

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 29, 2015
Date

Committee on Appropriations.

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

HB15-1378 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

3 **"SECTION 1.** In Colorado Revised Statutes, **amend with**
4 **relocated provisions** part 22 of article 30 of title 24 as follows:

5 PART 22

6 LAURA HERSHEY DISABILITY SUPPORT ACT

7 **24-30-2201. Short title.** This part 22 shall be known and may be
8 cited as the "Laura Hershey ~~Disability-Benefit~~ DISABILITY Support Act".

9 **24-30-2202. Definitions.** As used in this part 22, unless the
10 context otherwise requires:

11 (1) "Committee" means the ~~disability-benefit support contract~~
12 COLORADO DISABILITY FUNDING committee created in section
13 24-30-2203.

14 (2) "CONTRACT ENTITY" MEANS THE ENTITY THE COMMITTEE
15 CONTRACTS WITH TO IMPLEMENT SECTIONS 24-30-2205 TO 24-30-2207.

16 (3) "DISABILITY" OR "DISABLED" MEANS AN INDIVIDUAL WHO:

17 (a) HAS A PHYSICAL OR MENTAL IMPAIRMENT THAT
18 SUBSTANTIALLY LIMITS A MAJOR LIFE ACTIVITY;

19 (b) HAS A RECORD OF SUCH AN IMPAIRMENT; OR

20 (c) IS REGARDED AS HAVING SUCH AN IMPAIRMENT.

21 ~~(2)~~ (4) "Disability benefits" means cash payments from social
22 security disability insurance under Title II of the federal "Social Security
23 Act", 42 U.S.C. sec. 401 et seq., as amended, cash payments made by the

1 federal government to persons who are aged, blind, or disabled under
2 Title XVI of the federal "Social Security Act", 42 U.S.C. sec. 401 et seq.,
3 as amended, and long-term care under the "Colorado Medical Assistance
4 Act", articles 4 to 6 of title 25.5, C.R.S.

5 (5) "FUND" MEANS THE DISABILITY SUPPORT FUND CREATED IN
6 SECTION 24-30-2210.

7 ~~(3)~~ (6) "Nonprofit entity" means ~~an entity incorporated under the~~
8 ~~"Colorado Revised Nonprofit Corporation Act", articles 121 to 137 of~~
9 ~~title 7, C.R.S., or a tax-exempt entity under 26 U.S.C. sec. 501 (c) (3) of~~
10 the federal "Internal Revenue Code of 1986".

11 ~~(4)~~ (7) "Recipient" means a person who receives disability
12 benefits or long-term care services.

13 (8) **[Formerly 42-1-401 (2)]** "Registration number" means the
14 unique combination of letters and numbers assigned to a vehicle by the
15 department OF REVENUE under section 42-3-201, C.R.S., and required to
16 be displayed on the license plate by section 42-3-202, C.R.S.

17 (9) **[Formerly 42-1-401 (3)]** "Vehicle" means a vehicle required
18 to be registered pursuant to BY part 1 of article 3 of this title 42, C.R.S.

19 **24-30-2203. Colorado disability funding committee - repeal.**

20 (1) ~~The disability-benefit support contract~~ COLORADO DISABILITY
21 FUNDING committee is hereby created within the department of personnel.
22 The committee consists of ~~thirteen~~ FIFTEEN members appointed by the
23 governor as follows:

24 (a) Five members who are persons with disabilities; ~~and currently~~
25 ~~receiving disability benefits or have received application assistance;~~

26 (b) One member of a statewide, cross-disability organization
27 representing persons with disabilities;

28 (c) One member who is trained to increase access to disability
29 benefits for persons with disabilities by an organization supported by the
30 United States social security administration;

31 (d) One member who is a medical doctor;

32 (e) One member who is a mental health professional;

33 (f) One member who is an expert in nonprofit management;

34 (g) One member ~~appointed by the executive director of the~~ WHO
35 REPRESENTS THE department of personnel WITH EXPERIENCE IN STATE
36 PROCUREMENT;

37 (h) One member who has experience and expertise in business;
38 **and**

39 (i) One member who has experience with grant programs;

