

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One-hundred-fifth Legislative Day

Tuesday, April 21, 2015

1 Prayer by Father Drew Kirschman, Arrupe Jesuit High School, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Ivan Tomich, Metropolitan State University,
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Buckner, Dore, Singer--3.

12 Present after roll call--Representative(s) Singer.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Van Winkle, the reading of the journal of
18 April 20, 2015, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

APPOINTMENT

22

23

24 The Speaker announced the following temporary committee appointment

25

26

27

28

29

30

THIRD READING OF BILL(S)--FINAL PASSAGE

31

32

33 The following bill(s) were considered on Third Reading. The title(s)
34 were publicly read. Reading of the bill at length was dispensed with by
35 unanimous consent.

36

37

38

39

40

41

42

43

44

45

The question being "Shall the bill pass?"

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

| | YES | 42 | NO | 21 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 1 | | | | | | | | |
| 2 | Arndt | Y | Fields | Y | Lundeen | N | Ryden | Y |
| 3 | Becker J. | N | Foote | Y | McCann | Y | Saine | N |
| 4 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 5 | Brown | N | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 6 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 7 | Buckner | E | Humphrey | N | Navarro | N | Tate | Y |
| 8 | Carver | N | Joshi | N | Neville P. | N | Thurlow | Y |
| 9 | Conti | Y | Kagan | Y | Nordberg | N | Tyler | Y |
| 10 | Coram | N | Keyser | N | Pabon | Y | Van Winkle | N |
| 11 | Court | Y | Klingenschmitt | N | Pettersen | Y | Vigil | Y |
| 12 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 13 | DelGrosso | N | Landgraf | N | Priola | Y | Williams | Y |
| 14 | Dore | E | Lawrence | N | Rankin | Y | Wilson | Y |
| 15 | Duran | Y | Lebsock | Y | Ransom | N | Windholz | Y |
| 16 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 17 | Everett | N | Lontine | Y | Roupe | N | Young | Y |
| 18 | | | | | | | Speaker | Y |

19 Co-sponsor(s) added: Representative(s) Court, Danielson, Duran, Esgar, Fields,
 20 Ginal, Hamner, Kagan, Kraft-Tharp, Lebsock, Lontine, Melton, Mitsch Bush,
 21 Moreno, Pettersen, Rosenthal, Ryden, Salazar, Singer, Tyler, Vigil, Williams,
 22 Winter, Speaker

23
 24 **HB15-1235** by Representative(s) Buckner and Pettersen, Becker K.,
 25 Duran, Ginal, McCann, Moreno, Pabon, Vigil; also
 26 Senator(s) Steadman and Todd--Concerning the creation
 27 of the Colorado retirement security task force.

28
 29 Laid over until April 22, retaining place on Calendar.

30
 31 **HB15-1001** by Representative(s) Pettersen and Garnett; also Senator(s)
 32 Todd--Concerning distribution of moneys for scholarship
 33 programs that assist early childhood education
 34 professionals in obtaining postsecondary credentials in
 35 early childhood education, and, in connection therewith,
 36 making an appropriation.

37
 38 Laid over until April 22, retaining place on Calendar.

39
 40 **HB15-1257** by Representative(s) Becker K. and Priola; also Senator(s)
 41 Hodge--Concerning the removal of penalties on local
 42 governments regarding the regulation and sale of
 43 cigarettes.

44
 45 The question being "Shall the bill pass?".

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

| | YES | 34 | NO | 29 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------|----|-------------|---|---------|---|
| 51 | Arndt | Y | Fields | Y | Lundeen | N | Ryden | Y |
| 52 | Becker J. | N | Foote | Y | McCann | Y | Saine | N |
| 53 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 54 | Brown | N | Ginal | Y | Mitsch Bush | Y | Sias | N |
| 55 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 56 | Buckner | E | Humphrey | N | Navarro | N | Tate | N |

| | | | | | | | | |
|----|-----------|---|----------------|---|------------|---|------------|---|
| 1 | Carver | N | Joshi | N | Neville P. | N | Thurlow | N |
| 2 | Conti | Y | Kagan | Y | Nordberg | N | Tyler | Y |
| 3 | Coram | N | Keyser | N | Pabon | N | Van Winkle | N |
| 4 | Court | Y | Klingenschmitt | N | Pettersen | Y | Vigil | N |
| 5 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 6 | DelGrosso | N | Landgraf | N | Priola | Y | Williams | N |
| 7 | Dore | E | Lawrence | N | Rankin | N | Wilson | N |
| 8 | Duran | Y | Lebsock | Y | Ransom | N | Windholz | N |
| 9 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 10 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 11 | | | | | | | Speaker | Y |

12 Co-sponsor(s) added: Representative(s) Danielson, Hamner, Rosenthal, Young

13
 14 **HB15-1115** by Representative(s) Lawrence; also Senator(s) Newell
 15 and Lundberg--Concerning privacy in regard to emerging
 16 technologies.

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

| 22 | YES | 60 | NO | 3 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|---|-------------|---|------------|---|
| 24 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | N |
| 25 | Becker J. | Y | Foote | Y | McCann | Y | Saine | Y |
| 26 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 27 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 28 | Buck | Y | Hamner | Y | Moreno | Y | Singer | Y |
| 29 | Buckner | E | Humphrey | Y | Navarro | Y | Tate | Y |
| 30 | Carver | Y | Joshi | Y | Neville P. | Y | Thurlow | Y |
| 31 | Conti | Y | Kagan | Y | Nordberg | Y | Tyler | Y |
| 32 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | Y |
| 33 | Court | Y | Klingenschmitt | Y | Pettersen | Y | Vigil | N |
| 34 | Danielson | Y | Kraft-Tharp | Y | Primavera | N | Willett | Y |
| 35 | DelGrosso | Y | Landgraf | Y | Priola | Y | Williams | Y |
| 36 | Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y |
| 37 | Duran | Y | Lebsock | Y | Ransom | Y | Windholz | Y |
| 38 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 39 | Everett | Y | Lontine | Y | Roupe | Y | Young | Y |
| 40 | | | | | | | Speaker | Y |

41 Co-sponsor(s) added: Representative(s) Lebsock, Pettersen, Salazar

42
 43 **HB15-1325** by Representative(s) Lebsock--Concerning hemp, and, in
 44 connection therewith, adding committee members to the
 45 industrial hemp committee and allowing registered persons
 46 to possess and transport industrial hemp.

47
 48 Laid over until April 22, retaining place on Calendar.

49
 50 **HB15-1282** by Representative(s) Saine, Humphrey, Nordberg; also
 51 Senator(s) Newell, Marble--Concerning the creation of
 52 crimes involving deception about material information in
 53 connection with the preparation of birth certificates.

54
 55 The question being "Shall the bill 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 bill
2 was declared **passed**.

| | YES | 44 | NO | 19 | EXCUSED | 2 | ABSENT | 0 |
|--------------|-----|----------------|----|-------------|---------|------------|--------|---|
| 5 Arndt | Y | Fields | N | Lundeen | Y | Ryden | Y | |
| 6 Becker J. | Y | Foote | Y | McCann | N | Saine | Y | |
| 7 Becker K. | Y | Garnett | N | Melton | N | Salazar | N | |
| 8 Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | N | |
| 9 Buck | Y | Hamner | Y | Moreno | N | Singer | Y | |
| 10 Buckner | E | Humphrey | Y | Navarro | Y | Tate | N | |
| 11 Carver | Y | Joshi | Y | Neville P. | Y | Thurlow | Y | |
| 12 Conti | Y | Kagan | Y | Nordberg | Y | Tyler | Y | |
| 13 Coram | Y | Keyser | Y | Pabon | N | Van Winkle | Y | |
| 14 Court | Y | Klingenschmitt | Y | Pettersen | N | Vigil | N | |
| 15 Danielson | Y | Kraft-Tharp | N | Primavera | N | Willett | Y | |
| 16 DelGrosso | Y | Landgraf | Y | Priola | N | Williams | Y | |
| 17 Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y | |
| 18 Duran | Y | Lebsock | Y | Ransom | Y | Windholz | Y | |
| 19 Esgar | N | Lee | Y | Rosenthal | N | Winter | N | |
| 20 Everett | Y | Lontine | N | Roupe | Y | Young | Y | |
| 21 | | | | | | Speaker | N | |

22 Co-sponsor(s) added: Representative(s) Kagan, Klingenschmitt

23
24 **HB15-1083** by Representative(s) Primavera, Duran, Singer; also
25 Senator(s) Crowder--Concerning patient financial
26 contributions for physical rehabilitation services.

27
28 The question being "Shall the bill pass?".

