
9 Page 6, line 13, after "DRIVERS." add "A TRANSPORTATION NETWORK
10 COMPANY DOES NOT INCLUDE A POLITICAL SUBDIVISION OR OTHER ENTITY
11 EXEMPTED FROM FEDERAL INCOME TAX UNDER SECTION 115 OF THE
12 FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED."
13
14 Page 6, lines 17 and 18, strike "TRANSPORTATION NETWORK COMPANY".
15
16 Page 6, strike lines 21 through 25 and substitute "MEANS A PASSENGER IN
17 A TRANSPORTATION NETWORK COMPANY VEHICLE FOR WHOM TRANSPORT
18 IS PROVIDED, INCLUDING:
19 (a) AN INDIVIDUAL WHO USES A TRANSPORTATION NETWORK
20 COMPANY'S ONLINE APPLICATION OR DIGITAL NETWORK TO CONNECT WITH
21 A DRIVER TO OBTAIN SERVICES IN THE DRIVER'S VEHICLE FOR THE
22 INDIVIDUAL AND ANYONE IN THE INDIVIDUAL'S PARTY; OR
23 (b) ANYONE FOR WHOM ANOTHER INDIVIDUAL USES A
24 TRANSPORTATION NETWORK COMPANY'S ONLINE APPLICATION OR DIGITAL
25 NETWORK TO CONNECT WITH A DRIVER TO OBTAIN SERVICES IN THE
26 DRIVER'S VEHICLE."
27
28 Page 7, line 2, after "COMPANY." add "THE TERM DOES NOT INCLUDE
29 SERVICES PROVIDED EITHER DIRECTLY BY OR UNDER CONTRACT WITH A
30 POLITICAL SUBDIVISION OR OTHER ENTITY EXEMPT FROM FEDERAL INCOME
31 TAX UNDER SECTION 115 OF THE FEDERAL "INTERNAL REVENUE CODE OF
32 1986", AS AMENDED."
33
34 Page 7, line 10, strike "(1)".
35
36 Page 7, strike lines 14 through 27.
37
38 Page 8, strike lines 1 through 6.
39
40 Page 8, after line 6 insert:
41
42 "(2) IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES
43 A PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE OR
44 COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY SHALL
45 CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE BUSINESS
46 REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF THE VEHICLE AND
47 THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE. THE COMMISSION
48 SHALL NOT ASSESS ANY FINES AS A RESULT OF A VIOLATION OF THIS
49 SUBSECTION (5)."
50
51 Page 8, line 15, after "RIDERS" insert "AND DRIVERS".
52
53 Page 9, lines 4 and 5, strike "TRANSPORTATION NETWORK COMPANY".
54
55 Page 9, line 9, strike "AND".
56

1 Page 9, strike line 10 and substitute:

2

3 "(III) PROOF OF A COLORADO VEHICLE REGISTRATION; AND

4 (IV) WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS PART

5 6 AND PURSUANT TO COMMISSION RULES, PROOF THAT THE PERSON IS

6 MEDICALLY FIT TO DRIVE."

7

8 Page 9, line 21, strike "CONDUCT".

9

10 Page 9, line 22, strike "OR".

11

12 Page 9, line 25, after "CONDUCTED" insert "BY A CERTIFIED MECHANIC".

13

14 Page 11, strike lines 14 through 16 and substitute "**AGAINST IT, YOU**

15 **MUST NOTIFY THE LIENHOLDER THAT YOU WILL BE USING THE VEHICLE**

16 **FOR TRANSPORTATION SERVICES THAT MAY VIOLATE THE TERMS OF**

17 **YOUR CONTRACT WITH THE LIENHOLDER.**"

18

19 Page 12, after line 11 insert:

20

21 "(o) (I) A TRANSPORTATION NETWORK COMPANY SHALL NOT
22 DISCLOSE TO A THIRD PARTY ANY PERSONALLY IDENTIFIABLE
23 INFORMATION CONCERNING A USER OF THE TRANSPORTATION NETWORK
24 COMPANY'S DIGITAL NETWORK UNLESS:

25 (A) THE TRANSPORTATION NETWORK COMPANY OBTAINS THE
26 USER'S CONSENT TO DISCLOSE PERSONALLY IDENTIFIABLE INFORMATION;

27 (B) DISCLOSURE IS NECESSARY TO COMPLY WITH A LEGAL
28 OBLIGATION; OR

29 (C) DISCLOSURE IS NECESSARY TO PROTECT OR DEFEND THE TERMS
30 AND CONDITIONS FOR USE OF THE SERVICE OR TO INVESTIGATE VIOLATIONS
31 OF THE TERMS AND CONDITIONS.