40 (j) ONE MEMBER WITH EXPERTISE IN THE AREAS OF MARKETING,
41 ADVERTISING, AND PUBLIC RELATIONS; AND

1 (k) ONE NONVOTING MEMBER WHO:
2 (I) IS A PERSON WITH DISABILITIES; AND
3 (II) SERVES AS A LIAISON TO AND IS A MEMBER OF THE COLORADO
4 ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES.
5 (2) Members of the committee serve three-year terms; except that
6 members appointed under paragraph (a) of subsection (1) of this section
7 serve an initial term of one year, and members appointed under
8 paragraphs (b), (c), and (d) of subsection (1) of this section serve an
9 initial term of two years.
10 (3) An act of the committee is void unless a majority of the
11 APPOINTED members has voted in favor of the act.
12 (4) The committee shall implement ~~section 24-30-2204~~ THIS PART
13 22 using the ~~disability-benefit-support~~ fund. ~~created in section~~
14 ~~24-30-2205.~~
15 ~~(4.5) The committee shall implement section 24-30-2204.5 using~~
16 ~~the disability investigational and pilot support fund created in section~~
17 ~~24-30-2205.5.~~
18 (5) The committee ~~is authorized to~~ MAY seek and accept grants or
19 donations from private or public sources for the purposes of this part 22;
20 except that the committee shall not accept a gift, grant, or donation that
21 is subject to conditions that are inconsistent with this part 22 or part 13
22 of article 75 of this title , regarding the status of grants and donations
23 made to state agencies. The committee shall transmit the moneys to the
24 ~~disability-benefit-support~~ fund.
25 (6) The committee has ~~the following duties and powers~~ POWER TO:
26 (a) ~~To~~ Sue and be sued and otherwise assert or defend the
27 committee's legal interests;
28 (b) ~~To~~ Prepare and sign contracts ;
29 (c) ~~To~~ Have and exercise all rights and powers necessary ~~or~~ TO,
30 incidental to, or implied from the specific powers granted in this part 22;
31 ~~and~~
32 (d) ~~To~~ Fix the time and place at which meetings may be held;
33 (e) ADOPT AND USE A SEAL AND ALTER THE SEAL AT ITS PLEASURE;
34 (f) AUTHORIZE THE CONTRACT ENTITY TO RETAIN A PORTION OF
35 THE SALE PRICE OF EACH REGISTRATION NUMBER SOLD;
36 (g) CREATE INCENTIVES FOR HOLDERS TO TURN IN CURRENTLY
37 ISSUED REGISTRATION NUMBERS FOR SALE BY THE COMMITTEE IF ANY
38 ACTUAL COSTS ARE REIMBURSED TO THE STATE;
39 (h) AUTHORIZE THE CONTRACT ENTITY TO EXCLUSIVELY SELL THE
40 RIGHT TO USE ADDITIONAL LICENSE PLATE OPTIONS, SUCH AS
41 HISTORICALLY ISSUED BACKGROUNDS, FOR A FEE IF THE OPTION IS

1 APPROVED BY THE DEPARTMENT OF REVENUE AND THE COLORADO STATE
2 PATROL;

3 (i) REIMBURSE MEMBERS OF THE COMMITTEE FOR EXPENSES
4 INCURRED IN THE PERFORMANCE OF THEIR DUTIES UNDER THIS PART 22 IF
5 THE MEMBER IS NOT REIMBURSED FROM ANOTHER SOURCE AND IF FAILURE
6 TO REIMBURSE THE MEMBER WOULD BE A SUBSTANTIAL DISINCENTIVE TO
7 PERFORM THE MEMBER'S DUTIES;

8 (j) CREATE ONE OR MORE TASK FORCES CONSISTING OF MEMBERS
9 OF THE COMMITTEE AND ANY OTHER MEMBERS THE COMMITTEE
10 DETERMINES ARE USEFUL TO STUDY ISSUES FALLING UNDER THE
11 COMMITTEE'S DUTIES AND POWERS AND TO MAKE RECOMMENDATIONS TO
12 THE COMMITTEE CONCERNING THESE ISSUES; AND

13 (k) OBTAIN THE SERVICES OF PROFESSIONAL ADVISORS AND
14 ADMINISTRATIVE SUPPORT.

15 (7) ~~The committee may hire employees or obtain the services of~~
16 ~~professional advisors.~~ THE COMMITTEE SHALL:

17 (a) ENTER INTO AN AGREEMENT WITH AN ENTITY TO IMPLEMENT
18 SECTIONS 24-30-2205 TO 24-30-2207 IN ACCORDANCE WITH THE
19 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF THIS TITLE ;

20 (b) ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF
21 REVENUE AND THE COLORADO STATE PATROL TO IMPLEMENT THE SALES
22 OF REGISTRATION NUMBERS UNDER THIS PART 22. THE AGREEMENT MUST:

23 (I) ALLOW THE DEPARTMENT OF REVENUE OR THE DEPARTMENT OF
24 PUBLIC SAFETY TO PROHIBIT ANY ACTION BY THE COMMITTEE OR THE
25 CONTRACT ENTITY; AND

26 (II) SPECIFY THE ADMINISTRATIVE PROCESS FOR NOTIFYING THE
27 DEPARTMENT OF REVENUE OF A SALE AND TRANSMITTING ANY
28 INFORMATION REQUIRED BY THE DEPARTMENT OF REVENUE.

