

**First Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 11-0715.01 Julie Pelegrin

**HOUSE BILL 11-1201**

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**HOUSE SPONSORSHIP**

**Hamner, Todd, Massey, Fischer, Kerr A., Peniston, Scott, Solano**

**SENATE SPONSORSHIP**

**Nicholson and White,**

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**House Committees**

Education  
Appropriations

**Senate Committees**

Education  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO FACILITATE THE ISSUANCE OF EDUCATOR**  
102 **LICENSES.**

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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>.)*

To renew a professional educator license, a licensee must show that he or she completed certain professional development activities. In the process of renewing the license, the department of education (department) checks to ensure that the licensee actually completed the activities and that he or she meets the statutory and regulatory

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 Unam ended  
April 21, 2011

SENATE  
2nd Reading Unam ended  
April 20, 2011

HOUSE  
3rd Reading Unam ended  
March 22, 2011

HOUSE  
Am ended 2nd Reading  
March 21, 2011

requirements for professional development activities. The bill creates an affidavit of completion of ongoing professional development activities that a licensee seeking renewal will submit with the renewal application. In the affidavit, the licensee affirms under oath that he or she completed the specified activities within the required time frame and that, to the best of the licensee's knowledge, the activities meet the statutory and regulatory requirements. The department is not required to verify the information in the affidavit.

Under current law, the department collects a fee from each person who seeks issuance or renewal of an educator license or endorsement. The money received as fees is annually appropriated to the department to offset the costs of issuing and renewing licenses and endorsements. Under the bill, the money received as fees is continuously appropriated to the department.

The bill exempts the renewal of educator licenses from the list of benefits for which a person must demonstrate lawful presence in the state.

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

2 **SECTION 1.** 22-60.5-110 (3) (a), Colorado Revised Statutes, is  
3 amended, and the said 22-60.5-110 (3) is further amended BY THE  
4 ADDITION OF A NEW PARAGRAPH, to read:

5 **22-60.5-110. Renewal of licenses.** (3) (a) A LICENSEE MAY  
6 RENEW HIS OR HER professional license ~~may be renewed upon~~ BY  
7 submitting an application for renewal, ~~payment of~~ PAYING the statutory  
8 fee ESTABLISHED BY THE STATE BOARD OF EDUCATION PURSUANT TO  
9 SECTION 22-60.5-112, and ~~evidence~~ PROVIDING THE AFFIDAVIT of  
10 satisfactory completion ~~by the applicant~~ of ongoing professional  
11 development AS DESCRIBED IN PARAGRAPH (a.5) OF THIS SUBSECTION (3).

12 A licensee need not be employed as a professional educator during all or  
13 any portion of the term for which his or her professional educator license  
14 is valid. Employment as a professional educator shall not constitute a  
15 requirement for renewal of a professional license. Except as otherwise  
16 provided in paragraph (e) of this subsection (3), the professional

1 development activities completed by an applicant for license renewal  
2 shall apply equally to renewal of any professional educator license or  
3 endorsement held by the applicant.

4 (a.5) A LICENSEE WHO SEEKS RENEWAL OF HIS OR HER  
5 PROFESSIONAL LICENSE SHALL SIGN AND SUBMIT WITH THE RENEWAL  
6 APPLICATION AN AFFIDAVIT IN WHICH THE LICENSEE AFFIRMS UNDER OATH  
7 THAT HE OR SHE SATISFACTORILY COMPLETED THE ONGOING  
8 PROFESSIONAL DEVELOPMENT ACTIVITIES SPECIFIED IN THE AFFIDAVIT;  
9 THAT THE ACTIVITIES WERE COMPLETED WITHIN THE TERM OF THE  
10 PROFESSIONAL LICENSE; AND THAT, TO THE BEST OF THE LICENSEE'S  
11 KNOWLEDGE, THE ACTIVITIES MEET THE REQUIREMENTS OF THIS SECTION  
12 AND RULES ADOPTED BY THE STATE BOARD OF EDUCATION IMPLEMENTING  
13 THIS SECTION. THE DEPARTMENT MAY ACCEPT A LICENSEE'S AFFIDAVIT OF  
14 SATISFACTORY COMPLETION OF ONGOING PROFESSIONAL DEVELOPMENT  
15 AS PROOF OF COMPLETION OF THE SPECIFIED PROFESSIONAL DEVELOPMENT  
16 ACTIVITIES WITHOUT FURTHER VERIFICATION.