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

| | YES | 37 | NO | 26 | EXCUSED | 2 | ABSENT | 0 |
|--------------|-----|----------------|----|-------------|---------|------------|--------|---|
| 34 Arndt | Y | Fields | Y | Lundeen | N | Ryden | Y | |
| 35 Becker J. | N | Foote | Y | McCann | Y | Saine | N | |
| 36 Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y | |
| 37 Brown | N | Ginal | Y | Mitsch Bush | Y | Sias | Y | |
| 38 Buck | N | Hamner | Y | Moreno | Y | Singer | Y | |
| 39 Buckner | E | Humphrey | N | Navarro | N | Tate | N | |
| 40 Carver | N | Joshi | N | Neville P. | N | Thurlow | N | |
| 41 Conti | Y | Kagan | Y | Nordberg | N | Tyler | Y | |
| 42 Coram | Y | Keyser | N | Pabon | Y | Van Winkle | N | |
| 43 Court | Y | Klingenschmitt | N | Pettersen | Y | Vigil | Y | |
| 44 Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | N | |
| 45 DelGrosso | N | Landgraf | N | Priola | N | Williams | Y | |
| 46 Dore | E | Lawrence | N | Rankin | N | Wilson | N | |
| 47 Duran | Y | Lebsock | Y | Ransom | N | Windholz | Y | |
| 48 Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y | |
| 49 Everett | N | Lontine | Y | Roupe | N | Young | Y | |
| 50 | | | | | | Speaker | Y | |

51 Co-sponsor(s) added: Representative(s) Esgar, Fields, Ginal, Hamner, Lebsock,
52 Lee, Melton, Pettersen, Rosenthal, Ryden, Salazar, Young, Speaker

53

1 [HB15-1177](#) by Representative(s) Willett and Becker K., Becker J.; also
 2 Senator(s) Donovan--Concerning the creation of the rural
 3 economic development initiative grant program for highly
 4 distressed rural counties.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

| | YES | 46 | NO | 17 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 12 | Arndt | Y | Fields | Y | Lundeen | N | Ryden | Y |
| 13 | Becker J. | Y | Foote | Y | McCann | Y | Saine | N |
| 14 | Becker K. | Y | Garnett | N | Melton | Y | Salazar | Y |
| 15 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | N |
| 16 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 17 | Buckner | E | Humphrey | N | Navarro | Y | Tate | Y |
| 18 | Carver | N | Joshi | N | Neville P. | N | Thurlow | Y |
| 19 | Conti | Y | Kagan | Y | Nordberg | N | Tyler | Y |
| 20 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | N |
| 21 | Court | Y | Klingenschmitt | N | Pettersen | Y | Vigil | Y |
| 22 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 23 | DelGrosso | Y | Landgraf | N | Priola | N | Williams | Y |
| 24 | Dore | E | Lawrence | N | Rankin | Y | Wilson | Y |
| 25 | Duran | Y | Lebsock | Y | Ransom | N | Windholz | Y |
| 26 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 27 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 28 | | | | | | | Speaker | Y |

29 Co-sponsor(s) added: Representative(s) Duran, Fields, Ginal, Hamner,
 30 Kraft-Tharp, Lebsock, Mitsch Bush, Pabon, Pettersen, Rosenthal, Salazar,
 31 Singer, Vigil, Williams, Young, Speaker

32
 33 [HB15-1234](#) by Representative(s) Mitsch Bush; also Senator(s)
 34 Sonnenberg--Concerning a temporary income tax
 35 deduction for a portion of lease payments received by a
 36 qualified taxpayer for leasing the taxpayer's agricultural
 37 asset to an eligible beginning farmer or rancher.

38
 39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.

| | YES | 47 | NO | 16 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 45 | Arndt | Y | Fields | Y | Lundeen | N | Ryden | Y |
| 46 | Becker J. | Y | Foote | Y | McCann | Y | Saine | N |
| 47 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 48 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | N |
| 49 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 50 | Buckner | E | Humphrey | N | Navarro | Y | Tate | N |
| 51 | Carver | N | Joshi | N | Neville P. | N | Thurlow | Y |
| 52 | Conti | Y | Kagan | Y | Nordberg | N | Tyler | Y |
| 53 | Coram | Y | Keyser | N | Pabon | Y | Van Winkle | N |
| 54 | Court | Y | Klingenschmitt | N | Pettersen | Y | Vigil | Y |
| 55 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 56 | DelGrosso | Y | Landgraf | N | Priola | Y | Williams | Y |

| | | | | | | | | |
|---|---------|---|----------|---|-----------|---|----------|---|
| 1 | Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y |
| 2 | Duran | Y | Lebsock | Y | Ransom | N | Windholz | Y |
| 3 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 4 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 5 | | | | | | | Speaker | Y |

6 Co-sponsor(s) added: Representative(s) Brown, Duran, Fields, Hamner,
7 Lebsock, Pabon, Pettersen, Ryden, Salazar, Williams, Young, Speaker

8
9 [HB15-1261](#) by Representative(s) Young, Hamner, Rankin; also
10 Senator(s) Grantham, Lambert, Steadman--Concerning the
11 maximum reserve for a cash fund with fee revenue.

12
13 The question being "Shall the bill pass?".

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

| 17 | YES | 53 | NO | 10 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 19 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y |
| 20 | Becker J. | Y | Foote | Y | McCann | Y | Saine | N |
| 21 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 22 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 23 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 24 | Buckner | E | Humphrey | N | Navarro | Y | Tate | Y |
| 25 | Carver | Y | Joshi | N | Neville P. | N | Thurlow | Y |
| 26 | Conti | Y | Kagan | Y | Nordberg | Y | Tyler | Y |
| 27 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | Y |
| 28 | Court | Y | Klingenschmitt | N | Pettersen | Y | Vigil | Y |
| 29 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 30 | DelGrosso | N | Landgraf | Y | Priola | Y | Williams | Y |
| 31 | Dore | E | Lawrence | N | Rankin | Y | Wilson | Y |
| 32 | Duran | Y | Lebsock | Y | Ransom | N | Windholz | Y |
| 33 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 34 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 35 | | | | | | | Speaker | Y |

36
37 [HB15-1305](#) by Representative(s) Foote and Willett; also Senator(s)
38 Grantham and Johnston--Concerning a prohibition on
39 manufacturing marijuana concentrate in an unregulated
40 environment using an inherently hazardous substance, and,
41 in connection therewith, making an appropriation.

42
43 The question being "Shall the bill pass?".

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

| 47 | YES | 62 | NO | 1 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------|---|-------------|---|---------|---|
| 49 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y |
| 50 | Becker J. | Y | Foote | Y | McCann | Y | Saine | Y |
| 51 | Becker K. | Y | Garnett | Y | Melton | N | Salazar | Y |
| 52 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 53 | Buck | Y | Hamner | Y | Moreno | Y | Singer | Y |
| 54 | Buckner | E | Humphrey | Y | Navarro | Y | Tate | Y |
| 55 | Carver | Y | Joshi | Y | Neville P. | Y | Thurlow | Y |
| 56 | Conti | Y | Kagan | Y | Nordberg | Y | Tyler | Y |

| | | | | | | | | |
|---|-----------|---|----------------|---|-----------|---|------------|---|
| 1 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | Y |
| 2 | Court | Y | Klingenschmitt | Y | Pettersen | Y | Vigil | Y |
| 3 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 4 | DelGrosso | Y | Landgraf | Y | Priola | Y | Williams | Y |
| 5 | Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y |
| 6 | Duran | Y | Lebsock | Y | Ransom | Y | Windholz | Y |
| 7 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 8 | Everett | Y | Lontine | Y | Roupe | Y | Young | Y |
| 9 | | | | | | | Speaker | Y |

10 Co-sponsor(s) added: Representative(s) Becker K., Conti, Pabon, Rosenthal,
11 Ryden, Van Winkle, Windholz, Young

12
13 [HB15-1334](#) by Representative(s) Hamner and Rankin; also Senator(s)
14 Hill and Kerr--Concerning creation of a legislative
15 committee to study school finance, and, in connection
16 therewith, making an appropriation.

17
18 The question being "Shall the bill pass?".

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

| 22 | YES | 47 | NO | 16 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 24 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y |
| 25 | Becker J. | Y | Foote | Y | McCann | Y | Saine | N |
| 26 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 27 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 28 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 29 | Buckner | E | Humphrey | N | Navarro | N | Tate | N |
| 30 | Carver | N | Joshi | N | Neville P. | N | Thurlow | Y |
| 31 | Conti | Y | Kagan | Y | Nordberg | N | Tyler | Y |
| 32 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | N |
| 33 | Court | Y | Klingenschmitt | N | Pettersen | Y | Vigil | Y |
| 34 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 35 | DelGrosso | Y | Landgraf | N | Priola | N | Williams | Y |
| 36 | Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y |
| 37 | Duran | Y | Lebsock | Y | Ransom | N | Windholz | Y |
| 38 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 39 | Everett | N | Lontine | Y | Roupe | N | Young | Y |
| 40 | | | | | | | Speaker | Y |

41 Co-sponsor(s) added: Representative(s) Fields, Garnett, Ginal, Kraft-Tharp,
42 Lee, Mitsch Bush, Moreno, Pettersen, Rosenthal, Ryden, Young

43
44 [HB15-1353](#) by Representative(s) Garnett; also Senator(s) Martinez
45 Humenik--Concerning the continuation of the regulation
46 of conveyances, and, in connection therewith, extending
47 the certification of conveyances and conveyance
48 mechanics, contractors, and inspectors of elevators and
49 escalators until July 1, 2022.

50
51 The question being "Shall the bill pass?".