29 (c) RETAIN THE RIGHT TO DECIDE WHICH REGISTRATION NUMBERS
30 THE CONTRACT ENTITY MAY SELL, WHICH RIGHT MUST BE EXPRESSED IN
31 THE AGREEMENT WITH THE CONTRACT ENTITY;

32 (d) RETAIN THE RIGHT TO DECIDE THE PRICE AT WHICH EACH
33 REGISTRATION NUMBER IS SOLD, WHICH RIGHT MUST BE EXPRESSED IN THE
34 AGREEMENT WITH THE CONTRACT ENTITY;

35 (e) RETAIN THE RIGHT TO DECIDE ANY DECISION THAT AFFECTS
36 THE POLICY OF THE STATE OF COLORADO, WHICH RIGHT MUST BE
37 EXPRESSED IN THE AGREEMENT WITH THE CONTRACT ENTITY; AND

38 (f) DELEGATE TO THE CONTRACT ENTITY:

39 (I) THE DUTY TO SELL REGISTRATION NUMBERS IN ACCORDANCE
40 WITH THE AGREEMENT; AND

41 (II) ALL BUSINESS DECISIONS CONCERNING THE MARKETING AND

1 SALE OF REGISTRATION NUMBERS.

2 (8) The attorney general is the legal counsel for the committee.

3 (9) THE COMMITTEE, COMMITTEE MEETINGS, AND COMMITTEE
4 ACTIONS ARE SUBJECT TO THE OPEN MEETINGS LAW IN PART 4 OF ARTICLE
5 6 OF THIS TITLE ; THE "COLORADO OPEN RECORDS ACT", PART 2 OF
6 ARTICLE 72 OF THIS TITLE ; AND ETHICS IN GOVERNMENT IN ARTICLE XXIX
7 OF THE COLORADO CONSTITUTION.

8 (10)(a) THE COMMITTEE SHALL STUDY FEASIBILITY AND BENEFITS
9 OF CONTRACTING TO MANAGE AND MAKE GRANTS AND CONTRACTS FOR
10 OTHER ENTITIES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY BY
11 OCTOBER 1, 2017, CONCERNING THE COMMITTEE'S CONCLUSIONS.

12 (b) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2018.

13 **24-30-2204. [Formerly 42-1-402] License to buy and sell**
14 **selected registration numbers for license plates.** (1) The state or a
15 person may sell, and the state or a person may purchase, the exclusive
16 right to use a registration number selected by the ~~group~~ COMMITTEE under
17 section ~~42-1-404~~, 24-30-2205 for the purpose of registering a vehicle
18 under article 3 of ~~this~~ title 42, C.R.S.

19 (2) The right to use a registration number is a license, the use of
20 which is subject to compliance with this part ~~4~~ 22. The duration of the
21 license is determined by the ~~group~~ COMMITTEE.

22 **24-30-2205. [Formerly 42-1-404] Sale of registration numbers.**

23 (1) The ~~group~~ COMMITTEE shall raise money by ~~auctioning to a buyer~~
24 ENTERING INTO AN AGREEMENT WITH A CONTRACT ENTITY TO SELL the
25 right to use valuable letter and number combinations for a registration
26 number. THE COMMITTEE SHALL REQUIRE THE CONTRACT ENTITY TO
27 AUCTION REGISTRATION NUMBERS THAT ARE LIKELY TO BE WORTH
28 SUBSTANTIALLY MORE THAN THE AVERAGE VALUE OF A REGISTRATION
29 NUMBER.

30 (2) (a) The ~~group~~ COMMITTEE shall study the market and
31 determine which registration numbers are the most valuable, including
32 both the types of plates currently issued and any type of plate that has
33 been historically issued. Based on the study, the ~~group~~ COMMITTEE shall
34 select ~~the most~~ valuable registration numbers and request the department
35 OF REVENUE to verify whether plates with ~~the~~ THOSE registration numbers
36 are currently issued. ~~The group shall not send the request to the~~
37 ~~department more than once every six months.~~ THE COMMITTEE AND THE
38 DEPARTMENT OF REVENUE SHALL ENTER INTO AN AGREEMENT
39 ESTABLISHING A PROCESS FOR REQUESTING REGISTRATION NUMBERS THAT
40 SPECIFIES THE FREQUENCY OF THESE REQUESTS.