17 **SECTION 2.** 22-60.5-112 (1), Colorado Revised Statutes, is  
18 amended to read:

19 **22-60.5-112. Fees - fund - repeal.** (1) (a) The fee for the  
20 examination and review of an application for any license, endorsement,  
21 or authorization, or any renewal or reinstatement thereof, shall be  
22 established by the state board of education and shall be nonrefundable.  
23 Upon determination of eligibility, such license, endorsement, or  
24 authorization shall be issued without an additional fee. The state board  
25 of education shall adjust if necessary all such fees annually so that they  
26 generate an amount of revenue that approximates the direct and indirect  
27 costs of the state board of education and of the department of education

1 for the administration of this article; however, the state board of  
2 education shall establish and adjust such fees for licenses issued pursuant  
3 to section 22-60.5-201 (1) (a) so that the fees generate an amount of  
4 revenue that approximates the direct and indirect costs of the state board  
5 of education and the department of ~~education~~ for the administration of  
6 sections 22-60.5-201 (1) (a) and 22-60.5-205. All fees collected under  
7 this section shall be transmitted to the state treasurer and credited to the  
8 educator licensure cash fund, which fund is hereby created AND REFERRED  
9 TO IN THIS SUBSECTION (1) AS THE "CASH FUND". The general assembly  
10 shall make annual appropriations from the ~~educator licensure~~ cash fund  
11 for expenditures of the state board of education and of the department of  
12 ~~education~~ incurred in the administration of this article. At the end of any  
13 fiscal year, all unexpended and unencumbered moneys in the ~~educator~~  
14 ~~licensure~~ cash fund shall remain therein and shall not be credited or  
15 transferred to the general fund or any other fund.

16 (b) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF  
17 THIS SUBSECTION (1) TO THE CONTRARY, FOR THE 2011-12, 2012-13, AND  
18 2013-14 FISCAL YEARS, THE MONEYS IN THE CASH FUND ARE  
19 CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT TO OFFSET THE  
20 DIRECT AND INDIRECT COSTS INCURRED BY THE STATE BOARD OF  
21 EDUCATION AND THE DEPARTMENT IN ADMINISTERING THIS ARTICLE. IN  
22 EACH OF SAID FISCAL YEARS, THE GENERAL APPROPRIATIONS BILL SHALL,  
23 FOR INFORMATIONAL PURPOSES, REFLECT THE ESTIMATED AMOUNT OF  
24 EXPENDITURES, INCLUDING ANY FUNDING FOR PERSONNEL, FROM THE  
25 CASH FUND.

26 (II) DURING EACH OF THE 2012, 2013, AND 2014 REGULAR  
27 LEGISLATIVE SESSIONS, THE DEPARTMENT SHALL REPORT TO THE

1 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE  
2 SENATE, OR ANY SUCCESSOR COMMITTEES, AND THE JOINT BUDGET  
3 COMMITTEE OF THE GENERAL ASSEMBLY CONCERNING EXPENDITURES  
4 FROM THE CASH FUND AND THE DEPARTMENT'S PROGRESS IN MEETING THE  
5 GOAL OF REDUCING TO SIX WEEKS OR LESS THE PROCESSING TIME FOR  
6 ISSUING OR RENEWING AN EDUCATOR LICENSE.

7 (III) FOR STATE FISCAL YEARS 2011-12, 2012-13, AND 2013-14,  
8 ANY PERSONS HIRED TO ASSIST THE DEPARTMENT IN REDUCING THE  
9 PROCESSING TIME FOR ISSUING OR RENEWING AN EDUCATOR LICENSE  
10 SHALL BE INDEPENDENT CONTRACTORS WITH THE DEPARTMENT, AND THE  
11 CONTRACTS FOR SERVICES SHALL NOT EXTEND BEYOND JUNE 30, 2014.

12 (IV) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2014.

13 **SECTION 3.** 24-50-503, Colorado Revised Statutes, is amended  
14 BY THE ADDITION OF A NEW SUBSECTION to read:

15 **24-50-503. Personal services contracts implicating state**  
16 **personnel system - no separation of existing classified employees -**  
17 **repeal.** (3) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO  
18 THE CONTRARY, ANY PERSONAL SERVICES CONTRACTS ENTERED INTO BY  
19 THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 22-60.5-112 (1)  
20 (b), C.R.S., SHALL BE VALID AND SHALL NOT BE SUBJECT TO APPROVAL  
21 PURSUANT TO THIS SECTION.

22 (b) THIS SUBSECTION (3) IS REPEALED EFFECTIVE JULY 1, 2014.

23 **SECTION 4.** 24-76.5-103 (3) (f) and (3) (g), Colorado Revised  
24 Statutes, are amended, and the said 24-76.5-103 (3) is further amended  
25 BY THE ADDITION OF A NEW PARAGRAPH, to read:

26 **24-76.5-103. Verification of lawful presence - exceptions -**  
27 **reporting - rules.** (3) Verification of lawful presence in the United

1 States shall not be required:

2 (f) For pregnant women; ~~or~~

3 (g) For individuals over the age of eighteen years and under the  
4 age of nineteen years who continue to be eligible for medical assistance  
5 programs after their eighteenth birthday; OR

6 (h) FOR RENEWING AN EDUCATOR LICENSE PURSUANT TO ARTICLE  
7 60.5 OF TITLE 22, C.R.S.

8 **SECTION 5. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, and safety.