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

55

| | YES | 57 | NO | 6 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|---|-------------|---|------------|---|
| 1 | | | | | | | | |
| 2 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y |
| 3 | Becker J. | Y | Foote | Y | McCann | Y | Saine | N |
| 4 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 5 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 6 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 7 | Buckner | E | Humphrey | N | Navarro | Y | Tate | Y |
| 8 | Carver | Y | Joshi | N | Neville P. | N | Thurlow | Y |
| 9 | Conti | Y | Kagan | Y | Nordberg | Y | Tyler | Y |
| 10 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | Y |
| 11 | Court | Y | Klingenschmitt | Y | Pettersen | Y | Vigil | Y |
| 12 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 13 | DelGrosso | Y | Landgraf | Y | Priola | Y | Williams | Y |
| 14 | Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y |
| 15 | Duran | Y | Lebsock | Y | Ransom | Y | Windholz | Y |
| 16 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 17 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 18 | | | | | | | Speaker | Y |

19 Co-sponsor(s) added: Representative(s) Danielson, Duran

20
 21 **SB15-192** by Senator(s) Aguilar; also Representative(s) Joshi--
 22 Concerning the provision of a therapeutic alternate drug
 23 selection to patients residing in certain long-term care
 24 facilities.
 25

26 The question being "Shall the bill pass?".

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

| | YES | 63 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|---|-------------|---|------------|---|
| 31 | | | | | | | | |
| 32 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y |
| 33 | Becker J. | Y | Foote | Y | McCann | Y | Saine | Y |
| 34 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 35 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 36 | Buck | Y | Hamner | Y | Moreno | Y | Singer | Y |
| 37 | Buckner | E | Humphrey | Y | Navarro | Y | Tate | Y |
| 38 | Carver | Y | Joshi | Y | Neville P. | Y | Thurlow | Y |
| 39 | Conti | Y | Kagan | Y | Nordberg | Y | Tyler | Y |
| 40 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | Y |
| 41 | Court | Y | Klingenschmitt | Y | Pettersen | Y | Vigil | Y |
| 42 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 43 | DelGrosso | Y | Landgraf | Y | Priola | Y | Williams | Y |
| 44 | Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y |
| 45 | Duran | Y | Lebsock | Y | Ransom | Y | Windholz | Y |
| 46 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 47 | Everett | Y | Lontine | Y | Roupe | Y | Young | Y |
| 48 | | | | | | | Speaker | Y |

49 Co-sponsor(s) added: Representative(s) Brown, Ginal, Roupe

50
 51 **SB15-208** by Senator(s) Kefalas; also Representative(s) Brown,
 52 Becker K., Vigil--Concerning capital-related expenditures,
 53 and, in connection therewith, granting the controller
 54 authority to allow expenditures for capital construction
 55 budget appropriations if nonmonetary adjustments are
 56 needed when the legislature is not in session, adding a

1 capital development committee-approved waiver for the
 2 arts in public places requirement, and clarifying the types
 3 of capital construction projects to which the arts in public
 4 places requirement applies.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

| | YES | 51 | NO | 12 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 12 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y |
| 13 | Becker J. | Y | Foote | Y | McCann | Y | Saine | N |
| 14 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 15 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | N |
| 16 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 17 | Buckner | E | Humphrey | N | Navarro | N | Tate | N |
| 18 | Carver | Y | Joshi | Y | Neville P. | N | Thurlow | Y |
| 19 | Conti | Y | Kagan | Y | Nordberg | N | Tyler | Y |
| 20 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | Y |
| 21 | Court | Y | Klingenschmitt | N | Pettersen | Y | Vigil | Y |
| 22 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 23 | DelGrosso | Y | Landgraf | N | Priola | Y | Williams | Y |
| 24 | Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y |
| 25 | Duran | Y | Lebsock | Y | Ransom | N | Windholz | Y |
| 26 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 27 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 28 | | | | | | | Speaker | Y |

29 Co-sponsor(s) added: Representative(s) Coram

30
 31 **HB15-1327** by Representative(s) Ginal and Roupe, Priola, Tate,
 32 Carver, Danielson, Esgar, Hullinghorst, Joshi, Landgraf,
 33 Lebsock, McCann, Melton, Pabon, Primavera, Rosenthal,
 34 Ryden, Salazar, Sias, Singer, Thurlow, Vigil, Winter; also
 35 Senator(s) Garcia and Cooke, Woods, Balmer, Grantham--
 36 Concerning limitations on proxy marriages.

37
 38 The question being "Shall the bill pass?".
 39 A roll call vote was taken. As shown by the following recorded vote, a
 40 majority of those elected to the House voted in the affirmative and the bill
 41 was declared **passed**.

| | YES | 63 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|---|-------------|---|------------|---|
| 44 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y |
| 45 | Becker J. | Y | Foote | Y | McCann | Y | Saine | Y |
| 46 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 47 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 48 | Buck | Y | Hamner | Y | Moreno | Y | Singer | Y |
| 49 | Buckner | E | Humphrey | Y | Navarro | Y | Tate | Y |
| 50 | Carver | Y | Joshi | Y | Neville P. | Y | Thurlow | Y |
| 51 | Conti | Y | Kagan | Y | Nordberg | Y | Tyler | Y |
| 52 | Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | Y |
| 53 | Court | Y | Klingenschmitt | Y | Pettersen | Y | Vigil | Y |
| 54 | Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y |
| 55 | DelGrosso | Y | Landgraf | Y | Priola | Y | Williams | Y |
| 56 | Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y |

| | | | | | | | | |
|---|---------|---|---------|---|-----------|---|----------|---|
| 1 | Duran | Y | Lebsock | Y | Ransom | Y | Windholz | Y |
| 2 | Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y |
| 3 | Everett | Y | Lontine | Y | Roupe | Y | Young | Y |
| 4 | | | | | | | Speaker | Y |

5 Co-sponsor(s) added: Representative(s) Brown, Conti, Court, Fields, Pettersen,
6 Saine, Williams, Windholz, Young

7
8
9

10

11 On motion of Representative Arndt, the House resolved itself into
12 Committee of the Whole for consideration of General Orders, and she
13 was called to the Chair to act as Chairman.

14
15

18 GENERAL ORDERS--SECOND READING OF BILLS

19

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

24

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

27

28 [HB15-1297](#) by Representative(s) Ginal and Joshi; also Senator(s)
29 Aguilar and Lundberg--Concerning unfair business
30 practices within vision insurance plans.

31

32 Laid over until May 11, 2015, Deemed lost.

33

34 [HB15-1088](#) by Representative(s) Winter; also Senator(s) Crowder--
35 Concerning the creation of the interagency farm-to-school
36 grant program.

37

38 Amendment No. 1, Education Report, dated February 18, 2015, and
39 placed in member's bill file; Report also printed in House Journal,
40 February 19, 2015.

41

42 Amendment No. 2, Appropriations Report, dated April 17, 2015, and
43 placed in member's bill file; Report also printed in House Journal, April
44 20, 2015.

45

46 Amendment No. 3, moved by Representative(s) Winter.

47

48 Amend the Education Committee Report, dated February 18, 2015, page
49 4, line 18, strike "SEEK AND ACCEPT" and substitute "SEEK, ACCEPT, AND
50 EXPEND".

51

52 Page 6, line 40, strike "JULY 1, 2020." and substitute "JULY 1, 2021".

53

54 Page 7, line 3, strike "(51)" and substitute "(52)".

55

56 Page 7, line 4, strike "(g)" and substitute "(j)".

1 Page 7, line 7, strike "(51)" and substitute "(52)".

2

3 Page 7, line 8, strike "2020:" and substitute "2021:".

4

5 Page 7, line 9, strike "(g)" and substitute "(j)".

6

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

9

10 [HB15-1061](#) by Representative(s) Van Winkle; also Senator(s)
11 Roberts--Concerning the prohibition of sealing municipal
12 domestic violence convictions.

13

14 Laid over until April 22, retaining place on Calendar.

15

16 [HB15-1201](#) by Representative(s) Rankin and Buckner, Brown,
17 DelGrosso, Dore, Garnett, Lundeen, Pettersen, Wilson;
18 also Senator(s) Todd--Concerning providing centralized
19 operating services through boards of cooperative services,
20 and, in connection therewith, making an appropriation.

21

22 Laid over until April 22, retaining place on Calendar.

23

24 [HB15-1323](#) by Representative(s) Buckner and Wilson, Duran, Fields,
25 Garnett, Hamner, Lee, Moreno, Pettersen, Priola,
26 Windholz, Young--Concerning assessments in public
27 schools, and, in connection therewith, codifying the
28 consensus recommendations of the standards and
29 assessments task force created in House Bill 14-1202.

30

31 Laid over until April 22, retaining place on Calendar.

32

33 [HB15-1290](#) by Representative(s) Salazar and Esgar, Lundeen, Priola,
34 Pettersen, Buckner, Duran, Everett, Garnett, Kagan, Lee,
35 Lontine, Melton, Pabon, Saine, Tate, Tyler, Vigil,
36 Williams; also Senator(s) Guzman, Ulibarri--Concerning
37 prohibiting a peace officer from interfering with a person
38 lawfully recording a peace officer-involved incident.

39

40 Amendment No. 1, Judiciary Report, dated April 16, 2015, and placed in
41 member's bill file; Report also printed in House Journal, April 17, 2015

42

43 Amendment No. 2, moved by Representative(s) Salazar.

44

45 Amend the Judiciary Committee Report, dated April 14, 2015, page 1,
46 strike lines 3 through 24 and substitute:

47

48 "SECTION 1. In Colorado Revised Statutes, **add** 13-21-128 as
49 follows:

50

51 **13-21-128. Civil liability for destruction or unlawful seizure**

52

53 **of recordings by a law enforcement officer - definitions.**

54

55 (1) (a) NOTWITHSTANDING ANY OTHER REMEDIES, A PERSON HAS A RIGHT

56

OF RECOVERY AGAINST A PEACE OFFICER'S EMPLOYING LAW ENFORCEMENT AGENCY IF A PERSON ATTEMPTS TO OR LAWFULLY RECORDS AN INCIDENT INVOLVING A PEACE OFFICER AND:

(I) A PEACE OFFICER UNLAWFULLY DESTROYS OR DAMAGES THE

1 RECORDING OR RECORDING DEVICE;

2 (II) A PEACE OFFICER SEIZES THE RECORDING OR RECORDING
3 DEVICE WITHOUT PERMISSION, WITHOUT LAWFUL ORDER OF THE COURT,
4 OR WITHOUT OTHER LAWFUL GROUNDS TO SEIZE THE DEVICE;

5 (III) A PEACE OFFICER INTENTIONALLY INTERFERES WITH THE
6 PERSON'S LAWFUL ATTEMPT TO RECORD AN INCIDENT INVOLVING A PEACE
7 OFFICER;

8 (IV) A PEACE OFFICER RETALIATES AGAINST A PERSON FOR
9 RECORDING OR ATTEMPTING TO RECORD AN INCIDENT INVOLVING A PEACE
10 OFFICER; OR

11 (V) A PEACE OFFICER REFUSES TO RETURN THE PERSON'S
12 RECORDING DEVICE THAT CONTAINS A RECORDING OF A PEACE
13 OFFICER-INVOLVED INCIDENT WITHIN A REASONABLE TIME PERIOD AND
14 WITHOUT LEGAL JUSTIFICATION.