41 (b) Upon receiving the ~~group's~~ COMMITTEE'S request, the

1 department OF REVENUE shall verify whether the plates are currently
2 issued. If the plate is not currently issued, the department OF REVENUE
3 shall reserve the registration number until the group COMMITTEE notifies
4 the department OF REVENUE to release the registration number.

5 (c) If a registration number is not currently issued, the group
6 COMMITTEE may ~~auction~~ SELL the right to use the registration number in
7 a manner calculated to bring the highest price; except that the department
8 OF REVENUE may deny the sale or use of a registration number that is
9 offensive or inappropriate.

10 (3) THE CONTRACT ENTITY SHALL TRANSFER TO THE FUND ANY
11 PROCEEDS FROM THE SALE OF REGISTRATION NUMBERS UNDER THIS
12 SECTION OR ADDITIONAL LICENSE PLATE OPTIONS AUTHORIZED UNDER
13 SECTION 24-30-2203 (6) (h).

14 **24-30-2206. [Formerly 42-1-405] Private market - registration**
15 **numbers - fee.** (1) The group COMMITTEE shall raise money by creating
16 CONTRACTING WITH AN ENTITY TO DEVELOP a market, which may include
17 an on-line auction OR SALE site, for registration numbers using methods
18 that are commercially reasonable, account for expenditures, and ensure
19 the collection of the state's approval and transfer royalty FEES.

20 (2) The royalty COMMITTEE SHALL DETERMINE AN APPROPRIATE
21 THE FEE for the state's approval and transfer of the right to use a
22 registration number. ~~is twenty-five percent of the sale price of the~~
23 ~~transfer. At the time of sale, the purchaser shall pay the royalty to the~~
24 ~~group. This Payment OF THE FEE is IN ADDITION TO, AND not in lieu of, the~~
25 normal registration fees or specific ownership tax.

26 (3) A person shall not sell a registration number, and the
27 department OF REVENUE shall not assign a registration number TO A
28 VEHICLE as a result of the SALE OF THE right to use the number, ~~being sold~~
29 ~~to a vehicle~~ unless the registration number was sold using the market
30 ~~created by the group~~ SALES PROCESS USED BY THE CONTRACT ENTITY.

31 **24-30-2207. [Formerly 42-1-406] Registration number -**
32 **department of revenue - administration.** (1) The group CONTRACT
33 ENTITY shall notify the department OF REVENUE when the right to use a
34 registration number has been sold and the group COMMITTEE has collected
35 the state's sale proceeds or approval and transfer royalty FEE. THE NOTICE
36 MUST CONTAIN ANY INFORMATION REQUIRED BY THE DEPARTMENT OF
37 REVENUE, INCLUDING THE REGISTRATION NUMBER AND THE DURATION OF
38 THE LICENSE. Upon receiving the notice, the department OF REVENUE shall
39 create a record in the Colorado state titling and registration system,
40 created in section 42-1-211, C.R.S., containing the name of the buyer; the
41 vehicle identification number, if applicable; and the corresponding

1 registration number.

2 (2) If the registration number consists of a combination of letters
3 and numbers that is not within the normal format of A license plate
4 currently produced for the department OF REVENUE, the department OF
5 REVENUE shall issue the plates as personalized plates under section
6 42-3-211, C.R.S.; except that, notwithstanding section 42-3-211, C.R.S.,
7 the ~~auction group~~ COMMITTEE may AUTHORIZE THE CONTRACTING ENTITY
8 TO sell, and the buyer or any subsequent buyer may use:

9 (a) A registration number or letter of one position; or

10 (b) Any symbol on the standard American keyboard or approved
11 by the ~~group~~ COMMITTEE IF THE SYMBOL IS ALSO APPROVED BY THE
12 DEPARTMENT OF REVENUE AND THE COLORADO STATE PATROL.

13 ~~(3) The group shall transfer the moneys collected under this part~~
14 ~~4 to the state treasurer, who shall credit them to the registration number~~
15 ~~fund created in section 42-1-407.~~

16 ~~(4)~~ (3) The ~~group~~ COMMITTEE may contract with one or more
17 public or private entities to implement this part 4 22.

