

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 14, 2015  
Date

Committee on Finance.

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

SB15-262 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

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

3 "SECTION 1. In Colorado Revised Statutes, 10-16-215, **amend**  
4 (1); and **add** (4) as follows:

5 **10-16-215. Blanket sickness and accident insurance.**  
6 (1) Blanket sickness and accident insurance is declared to be that form  
7 of sickness and accident insurance covering special groups of not less  
8 than ten persons as enumerated ~~in one of the following~~ UNDER A POLICY  
9 OR CONTRACT ISSUED:

10 (a) ~~Under a policy or contract issued~~ To any common carrier,  
11 which shall be deemed the policyholder, covering a group defined as all  
12 persons who ~~may become~~ ARE passengers on ~~such~~ THE common carrier;

13 (b) ~~Under a policy or contract issued~~ To an employer, who shall  
14 be deemed the policyholder, covering ALL WORKERS OR any group of  
15 ~~employees~~ WORKERS, DEPENDENTS, OR GUESTS defined by reference to  
16 ~~exceptional hazards incident to such employment~~ ACTIVITIES OR  
17 OPERATIONS OF THE POLICYHOLDER;

18 (c) ~~Under a policy or contract issued~~ To a college, school, or other  
19 institution of learning or to the head or principal ~~thereof~~ OF THE COLLEGE,  
20 SCHOOL, OR OTHER INSTITUTION OF LEARNING, who shall be deemed the  
21 policyholder, covering students or teachers;

22 (d) ~~Under a policy or contract issued~~ In the name of any volunteer  
23 fire department, first aid, CIVIL DEFENSE, or other ~~such~~ SIMILAR volunteer

1 group, which shall be deemed the policyholder, covering all of the  
2 members of such department or group DEFINED BY REFERENCE TO  
3 ACTIVITIES OR OPERATIONS OF THE POLICYHOLDER;

4 (e) TO A SPORTS TEAM OR CAMP OR TO A SPONSOR OF A SPORTS  
5 TEAM OR CAMP, WHICH TEAM, CAMP, OR SPONSOR SHALL BE DEEMED THE  
6 POLICYHOLDER, COVERING MEMBERS, CAMPERS, EMPLOYEES, OFFICIALS,  
7 SUPERVISORS, OR VOLUNTEERS;

8 (f) TO ANY RELIGIOUS, CHARITABLE, RECREATIONAL,  
9 EDUCATIONAL, OR CIVIC ORGANIZATION, OR BRANCH OF ANY RELIGIOUS,  
10 CHARITABLE, RECREATIONAL, EDUCATIONAL, OR CIVIC ORGANIZATION,  
11 WHICH ORGANIZATION SHALL BE DEEMED THE POLICYHOLDER, COVERING  
12 ALL MEMBERS OR PARTICIPANTS DEFINED BY REFERENCE TO ACTIVITIES OR  
13 OPERATIONS OF THE POLICYHOLDER;

14 (g) TO A RESTAURANT, HOTEL, MOTEL, RESORT, OR INNKEEPER,  
15 WHICH SHALL BE DEEMED THE POLICYHOLDER, COVERING A GROUP  
16 DEFINED AS ALL PERSONS WHO ARE PATRONS OR GUESTS OF THE  
17 POLICYHOLDER;

18 ~~(e)~~ (h) ~~Under a policy or contract issued~~ To any other substantially  
19 similar group which, in the discretion of the commissioner, may be  
20 subject to the issuance of a blanket sickness and accident policy or  
21 contract.

22 (4) NOTHING IN THIS SECTION RELIEVES AN EMPLOYER FROM ANY  
23 REQUIREMENT TO OBTAIN COVERAGE UNDER THE "WORKERS'  
24 COMPENSATION ACT OF COLORADO", ARTICLES 40 TO 47 OF TITLE 8,  
25 C.R.S. NO POLICY ISSUED UNDER THIS SECTION MAY QUALIFY AS OR  
26 SUBSTITUTE FOR A HEALTH BENEFIT PLAN UNDER FEDERAL LAW. NOTHING  
27 IN THIS SECTION AFFECTS THE LEGAL LIABILITY OF POLICYHOLDERS FOR  
28 THE DEATH OF OR INJURY TO ANY MEMBER OF THE GROUP. NO POLICY  
29 ISSUED UNDER THIS SECTION MAY QUALIFY AS OR SUBSTITUTE FOR  
30 GENERAL LIABILITY INSURANCE.

31 **SECTION 2. Act subject to petition - effective date.** This act  
32 takes effect at 12:01 a.m. on the day following the expiration of the  
33 ninety-day period after final adjournment of the general assembly  
34 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,  
35 if a referendum petition is filed pursuant to section 1 (3) of article V of  
36 the state constitution against this act or an item, section, or part of this act  
37 within such period, then the act, item, section, or part will not take effect  
38 unless approved by the people at the general election to be held in  
39 November 2016 and, in such case, will take effect on the date of the  
40 official declaration of the vote thereon by the governor."

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