15 (b) IF A PEACE OFFICER ENGAGES IN ANY OF THE CONDUCT
16 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE AGGRIEVED
17 PROPERTY OWNER MAY SUBMIT AN AFFIDAVIT TO THE PEACE OFFICER'S
18 EMPLOYING LAW ENFORCEMENT AGENCY SETTING FORTH THE FACTS OF
19 THE INCIDENT, THE DAMAGE DONE TO THE OWNER'S PROPERTY, AND A
20 VERIFIABLE ESTIMATE OF THE REPLACEMENT COST FOR ANY DAMAGED OR
21 DESTROYED DEVICE. IF A RECORDING WAS DAMAGED OR DESTROYED, THE
22 OWNER MAY CLAIM FIVE HUNDRED DOLLARS AS THE VALUE OF THE
23 RECORDING ITSELF. UPON RECEIPT OF THIS AFFIDAVIT, THE LAW
24 ENFORCEMENT AGENCY SHALL HAVE THIRTY DAYS TO EITHER PAY THE
25 AGGRIEVED PROPERTY OWNER THE AMOUNT REQUESTED IN THE
26 AFFIDAVIT OR ISSUE A DENIAL OF THE REQUEST IN WRITING.

27 (c) IF A DENIAL OF REIMBURSEMENT IS ISSUED BY THE LAW
28 ENFORCEMENT AGENCY PURSUANT TO PARAGRAPH (b) OF THIS
29 SUBSECTION (1), AND THE AGGRIEVED PROPERTY OWNER DISAGREES WITH
30 THE DENIAL, THE PROPERTY OWNER MAY BRING A CIVIL ACTION AGAINST
31 THE PEACE OFFICER'S EMPLOYING LAW ENFORCEMENT AGENCY FOR
32 ACTUAL DAMAGES, INCLUDING THE REPLACEMENT VALUE OF THE DEVICE,
33 THE AMOUNT OF FIVE HUNDRED DOLLARS FOR ANY DAMAGED OR
34 DESTROYED RECORDING, AND ANY COSTS AND FEES ASSOCIATED WITH
35 THE FILING OF THE CIVIL ACTION. THE COURT MAY ORDER PUNITIVE
36 DAMAGES UP TO FIFTEEN THOUSAND DOLLARS AND ATTORNEYS' FEES TO
37 THE PROPERTY OWNER UPON A FINDING THAT THE DENIAL BY THE LAW
38 ENFORCEMENT AGENCY TO REIMBURSE THE PROPERTY OWNER PURSUANT
39 TO PARAGRAPH (b) OF THIS SECTION WAS MADE IN BAD FAITH. IF THE
40 COURT FINDS THAT AN ACTION BROUGHT BY A PROPERTY OWNER IS
41 FRIVOLOUS AND WITHOUT MERIT, THE COURT MAY AWARD THE LAW
42 ENFORCEMENT AGENCY ITS REASONABLE COSTS AND ATTORNEYS' FEES.

43 (2) AN ACTION BROUGHT PURSUANT TO THIS SECTION DOES NOT
44 PRECLUDE THE PERSON FROM SEEKING THAT CRIMINAL CHARGES BE FILED
45 AGAINST A PEACE OFFICER FOR TAMPERING WITH PHYSICAL EVIDENCE IN
46 VIOLATION OF SECTION 18-8-610, C.R.S., OR ANY OTHER CRIME.

47 (3) FOR PURPOSES OF THIS SECTION, "RETALIATION" MEANS A
48 THREAT, ACT OF HARASSMENT, AS DEFINED IN SECTION 18-9-111, C.R.S.,
49 OR ACT OF HARM OR INJURY UPON ANY PERSON OR PROPERTY, WHICH
50 ACTION IS DIRECTED TO OR COMMITTED UPON A PERSON RECORDING THE
51 PEACE OFFICER-INVOLVED INCIDENT, AS RETALIATION OR RETRIBUTION
52 AGAINST SUCH WITNESS OR VICTIM.

53 **SECTION 2.** In Colorado Revised Statutes, **add** 16-3-311 as
54 follows:

55 **16-3-311. Peace officer incident recordings.** (1) A PERSON HAS
56 THE RIGHT TO LAWFULLY RECORD ANY INCIDENT INVOLVING A PEACE

1 OFFICER AND TO MAINTAIN CUSTODY AND CONTROL OF THAT RECORDING
2 AND THE DEVICE USED TO RECORD THE RECORDING. A PEACE OFFICER
3 SHALL NOT SEIZE A RECORDING OR RECORDING DEVICE WITHOUT
4 CONSENT, WITHOUT A SEARCH WARRANT OR SUBPOENA, OR WITHOUT A
5 LAWFUL EXCEPTION TO THE WARRANT REQUIREMENT.

6 (2) (a) IF A PEACE OFFICER SEEKS TO OBTAIN FROM A PERSON A
7 DEVICE USED TO RECORD AN INCIDENT INVOLVING A PEACE OFFICER IN
8 ORDER TO ACCESS THE RECORDING AS POSSIBLE EVIDENCE IN AN
9 INVESTIGATION, THE OFFICER SHALL FIRST:

10 (I) ADVISE THE PERSON OF HIS OR HER NAME, HIS OR HER BADGE
11 NUMBER OR OTHER IDENTIFYING NUMBER, AND THE NAME OF THE LAW
12 ENFORCEMENT AGENCY;

13 (II) IDENTIFY THE LEGAL REASON FOR WHICH THE INFORMATION
14 IS REQUESTED; AND

15 (III) IF PRACTICABLE UNDER THE CIRCUMSTANCES, INQUIRE
16 WHETHER THE PERSON WILL VOLUNTARILY PROVIDE THE OFFICER WITH A
17 COPY OF THE SPECIFIC RECORDING THAT IS RELEVANT TO THE
18 INVESTIGATION EITHER BY VOLUNTARILY PROVIDING THE DEVICE TO THE
19 OFFICER OR IMMEDIATELY ELECTRONICALLY TRANSFERRING THE
20 INFORMATION TO THE OFFICER OR THE LAW ENFORCEMENT AGENCY SO
21 THAT THE PERSON MAY RETAIN POSSESSION OF HIS OR HER DEVICE, THE
22 RECORDING, AND ANY PERSONAL NON-EVIDENTIARY PRIVATE
23 INFORMATION CONTAINED ON THE DEVICE.

24 (b) IF THE PERSON CONSENTS VOLUNTARILY TO THE TRANSFER OF
25 THE DEVICE TO LAW ENFORCEMENT, THE PEACE OFFICER SHALL LIMIT HIS
26 OR HER SEARCH OF THE DEVICE TO A SEARCH FOR THE RECORDING THAT
27 IS RELEVANT EVIDENCE TO THE INVESTIGATION, AND THE DEVICE SHALL
28 BE RETURNED TO THE PERSON UPON REQUEST AND WITH ALL CONVENIENT
29 SPEED.

30 (c) IF THE PERSON CONSENTS TO AN ELECTRONIC TRANSFER OF THE
31 RECORDING, THE ELECTRONIC TRANSFER SHALL TAKE PLACE AS SOON AS
32 POSSIBLE AND WITHOUT UNNECESSARY DELAY.

33 (d) IN CIRCUMSTANCES WHEN THE IMMEDIATE ELECTRONIC
34 TRANSFER IS NOT PRACTICABLE OR IF THE PERSON DOES NOT CONSENT TO
35 THE ELECTRONIC TRANSFER OF THE EVIDENTIARY INFORMATION OR TO
36 THE SEIZURE OF THE DEVICE, THE PEACE OFFICER MAY ARRANGE FOR THE
37 TRANSFER OR DELIVERY OF THE INFORMATION OR DEVICE TO THE PEACE
38 OFFICER OR TO THE LAW ENFORCEMENT AGENCY BY ANY ALTERNATIVE
39 MEANS CONSISTENT WITH ANY POLICIES AND PROCEDURES OF THE LAW
40 ENFORCEMENT AGENCY.

41 (e) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, A PEACE
42 OFFICER HAS THE AUTHORITY TO TEMPORARILY SEIZE AND MAINTAIN
43 CONTROL OVER A DEVICE THAT WAS USED TO RECORD AN INCIDENT
44 INVOLVING A PEACE OFFICER UNTIL A SEARCH WARRANT CAN BE
45 OBTAINED WHEN EXIGENT CIRCUMSTANCES EXIST SUCH THAT THE PEACE
46 OFFICER BELIEVES IT IS NECESSARY TO SAVE A LIFE OR WHEN THE PEACE
47 OFFICER HAS A REASONABLE, ARTICULABLE, GOOD-FAITH BELIEF THAT
48 SEIZURE OF THE DEVICE IS NECESSARY TO PREVENT THE DESTRUCTION OF
49 THE EVIDENTIARY RECORDING WHILE A WARRANT IS OBTAINED.