18 ~~(5) Any moneys received by the group shall be deposited in the~~
19 ~~registration number fund.~~

20 **24-30-2208. [Formerly 24-30-2204] Program to assist persons**
21 **to obtain disability benefits - repeal.** (1) ~~Within six months after the~~
22 ~~first transfer to the disability-benefit support fund from the registration~~
23 ~~number fund created in section 42-1-407, C.R.S.,~~ WHEN ADEQUATE
24 MONEY IS AVAILABLE, the committee shall invite nonprofit entities to
25 submit a proposal for a program to aid persons with disabilities in
26 accessing disability benefits. To qualify, the nonprofit organization must
27 be based in Colorado and governed by a board that:

28 (a) Is composed of persons with a demonstrated commitment to
29 improving the lives of recipients with disabilities;

30 (b) Contains members who understand a range of significant
31 disabilities, including physical and mental; and

32 (c) Contains a majority of either:

33 (I) Recipients with disabilities; or

34 (II) Family members of recipients with disabilities who have
35 experience in representing the interests of a person with a disability.

36 (2) (a) (I) The committee shall review the proposed programs and
37 shall award a contract to the nonprofit entity that best meets the
38 requirements of this section in accordance with the "Procurement Code",
39 articles 101 to 112 of this title.

40 (II) The term of the contract is one year. Before the contract
41 expires, the committee shall evaluate whether the nonprofit entity and the

1 contract are reasonably meeting the requirements of this section,
2 including objective and quantitative evaluations, whenever possible, of
3 the satisfaction of program applicants and participants, the program's
4 success in obtaining disability benefits for program participants, the
5 program's effectiveness at helping program participants obtain jobs, and
6 improvements in the quality of life of program participants. The
7 committee shall include the evaluation criteria in the contract.

8 (III) The committee may renew the contract annually for up to five
9 years. After five years, the committee shall reopen the contract to a
10 competitive bid process.

11 (b) The committee shall not award the contract unless the proposal
12 includes:

13 (I) A system for evaluating whether a person with a disability is
14 reasonably able to navigate the application process to obtain disability
15 benefits, health care, and employment;

16 (II) A system for prioritizing the need of applicants based upon
17 the evaluations;

18 (III) A plan for assisting persons with disabilities in navigating the
19 processes of obtaining and retaining disability benefits, health care, and
20 employment;

21 (IV) A plan for ~~establishment of~~ ESTABLISHING working
22 relationships with state agencies, county departments of human services,
23 health care providers, the United States social security administration, and
24 the business community;

25 (V) A policy of preferential hiring of persons with disabilities;

26 (VI) Reasonable standards for accounting control of expenditures;

27 (VII) Metrics to evaluate the program's quality and
28 cost-effectiveness;

29 ~~(VIII) Effective July 1, 2016, the ability to serve persons with~~
30 ~~disabilities statewide~~ A PLAN TO PROVIDE INFORMATION AND REFERRALS
31 TO OTHER PROGRAMS THAT ASSIST APPLICANTS WITH DISABILITIES; and

32 (IX) A plan for serving persons with disabilities statewide within
33 five years. ~~This subparagraph (IX) is repealed, effective July 1, 2016.~~

34 (c) The committee shall not discriminate against a contracting
35 entity for advocacy concerning persons with disabilities.

36 (3) The entity awarded a contract under this section shall make
37 quarterly reports of expenditures to the ~~department of personnel, which~~
38 ~~shall make the reports available to the~~ committee. The committee shall
39 include in the contract a method and format for making the reports.

40 **24-30-2209. [Formerly 24-30-2204.5] Program to investigate,**
41 **fund, and pilot projects or programs to benefit persons with**

1 **disabilities.** (1) The committee shall accept and review proposals to fund
2 projects or programs that study or pilot new and innovative ideas that will
3 lead to an improved quality of life or increased independence for persons
4 with disabilities. Proposals may be accepted throughout the year, and
5 grants or loans may be made by the committee at its regular meetings.
6 ~~The disability investigational and pilot support fund created in section~~
7 ~~24-30-2205.5 shall be the sole source to fund any grants or loans made~~
8 ~~pursuant to this section.~~

9 (2) To be eligible for funding ~~pursuant to~~ UNDER this section, a
10 project or program must:

11 (F) (a) Demonstrate a capability to be self-sustaining or otherwise
12 be able to develop long-term independent funding; and

13 (H) (b) Have a governing body or board that is composed of
14 persons with a demonstrated commitment to improving the lives of
15 persons with disabilities and have a majority be persons with disabilities
16 or family members of persons with disabilities. ~~or~~