32 (II) THE LIMITATION ON DISCLOSURE DOES NOT APPLY TO THE
33 DISCLOSURE OF AGGREGATED USER DATA AND OTHER INFORMATION
34 ABOUT THE USER THAT IS NOT PERSONALLY IDENTIFIABLE.

35 (p) ANY TAXICAB COMPANY OR SHUTTLE COMPANY AUTHORIZED
36 BY THE COMMISSION UNDER THIS ARTICLE MAY CONVERT TO A
37 TRANSPORTATION NETWORK COMPANY MODEL OR MAY SET UP A
38 SUBSIDIARY OR AFFILIATE TRANSPORTATION NETWORK COMPANY. IN
39 CONVERTING TO A TRANSPORTATION NETWORK COMPANY MODEL OR
40 SETTING UP A TRANSPORTATION NETWORK COMPANY SUBSIDIARY OR
41 AFFILIATE, A TAXICAB COMPANY OR SHUTTLE COMPANY AUTHORIZED BY
42 THE COMMISSION UNDER THIS ARTICLE MAY COMPLETELY OR PARTIALLY
43 SUSPEND ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED
44 UNDER SECTION 40-10.1-201. DURING THE PERIOD OF SUSPENSION OF ITS
45 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, A TAXICAB
46 COMPANY, SHUTTLE COMPANY, OR A SUBSIDIARY OR AFFILIATE OF A
47 TAXICAB COMPANY OR SHUTTLE COMPANY IS EXEMPT FROM TAXI OR
48 SHUTTLE STANDARDS UNDER THIS ARTICLE, THE STANDARDS CONCERNING
49 THE REGULATION OF RATES AND CHARGES UNDER ARTICLE 3 OF THIS TITLE,
50 AND ANY COMMISSION RULES REGARDING COMMON CARRIERS
51 PROMULGATED UNDER THIS ARTICLE OR ARTICLE 3 OF THIS TITLE.

52 (q) EACH TRANSPORTATION NETWORK COMPANY SHALL REQUIRE
53 THAT EACH TRANSPORTATION NETWORK COMPANY VEHICLE PROVIDING
54 TRANSPORTATION NETWORK COMPANY SERVICES DISPLAY AN EXTERIOR
55 MARKING THAT IDENTIFIES THE TRANSPORTATION NETWORK COMPANY
56 VEHICLE AS A VEHICLE FOR HIRE."

1 Page 12, line 24, strike "PROVIDE" and substitute "IF A PRIVATELY
2 ADMINISTERED NATIONAL CRIMINAL HISTORY RECORD CHECK IS USED,
3 PROVIDE".

4
5 Page 12, strike line 26 and substitute:

6
7 "(b) A DRIVER SHALL OBTAIN A CRIMINAL HISTORY RECORD CHECK
8 IN ACCORDANCE WITH SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS
9 SUBSECTION (3) EVERY FIVE YEARS WHILE SERVING AS A DRIVER.

10 (c) (I) A PERSON WHO HAS BEEN CONVICTED OF OR PLED GUILTY".

11
12 Page 13, line 2, strike "TRANSPORTATION NETWORK COMPANY".

13
14 Page 14, lines 7 and 8, strike "DRIVER FOR THE TRANSPORTATION
15 NETWORK COMPANY;" and substitute "DRIVER;".

16
17 Page 14, lines 10 and 11, strike "DRIVER FOR THE TRANSPORTATION
18 NETWORK COMPANY," and substitute "DRIVER,".

19
20 Page 14, strike line 20 and substitute:

21
22 "(5) IF ANY PERSON FILES A".

23
24 Page 14, after line 24 insert:

25
26 "(6) (a) A TRANSPORTATION NETWORK COMPANY SHALL PROVIDE
27 SERVICES TO THE PUBLIC IN A NONDISCRIMINATORY MANNER, REGARDLESS
28 OF GEOGRAPHIC LOCATION OF THE DEPARTURE POINT OR DESTINATION,
29 RACE, ETHNICITY, GENDER, SEXUAL ORIENTATION, DISABILITY, OR OTHER
30 POTENTIALLY DISCRIMINATORY FACTOR THAT COULD PREVENT
31 CUSTOMERS FROM ACCESSING TRANSPORTATION. A DRIVER SHALL NOT
32 REFUSE TO TRANSPORT A PASSENGER UNLESS:

33 (I) THE PASSENGER IS ACTING IN AN UNLAWFUL, DISORDERLY, OR
34 ENDANGERING MANNER;

35 (II) THE PASSENGER IS UNABLE TO CARE FOR HIMSELF OR HERSELF
36 AND IS NOT IN THE CHARGE OF A RESPONSIBLE COMPANION; OR

37 (III) THE DRIVER HAS ALREADY COMMITTED TO PROVIDING A RIDE
38 FOR ANOTHER RIDER.