50 (3) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO DEVICES
51 SEIZED INCIDENT TO ARREST.

52 (4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALLOW A
53 PERSON TO INTERFERE WITH A PEACE OFFICER IN THE LAWFUL
54 PERFORMANCE OF HIS OR HER DUTIES.

55 **SECTION 3.** In Colorado Revised Statutes, 24-10-106, **add** (1)
56 (i) as follows:

1 **24-10-106. Immunity and partial waiver.** (1) A public entity
2 shall be immune from liability in all claims for injury which lie in tort or
3 could lie in tort regardless of whether that may be the type of action or
4 the form of relief chosen by the claimant except as provided otherwise in
5 this section. Sovereign immunity is waived by a public entity in an action
6 for injuries resulting from:

7 (i) AN ACTION BROUGHT PURSUANT TO SECTION 13-21-128,
8 C.R.S.

9 **SECTION 4. Effective date - applicability.** This act takes effect
10 one year after passage and applies to actions committed on or after said
11 date.

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

15
16 Strikes pages 2 and 3 of the committee report.

17
18 Amendment No. 3, moved by Representative(s) Salazar.

19
20 Amend Amendment No. 2, by Representative Salazar, printed in House
21 Journal page 932, line 27, strike "REIMBURSEMENT" and substitute
22 "CLAIM".

23
24 Page 932, line 38, strike "PROPERTY OWNER" and substitute "PERSON".

25
26 Page 932, line 40, strike "PROPERTY OWNER" and substitute "PERSON".

27
28 Page 933, line 37, after "DEVICE" insert "WITH THE PERSON".

29
30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32
33 [HB15-1328](#) by Representative(s) Singer, Priola, Buckner, Danielson,
34 Esgar, Garnett, Ginal, Lebsock, Lee, Lontine, Salazar,
35 Tyler, Williams, Winter; also Senator(s) Heath, Newell--
36 Concerning requiring youth sports organizations to require
37 criminal history record checks of persons who work with
38 children.

39
40 Laid over until April 22, retaining place on Calendar.

41
42 [HB15-1342](#) by Representative(s) Salazar, Esgar, Ginal, Melton--
43 Concerning the right of private-sector employees to
44 inspect their personnel files.

45
46 Laid over until April 24, retaining place on Calendar.

47
48
49 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

50
51 Passed Second Reading: **HB15-1088 amended, 1290 amended.**

52
53 Laid over until date indicated retaining place on Calendar:

54 **HB15-1061, 1201, 1323, 1328, 1342**--April 22, 2015

55 **HB15-1342**--April 24, 2015

56 **HB15-1297**--May 11, 2015, **Deemed lost.**

1 The Chairman moved the adoption of the Committee of the Whole
 2 Report. As shown by the following roll call vote, a majority of those
 3 elected to the House voted in the affirmative, and the Report was
 4 **adopted**.

| | YES | 61 | NO | 1 | EXCUSED | 3 | ABSENT | 0 |
|--------------|-----|----------------|----|-------------|---------|------------|--------|---|
| 7 Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y | |
| 8 Becker J. | Y | Foote | Y | McCann | Y | Saine | Y | |
| 9 Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y | |
| 10 Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | E | |
| 11 Buck | Y | Hamner | Y | Moreno | Y | Singer | Y | |
| 12 Buckner | E | Humphrey | Y | Navarro | Y | Tate | Y | |
| 13 Carver | Y | Joshi | Y | Neville P. | Y | Thurlow | Y | |
| 14 Conti | Y | Kagan | Y | Nordberg | Y | Tyler | Y | |
| 15 Coram | Y | Keyser | Y | Pabon | Y | Van Winkle | N | |
| 16 Court | Y | Klingenschmitt | Y | Pettersen | Y | Vigil | Y | |
| 17 Danielson | Y | Kraft-Tharp | Y | Primavera | Y | Willett | Y | |
| 18 DelGrosso | Y | Landgraf | Y | Priola | Y | Williams | Y | |
| 19 Dore | E | Lawrence | Y | Rankin | Y | Wilson | Y | |
| 20 Duran | Y | Lebsock | Y | Ransom | Y | Windholz | Y | |
| 21 Esgar | Y | Lee | Y | Rosenthal | Y | Winter | Y | |
| 22 Everett | Y | Lontine | Y | Roupe | Y | Young | Y | |
| 23 | | | | | | Speaker | Y | |

CONSIDERATION OF RESOLUTION(S)

29 **HJR15-1020** by Representative(s) Windholz and Priola; also Senator(s)
 30 Todd--Concerning the authorization and appropriation of
 31 sufficient moneys to promptly complete the new veterans
 32 hospital on the former Fitzsimons Army Medical Center
 33 site in Aurora, Colorado.

35 (Printed and placed in members' file)

37 On motion of Representative Windholz, the resolution was read at length
 38 and **adopted** by **viva voce** vote.

40 Co-sponsor(s) added: Representative(s) Arndt, Becker J., Brown, Carver, Conti,
 41 Coram, Court, Danielson, DelGrosso, Duran, Esgar, Fields, Foote, Garnett,
 42 Ginal, Hamner, Humphrey, Joshi, Kagan, Keyser, Klingenschmitt, Kraft-Tharp,
 43 Landgraf, Lawrence, Lebsock, Lontine, Lundeen, McCann, Mitsch Bush,
 44 Moreno, Navarro, Nordberg, Pettersen, Primavera, Rankin, Ransom, Roupe,
 45 Salazar, Singer, Tate, Thurlow, Tyler, Van Winkle, Vigil, Willett, Williams,
 46 Wilson, Winter, Young, Speaker

APPOINTMENT

51 The Speaker announced the following appointment to be effective
 52 immediately:

53 **Health Insurance & Environment**

54 Representative Klingenschmitt to replace Representative Sias

1 The Speaker announced the following temporary committee appointment
2 for April 21, 2015 only:

3 **Public Health & Human Services**

4 Representative Klingenschmitt to replace Representative Sias
5
6

7 **LAY OVER OF CALENDAR ITEM(S)**
8

9 On motion of Representative Duran, the following item(s) on the
10 Calendar were laid over until April 22, retaining place on Calendar:

11
12 Consideration of Senate Amendment(s)--**HB15-1212, 1198, 1218, 1280,**
13 **1242, 1255, 1130.**
14

15
16 House in recess. House reconvened.
17
18

19
20 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**
21

22 **EDUCATION**

23 After consideration on the merits, the Committee recommends the
24 following:
25

26 **HB15-1105** be postponed indefinitely.
27

28
29 **HB15-1123** be postponed indefinitely.
30

31
32 **HB15-1125** be postponed indefinitely.
33

34
35 **HB15-1208** be postponed indefinitely.
36

37
38 **SB15-173** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:
41

42 Amend reengrossed bill, page 3, line 25, strike "MARKETING OR
43 ADVERTISING." and substitute "MARKETING, ADVERTISING, OR RESEARCH
44 THAT IS DIRECTED AT UNDERSTANDING THE BEHAVIORS, ATTITUDES, OR
45 PREFERENCES OF SCHOOL-AGE CHILDREN FOR COMMERCIAL PURPOSES."
46

47 Page 4, line 2, strike "MATERIALS," and substitute "MATERIALS
48 REGARDING A PUBLIC SCHOOL STUDENT WHO IS A COLORADO RESIDENT,".
49

50 Page 4, line 10, strike "OPERATOR;" and substitute "OPERATOR FOR A
51 PUBLIC SCHOOL PURPOSE;".
52

53 Page 4, strike lines 11 through 15 and substitute:

54 "(III) GATHERED BY AN OPERATOR AND PERSONALLY IDENTIFIES
55 A STUDENT. THIS INCLUDES, BUT IS NOT LIMITED TO:".
56

- 1 Page 5, line 10, strike "PURPOSES." and substitute "PURPOSES, TO THE
2 EXTENT THAT IT IS OPERATING IN THAT CAPACITY."
3
- 4 Page 5, line 12, strike "OR THE STATE BOARD." and substitute "THE STATE
5 BOARD, OR ON-LINE SCHOOL PROGRAMS AS DEFINED IN SECTIONS
6 22-30.7-102 (9) AND 22-30.7-102 (9.5)."
7
- 8 Page 5, line 16, after "THAT" insert "IS DIRECTED BY OR".
9
- 10 Page 5, line 17, strike "SCHOOL," and substitute "SCHOOL THAT SERVES
11 ANY GRADE BETWEEN KINDERGARTEN AND TWELFTH GRADE,".
12
- 13 Page 5, line 23, after "IS" insert "PRIMARILY".
14
- 15 Page 5, line 26, strike "DELIVERING" and substitute "PRESENTING".
16
- 17 Page 6, line 3, strike "INCLUDE" and substitute "INCLUDE:".
18
- 19 Page 6, strike lines 4 through 6 and substitute:
20 "(I) ADAPTIVE OR INDIVIDUALIZED LEARNING; OR
21 (II) ADVERTISING PRESENTED TO AN INDIVIDUAL STUDENT AT AN
22 ON-LINE LOCATION BASED ON THE STUDENT'S CURRENT VISIT TO THE
23 ON-LINE LOCATION WITHOUT COLLECTION OR RETENTION OF THE
24 STUDENT'S ON-LINE ACTIVITIES OVER TIME, OR IN RESPONSE TO A SINGLE
25 SEARCH QUERY WITHOUT COLLECTION OR RETENTION OF THE STUDENT'S
26 ON-LINE ACTIVITIES OVER TIME."
27
- 28 Page 6, line 22, strike "RECORDS OR".
29
- 30 Page 7, line 3, strike "INFORMATION." and substitute "INFORMATION THAT
31 IS SUBJECT TO THE PROVISIONS OF THIS PART 3."
32
- 33 Page 7, strike line 13 and substitute "THIS SECTION AND DOES NOT USE THE
34 COVERED INFORMATION IN VIOLATION OF THIS PART 3;".
35
- 36 Page 7, line 16, after "TO" insert "ENSURE LEGAL OR REGULATORY
37 COMPLIANCE OR TO".
38
- 39 Page 7, line 17, after the second "TO" insert "OR PARTICIPATE IN".
40
- 41 Page 7, before line 18 insert:
42 "(V) TO PROTECT THE SAFETY OF USERS OR OTHERS OR THE
43 SECURITY OF THE OPERATOR'S WEB SITE, SERVICE, OR APPLICATION;".
44
- 45 Renumber succeeding subparagraphs accordingly.
46
- 47 Page 8, strike line 3 and substitute "OR INSTITUTION, UNLESS THE
48 DISCLOSURE IS EXPRESSLY PERMITTED BY THIS PART 3; AND".
49
- 50 Page 8, after line 6 insert:
51 "(VIII) FOR A SCHOOL, EDUCATIONAL, OR EMPLOYMENT PURPOSE
52 THAT IS REQUESTED BY THE STUDENT OR THE STUDENT'S PARENT OR
53 LEGAL GUARDIAN, PROVIDED THAT THE STUDENT'S COVERED
54 INFORMATION IS NOT USED OR FURTHER DISCLOSED FOR ANY OTHER
55 PURPOSE."
56