17 ~~(b) Be the license plate auction group established in section~~
18 ~~42-1-403, C.R.S.~~

19 **24-30-2210. [Formerly 24-30-2205] Disability support fund.**

20 (1) The ~~disability-benefit~~ DISABILITY support fund is hereby created in
21 the state treasury. The moneys in the fund consist of amounts transferred
22 UNDER THIS PART 22 to the fund, ~~under section 42-1-407, C.R.S., or~~
23 ~~transferred to the fund under section 24-30-2203 (5) MONEYS~~
24 TRANSFERRED TO THE FUND UNDER SECTION 25.5-5-308 (8), C.R.S.,
25 MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY, THE
26 PROCEEDS FROM THE SALE OF REGISTRATION NUMBERS AND ADDITIONAL
27 OPTIONS, THE FEES FROM PRIVATE SALES OF REGISTRATION NUMBERS, AND
28 ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE COMMITTEE TO
29 IMPLEMENT THIS PART 22.

30 (2) The committee shall use the moneys in the fund to implement
31 this part 22. ~~except that the committee may direct the state treasurer to~~
32 ~~transfer moneys in the fund to the registration number fund created in~~
33 ~~section 42-1-407, C.R.S., to fund the implementation of part 4 of article~~
34 ~~1 of title 42, C.R.S. The committee shall not use more than five percent~~
35 ~~of the money in the fund to administer this part 22.~~ THE COMMITTEE
36 SHALL USE THE MONEYS FROM THE PROCEEDS OF REGISTRATION NUMBER
37 SALES TO FULLY IMPLEMENT SECTION 24-30-2208 BEFORE USING THE
38 MONEYS TO IMPLEMENT SECTION 24-30-2209.

39 (3) The state treasurer shall credit all interest earned on the
40 investment of moneys in the fund to the fund. At the end of each fiscal
41 year, the moneys in the fund, including income earned from investment,

1 remain in the fund. The general assembly shall appropriate the moneys in
2 the fund to the department of personnel or governor's office to implement
3 this part 22.

4 (4) ANY MONEYS USED TO IMPLEMENT ADDITIONAL LICENSE PLATE
5 OPTIONS SHALL NOT BE TRANSFERRED TO THE DEPARTMENT OF REVENUE.
6 THE COMMITTEE OR CONTRACT ENTITY SHALL TRANSFER THE MONEYS
7 DIRECTLY TO THE DIVISION OF CORRECTIONAL INDUSTRIES.

8 **24-30-2211. [Formerly 24-30-2206] Implementation.**

9 ~~(1) Except as provided for in subsection (2) of this section, The general~~
10 ~~assembly does not intend to require~~ INTENDS the department of personnel
11 to ~~expend~~ BE REIMBURSED FROM THE FUND FOR ANY moneys THE
12 DEPARTMENT OF PERSONNEL EXPENDS to implement this part 22.
13 ~~Notwithstanding any other section of this part 22, the department of~~
14 ~~personnel and the committee need not implement this part 22 until the~~
15 ~~disability-benefit support fund contains enough money to implement this~~
16 ~~part 22.~~

17 ~~(2) The department of personnel shall begin implementation of~~
18 ~~section 24-30-2204.5 at such time as the disability investigational and~~
19 ~~pilot support fund contains sufficient funds for implementation, as~~
20 ~~determined by the committee.~~

21 **24-30-2212. Accounting - fiscal year spending - legislative**
22 **declaration.** THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE SALE
23 OF REGISTRATION NUMBERS UNDER THIS PART 22 IS A PROPERTY SALE IN
24 THE FORM OF AN INTANGIBLE RIGHT AS DEFINED BY SECTION 24-77-102,
25 AND, THEREFORE, ANY MONEYS EXPENDED UNDER THIS ACT FROM A
26 PROPERTY SALE DO NOT CONSTITUTE STATE FISCAL YEAR SPENDING AS
27 DEFINED BY SECTION 24-77-102.

