

First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 11-0058.01 Bart Miller

**SENATE BILL 11-019**

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**SENATE SPONSORSHIP**

**King K.,**

**HOUSE SPONSORSHIP**

**Stephens,**

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**Senate Committees**  
Health and Human Services

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PAYMENT OF THE COSTS OF HEALTH INSURANCE**  
102 **COVERAGE TO EMPLOYEES OF SMALL EMPLOYERS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries.>)*

Current Colorado law prohibits small employers (50 or fewer employees) from paying or reimbursing employees for the costs of health insurance premiums unless the small employer offers a small group health insurance plan. **Section 1** of the bill deletes these provisions from the Colorado health insurance statutes, thereby allowing small employers to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
February 28, 2011

SENATE  
Amended 2nd Reading  
February 25, 2011

pay or reimburse employees for the cost of health insurance premiums even if the small employer does not offer health insurance coverage as a benefit of employment.

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

2 SECTION 1. 10-16-105.2, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW SUBSECTION to read:

4 10-16-105.2. Small employer health insurance availability  
5 program. (1.5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A  
6 SMALL EMPLOYER THAT DOES NOT HAVE, AND HAS NOT HAD IN THE  
7 PREVIOUS TWELVE MONTHS, A SMALL GROUP HEALTH BENEFIT PLAN  
8 PROVIDING COVERAGE TO ITS EMPLOYEES UNDER THIS ARTICLE MAY  
9 REIMBURSE AN EMPLOYEE, WHETHER THROUGH WAGE ADJUSTMENTS OR  
10 HEALTH REIMBURSEMENT ARRANGEMENTS, FOR ANY PORTION OF THE  
11 PREMIUM FOR A HEALTH COVERAGE PLAN.

12 SECTION 2. Effective date - applicability. This act shall take  
13 effect upon passage and shall apply to payments or reimbursements to  
14 employees of small employers for the costs of health insurance premiums  
15 on or after said date.

16 SECTION 3. Safety clause. The general assembly hereby finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, and safety.