- 1 Page 8, line 19, before "IF" insert "WITHIN A REASONABLE TIME FRAME".
2
- 3 Page 8, strike lines 25 through 27.
4
- 5 Page 9, strike lines 1 through 24 and substitute:
6 "(c) PROVIDE CLEAR AND EASY-TO-UNDERSTAND INFORMATION
7 ABOUT THE TYPES OF COVERED INFORMATION THE OPERATOR COLLECTS
8 AND ABOUT HOW THE OPERATOR USES AND SHARES THE COVERED
9 INFORMATION;
10 (d) PROVIDE PROMINENT NOTICE BEFORE MAKING MATERIAL
11 CHANGES TO ITS PRIVACY POLICIES FOR INTERNET WEB SITES, ON-LINE
12 SERVICES, ON-LINE APPLICATIONS, OR MOBILE APPLICATIONS, AS
13 DESCRIBED IN PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION; AND
14 (e) FACILITATE ACCESS TO AND CORRECTION OF COVERED
15 INFORMATION BY A STUDENT OR HIS OR HER PARENT OR LEGAL GUARDIAN
16 EITHER DIRECTLY OR THROUGH THE RELEVANT PUBLIC SCHOOL, TEACHER,
17 SCHOOL DISTRICT, CHARTER SCHOOL, BOARD OF COOPERATIVE SERVICES,
18 OR THE CHARTER SCHOOL INSTITUTE.
19 (7) IF THE INTERNET WEB SITE, ON-LINE SERVICE, ON-LINE
20 APPLICATION, OR MOBILE APPLICATION, AS DESCRIBED IN PARAGRAPH (c)
21 OF SUBSECTION (3) OF THIS SECTION IS OFFERED TO A PUBLIC SCHOOL,
22 TEACHER, SCHOOL DISTRICT, CHARTER SCHOOL, BOARD OF COOPERATIVE
23 SERVICES, OR THE CHARTER SCHOOL INSTITUTE, THE INFORMATION
24 REQUIRED PURSUANT TO PARAGRAPHS (a) AND (b) OF SUBSECTION (6) OF
25 THIS SECTION MAY BE PROVIDED TO THE PUBLIC SCHOOL, TEACHER,
26 SCHOOL DISTRICT, CHARTER SCHOOL, BOARD OF COOPERATIVE SERVICES,
27 OR THE CHARTER SCHOOL INSTITUTE."
28
- 29 Renumber succeeding subsections accordingly.
30
- 31 Page 10, line 3, strike "OTHER PROVISIONS" and substitute "ANOTHER
32 PROVISION" and strike "REQUIRE" and substitute "REQUIRES".
33
- 34 Page 10, line 4, strike the first "THE" and substitute "APPLICABLE".
35
- 36 Page 10, line 26, after "TO" insert "DEVELOP OR".
37
- 38 Page 11, line 3, strike "AND" and substitute "OR".
39
- 40 Page 11, line 4, after "SITES," insert "PRODUCTS,".
41
- 42 Page 11, line 6, strike "DOES NOT:" and substitute "MUST NOT BE
43 CONSTRUED TO:".
44
- 45 Page 11, lines 11 and 12, strike "STUDENT DATA, INCLUDING COVERED
46 INFORMATION," and substitute "COVERED INFORMATION".
47
- 48 Page 11, after line 13 insert:
49 "(c) PROHIBIT AN OPERATOR OF AN INTERNET WEB SITE, ON-LINE
50 SERVICE, ON-LINE APPLICATION, OR MOBILE APPLICATION FROM USING
51 RECOMMENDATION ENGINES TO RECOMMEND TO A STUDENT ADDITIONAL
52 CONTENT OR SERVICES RELATING TO AN EDUCATIONAL, OTHER LEARNING,
53 OR EMPLOYMENT OPPORTUNITY PURPOSE TO STUDENTS WITHIN THE
54 OPERATOR'S WEB SITE, ON-LINE SERVICE, OR APPLICATION IF THE
55 RECOMMENDATION IS NOT DETERMINED IN WHOLE OR IN PART BY
56 PAYMENT OR OTHER CONSIDERATION FROM A THIRD PARTY;

1 (d) PROHIBIT AN OPERATOR OF AN INTERNET WEB SITE, ON-LINE
2 SERVICE, ON-LINE APPLICATION, OR MOBILE APPLICATION FROM
3 RESPONDING TO A STUDENT'S SEARCH, QUERY, OR OTHER REQUEST FOR
4 INFORMATION OR FOR FEEDBACK WITHOUT THE INFORMATION OR
5 RESPONSE BEING DETERMINED IN WHOLE OR IN PART BY PAYMENT OR
6 OTHER CONSIDERATION FROM A THIRD PARTY;

7 (e) PROHIBIT AN OPERATOR OF AN INTERNET WEB SITE, ON-LINE
8 SERVICE, ON-LINE APPLICATION, OR MOBILE APPLICATION FROM USING OR
9 RETAINING A STUDENT'S INFORMATION TO ENSURE LEGAL OR REGULATORY
10 COMPLIANCE OR TO TAKE PRECAUTIONS AGAINST LIABILITY;

11 (f) PROHIBIT AN OPERATOR OF AN INTERNET WEB SITE, ON-LINE
12 SERVICE, ON-LINE APPLICATION, OR MOBILE APPLICATION FROM USING OR
13 DISCLOSING COVERED INFORMATION WITH THE AFFIRMATIVE CONSENT OF
14 THE SCHOOL, STUDENT, OR THE STUDENT'S PARENT OR LEGAL GUARDIAN
15 IF THE CONSENT IS GIVEN IN RESPONSE TO CLEAR AND CONSPICUOUS
16 NOTICE OF THE USE OR DISCLOSURE OF THE COVERED INFORMATION;".

17
18 Reletter succeeding paragraphs accordingly.

19
20 Page 12, line 7, strike "AND" and substitute "OR".

21
22 Page 12, line 8, strike "EXPORT," and substitute "TRANSFER,".

23
24 Page 12, line 9, strike "STUDENT-CREATED" and substitute "STUDENT".

25
26 Page 12, line 22, strike "THEREAFTER:" and substitute "THEREAFTER,
27 EACH SCHOOL DISTRICT, CHARTER SCHOOL, AND THE CHARTER".

28
29 Page 12, strike line 23.

30
31 Page 13, line 2, strike "YEAR; AND" and substitute "YEAR.".

32
33 Page 13, strike lines 3 through 7.

34
35 Page 13, line 17, strike "PURPOSES." and substitute "PURPOSES, TO THE
36 EXTENT THAT IT IS OPERATING IN THAT CAPACITY.".

37

38

39

40

41 **STATE, VETERANS, & MILITARY AFFAIRS**

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

44

45 **HB15-1057** be amended as follows, and as so amended, be referred to
46 the Committee on Legislative Council with favorable
47 recommendation:

48

49 Amend printed bill, page 2, strike line 11 and substitute "title,".

50

51 Page 3, line 2, strike "(1.3) and (1.7)" and substitute "(1.5)".

52

53 Page 3, line 26, strike "(1.3)" and substitute "(1.5)".

54

55 Page 4, line 2, strike "THE" and substitute "IF ONE OF THE TWO
56 DESIGNATED REPRESENTATIVES FAILS TO ATTEND THE REVIEW AND

1 COMMENT MEETING, THE PETITION IS DEEMED TO BE AUTOMATICALLY
2 RESUBMITTED TO THE DIRECTORS OF THE LEGISLATIVE COUNCIL AND THE
3 OFFICE OF LEGISLATIVE LEGAL SERVICES FOR REVIEW AND COMMENT,
4 UNLESS THE DESIGNATED REPRESENTATIVE PRESENT OBJECTS TO THE
5 AUTOMATIC RESUBMISSION. NO LATER THAN FIVE BUSINESS DAYS AFTER
6 THE RESUBMISSION, THE DIRECTORS SHALL CONDUCT A REVIEW AND
7 COMMENT MEETING IN ACCORDANCE WITH THE REQUIREMENTS OF THIS
8 SECTION. IF BOTH DESIGNATED REPRESENTATIVES FAIL TO ATTEND THE
9 REVIEW AND COMMENT MEETING OR IF THE DESIGNATED PROPONENT
10 PRESENT OBJECTS TO THE AUTOMATIC RESUBMISSION, THE".