28 **24-30-2213. Transfer to department of human services - study**
29 **- repeal.** (1) SUBJECT TO LEGISLATION BEING PASSED BY THE GENERAL
30 ASSEMBLY, THE GENERAL ASSEMBLY INTENDS FOR THE COMMITTEE TO BE
31 TRANSFERRED TO THE DEPARTMENT OF HUMAN SERVICES. THEREFORE,
32 THE COMMITTEE, GOVERNOR'S OFFICE, AND DEPARTMENT OF HUMAN
33 SERVICES SHALL STUDY THE INTENDED TRANSFER, INCLUDING:

34 (a) THE TYPE OF TRANSFER THAT IS APPROPRIATE AND MOST
35 USEFUL TO THE OPERATION OF THE COMMITTEE AND THE COMMITTEE'S
36 LEVEL OF INDEPENDENCE FROM OVERSIGHT;

37 (b) WHETHER THE COMMITTEE OR THE DEPARTMENT OF HUMAN
38 SERVICES SHOULD HIRE EMPLOYEES;

39 (c) WHETHER THE COMMITTEE SHOULD CREATE A BUDGET, MAKE
40 PURCHASES, PLAN, MANAGE, AND ACCOUNT FOR THE COMMITTEE'S
41 INTERNAL AFFAIRS; AND

1 (d) WHETHER THE COMMITTEE SHOULD USE THE DEPARTMENT OF
2 HUMAN SERVICES TO COMPLY WITH THE "PROCUREMENT CODE", ARTICLES
3 101 TO 112 OF THIS TITLE.

4 (2) THE STUDY MUST INCLUDE ANY APPROPRIATE STAKEHOLDERS,
5 SUCH AS ANY DEPARTMENT UNDER CONSIDERATION, AND MUST ADDRESS
6 THE DEGREE OF INDEPENDENCE OR TYPE OF COMMITTEE THAT IS
7 APPROPRIATE. THE COMMITTEE MAY ALSO STUDY ANY CHANGES TO ITS
8 OPERATION OR THE STATUTES THAT WOULD INCREASE THE EFFICIENCY OR
9 EFFECTIVENESS OF THE COMMITTEE'S FUNCTIONS. BY NOVEMBER 1, 2015,
10 THE COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR
11 BASED ON THE STUDY.

12 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

13 **24-30-2214. Administration - transfers - repeal.** (1) WITHIN
14 SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART 22, THE TREASURER
15 SHALL TRANSFER THE MONEYS IN THE REGISTRATION NUMBER FUND
16 CREATED BY SECTION 42-1-407, C.R.S., BEFORE ITS REPEAL IN 2015, AND
17 IN THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED
18 BY SECTION 24-30-2205.5, AS THESE FUNDS EXISTED BEFORE THE
19 EFFECTIVE DATE OF THIS PART 22, TO THE FUND.

20 (2) (a) NOTWITHSTANDING THE REPEAL OF PART 4 OF ARTICLE 1 OF
21 TITLE 42, C.R.S., THE REGISTRATION NUMBER FUND AND THE LICENSE
22 PLATE AUCTION GROUP CREATED IN SECTION 42-1-403, C.R.S., BEFORE ITS
23 REPEAL IN 2015, CONTINUE IN EXISTENCE FOR SIXTY DAYS AFTER THE
24 EFFECTIVE DATE OF THIS PART 22 TO WIND UP AFFAIRS AND MAKE OR
25 FACILITATE THE TRANSFERS REQUIRED BY THIS SECTION.

26 (b) ANY REGISTRATION NUMBERS RESERVED BY THE LICENCE
27 PLATE AUCTION GROUP BEFORE THE EFFECTIVE DATE OF THIS PART 22
28 CONTINUE TO BE RESERVED BY THE COMMITTEE FOR THE PURPOSES OF THIS
29 SECTION.

30 (c) WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART
31 22, THE LICENSE PLATE AUCTION GROUP SHALL TRANSFER ALL RECORDS,
32 PROPERTY, AND INFORMATION TO THE COMMITTEE.

33 (3) THE DEPARTMENT OF REVENUE SHALL ASSIST THE LICENSE
34 PLATE AUCTION GROUP IN IMPLEMENTING THIS SECTION.

35 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

36 **24-30-2215. [Formerly 24-30-2207] Sunset review - repeal of**
37 **part 22.** (1) This part 22 is repealed, effective September 1, 2021.

38 (2) Prior to such THE repeal, the department of regulatory agencies
39 shall review the assistance program for disability benefits as provided for
40 in section 24-34-104.

41 **SECTION 2. Repeal of relocated and nonrelocated provisions**

1 **in this act.** In Colorado Revised Statutes, **repeal** part 4 of article 1 of title
2 42; except that sections 42-1-401 (1), 42-1-403, and 42-1-407 are not
3 relocated.