39 (b) A TRANSPORTATION NETWORK COMPANY SHALL NOT IMPOSE
40 ADDITIONAL CHARGES FOR PROVIDING SERVICES TO PERSONS WITH
41 PHYSICAL OR MENTAL DISABILITIES.

42 (c) A DRIVER SHALL PERMIT A SERVICE ANIMAL TO ACCOMPANY A
43 RIDER ON A PREARRANGED RIDE.

44 (d) IF A RIDER WITH PHYSICAL OR MENTAL DISABILITIES REQUIRES
45 THE USE OF MOBILITY EQUIPMENT, A DRIVER SHALL STORE THE MOBILITY
46 EQUIPMENT IN THE VEHICLE DURING A PREARRANGED RIDE.

47 (e) A TRANSPORTATION NETWORK COMPANY'S WEB SITE AND
48 ON-LINE APPLICATIONS MUST COMPLY WITH THE WEB CONTENT
49 ACCESSIBILITY GUIDELINES 2.0, AS MAY BE SUBSEQUENTLY AMENDED,
50 PUBLISHED BY THE WEB ACCESSIBILITY INITIATIVE OR SUCCESSOR
51 ORGANIZATION.

52 (7) A DRIVER SHALL IMMEDIATELY REPORT TO THE
53 TRANSPORTATION NETWORK COMPANY ANY REFUSAL TO TRANSPORT A
54 PASSENGER PURSUANT TO PARAGRAPH (a) OF SUBSECTION (6) OF THIS
55 SECTION, AND THE TRANSPORTATION NETWORK COMPANY SHALL
56 ANNUALLY REPORT ALL SUCH REFUSALS TO THE COMMISSION IN A FORM

1 AND MANNER DETERMINED BY THE COMMISSION."

2

3 Page 17, line 5, strike "TRANSPORTATION NETWORK COMPANY".

4

5 Page 17, strike lines 22 through 27.

6

7 Page 18, strike lines 1 and 2 and substitute:

8

9 "40-10.1-608. Rules. (1) THE COMMISSION MAY PROMULGATE
10 RULES".

11

12 Page 18, strike lines 4 through 27 and substitute "ADMINISTRATION, FEES,
13 AND SAFETY REQUIREMENTS.

14 (2) (a) THE COMMISSION, IN CONSULTATION WITH THE DIVISION OF
15 INSURANCE, SHALL PROMULGATE RULES CONCERNING FINANCIAL
16 RESPONSIBILITY REQUIREMENTS FOR TRANSPORTATION NETWORK
17 COMPANIES, INCLUDING:

18 (I) RULES REQUIRING EACH TRANSPORTATION NETWORK COMPANY
19 TO MAINTAIN AND FILE WITH THE COMMISSION EVIDENCE OF FINANCIAL
20 RESPONSIBILITY AND PROOF OF ITS CONTINUED VALIDITY AS THE
21 COMMISSION DEEMS NECESSARY; AND

22 (II) COVERAGE SUFFICIENT TO:

23 (A) PROTECT DRIVERS, RIDERS, OTHER MOTORISTS, AND
24 PEDESTRIANS; AND

25 (B) COVER ALL TIMES IN WHICH A DRIVER IS LOGGED INTO THE
26 TRANSPORTATION NETWORK COMPANY'S DIGITAL NETWORK.

27 (b) IN PROMULGATING RULES UNDER THIS SUBSECTION (2), THE
28 COMMISSION SHALL CONSIDER:

29 (I) REQUIRING TRANSPORTATION NETWORK COMPANIES TO CARRY
30 FULL COMMERCIAL COVERAGE; AND

31 (II) SETTING THE MINIMUM AMOUNT OF FINANCIAL RESPONSIBILITY
32 REQUIRED AS THE SAME AMOUNT REQUIRED FOR TAXICAB COMPANIES.

33 (3) THE COMMISSION, IN CONSULTATION WITH THE DIVISION OF
34 WORKERS' COMPENSATION IN THE COLORADO DEPARTMENT OF LABOR AND
35 EMPLOYMENT AND UPON CONSIDERATION OF EXISTING STATUTORY AND
36 CASE LAW, SHALL PROMULGATE RULES DETERMINING WORKERS'
37 COMPENSATION OBLIGATIONS."

