

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



SENATE BILL 06-041

BY SENATOR(S) Veiga, Bacon, Evans, Fitz-Gerald, Gordon, Hagedorn, Hanna, Isgar, Johnson, Jones, Keller, Kester, Lamborn, May R., McElhany, Mitchell, Owen, Sandoval, Shaffer, Takis, Tapia, Taylor, Teck, Tochtrop, Traylor, Tupa, Wiens, Williams, Windels, Boyd, Groff, and Spence; also REPRESENTATIVE(S) Coleman, Cadman, Carroll M., Carroll T., Frangas, Hall, Jahn, Knoedler, Madden, McGihon, Merrifield, Paccione, Pommer, Solano, Todd, and Witwer.

CONCERNING THE APPLICATION OF THE HEALTH INSURANCE PROMPT PAY PROVISIONS TO CLAIMS MADE AS A RESULT OF A MOTOR VEHICLE ACCIDENT.

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

**SECTION 1.** 10-16-106.5 (2.5), Colorado Revised Statutes, is amended to read:

**10-16-106.5. Prompt payment of claims - legislative declaration.**  
(2.5) This section shall ~~not~~ apply to claims ~~arising under part 6 of article 4 of this title~~ MADE AS A RESULT OF INJURIES SUSTAINED IN A MOTOR VEHICLE ACCIDENT REGARDLESS OF WHETHER FAULT IN SUCH ACCIDENT HAS BEEN DETERMINED.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2. Effective date - applicability.** (1) This act shall take effect January 1, 2007.

(2) However, if a referendum petition is filed against this act or an item, section, or part of this act during the 90-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, then the act, item, section, or part, shall not take effect unless approved by the people at a biennial regular general election and shall take effect on the date specified in subsection (1) or on the date of the official declaration of the vote thereon by proclamation of the governor, whichever is later.

(3) The provisions of this act shall apply to claims made on or after the applicable effective date of this act.

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Joan Fitz-Gerald  
PRESIDENT OF  
THE SENATE

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Andrew Romanoff  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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Bill Owens  
GOVERNOR OF THE STATE OF COLORADO