4 **SECTION 3.** In Colorado Revised Statutes, 25-1-801, **amend** (5)
5 (c) (II) (A) as follows:

6 **25-1-801. Patient records in custody of health care facility -**
7 **definitions.** (5) As used in this part 8, unless the context otherwise
8 requires:

9 (c) (II) Notwithstanding any other provision of this part 8:

10 (A) If a patient record is requested by a third-party entity THAT IS
11 PERFORMING DUTIES under the "Laura Hershey ~~Disability-Benefit~~
12 ~~DISABILITY~~ Support Act", part 22 of article 30 of title 24, C.R.S., the third
13 party may obtain one free copy of the record for the application process
14 or for an appeal or reapplication when required by the disability benefit
15 administrator;

16 **SECTION 4.** In Colorado Revised Statutes, 25.5-5-308, **amend**
17 (8) (b.5) as follows:

18 **25.5-5-308. Breast and cervical cancer prevention and**
19 **treatment program - creation - legislative declaration - definitions -**
20 **funds - repeal.** (8) (b.5) Until section ~~24-30-2204.5~~ 24-30-2210, C.R.S.,
21 is repealed, the state treasurer shall transfer any interest or income earned
22 on moneys in the fund to the ~~disability-investigational-and-pilot~~
23 ~~DISABILITY~~ support fund, created in section ~~24-30-2205.5~~ 24-30-2210,
24 C.R.S.

25 **SECTION 5.** In Colorado Revised Statutes, **repeal** 39-22-535 as
26 follows:

27 **39-22-535. Credit for purchase of uniquely valuable motor**
28 **vehicle registration numbers.** ~~(1) For tax years commencing on or after~~
29 ~~January 1, 2013, a person who buys a registration number under section~~
30 ~~42-1-402, C.R.S., is allowed a credit against the income taxes imposed by~~
31 ~~this article for twenty percent of the portion of the purchase price that the~~
32 ~~license plate auction group, created in section 42-1-403, C.R.S., certifies~~
33 ~~exceeds the registration number's fair market value. This is the value the~~
34 ~~license plate auction group expects from the sale of the registration~~
35 ~~number, not the cost of registering the vehicle.~~

36 ~~(2) If the credit allowed by this section exceeds the tax otherwise~~
37 ~~due, the taxpayer may carry it forward for up to five years but shall claim~~
38 ~~it on the earliest possible subsequent tax return.~~

39 **SECTION 6.** In Colorado Revised Statutes, 42-3-211, **amend** (3)
40 (a) as follows:

41 **42-3-211. Issuance of personalized plates authorized.**

1 (3) (a) Personalized license plates shall be the same color and design as
2 regular motor vehicle license plates, shall consist of any combination of
3 numbers or letters not exceeding seven positions and not less than two
4 positions except as otherwise provided in section ~~42-1-406~~ (2)
5 24-30-2207, C.R.S., and shall not conflict with existing passenger,
6 commercial, trailer, motorcycle, or other special license plates series;
7 except that personalized license plates bearing the words "street rod" shall
8 be of a design determined by the executive director of the department,
9 which design shall be different from those used by the state for regular
10 motor vehicle license plates.

11 **SECTION 7. Appropriation - adjustments to 2015 long bill.**

12 (1) To implement this act, the cash funds appropriation from the
13 disability-benefit support fund created in section 24-30-2205, C.R.S.,
14 made in the annual general appropriation act for the 2015-16 state fiscal
15 year to the department of personnel for personal services in the executive
16 director's office is decreased by \$15,648, and the related FTE is decreased
17 by 0.3 FTE.

18 (2) For the 2015-16 state fiscal year, \$77,428 is appropriated to
19 the department of personnel. This appropriation is from the disability
20 support fund created in section 24-30-2210, C.R.S. To implement this act,
21 the department may use this appropriation as follows:

22 (a) \$37,951 for use by the executive director's office for personal
23 services, which amount is based on an assumption that the office will
24 require an additional 0.6 FTE;

25 (b) \$5,273 for use by the executive director's office for operating
26 expenses; and

27 (c) \$34,204 for the purchase of legal services.

28 (3) For the 2015-16 state fiscal year, \$34,204 is appropriated to
29 the department of law. This appropriation is from reappropriated funds
30 received from the department of personnel under paragraph (c) of
31 subsection (2) of this section. To implement this act, the department of
32 law may use this appropriation to provide legal services for the
33 department of personnel.

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

37 Page 1 of the bill, line 102, strike "DISABILITIES." and substitute
38 "DISABILITIES, AND, IN CONNECTION THEREWITH, MAKING AND
39 REDUCING AN APPROPRIATION."

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