38

39 Page 19, strike lines 1 through 9.

40

41 Renumber succeeding sections accordingly.

42

43

44

45 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
46 **on SB14-131**

47

48 This Report Amends the Rerevised Bill

49

50 To the President of the Senate and the
51 Speaker of the House of Representatives:

52

53 Your first conference committee appointed on SB14-131,
54 concerning the removal of certain identifying information from a motor
55 vehicle registration card, has met and reports that it has agreed upon the
56 following:

1 1. That the Senate accede to the House amendments made to the
 2 bill, as the amendments appear in the rerevised bill, with the following
 3 changes:

4
 5 Amend rerevised bill, page 3, strike lines 4 through 9 and substitute
 6 "introductory portion, (2) (h), (5), (7), and (8) (a) (I); **repeal** (2) (d) (V);
 7 and **add** (2.5) as follows:

8 **42-3-113. Records of application and registration.** (2) EXCEPT
 9 AS PROVIDED IN SUBSECTION (2.5) OF THIS SECTION, the department, upon
 10 registering a vehicle, shall issue to the owner a ~~registration card~~ TWO
 11 REGISTRATION CARDS, EACH OF which ~~shall contain~~ CONTAINS upon its
 12 face the following:".

13
 14 Page 3, lines 22 and 23, strike "SIGNATURE UNLESS THE ADDRESS IS OF A
 15 COMMERCIAL VEHICLE." and substitute "SIGNATURE.".

16
 17 Page 3, after line 23, insert the following:

18
 19 "(2.5) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, THE
 20 DEPARTMENT SHALL PRINT ONE REGISTRATION CARD WITHOUT THE
 21 OWNER'S ADDRESS AND ISSUE THE CARD TO THE OWNER; EXCEPT THAT, IF
 22 THE MOTOR VEHICLE IS A COMMERCIAL VEHICLE, THE DEPARTMENT SHALL
 23 PRINT BOTH REGISTRATION CARDS ISSUED TO THE OWNER WITH THE
 24 OWNER'S ADDRESS. THE DEPARTMENT SHALL PRINT THE FOLLOWING
 25 STATEMENT ON EACH REGISTRATION CARD THAT IS PRINTED WITHOUT AN
 26 ADDRESS:

27 "THIEVES HAVE BEEN KNOWN TO USE THE ADDRESS
 28 FROM A REGISTRATION CARD TO STEAL FROM THE VEHICLE'S
 29 OWNER. FOR ADDED SECURITY, YOU ARE ENCOURAGED TO
 30 KEEP ONLY THIS REGISTRATION CARD IN YOUR VEHICLE. IT
 31 DOES NOT CONTAIN YOUR ADDRESS."".

32
 33 Page 3, line 27, strike "CARD OR PLACE THE" and substitute "CARD.".

34
 35 Page 4, strike lines 1 through 3.

36
 37 Respectfully submitted,

38 Senate Committee:

39 (signed)
 40 Nancy Todd
 41 Matt Jones
 42 Steve King

House Committee:

(signed)
 Jared Wright
 Dominick Moreno
 Max Tyler

43
 44
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 46
 47 **DELIVERY OF BILLS TO GOVERNOR**

48
 49 The Chief Clerk of the House of Representatives reports the following
 50 bills have been delivered to the Office of the Governor: **HB13-1057,**
 51 **1141, 1282, 1308, 1337, 1340, 1341** at 3:28 p.m. on April 10, 2014.

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MESSAGE FROM THE SENATE1
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Mr. Speaker:

The Senate has postponed indefinitely HB14-1131. The bill is returned herewith.

**INTRODUCTION OF BILLS
First Reading**

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

HB14-1370 by Representative(s) Melton--Concerning a limitation on when a disciplinary action may be commenced against a mental health professional.
Committee on Health, Insurance, & Environment

HB14-1371 by Representative(s) Young, Buck; also Senator(s) Grantham, Tochtrop--Concerning property taxation of oil and gas leaseholds and lands, and, in connection therewith, specifying that the wellhead is the point of valuation and taxation for such leaseholds and lands.
Committee on Finance

HB14-1372 by Representative(s) Conti and McCann; also Senator(s) Marble, Newell--Concerning unauthorized advertising for adoption purposes.
Committee on Public Health Care & Human Services

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Hullinghorst, the following item(s) on the Calendar were laid over until April 11, retaining place on Calendar:

Consideration of Special Orders--**HB14-1304**.
Consideration of General Orders--**SB14-158**.
Consideration of Conference Committee Report(s)--**HB14-1193**.
Consideration of Governor's Veto--**HB14-1108**.

On motion of Representative Hullinghorst, the following item(s) on the Calendar were laid over until April 14, retaining place on Calendar:

Consideration of Senate Amendment(s)--**HB14-1149**.

1 On motion of Representative Hullinghorst, the House adjourned until
2 9:00 a.m., April 11, 2014.

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7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

10

Approved:
MARK FERRANDINO,
Speaker