11

12 Page 4, strike lines 5 through 13.

13

14 Page 5, line 7, strike "THE".

15

16 Page 5, strike lines 8 and 9.

17 Page 5, line 10, strike "OF THIS SECTION;".

18

19 Page 5, strike lines 14 through 17 and substitute "or constitutional
20 amendment.".

21

22 Page 5, line 20, strike "**Preliminary**" and substitute "**Initial**".

23

24 Page 6, strike lines 1 through 3 and substitute "DESIGNATED
25 REPRESENTATIVES OF THE PROPONENTS OR OTHER INTERESTED PERSON
26 THAT IS SUBMITTED IN ACCORDANCE WITH PARAGRAPH (b) OF THIS
27 SUBSECTION (2), THE OFFICE OF STATE PLANNING AND BUDGETING, AND
28 THE DEPARTMENT OF LOCAL AFFAIRS. THE DIRECTOR SHALL PROVIDE THE".

29

30 Page 6, line 8, strike "SITE." and substitute "SITE ON THE SAME DAY THAT
31 IT IS PROVIDED TO THE DESIGNATED REPRESENTATIVES OF THE
32 PROPONENTS.".

33

34 Page 6, after line 8 insert:

35

36 "(b) THE DESIGNATED REPRESENTATIVES OF THE PROPONENTS OR
37 ANY OTHER INTERESTED PERSON MAY SUBMIT A FISCAL IMPACT ESTIMATE
38 THAT INCLUDES AN ESTIMATE OF THE EFFECT THE MEASURE WILL HAVE ON
39 STATE AND LOCAL GOVERNMENT REVENUES, EXPENDITURES, TAXES, AND
40 FISCAL LIABILITIES IF IT IS ENACTED. THE DIRECTOR SHALL CONSIDER
41 THESE ESTIMATES AND THE BASES THEREON WHEN PREPARING THE INITIAL
42 FISCAL IMPACT STATEMENT.".

43

44 Reletter succeeding paragraph accordingly.

45

46 Page 6, strike lines 17 and 18 and substitute "SECTION.".

47

48 Page 6, line 25, strike "AND".

49

50 Page 7, strike lines 1 through 10 and substitute "TAXPAYER IF THE
51 MEASURE IS ENACTED; AND

52 (d) THE FOLLOWING STATEMENT: "THIS ABSTRACT INCLUDES
53 ESTIMATES PREPARED BY LEGISLATIVE COUNCIL STAFF AS PART OF ITS
54 INITIAL FISCAL IMPACT STATEMENT. IF THIS INITIATIVE IS TO BE PLACED ON
55 A BALLOT, STAFF WILL PREPARE NEW ESTIMATES AND REVISE THE FISCAL
56 IMPACT STATEMENT AND ITS ABSTRACT. ALL FISCAL IMPACT STATEMENTS

1 ARE AVAILABLE AT WWW.COLORADOBLUEBOOK.COM AND THE ABSTRACT
2 WILL BE INCLUDED IN THE BALLOT INFORMATION BOOKLET THAT IS
3 PREPARED FOR THE INITIATIVE."

4 (4) (a) NO LATER THAN THE FRIDAY BEFORE THE TITLE BOARD
5 MEETING AT WHICH A PROPOSED INITIATED MEASURE IS TO BE
6 CONSIDERED, THE DIRECTOR SHALL CONDUCT A PUBLIC MEETING ABOUT
7 THE DRAFT OF THE INITIAL FISCAL IMPACT STATEMENT FOR THE MEASURE,
8 INCLUDING ITS ABSTRACT. AT THE MEETING, THE DIRECTOR AND OTHER
9 MEMBERS OF LEGISLATIVE COUNCIL STAFF SHALL PROVIDE INFORMATION
10 ABOUT THE DRAFT AND ALLOW MEMBERS OF THE PUBLIC TO COMMENT ON
11 THE DRAFT.

12 (b) AT LEAST FORTY-EIGHT HOURS PRIOR TO THE MEETING
13 REQUIRED UNDER PARAGRAPH (a) OF THIS SUBSECTION (4), THE DIRECTOR
14 SHALL MAKE PUBLIC A DRAFT OF THE INITIAL FISCAL IMPACT STATEMENT,
15 INCLUDING ITS ABSTRACT. ANY PERSON MAY SUBMIT WRITTEN COMMENTS
16 TO THE DIRECTOR ABOUT THE DRAFT.

17 (5) THE ABSTRACT FOR A MEASURE MUST BE INCLUDED IN A
18 PETITION SECTION AS PROVIDED IN SECTION 1-40-110 (3).

19 (6) NEITHER THE LEGISLATIVE COUNCIL OF THE GENERAL
20 ASSEMBLY NOR ITS EXECUTIVE COMMITTEE MAY MODIFY THE INITIAL
21 FISCAL IMPACT STATEMENT PREPARED BY THE DIRECTOR. THIS
22 RESTRICTION DOES NOT APPLY TO THE FINAL FISCAL IMPACT STATEMENT
23 PREPARED IN ACCORDANCE WITH SECTION 1-40-124.5.

24 (7) AT THE SAME TIME THE DIRECTOR POSTS THE INITIAL FISCAL
25 IMPACT STATEMENT ON THE LEGISLATIVE COUNCIL WEB SITE, HE OR SHE
26 SHALL ALSO POST ON THE WEB SITE ALL FISCAL IMPACT ESTIMATES
27 RECEIVED IN ACCORDANCE WITH PARAGRAPH (b) OF SUBSECTION (2) OF
28 THIS SECTION AND ANY COMMENTS ABOUT THE DRAFT OF THE INITIAL
29 FISCAL IMPACT STATEMENT SUBMITTED IN ACCORDANCE WITH PARAGRAPH
30 (b) OF SUBSECTION (4) OF THIS SECTION."

31

32 Page 7, after line 10 insert:

33 "SECTION 4. In Colorado Revised Statutes, 1-40-107, **amend**
34 (1) (a), (1) (b), (2), and (4); and **add** (5.5) as follows:

35 **1-40-107. Rehearing - appeal - fees - signing.** (1) (a) (I) Any
36 person presenting an initiative petition or any registered elector who is not
37 satisfied with a decision of the title board with respect to whether a
38 petition contains more than a single subject pursuant to section
39 1-40-106.5, or who is not satisfied with the titles and submission clause
40 provided by the title board and who claims that they are unfair or that they
41 do not fairly express the true meaning and intent of the proposed state law
42 or constitutional amendment may file a motion for a rehearing with the
43 secretary of state within seven days after the decision is made or the titles
44 and submission clause are set.

45 (II) THE DESIGNATED REPRESENTATIVES OF THE PROPONENTS OR
46 ANY REGISTERED ELECTOR WHO IS NOT SATISFIED WITH THE ABSTRACT
47 PREPARED BY THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL
48 OF THE GENERAL ASSEMBLY IN ACCORDANCE WITH SECTION 1-40-105.5
49 MAY FILE A MOTION FOR A REHEARING WITH THE SECRETARY OF STATE
50 WITHIN SEVEN DAYS AFTER THE TITLES AND SUBMISSION CLAUSE FOR THE
51 INITIATIVE PETITION ARE SET ON THE GROUNDS THAT:

52 (A) AN ESTIMATE INCLUDED IN THE ABSTRACT IS INCORRECT;
53 (B) THE ABSTRACT IS MISLEADING OR PREJUDICIAL; OR
54 (C) THE ABSTRACT DOES NOT COMPLY WITH THE REQUIREMENTS
55 SET FORTH IN SECTION 1-40-105.5 (3).

56 (b) A motion for rehearing must be typewritten and set forth with

1 particularity the grounds for rehearing. If the motion claims that the
2 petition contains more than a single subject, then the motion must, at a
3 minimum, include a short and plain statement of the reasons for the claim.
4 If the motion claims that the title and submission clause set by the title
5 board are unfair or that they do not fairly express the true meaning and
6 intent of the proposed state law or constitutional amendment, then the
7 motion must identify the specific wording that is challenged. IF THE
8 MOTION CLAIMS THAT AN ESTIMATE IN THE ABSTRACT IS INCORRECT, THE
9 MOTION MUST INCLUDE DOCUMENTATION THAT SUPPORTS A DIFFERENT
10 ESTIMATE. IF THE MOTION CLAIMS THAT THE ABSTRACT IS MISLEADING OR
11 PREJUDICIAL OR DOES NOT COMPLY WITH THE STATUTORY REQUIREMENTS,
12 THE MOTION MUST SPECIFICALLY IDENTIFY THE SPECIFIC WORDING THAT
13 IS CHALLENGED OR THE REQUIREMENT AT ISSUE.

14 (2) If any person presenting an initiative petition for which a
15 motion for a rehearing is filed, any registered elector who filed a motion
16 for a rehearing pursuant to subsection (1) of this section, or any other
17 registered elector who appeared before the title board in support of or in
18 opposition to a motion for rehearing is not satisfied with the ruling of the
19 title board upon the motion, then the secretary of state shall furnish such
20 person, upon request, a certified copy of the petition with the titles and
21 submission clause of the proposed law or constitutional amendment OR
22 THE ABSTRACT, together with a certified copy of the motion for rehearing
23 and of the ruling thereon. If filed with the clerk of the supreme court
24 within seven days thereafter, the matter shall be disposed of promptly,
25 consistent with the rights of the parties, either affirming the action of the
26 title board or reversing it, in which latter case the court shall remand it
27 with instructions, pointing out where the title board is in error.

