

SB037\_L.002

## SENATE COMMITTEE OF REFERENCE REPORT

\_\_\_\_\_  
Chairman of Committee\_\_\_\_\_  
DateCommittee on State, Veterans & Military Affairs.

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

SB09-037 be amended as follows:

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

3 "SECTION 1. 8-46-102 (2) (a) (I) and (3) (a), Colorado Revised  
4 Statutes, are amended to read:

5 **8-46-102. Funding for subsequent injury fund and major**  
6 **medical insurance fund.** (2) (a) (I) Notwithstanding the provisions of  
7 sections 10-3-209 (1) (c) and 10-6-128 (3), C.R.S., for the purpose of  
8 funding the financial liabilities of the subsequent injury fund pursuant to  
9 this section and of the major medical insurance fund pursuant to section  
10 8-46-202, every person, partnership, association, and corporation,  
11 whether organized under the laws of this state or of any other state or  
12 country, every mutual company or association, every captive insurance  
13 company, and every other insurance carrier, including Pinnacol  
14 Assurance, insuring employers in this state against liability for personal  
15 injury to their employees or death caused thereby under the provisions of  
16 articles 40 to 47 of this title shall, as provided in this subsection (2), be  
17 levied a tax upon the premiums received in this state, whether or not in  
18 cash, or on account of business done in this state for such insurance in  
19 this state at a rate ~~not to exceed three and one-quarter percent~~  
20 DETERMINED BY THE DIRECTOR until the balance in either or both funds  
21 exceeds the estimated ~~actuarial present~~ value of future claim payments  
22 THAT ARE ANTICIPATED TO BE SUBMITTED IN THE FOLLOWING STATE  
23 FISCAL YEAR for which such fund is liable. ~~after which time said~~  
24 ~~surcharge shall be reduced or eliminated, as the case may be, as~~