28 (4) No petition for any initiative measure shall be circulated nor
29 any signature thereto have any force or effect which has been signed
30 before the titles and submission clause have been fixed and determined
31 as provided in section 1-40-106 and this section, OR BEFORE THE
32 ABSTRACT HAS BEEN FIXED AND DETERMINED AS PROVIDED IN SECTION
33 1-40-105.5 AND THIS SECTION.

34 (5.5) IF THE TITLE BOARD MODIFIES THE ABSTRACT PURSUANT TO
35 THIS SECTION, THE SECRETARY OF STATE SHALL PROVIDE THE DIRECTOR
36 OF RESEARCH OF THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY
37 WITH A COPY OF THE AMENDED ABSTRACT, AND THE DIRECTOR SHALL POST
38 THE NEW VERSION OF THE ABSTRACT ON THE LEGISLATIVE COUNCIL WEB
39 SITE.".

40

41 Renumber succeeding sections accordingly.

42

43 Page 8, strike lines 4 and 5 and substitute "**measure. YOU ARE ALSO**
44 **ENCOURAGED TO READ THE ABSTRACT OF THE INITIAL**
45 **FISCAL IMPACT STATEMENT THAT IS INCLUDED AT THE**
46 **BEGINNING OF THIS PETITION.**".

47

48 Page 8, line 15, strike "SECTION AND".

49

50 Page 8, strike lines 16 through 19 and substitute "SECTION.".

51

52 Page 8, line 24, strike "FISCAL IMPACT SUMMARY" and substitute "INITIAL
53 FISCAL IMPACT STATEMENT PREPARED IN ACCORDANCE WITH SECTION
54 1-40-105.5".

55

56 Page 8, line 27, strike "January 1," and substitute "March 26,".

1 **HB15-1330** be referred favorably to the Committee on Legislative
 2 Council.

3
 4
 5 **HB15-1331** be amended as follows, and as so amended, be referred to
 6 the Committee of the Whole with favorable
 7 recommendation:

8
 9 Amend printed bill, page 2, line 5, before "(5.5)," insert "(4.5), (4.7),".

10
 11 Page 2, after line 14 insert:

12
 13 "(4.5) "EMPLOYEE" MEANS EVERY PERSON IN THE SERVICE OF AN
 14 EMPLOYER, UNDER ANY CONTRACT OF HIRE, EXPRESS OR IMPLIED, NOT
 15 INCLUDING AN ELECTIVE OFFICIAL OF THE STATE, OR OF ANY COUNTY,
 16 CITY, TOWN, IRRIGATION, DRAINAGE, OR SCHOOL DISTRICT, AND NOT
 17 INCLUDING ANY OFFICERS OR ENLISTED PERSONNEL OF THE NATIONAL
 18 GUARD OF THE STATE OF COLORADO.

19 (4.7) (a) "EMPLOYER" MEANS:

20 (I) THE STATE, AND EACH COUNTY, CITY, TOWN, IRRIGATION, AND
 21 SCHOOL DISTRICT, AND ALL PUBLIC INSTITUTIONS HAVING FOUR OR MORE
 22 EMPLOYEES;

23 (II) EVERY PERSON, ASSOCIATION OF PERSONS, FIRM, AND PRIVATE
 24 CORPORATION, INCLUDING ANY PUBLIC SERVICE CORPORATION, MANAGER,
 25 PERSONAL REPRESENTATIVE, ASSIGNEE, TRUSTEE, AND RECEIVER, WHO
 26 HAS FOUR OR MORE PERSONS REGULARLY ENGAGED IN THE SAME BUSINESS
 27 OR EMPLOYMENT, IN SERVICE UNDER ANY CONTRACT OF HIRE, EXPRESSED
 28 OR IMPLIED.

29 (b) THIS ARTICLE IS NOT INTENDED TO APPLY TO EMPLOYERS THAT
 30 EMPLOY FEWER THAN FOUR EMPLOYEES REGULARLY IN THE SAME
 31 BUSINESS, OR IN OR ABOUT THE SAME PLACE OF EMPLOYMENT."

32
 33
 34
 35 **SB15-069** be postponed indefinitely.

PRINTING REPORT

36
 37
 38
 39
 40 The Chief Clerk reports the following bills have been correctly printed:
 41 **HB15-1366, 1367, 1368, 1369, 1370.**

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

42
 43
 44
 45
 46 The Speaker has signed: **HB15-1153.**

DELIVERY OF BILLS TO GOVERNOR

47
 48
 49
 50
 51 The Chief Clerk of the House of Representatives reports the following
 52 bills have been delivered to the Office of the Governor:

53 **HB15-1042, 1072, 1149, 1204, 1266, 1269, 1295** at 4:05 p.m. on April
 54 20, 2015.

55 **HB15-1153, 1294** at 3:45 p.m. on April 21, 2015.
 56

MESSAGE FROM THE SENATE1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

Madam Speaker:

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:
SB15-254.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB15-039 amended in General Orders as printed in Senate Journal, April 20, 2015 and amended on Third Reading as printed in the Senate Journal, April 21, 2015.

SB15-206 amended in Special Orders as printed in Senate Journal, April 20, 2015.

SB15-226 amended in General Orders as printed in Senate Journal, April 20, 2015.

The Senate has passed on Third Reading and returns herewith:
HB15-1015, HB15-1136, HB15-1166, HB15-1203, HB15-1220, and
HB15-1243.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB15-1131 amended in Special Orders as printed in Senate Journal, April 20, 2015.

HB15-1187 amended in Special Orders as printed in Senate Journal, April 20, 2015.

HB15-1214 amended in General Orders as printed in Senate Journal, April 20, 2015.

The Senate has postponed indefinitely HB15-1018, HB15-1097, and
HB15-1268. The bills are returned herewith.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
without comment, **SB15-254**.
without comment, as amended, **HB15-1131, 1187, and 1214**.
without comment, as amended, **SB15-039, 206, and 226**.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 21st day of April, 2015, at 11:15 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

1 April 21, 2015

2

3 House of Representatives

4 Seventieth General Assembly

5 State Capitol

6 Denver, CO 80203

7 Ladies and Gentlemen:

8

9 I have the honor to inform you that I have approved and filed with the
10 Secretary of State the following Acts:

11

12 HB 15-1095: CONCERNING THE EXTENSION OF AN EXEMPTION
13 UNDER THE "COLORADO COMMON INTEREST
14 OWNERSHIP ACT" FOR CERTAIN SMALL COMMON-
15 INTEREST COMMUNITIES TO INCLUDE COMMUNITIES
16 CREATED BEFORE JULY 1, 1992, WHOSE
17 DECLARATIONS LIMIT THEIR ANNUAL COMMON
18 EXPENSE LIABILITY TO NO MORE THAN THREE
19 HUNDRED DOLLARS.

20

21 Approved April 21, 2015 at 10:26 am.

22

23 HB 15-1142: CONCERNING THE CONDUCT OF FORECLOSURE
24 SALES BY A PUBLIC TRUSTEE, AND, IN CONNECTION
25 THEREWITH, AUTHORIZING THE CONDUCT OF
26 FORECLOSURE SALES THROUGH THE INTERNET AND
27 OTHER ELECTRONIC MEDIA AND AUTHORIZING THE
28 COLLECTION OF FEES BY ELECTRONIC TRANSFER.

29

30 Approved April 21, 2015 at 10:21 am.

31

32 Sincerely,

33 (Signed)

34 John W. Hickenlooper

35 Governor

36

37

38 **INTRODUCTION OF BILLS**
39 **First Reading**

40

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

43

44 HB15-1371 by Representative(s) Pabon and Willett; also Senator(s)
45 Johnston--Concerning an exemption to the "Unclaimed
46 Property Act" for funds held in certain lawyer trust
47 accounts.

48 Committee on Finance

49

50 HB15-1372 by Representative(s) Tyler and Becker J.; also Senator(s)
51 Heath--Concerning an increase in the cap placed on the
52 annual fee each public utility pays to defray the
53 administrative expenses of the agencies within the
54 department of regulatory agencies that address public
55 utility matters.

56 Committee on Finance

1 **HB15-1373** by Representative(s) Singer; also Senator(s) Aguilar--
 2 Concerning the creation of a provisional certification to
 3 practice speech-language pathology.
 4 Committee on Public Health Care & Human Services

5
 6 **HB15-1374** by Representative(s) Court and McCann, Arndt, Becker J.,
 7 Becker K., Danielson, Esgar, Fields, Garnett, Ginal,
 8 Hamner, Hullinghorst, Kraft-Tharp, Lebsock, Lee,
 9 Lontine, Melton, Moreno, Pabon, Primavera, Rankin,
 10 Rosenthal, Vigil, Williams, Wilson, Winter, Young; also
 11 Senator(s) Steadman--Concerning the addition of a line on
 12 the state individual income tax return form that allows a
 13 taxpayer to direct the state to invest the taxpayer's refund
 14 of state revenues in excess of the state fiscal year spending
 15 limit in state services.
 16 Committee on Finance

17
 18
 19
 20 On motion of Representative Duran, the following bill(s) will be
 21 calendared for General Orders on April 22: **HB15-1331, SB15-173.**

22
 23 On motion of Representative Duran, the following bill(s) will be
 24 calendared for General Orders on April 27: **HB15-1061.**

25
 26
 27
 28
 29 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
 30 April 22, 2015.

31
 32
 33 Approved:
 34 DICKY LEE HULLINGHORST,
 35 Speaker

36 Attest:
 37 MARILYN EDDINS,
 38 Chief Clerk
 39
 40
 41
 42